CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, March 24, 2021; 5:30 PM

City Hall | 226 W 4th St | Council Chambers

A partially electronic meeting is being held because a fully "in-person" meeting is impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 20 persons.

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 March 10, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for March 17, 2021.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. Child Abuse Prevention Week | March 29 - April 4, 2021
2. Junior Achievement Day | April 1, 2021
3. CDBG Week | April 5 - 9, 2021

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. Third Consideration: Ordinance for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. [Ward 6]

THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

2. Third Consideration: Ordinance for Case ORD20-02 being the request of

Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing. [Ward 3]

3. Third Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of the public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of an alley in Block 89 of LeClaire's 8th Addition. [Ward 3]

4. Second Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition. [Ward 3]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF THIRD CONSIDERATION.

i. Motion for suspension of the rules

ii. Passage of third consideration

XI. 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. Resolution setting a Public Hearing on a proposed lease of land at the northeast corner of 5th and Brady for the Martin Luther King, Jr Plaza with the Friends of Martin Luther King, Jr (FoMLK, petitioner). [Ward 3]

2. Resolution approving Case CP21-01 being the request of MCC Iowa LLC on behalf of MM Development LLC to amend the Davenport 2035 Future Land Use Map Designation at 5000 Grand Avenue from Residential General (RG) to Industry (I). [Ward 7]

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

   Davenport Community School District; Track Meets; Brady Street Stadium, 3603 Brady Street; Various dates and times in April and May 2021 (see attached list); **Closure:** 36th Street from Brady Street to just west of Davenport Avenue. [Ward 7]

   Ganzo's Mexican Restaurant, Ganzo's Cinco de Mayo 5K & Fiesta; Saturday, May 1, 2021; 6:00 a.m. – 11:00 a.m.; **Lane closures:** northbound N Marquette from W Kimberly to W 41st (northbound W Kimberly to 3923 N Marquette St closed until 11:30 p.m. for the Fiesta); W 41st from Marquette to Division; easternmost northbound lane Division from W 41st to W 53rd; southernmost eastbound lane W 53rd from Division to NW Blvd; southbound NW Blvd from W 53rd to Taylor; Taylor from NW Blvd to W 52nd; W 52nd/Garner Dr from Taylor to W 51st; W 51st from W 52nd/Garner Dr to Fillmore Ln; Fillmore Ln from W 51st to W 46th; W 46th from Fillmore Ln to

Marquette; Marquette from W 46th to finish line at Ganzo's Restaurant. Volunteers will be present throughout the neighborhoods to assist residents who need to enter and exit. [Wards 7 & 8]

4. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Sunderbruch Park Bridge Over Blackhawk Creek Repair Project, CIP #21005. [Ward 1]

5. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Causeway Flood Repairs project. [Ward 1]

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 Sidewalk Program, CIP #28025. [All Wards]

7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 ADA Ramp Program Project, CIP #28026. [All Wards]

8. Resolution approving the contract for West 53rd Street Full Depth Patching to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $958,178, CIP #35046. [Ward 8]

9. Resolution approving the contract for the Harrison Street Reconstruction project (Northbrook Drive to 5003 Harrison Street) to Emery Construction Group of Moline, Illinois in the amount of $154,784.23, CIP #35047. [Ward 8]

10. Resolution approving the contract for the East 38th Street Reconstruction to McClintock Trucking & Excavating of Silvis, Illinois in the amount of $257,836, CIP #35047. [Ward 7]

11. Resolution approving the contract for the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) to Five Cities Construction Company of Coal Valley, Illinois in the amount of $288,021.50, CIP #35047. [Ward 2]

12. Resolution approving the contract for the Heatherton Drive Reconstruction project (Fairmount Avenue to Michigan Avenue) to Hawkeye Paving Corporation of Bettendorf, Iowa in the amount of $297,591, CIP #35047. [Ward 2]

13. Resolution approving the contract for the Sheffield Drive Reconstruction project (West 54th Street to Hillandale Road) to Tri City Blacktop Inc of Bettendorf, Iowa in the amount of $291,242.50, CIP #35047. [Ward 2]

14. Resolution approving the contract for Natural Resources mowing services to Delfs Landscape and Irrigation of Blue Grass, Iowa in the amount of $112,365. [All Wards]

15. Resolution authorizing the submission of a grant application to the Federal Transit Administration (FTA) for three battery powered electric buses and related charging facilities. [All Wards]

16. Resolution adopting the FY 2022 Operating Budget, FY 2022 Capital Improvement Budget, and the FY 2022 - FY 2027 Capital Improvement Plan. [All Wards]

17. Resolution approving seven Open Prairie/Forest Cover property tax

exemptions. [Wards 1, 6, & 8]

18. Motion approving the allocations for Year 47 (July 1, 2021 – June 30, 2022) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

19. Motion approving noise variance requests on the listed dates and times.

    McCleary Excavating; Detention Pond Pumping; Prairie Pointe Detention Pond (north of East 58th Street and west of Belle Ave); March 25, 2021 through end of April 24 hours a day only after rain events; Commercial pump, over 50 dBA. [Ward 8]

    Ganzo's Mexican Restaurant; Ganzo's Cinco de Mayo Fiesta; 3923 North Marquette Street; Saturday, May 1, 2021; 12:00 p.m. – 11:30 p.m.; Outdoor music, over 50 dBA. [Ward 7]

20. Motion approving beer and liquor license applications.

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

    Ward 7

    Assumption High School (Assumption High School) 1020 W Central Park Ave - "April Knights" April 23, 2021 – Outdoor Area - License Type: C Liquor

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

    Ward 2

    Rina Mart LLC (Rina Mart, LLC) - 3815 W Kimberly Rd - License Type: Class E Liquor

    Ward 3

    Rudy's Taco's (Majec, Inc) - 326 Cedar St - License Type: Class B Beer

    Gateway Pub (Doo-Dah, Inc) - 702 W 3rd St - License Type: Class C Liquor

    Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 W 2nd St - License Type: Class C Liquor

    Taste of Ethiopia (Taste of Ethiopia, LLC) - 102 S Harrison St - Outdoor Area - License Type: Beer/Wine

    Antonella's Trattoria Ristorante (Antonella Trattoria Restaurant, Inc) - 112 W 3rd St - License Type: Beer/Wine

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

Ward 4

Hilltop Grocery (Hilltop Grocery, LLC) - 1312 Harrison St - License Type: Class E Liquor

Famous Liquors (Jay Liquor, Inc) - 2604 W Locust St - License Type: Class E Liquor

Ward 5

The 11th St Precinct Bar and Grill (Carpe Diem I, LLC) - 2108 E 11th St - Outdoor Area - License Type: Class C Liquor

W-Mart (Kuntidharma LLC) - 1205 & 1207 E Locust St - License Type: Class E Liquor

Ward 6

Barrel House Three LLC (Barrel House Three, LLC) - 5141 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Big River Bowling (Kimberly Entertainment, LLC) - 2902 E Kimberly Rd - License Type: Class C Liquor

Buffalo Wild Wings (Blazin Wings, Inc) - 4860 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Fresh Thyme Farmers Market (Lakes Venture, LLC) - 2130 E Kimberly Rd - License Type: Class C Beer

Panchero's Mexican Grill (Central Coast Hospitality, Inc) - 4888 Utica Ridge - License Type: Class B Beer

Staybridge Hotel (Shree Balaji LLC) - 4729 Progress Dr - License Type: Beer/Wine

Ward 7

Los Portales Mexican Restaurant 2, Inc (Los Portales Mexican Restaurant 2, Inc) - 1012 E Kimberly Rd - License Type: Class C Liquor

21. Motion ratifying Change Order #1 to HR Green, Inc of Cedar Rapids, Iowa in the amount of $45,200 for the Water Pollution Control Plant Primary Clarifiers Rehabilitation project, CIP #39009. [Ward 1]
22. Motion ratifying Change Order #1 and #2 to HR Green, Inc of Cedar Rapids, Iowa in the amount of $64,200 for the Flood Resiliency Plan, CIP #60028. [Wards 1 & 3]
23. Motion ratifying Change Orders #1, #2, and #3 to Studio 483 Architects of

Davenport, Iowa in the amount of $64,200 for the Modern Woodmen Park floodwall extension, workout room addition, and clubhouse renovation project, CIP #23049. [Ward 3]

24. Motion approving a professional services contract with Veenstra & Kimm, Inc of Rock Island, Illinois in the amount of $94,370, CIP #33052. [All Wards]

25. Motion approving the renewal of an excess flood insurance premium for policy period February 12, 2021 to February 12, 2022 with Trisura Specialty Insurance Company in the amount of $63,986.53. [All Wards]

XII. Other Ordinances, Resolutions and Motions

XIII. 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.

XIV. Reports of City Officials

XV. Adjourn

City of Davenport

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

Action / Date
3/24/2021

Subject:
Approval of the City Council Meeting minutes for March 10, 2021.

ATTACHMENTS:

Type	Description
Backup Material	CC Min 031021

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/18/2021 - 10:52 AM

City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, March 10, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, March 10, 2021 at 5:31 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present except Alderwoman Lee (*In person:* Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, Alderman Jobgen, and Alderman Ambrose; *Via telephone:* Alderman Peacock and Alderwoman Dickmann). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 20 persons.

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Ambrose

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes **APPROVED**

Approval of the City Council Meeting minutes for February 24, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole **APPROVED**

Approval of the Report on Committee of the Whole for March 3, 2021.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 3, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Jobgen. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (In person: Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Jobgen, and Alderman Ambrose; Via telephone: Alderman Peacock and Alderwoman Dickmann). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 20 persons.

*The following Public Hearings were held: **Community Development:** for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition.*

*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 Ambrose item #1, Third Consideration: Ordinance for Case REZ20-08 being the request of MCC Iowa LLC on behalf of MM Development LLC to rezone 5000 Grand Avenue from R-MF Multi-Family Residential District to I-1 Light Industrial District to allow for construction of a communications building to house and operate electronics and fiber optic cables; item #2, Second Consideration: Ordinance for*

Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District; item #3, Second Consideration: Ordinance for Case ORD20-02 being the request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing; item #4, Second Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of the public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of an alley in Block 89 of LeClaire's 8th Addition; and item #5, First Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition, moved to the Discussion Agenda and all other items moved to the Consent Agenda. ***Public Safety:*** *Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Gripp item #1, Third Consideration: Ordinance amending Chapter 12.72 entitled "Conduct in Parks" to add a new Section 12.72.095 that prohibits the use of tobacco and nicotine products in the parks and park facilities, and the new liquor license for Jesse's Mart at 3721 N Division St under item #5 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 Dohrmann, second by Alderwoman Meginnis all items moved to the Consent Agenda.* ***Finance:*** *Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Ambrose all items moved to the Consent Agenda.*

Council adjourned at ***6:36 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments **APPROVED 2021-90**

1. Riverfront Improvement Commission

- Bill Churchill (re-appointment, 7th Ward)

- Tom Guy (re-appointment, 4th Ward)

2. Plan & Zoning Commission

- Paul Reinartz Jr. (re-appointment)

3. Affirmative Action Advisory Committee

- Troy Farley (New Appointment)

B. Proclamations **ISSUED 2021-91**

1. Women in Construction Week | March 7-13, 2021

2. World Kidney Day | March 11, 2021

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. *On motion by Alderwoman Meginnis, second by Alderman Gripp with all Aldermen present voting aye, the following Ordinance was adopted:*

Third Consideration: Ordinance for Case REZ20-08 being the request of MCC Iowa LLC on behalf of MM Development LLC to rezone 5000 Grand Avenue from R-MF Multi-Family Residential District to I-1 Light Industrial District to allow for construction of a communications building to house and operate electronics and fiber optic cables. [Ward 7]

ADOPTED 2021-92

Ordinance No. **2021-92**

ORDINANCE for Case REZ20-08 being the request of MCC Iowa LLC on behalf of MM Development LLC to rezone 5000 Grand Avenue from R-MF Multi-Family Residential District to I- 1 Light Industrial District to allow for construction of a communications building to house and operate electronics and fiber optic cables.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "I-1, Light Industrial District."

Lot 5 of Lyngholm Park 8th Addition to the City of Davenport, Iowa.

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The proposed I-1 Light Industrial District is compatible with the zoning of nearby property.
2. The established neighborhood character is primarily industrial to the north and east of the subject property. To the south, there is an apartment complex and several smaller scale multi-family residential developments. The proposed low intensity use of the site will serve as a transition between industrial and residential properties.
3. Rezoning the property to I-1 Light Industrial District does not create any nonconformities.

Condition:
The City Council is requested to pass a resolution amending the Future Land Use Designation from Residential General (RG) to Industry (I).

Section 3. At its January 19, 2021 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval.

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

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

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.
Approved 3/10/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. *On motion by Alderman Jobgen, second by Alderman Ambrose with all Aldermen present voting aye except Alderwoman Meginnis and Alderwoman Dickmann, the below Ordinance was amended to add the phrase "except during the course of play of the game of golf on Emeis, Duck Creek, and Red Hawk golf courses."*

On motion by Alderman Ambrose, second by Alderman Jobgen with all Aldermen present voting aye except Alderman Gripp and Alderman Ambrose, the following Ordinance was adopted as amended:

Third Consideration: Ordinance amending Chapter 12.72 entitled "Conduct in Parks" to add a new Section 12.72.095 that prohibits the use of tobacco and nicotine products in the parks and park facilities. [All Wards] **ADOPTED 2021-93**

ORDINANCE NO. **2021-93**

Ordinance amending Chapter 12.72 entitled "Conduct in Parks" to add a new Section 12.72.095 that prohibits the use of tobacco and nicotine products in the parks and park facilities.

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

Section 1. That new Section 12.72.095 entitled "Tobacco and nicotine free parks and park facilities" is hereby adopted that read as follows:

12.72.095 Tobacco and nicotine free parks and park facilities.

No person, at any time, shall use a tobacco product or nicotine product of any kind while present on any City park property or in any City park facility, except during the course of play of the game of golf on Emeis, Duck Creek, and Red Hawk golf courses. "Tobacco product" means any product made or derived from tobacco that is intended for human use, including any component, part, or accessory of a tobacco product including, but is not limited to, cigarettes, electronic smoking devices, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, chewing tobacco and dissolvable tobacco. "Electronic smoking devices" mean any device that can be used to deliver an aerosolized solution that may or may not contain nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, or other simulated smoking device. "Nicotine product" does not include any product approved by the United States Food and Drug Administration for tobacco cessation such as gum or patches.

In addition to the sanctions and remedies provided in 12.72.100, a violation of this section may be charged as a municipal infraction or simple misdemeanor; the scheduled fine shall be $100.

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.
Approved 3/10/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye except Alderman Jobgen, the following Ordinance moved to third consideration:*

Second Consideration: Ordinance for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607

East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. [Ward 6] **MOVED TO THIRD CONSIDERATION**

THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

4. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance moved to third consideration:*

Second Consideration: Ordinance for Case ORD20-02 being the request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing. [Ward 3] **MOVED TO THIRD CONSIDERATION**

5. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance moved to third consideration:*

Second Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of the public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of an alley in Block 89 of LeClaire's 8th Addition. [Ward 3] **MOVED TO THIRD CONSIDERATION**

6. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Ordinance moved to second consideration:*

First Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition. [Ward 3] **MOVED TO SECOND CONSIDERATION**

7. *On motion by Alderman Ambrose, second by Alderman Jobgen with all Aldermen present voting nay except Alderman Dohrmann and Alderman Ambrose, the following Motion failed:*

Motion approving the following beer and liquor license application. **FAILED**

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

Ward 7

Jesse's Mart (Guru Nanak Petro Mart) – 3721 N Division St – License Type E Liquor - *200' letters mailed 2/24/2021*

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderman Gripp with all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Sturdevant Street along the west side from the alley north of 12th Street to 13th Street. [Ward 4] **ADOPTED 2021-94**

ORDINANCE NO. **2021-94**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XI "RESIDENT PARKING ONLY" THERETO BY ADDING STURDEVANT STREET ALONG THE WEST SIDE FROM THE ALLEY NORTH OF 12TH STREET TO 13TH STREET.

Section 1. That Schedule XI "Resident Parking Only" of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Sturdevant Street along the west side from the alley north of 12th Street to 13th Street.

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.
Approved 3/10/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Resolution approving Case F21-01 being the request of Shewry Limited Partnership for a final plat of West Lake Business Park 4th Addition on 3.2 acres, being a replat of Lot 2 in West Lake Business Park 3rd Addition located at 7630 Louis Rich Court containing 2 industrial lots. [Ward 1] **ADOPTED 2021-95**

3. Resolution approving street, lane, or public ground closures on the listed dates and times to hold outdoor events. **ADOPTED 2021-96**

The Office; St. Patrick's Day Celebration; 116 West 3rd Street; 10:00 a.m. Saturday, March 13, 2021 - 2:00 a.m. Sunday, March 14, 2021; **Closure:** sidewalk in front of 116 West 3rd Street. [Ward 3]

St. Paul Lutheran Church; Palm Sunday Outdoor Worship Service; 2136 Brady Street; Sunday, March 28, 2021 8:00 a.m. – 11:00 a.m.; **Closure:** Lombard Street between Main Street and Brady Street. [Ward 5]

St. Paul Lutheran Church; Easter Outdoor Worship Service; 2136 Brady Street; Sunday, April 4, 2021 5:30 a.m. – 12:30 p.m.; **Closures:** High Street between Main Street and Brady Street and the north-south alley from Pleasant Street to High Street between Brady Street and Main Street. [Ward 5]

Stickman Racing Group; Easter Egg Scramble 5k; Saturday, April 3, 2021 7:00 a.m. - 11:30 a.m.; **Closures:** E 11th St from Mound St to Hillcrest Ave/E River St; Jersey Ridge Rd from E 11th St to Middle Rd; Middle Rd from Jersey Ridge Rd to

Eastmere Dr; Eastmere Dr from Middle Rd to City Limits; Wood Ln from City Limits to Forest Rd; Forest Rd from Wood Ln to Nichols Ln; Wood Ln from Forest Rd to McClellan Blvd; McClellan Blvd from Wood Ln to Edgehill Ter; Edgehill Ter from McClellan Blvd to E River St; E River St from E River Dr to Hillcrest Ave. [Wards 5 & 6]

Top Notch Production Inc/Marc Hayes; Quad City Symphony Orchestra Presents: An Evening with Renée Elise Goldsberry; 6:00 p,m. Friday, May 14, 2021 - 6:00 a.m. Sunday, May 16, 2021; **Closures:** Harrison Street and Ripley Street south of River Drive. [Ward 3]

4. Resolution approving the contract for the DOT Full Depth Patching Program to Hawkeye Paving Corporation of Bettendorf, Iowa in the amount of $154,330, CIP #35045. [All Wards] **ADOPTED 2021-97**

5. Resolution approving the contract for the construction of the Davenport Fire Department Training Center at the Public Works Facility to Reed Construction LLC of DeWitt, Iowa in the amount of $297,100, CIP #23048. [All Wards] **ADOPTED 2021-98**

6. Resolution approving the three-year contract for Microsoft, purchased through the State of Iowa contract with Insight Public Sector of Des Moines, Iowa in the amount of $568,217.25. [All Wards] **ADOPTED 2021-99**

7. Motion approving the following noise variance requests for events on the listed dates and times. **PASSED 2021-100**

The Office; St. Patrick's Day Celebration; 128 West 3rd Street; Saturday, March 13, 2021 10:00 a.m. - 9:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

Dam View Inn; St. Patrick's Day Celebration; 410 East 2nd Street; Saturday, March 13, 2021 8:00 a.m. - 11:00 p.m.; Outdoor music, over 50 dBA. [Ward 3]

Mississippi Valley Fair, Inc; 2815 West Locust Street; various dates and times April through October 2021 (see attached tentative list); Outdoor events/music, over 50 dBA. [Ward 4]

8. Motion approving beer and liquor license applications. **PASSED 2021-101**

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

Ward 3

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 W 3rd St - Outdoor area March 11, 2021-November 1, 2021 - License Type: C Liquor

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - Outdoor area "St. Patrick's Day Event" March 13-15, 2021 - License Type: C Liquor

Dam View Inn (VanDamQC LLC) – 410 E 2nd St – Outdoor area "St. Patrick's Day Event" March 12-14, 2021 - License Type: C Liquor

Fandoms Bar (W3 LLC) – 1460 W 3rd St – License Type: C Liquor

Super Saver Tobacco and Liquor (Veera Brothers LLC) – 1610 Rockingham Rd – License Type: E Liquor

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

Ward 1

Herb's Tap Inc (Herb's Tap, Inc) - 3701 Rockingham Rd - License Type: C Liquor

Ward 3

Iowa Mini Mart (Samreet LLC) - 234 W 3rd St - License Type: E Liquor

Redstone Room (River Music Experience) - 129 Main St - License Type: C Liquor

Tappa's Steak House (Big Tap Productions, Inc) - 1620 Rockingham Rd – License Type: C Liquor

Ward 4

The Gypsy Highway Bar and Grill (The Gypsy Highway Corporation) - 2606 W Locust St - Outdoor Area - License Type: C Liquor

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc) - 2815 W Locust St - Outdoor Area - License Type: C Liquor

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

Wise Guys Pizza & Pub (PB&B LLC) - 2824 W Locust St, Unit 3A – Outdoor Area - License Type: C Liquor

Ward 5

Bootleggers (Lola K, LLC) - 2228 E 11th St - Outdoor Area - License Type: C Liquor

Brew in the Village (3 Blessings Inc) - 1104 Jersey Ridge Rd - Outdoor Area - License Type: C Liquor

Grumpy's Saloon (2118-2120, In) - 2120 E 11th St - License Type: C Liquor

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

Ward 6

Camp McClellan Cellars (Julie Keehn) - 2302 E 11th St - License Type: C Beer

Mart Stop No 1 (Mart Stop No 1) - 3527 Spring St - License Type: E Liquor

QC Mart (Bethany Enterprises, Inc) - 2415 E 53rd St - License Type: C Beer

R Bar (KJT Holdings LLC) - 4907 Utica Ridge Rd - Outdoor Area – License Type: C Liquor

Ward 7

The Liquor Stop LLC (The Liquor Stop LLC) - 211 W 53rd St – License Type: E Liquor

R & C Brazilian Steakhouse LLC (R & C Brazilian Steakhouse LLC) - 320 W Kimberly Rd - License Type: C Liquor

Ward 8

Exotic Thai Restaurant (Exotic Thai Restaurant, Inc) - 2303 E 53rd St - Outdoor Area - License Type: C Liquor

Steeplegate Inn/One Hundred West (Frontier Management Corp) - 100 W 76th St - License Type: C Liquor

9. Motion approving the installation services of security cameras in the parking ramps to Davenport Electric Contract Company and Tri-City Electric in the amounts of $20,908 and $35,980 respectfully, CIP #10173. [Ward 3] **PASSED 2021-102**

10. Motion approving the annual payment for the City's Pure Storage to Insight Public Sector of Des Moines, Iowa in the amount of $69,187.44. [All Wards]

PASSED 2021-103

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:51 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk

City of Davenport

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

Action / Date
3/24/2021

Subject:
Approval of the Report on Committee of the Whole for March 17, 2021.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	COW Report 031721

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/18/2021 - 10:53 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 17, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Dunn. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Pro Tem Meginnis presiding and all Aldermen present (*In person:* Alderman Dunn, Alderman Dohrmann, Alderwoman Lee, Alderman Gripp, Alderman Condon, and Alderman Ambrose; *Via telephone:* Alderman Peacock, Alderwoman Dickmann, and Alderman Jobgen).

The following Public Hearings were held: **Community Development:** 1) for Case REZ21-01 being the request of Dan Lorentzen on behalf of Rock Church Ministries Inc to rezone Lot 2 of Nims Acres from S-OS Open Space District to R-1 Single-Family Residential District with a note that Plan and Zoning Commission recommends denial requiring 8 votes for passage; and 2) on the recommendations for Year 47 (July 1, 2021 – June 30, 2022) Community Development Block Grant (CDBG) funds. **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the Sunderbruch Park Bridge Over Blackhawk Creek Repair project, CIP #21005; 2) on the plans, specifications, form of contract, and estimate of cost for the Credit Island Causeway Flood Repairs project; 3) on the plans, specifications, form of contract, and estimate of cost for the CY 2021 ADA Ramp Program Project, CIP #28026; and 4) on the plans, specifications, form of contract, and estimate of cost for the CY 2021 Sidewalk Program, CIP #28025. **Finance:** 1) on the FY 2022 Operating Budget, FY 2022 Capital Improvement Budget, and the FY 2022 - FY 2027 Capital Improvement Plan.

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 Ambrose items #1, Third Consideration: Ordinance for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District with a note that the protest rate is over 20% and 8 votes are required for passage; #2, Third Consideration: Ordinance for Case ORD20-02 being the request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing; #3, Third Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of the public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of an alley in Block 89 of LeClaire's 8th Addition; and #4, Second Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition with a recommendation for suspension of the rules and passage of third consideration, moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Gripp all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Ambrose all items moved to the Consent Agenda.

Council adjourned at **7:13 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
3/24/2021

Subject:
Child Abuse Prevention Week | March 29 - April 4, 2021

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	3/15/2021 - 10:29 AM

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
3/24/2021

Subject:
Junior Achievement Day | April 1, 2021

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	3/15/2021 - 10:32 AM

City of Davenport

Department: Office of the Mayor
Contact Info: Samantha Torres | 563-327-5128

Action / Date
3/24/2021

Subject:
CDBG Week | April 5 - 9, 2021

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	3/15/2021 - 10:30 AM

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **3/24/2021**

Subject:
Third Consideration: Ordinance for Case REZ20-09 being the request of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. [Ward 6]

THE PROTEST RATE IS OVER 20%. 8 VOTES REQUIRED FOR PASSAGE.

Recommendation:
Adopt the Ordinance.

Background:
The Plan and Zoning Commission considered Case REZ20-09 at its February 2, 2021 meeting and voted to forward the request to City Council with a recommendation for approval. The purpose of the rezoning is to lift the existing land use and development restrictions on the property, adjust the commercial zoning boundary, and allow for townhouse and multi-family development [Ward 6].

The Commission vote was 7 yes, 0 no, and 2 abstention. The protest rate is 32.7%.

Findings:
1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Regional Commercial (RC) along the 53rd Street corridor and Residential General (RG) on the southern portion of the site.
2. The proposed C-2 Corridor Commercial District is compatible with the zoning of nearby property on 53rd Street. However, the proposed R-MF Multi-Family Residential District creates a higher density than the surrounding neighborhoods, which are zoned R-3 Single-Family and Two-Family Residential District. Therefore, conditions requiring enhanced landscaping buffers and a reduction in the maximum building height are needed to mitigate potential impacts between land uses.
3. Special consideration must be given to the increased density the proposed rezoning petition. A traffic study is required to address increased traffic demand on the major arterial roadway and local streets. Requiring a traffic signal on 53rd Street and a public north-south road through the development site will aid in mitigating traffic and emergency response concerns.
4. Rezoning the property to C-2 Corridor Commercial District and R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:
1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A north-south public street shall be required to connect Lakeview Parkway to Eastbury Estates Drive.
4. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd

Street.

5. A second ingress/egress point to East 53rd Street shall be required.
6. Street connections to East 51st Street and Hawk Drive shall be prohibited.
7. The multi-purpose trail shall be extended to the west property line.
8. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
9. A 30-foot buffer shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
10. The height of structures in the R-MF zoning district shall be no greater than 35 feet.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Revised Proposed Concept Plan
🗋	Backup Material	Updated Protest Area Map
🗋	Backup Material	Zoning Analysis & Backup Material
🗋	Backup Material	Public Comments
🗋	Backup Material	Additional Public Comments
🗋	Backup Material	Additional Public Comment
🗋	Backup Material	Additional Public Comments
🗋	Backup Material	Most Recent Proposed Conditions to the Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	2/9/2021 - 12:12 PM

ORDINANCE NO. _____

ORDINANCE for Case REZ20-09 being the equest of S.J. Russell, L.C. on behalf of the Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. [Ward 6]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-2 Corridor Commercial District" and "R-MF Multi-Family Residential District".

Legal Description of the C-2 Corridor Commercial District Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHTOF-
WAY LINE OF 53RD STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE
OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE

WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 9;

THENCE NORTH 90°00’00” WEST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE
NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST
ADDITION;

THENCE NORTH 00°23’41” EAST 590.30 FEET ALONG THE SAID WESTERLY LINE OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY
LINE OF OLD COVENTRY 1ST ADDITION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD
STREET;

THENCE NORTH 90°00’00” EAST 1311.59 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY
LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 17.928 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH
90°00’00” EAST).

Legal Description of the R-MF Multi-Family Residential Portion of Property:

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09’16” WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-
WAY LINE OF 53RD STREET; THENCE CONTINUING SOUTH 00°09’16” WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09’16” WEST 662.27 FEET ALONG THE SAID EASTERLY LINE
OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 3RD AND 4TH ADDITIONS TO THE NORTHERLY LINE OF
O’SELL’S ADDITION;

THENCE NORTH 89°36’03” WEST 1316.85 FEET ALONG THE SAID NORTHERLY LINE OF
O’SELL’S ADDITION TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST
ADDITION;

THENCE NORTH 00°23’41” EAST 662.26 FEET ALONG THE SAID WESTERLY LINE OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY
LINE OF OLD COVENTRY 1ST ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00’00” EAST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE
NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 20.000 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

Section 2. That the following findings and conditions are hereby imposed upon said rezoning:

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Regional Commercial (RC) along the 53rd Street corridor and Residential General (RG) on the southern portion of the site.
2. The proposed C-2 Corridor Commercial District is compatible with the zoning of nearby property on 53rd Street. However, the proposed R-MF Multi-Family Residential District creates a higher density than the surrounding neighborhoods, which are zoned R-3 Single-Family and Two-Family Residential District. Therefore, conditions requiring enhanced landscaping buffers and a reduction in the maximum building height are needed to mitigate potential impacts between land uses.
3. Special consideration must be given to the increased density the proposed rezoning petition. A traffic study is required to address increased traffic demand on the major arterial roadway and local streets. Requiring a traffic signal on 53rd Street and a public north-south road through the development site will aid in mitigating traffic and emergency response concerns.
4. Rezoning the property to C-2 Corridor Commercial District and R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A north-south public street shall be required to connect Lakeview Parkway to Eastbury Estates Drive.
4. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd Street.
5. A second ingress/egress point to East 53rd Street shall be required.
6. Street connections to East 51st Street and Hawk Drive shall be prohibited.
7. The multi-purpose trail shall be extended to the west property line.
8. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
9. A 30-foot buffer shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.

10. The height of structures in the R-MF zoning district shall be no greater than 35 feet.

Section 3. At its February 2, 2021 meeting, the Plan and Zoning Commission voted to forward the case to the City Council with a recommendation for approval subject to the listed findings and conditions.

Section 4. The approval of this ordinance amends and replaces the prior conditions on the real estate as set forth in Sections 17.17.010G and 17.17.010H from the City Code; per the repealer clause.

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 _____

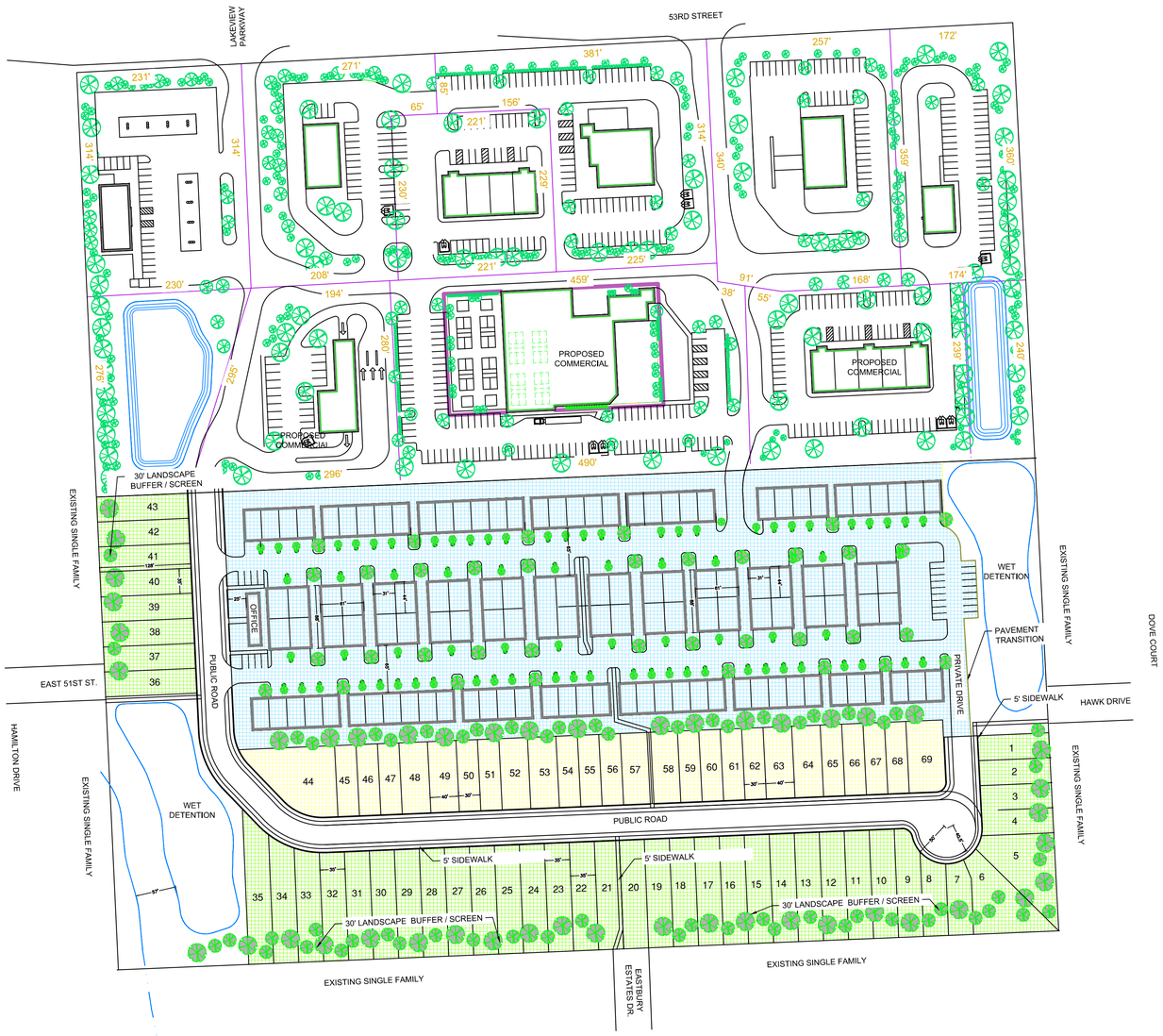
Approved _____

Published in the *Quad City Times* on _____

Attest:

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk



N

100 0 100

LEGEND:

- SINGLE FAMILY SEMI DETACHED
- TOWNHOMES
- MULTIFAMILY

F:\C\VIL3D PROJECTS\8630 DOLAN 20 ACRES DAVENPORT\20 DESIGN DRAWINGS\8630 - DOLAN EXHIBIT.DWG PLOTTED: 2/12/2021

#	DATE	DESCRIPTION	BY

DESIGNED BY: MWJ
DRAWN BY: RAM
PROJECT ENGR: MWJ

Martin & Whitacre Surveyors & Engineers, Inc.
1508 BIDWELL ROAD MUSCATINE, IOWA
PHONE (563) 263-7691 EMAIL info@martin-whitacre.com

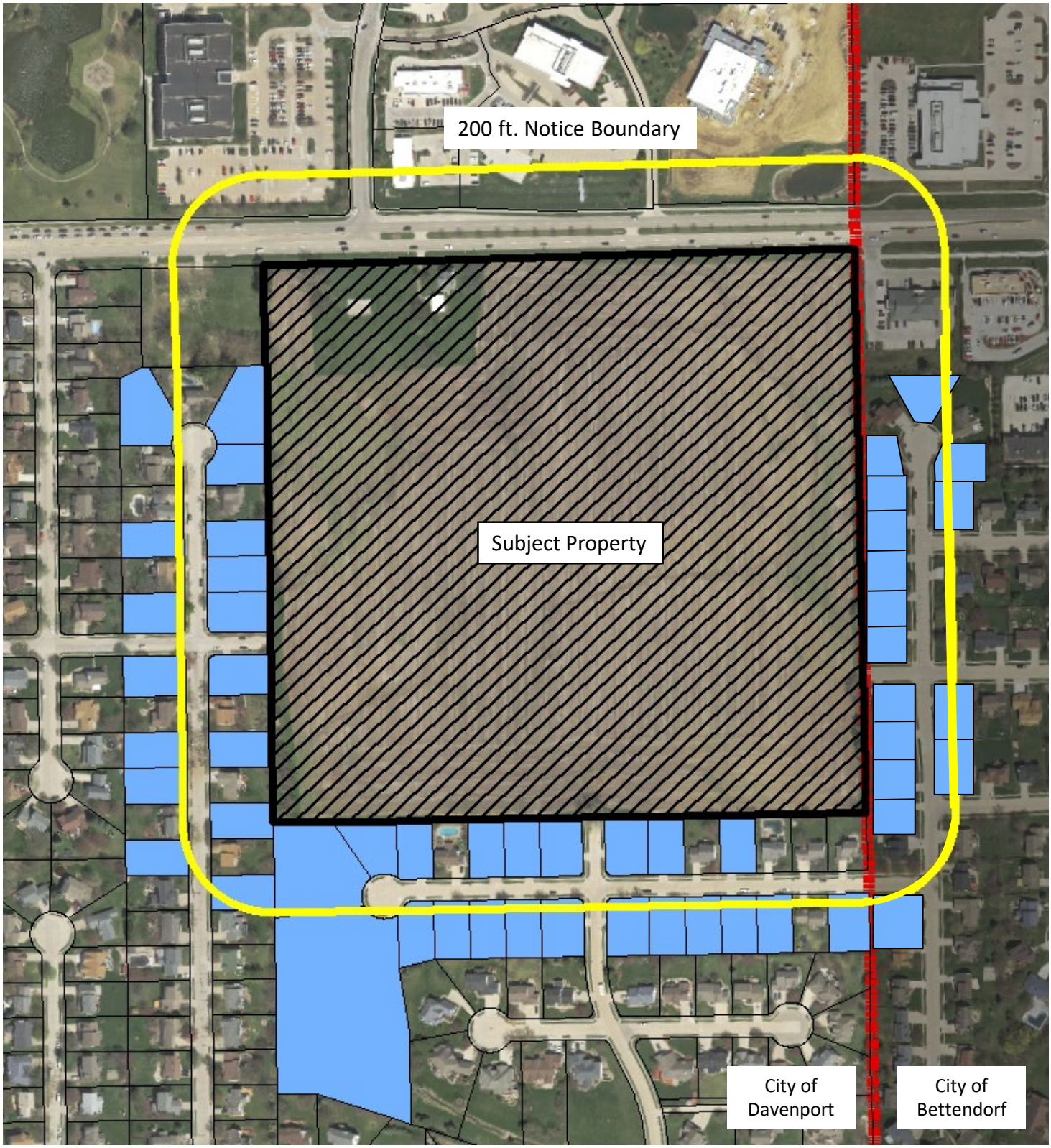
DOLAN 20 ACRE DEVELOPMENT
DAVENPORT, IOWA

OVERALL SITE DEVELOPMENT CONCEPT
DOLAN CONDEPT - F

PROJ NO: 8630.20
CONST PROJ: 000
SCALE: AS NOTED
DATE: 2/12/21

DRAWING NO: EX-6
SHEET NO:

Adjacent Property Owner Notice Area
REZ 20-09
4607 East 53rd Street



Written Protest Petitions Received Within the 200 Foot Notification Boundary as of February 17, 2021.

N

Zoning Analysis
Development and Neighborhood Services

Subject:
REZ20-09: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF
Multi-Family Residential District. The purpose of the rezoning is to lift the existing land use and development restrictions on the property, adjust the commercial zoning boundary, and allow for townhouse and multi-family development [Ward 6].

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

Future Land Use Designations:
The northern 19.86 acre area along East 53rd Street is designated Regional Commercial (RC). The southern 18.06 acre portion of the property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. The boundary between the two land use designations would need to be amended.

1. **Regional Commercial (RC)** – Are the most intense commercial areas that have service boundaries that extend beyond the City limits of Davenport. Areas designated RC should be located at the intersections of major streets and have good access to interstate and other highways. Typical uses include big box retail and large office complexes; although some residential, service and institutional uses may also be located within RC. Most people will drive or take transit to areas designated RC. However, good pedestrian systems should serve these areas and focus on connectivity from the street, through parking lots and between individual uses. Connectivity to nearby neighborhoods is desirable but less important.
2. **Residential General (RG)** – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.

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

The southern half of the site is presently zoned R-4 Single-Family and Two-Family Central Residential Zoning District. This zoning district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a dense urban development pattern. The R-4 District may also serve as a transitional district between Davenport's single-family and two-family neighborhoods and more intense uses within the City. Limited non-residential uses that are compatible

with the surrounding residential neighborhoods may be permitted in the R-4 District. The maximum building height allowed in R-4 districts is 35 feet.

The applicant is petitioning to rezone the southern portion of the property to R-MF Multi-Family Residential District. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Single-family is not allowed in this district.
Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District. The maximum building height allowed in this district is 70 feet. The petitioner has provided a concept plan showing townhomes on the southern portion with the intention of selling as owner occupied. The northern portion of the proposed R-MF would be townhouse-style rental units.

Technical Review:
City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems. City staff coordinated technical review with planning staff at the City of Bettendorf to ensure continuity between the two municipalities.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the January 7, 2021 Neighborhood Meeting and the January 19, 2021 Plan and Zoning Commission Public Hearing.

Over 40 people attended the meeting to express concern over the proposed commercial and residential development. Discussion was generally related to the following items: impact on property values, opposition of multi-family residential development in favor of single-family homes, building height, buffering between development and the existing neighborhood, traffic on 53rd Street and neighborhood roads, typography and mass grading of the site, wet detention ponds, noise, and light spillover from commercial properties. Comments were generally opposed to the rezoning request.

In addition to the concerns raised at the neighborhood meeting, written comments received after the Plan and Zoning Commission public hearing have highlighted concerns over the capacity of the school district and an increase in crime.

In response to public comments, Dan Dolan Homes has committed to a building height restriction of thirty-five feet, which is consistent with the adjacent residential zoning districts. Both Russell Construction and Dan Dolan Homes have agreed to a minimum thirty foot buffer along the eastern, western, and southern property lines where abutting residential. The overall site plan is being modified to address City and property owner concerns. A revised concept plan has been included in the report, and is subject to change as the petitioner seeks to address additional concerns and incorporate the conditions outlined in staff's recommendation.

Protest Petitions
As of Friday February 12, 2021, staff has received fifty-one protest petitions from adjacent property owners within the 200 foot notification boundary. The percentage of protests impacts City Council action requirements. When the protest rate exceeds the 20% threshold, the rezoning request may only be approved by a favorable ¾ vote of the City Council. The Current protest rate is 32.4%.

Protests are accepted through the public hearing before the City Council. All protest petitions and comment received by the City are included in the staff report packet.

Discussion:
The 37.93 acre lot is currently being used for agriculture. The northern section of the property abuts East 53rd Street, which is a commercial corridor containing a mix of retail, restaurants, and offices. In contrast, the southern portion is surrounded by single-family residential neighborhoods.
The City of Bettendorf borders the eastern boundary of the development site.

In 2011, the property was rezoned as part of a Planned Development District. The Plan and Zoning Commission placed land use restrictions on the site to mitigate potential impacts to the surrounding residential neighborhoods. The development of the property never occurred, but the zoning restrictions have remained on the site. The petitioner is requesting to remove the existing land use and development restrictions from the property, adjust the commercial zoning boundary, and enable multi-family residential development.

The City Council approved Ordinance No. 2011-20 and Ordinance No. 2011-21, which placed the following restrictions on the property:

1. That the proposed uses be limited to professional offices and residential uses.
2. That building height restrictions be reviewed at the site plan phase with lower building height (step down) being located along the perimeter of the development area.
3. That at a minimum, a buffer yard of fifty feet containing an undulated five to six foot berm be established along and within the commercially zoned area and that this buffer yard be developed with the following plantings: three canopy trees, 6 understory trees and 9 shrubs or evergreens/conifers per 100 linear feet. This buffer yard and berm shall be established during construction of any portion of the commercial zoned area.
4. 275 foot building setback line on both the east and west boundaries of the commercial zoning (no buildings allowed in the setback area for both east and west side setbacks other than residential lots on west side (houses to be built on residential lots).
5. A maximum of six buildings in the commercially zoned area.
6. A maximum commercial footprint of 160,000 square feet within the commercially zoned area.
7. A maximum commercial total square feet of 240,000 square feet within the commercial zoned area.
8. A maximum of two story height on the commercial buildings.
9. Any commercial buildings located on the approximate 40% of the PDD area can be no higher than one story above finished grade.
10. That with each site plan, preliminary or final plat provision be made for the dedication of right-of-way for the dedication of right-of-way for: the easterly extension of East 51st Street to Hawk Drive; the northerly extension of Eastbury Estates Drive to East 51st Street; the southerly extension of Lakeview Parkway to East 51st Street; and a northerly connection from East 51st Street to the northerly development site. Review of this connection and any necessary traffic calming measures be done in conjunction with the review and approval of the associated development plan or subdivision platting.
11. That at least 50% of the residential development be single-family detached housing and said detached housing be located abutting the existing single-family development.

Why is a Zoning Map Amendment Required?
The zoning map amendment is required to lift the existing land use and development restrictions on the property, adjust the commercial zoning boundary, and allow for townhouse and multi-family development.

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

Staff Response: The property is designated Regional Commercial (RC) and Residential General (RG) in the Davenport +2035 Land Use Plan. The modified boundary for Regional Commercial (RC) on the northern portion of the development site is compatible with the surrounding area. 53rd Street has developed as a major commercial corridor in both the City of Davenport and the City of Bettendorf. The applicant is attracting retail, office, service, and institutional development to the property within the C-2 Zoning District, which is consistent with the established character of 53rd Street.

The southern portion of the site will remain Residential General (RG). However, the boundary will be modified to reflect the conceptual site plan. This land use is consistent with the neighborhoods south of 53rd Street and east of Utica Ridge Road. The surrounding neighborhoods are single-family residential to the west, south, and east of the site. The Residential General (RG) land use classification allows for higher density housing along edges and transition areas.

It is staff's opinion that a condition shall be placed on the Zoning Map Amendment requesting City Council to adopt a resolution amending the Regional Commercial (RC) and Residential General (RG) boundaries on the Future Land Use Map to reflect the proposed development.

b. The compatibility with the zoning of nearby property.

Staff Response: The subject property is located on a commercial corridor, spanning both the City of Davenport and the City of Bettendorf. Land uses to the north of 53rd Street include medical and professional offices. The properties directly east comprise a bank, restaurant, and gas station. Developing the northern portion of the site for similar office, retail, and restaurant establishments is compatible with the zoning of nearby property. To reduce potential conflict with adjacent uses, staff recommends a 20-foot setback on the eastern and western-most property lines in the C-2 zoning district where abutting commercial zoning districts.

It is staff's opinion that the proposed amendment to R-MF Multi-Family Residential District is with no restrictions is incompatible with the zoning of nearby property. The existing R-4 Single-Family and Two-Family Residential District serves as a more appropriate transitional zone between the lower density neighborhoods and the more intense commercial uses on the northern portion of the site. To minimize impacts to the homes on Hamilton Court, 49th Court, 49th Street, and Dove Court,

staff recommend a 30-foot buffer along the eastern, western and southern-most property lines that abut residential districts. A height restriction of 35 feet would also reduce overall potential density.

c. The compatibility with established neighborhood character.

Staff Response: The established neighborhood character is primarily commercial along 53rd Street and residential to the west, south, and east of the subject property. It is staff's opinion that the C-2 Corridor Commercial District on the northern portion of the site is compatible with the existing zoning along the 53rd Street corridor. However, the rezoning classification to R-MF Multi-Family Residential District will create a higher-density residential environment that is inconsistent with the established character of the surrounding single-family neighborhood. R-MF allows multi-family and townhouse style developments of 3-units or more, which diverges from the established adjacent neighborhoods. However the change in housing types can help transition between single and two-family homes to a commercial development. To address the differences in density, it is staff's opinion that a buffer, landscaping, and building height restrictions are necessary.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

Staff Response: The proposed commercial with result in additional traffic along the 53rd Street corridor. The proposed multi-family development substantially increases the density of the subject property, which will generate additional trips onto 53rd Street, Hawk Drive, and Eastbury Estates Drive. The commercial and residential development of the site requires a traffic study to ensure appropriate infrastructure is in place to address the projected increase in traffic volume on 53rd street and the surrounding residential neighborhoods. City staff recommend a north-south public road be constructed extending Eastbury Estates Drive north to 53rd Street. The new public right-of-way shall align with Lakeview Parkway. This will direct site traffic to a major arterial roadway and reduce traffic on the local streets. A traffic signal shall be installed at the newly created four way intersection. To alleviate congestion at the new traffic signal, a second access point is required further east on 53rd Street.

Based on comments from the City of Bettendorf and adjacent property owners, internal roads shall not connect to 51st Street and Hawk Drive. This ensures local residential roads do not receive higher traffic volumes. In order to enhance walkability and bicycle infrastructure, city staff recommend an extension of the ten foot multi-use path to the west property line. The final placement of streets will be reviewed during the subdivision process.

It is staff's opinion that the proposed zoning map amendment fails to adequately promote the public health, safety, and welfare of the City. The revised conceptual development plan addresses the negative traffic impacts to the regional transportation system on the proposed R-MF area. The C-2 area has not been revised to show staff recommendations on the transportation network. Internal road connectivity is required to ensure emergency response times and service standards. Staff believes adding conditions to the rezoning request can address and mitigate the impacts to the regional transportation network.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Staff Response: Under the current Zoning Ordinance, strict conditions are placed on the commercial portion of the site that limit setbacks, building height, building footprint, number of buildings, total square footage of buildings, and uses. It is staff's opinion that the existing development restrictions on the commercial portion of the site be removed and replaced with modified conditions. The recommended conditions will promote development of the site while recognizing the concerns of the abutting residential property owners.

The current zoning restrictions on the residential portion of the property require the connection of 51st Street, Hawk Drive, and Eastbury Estates Drive. In collaboration with the City of Bettendorf, it was determined that the road network eliminate the connection of 51st Street and Hawk Drive. Instead, a new public road connecting Eastbury Estates Drive to 53rd Street should be constructed to enhance connectivity and direct traffic away from the abutting neighborhoods. The existing zoning conditions require at least fifty percent of the residential development be single-family detached housing, which better maintains the character of the established neighborhoods. The conditions placed are appropriate for the level of density that is permitted under the current zoning.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The undeveloped 37.93 acre site satisfies the dimensional standards for C-2 Corridor Commercial District and the R-MF Multi-Family Residential District. Dimensional standards, such as lot area, lot width, setbacks, building coverage, and impervious surface will be addressed during the subdivision and development process.

It is staff's opinion that the proposed amendment will not create any nonconformities. City staff are recommending a condition that the height of structures in the R-MF Multi-Family Residential District be no greater than thirty-five feet, which is the same height restriction in the abutting R-3 Single-Family and Two-Family Residential District. Reducing the maximum building height from seventy feet to thirty-five feet will create consistency with the surrounding single and two story homes.

Plan and Zoning Commission
REZ 20-09
4607 East 53rd Street



Rezone R-4 to R-MF and C-2
Revise Zoning Areas and Special Conditions

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

0 250 500 1,000 1,500 2,000
Feet

N

Zoning Map Amendment (Rezoning) Request
REZ 20-09
4607 East 53rd Street



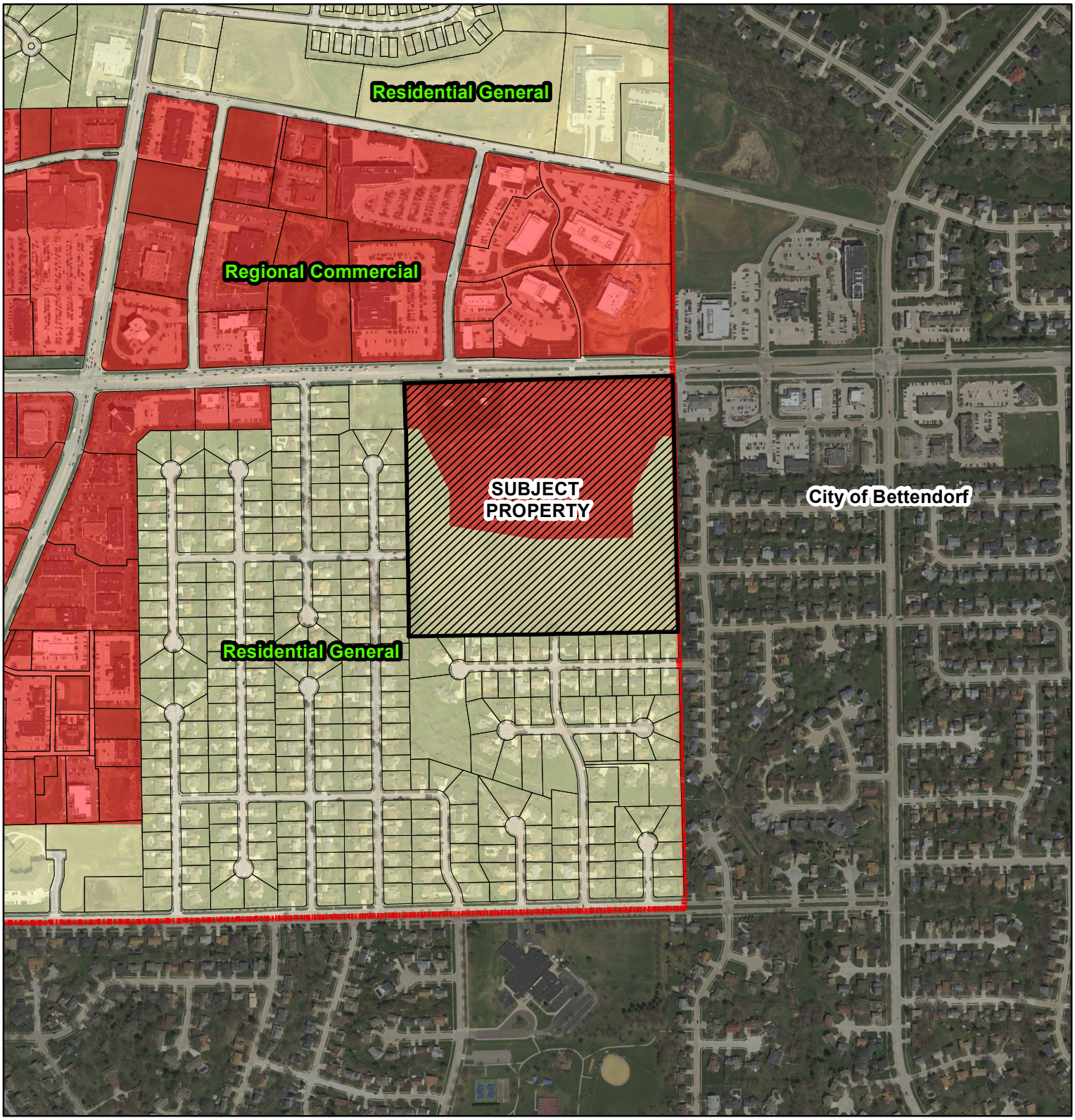
Rezone R-4 to R-MF and C-2
Revise Zoning Areas and Special Conditions

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

0 250 500 1,000 1,500 2,000
Feet

N

Future Land Use Map - Davenport +2035
REZ 20-09
4607 East 53rd Street



Rezone R-4 to R-MF and C-2
Revise Zoning Areas and Special Conditions

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

0 250 500 1,000 1,500 2,000
Feet

N

ORDINANCE 2011-20

1. **Condition 6.** That the proposed uses be limited to professional offices and residential uses.
2. **Condition 7.** That building height restrictions be reviewed at the site plan phase with lower building height (step down) being located along the perimeter of the development area. Note: site plan replaced development plan.
3. **Condition 9.** That at a minimum, a buffer yard of fifty feet containing an undulated five to six foot berm be established along and within the commercially zoned area and that this buffer yard be developed with the following plantings: three canopy trees, 6 understory trees and 9 shrubs or evergreens/conifers per 100 linear feet. This buffer yard and berm shall be established during construction of any portion of the commercial zoned area. Note: Condition 9 was modified to remove reference to previous Zoning Ordinance and the timing of improvements.
4. **Condition 12.** 275 foot building setback line on both the east and west boundaries of the commercial zoning (no buildings allowed in the setback area for both east and west side setbacks other than residential lots on west side (houses to be built on residential lots). Note: of the commercial zoning replaced on the PDD.
5. **Condition 13.** A maximum of six buildings in the commercially zoned area. Note: commercial zoned area replaced PDD.
6. **Condition 14.** A maximum commercial footprint of 160,000 square feet within the commercially zoned area. Note: within the commercial zoned area replaced on the PDD.
7. **Condition 15.** A maximum commercial total square feet of 240,000 square feet within the commercial zoned area. Note: within the commercial zoned area replaced on the PDD.
8. **Condition 16.** A maximum of two story height on the commercial buildings.
9. **Condition 19.** Any commercial buildings located on the approximate 40% of the PDD area can be no higher than one story above finished grade. Note: commercially zoned area replaced PDD area and removed reference to attached drawing.

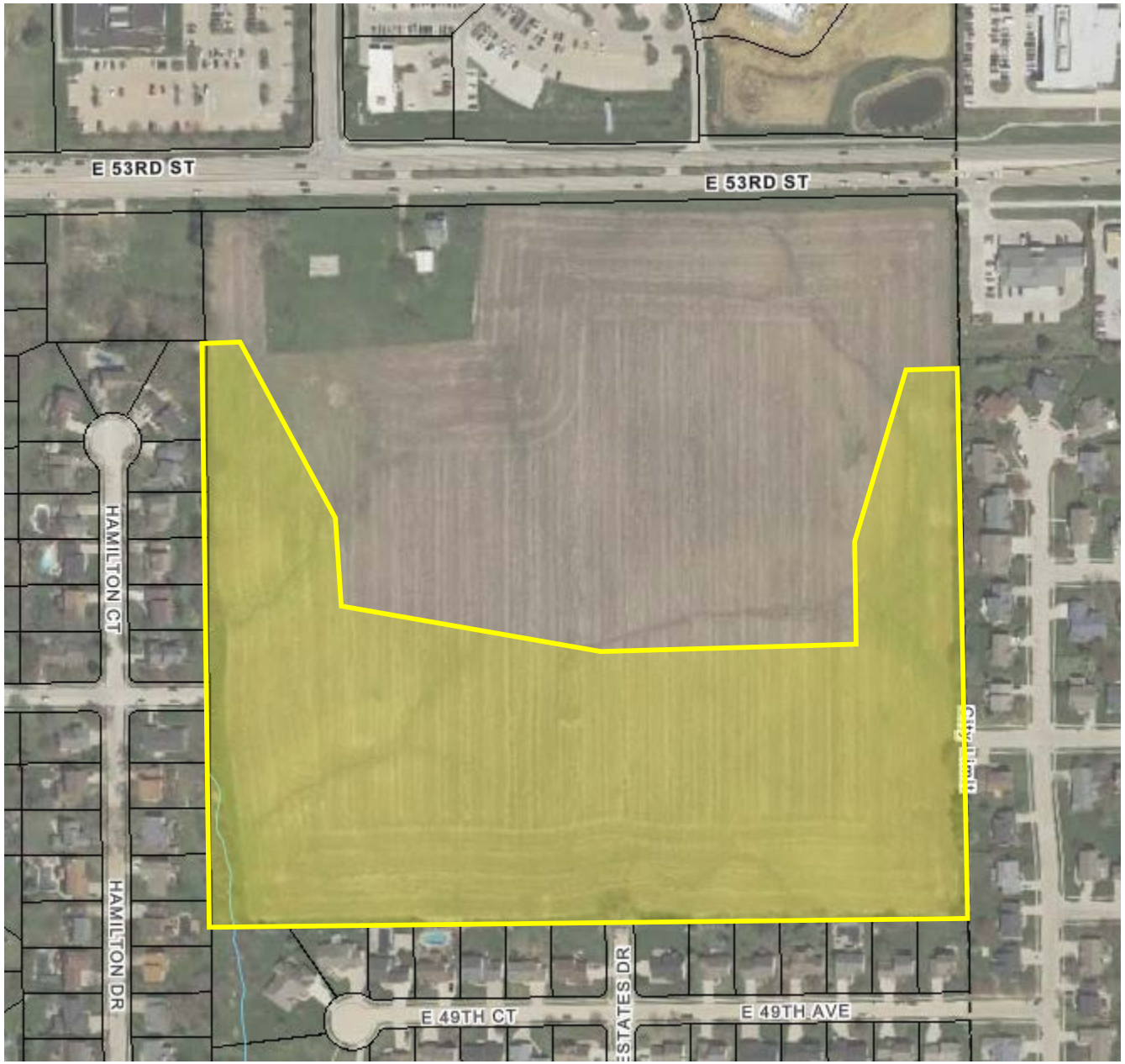
Link: Ordinance 2011-20 for meeting date 1-26-2011.pdf



19.86 Acre Area South of 53rd Street, West of Utica Ridge Road

ORDINANCE 2011-21

1. **Condition 3.** That with each site plan, preliminary or final plat provision be made for the dedication of right-of-way for the dedication of right-of-way for: the easterly extension of East 51st Street to Hawk Drive; the northerly extension of Eastbury Estates Drive to East 51st Street; the southerly extension of Lakeview Parkway to East 51st Street; and a northerly connection from East 51st Street to the northerly development site. Review of this connection and any necessary traffic calming measures be done in conjunction with the review and approval of the associated development plan or subdivision platting. Note: site plan replaced development plan.
2. **Condition 4.** That at least 50% of the residential development be single-family detached housing and said detached housing be located abutting the existing single-family development.



Link: Ordinance 2011-21 for meeting date 1-26-2011.pdf

18.06 Acre Area South of 53rd Street, West of Utica Ridge Road



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

Property Address* 4607 53rd St

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

Applicant (Primary Contact)**

Name:	Caitlin Russell
Company:	S.J. Russell, L.C.
Address:	4700 E. 53rd Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-459-4600
Email:	crussell@russellco.com

Owner (if different from Applicant)

Name:	Sophie Foster Revocable Trust
Company:	
Address:	6590 Golf Course Rd
City/State/Zip	Bettendorf, IA 52722
Phone:	563-355-3048
Email:	

Engineer (if applicable)

Name:	Mark Harpole
Company:	Shive-Hattery, Inc.
Address:	1701 River Dr., Suite 200
City/State/Zip	Moline, IL 61265
Phone:	309-764-7650
Email:	mharpole@shive-hattery.com

Architect (if applicable)

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

Attorney (if applicable)

Name:	Jennifer Smith
Company:	S.J. Russell, L.C.
Address:	4700 E. 53rd Street
City/State/Zip:	Davenport, IA 52807
Phone:	563-209-3982
Email:	jensmith@russellco.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 ☐

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 ☐

Historic Preservation Commission

- Certificate of Appropriateness ☐
- Landmark Nomination ☐
- Demolition Request ☐

Administrative

- Administrative Exception ☐
- Health Services and Congregate Living Permit ☐

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:

Existing Zoning: C-2 and R-4

Proposed Zoning Map Amendment: Revise zoning areas and special conditions, change R-4 to R-MF zoning.

Purpose of the Request:

Revise the areas of the C-2 and residential zoning per the attached legal descriptions. Request change in zoning of the residential area from R-4 to R-MF. Request removal of the special zoning conditions established in Ordinance No. 2011-20 and Ordinance 2011-21 with the understanding that new special conditions may be established as part of the Planning and Zoning review process.

Total Land Area: 37.928 Acres

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

Submittal Requirements:

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
  Zoning Map Amendment is less than 1 acre - $400.
  Zoning Map Amendment is one acre but less than 10 acres - $750 plus $25/acre.
  Zoning Map Amendment is 10 acres or more - $1,000 plus $25/acre.
  $10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:
- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the 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) Plan and Zoning Commission public hearing:
- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:
- 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 vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment 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: Caitlin Russell, S.J. Russell, L.C. Date: 12/28/2020

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: _____ Date: _____

Planning staff

Date of the Public Hearing: _____

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

Authorization to Act as Applicant

I, Ms. Sophie Foster authorize **S.J. Russell, L.C.** to act as applicant, representing me/us before the City of Davenport Plan and Zoning Commission and City Council for the property located at 4607 East 53rd Street, Davenport, Iowa

Sophie Foster

Sophie Foster

Signature(s)*

*Note, original signature required

Doc ID: 022579930004 Type: LAN
Recorded: 11/19/2020 at 02:48:02 PM
Fee Amt: $22.00 Page 1 of 4
Scott County Iowa
Rita A. Vargas Recorder
File2020-00036966

FOR RECORDER'S USE ONLY

Prepared By: Nicholas J Esser, Vice President, Fortress Bank, 9000 North Knoxville Ave., Peoria, IL 61615, (309) 966-4850

RECORDATION REQUESTED BY:
Fortress Bank, Peoria, 9000 North Knoxville Ave., Peoria, IL 61615

WHEN RECORDED MAIL TO:
Fortress Bank, Peoria, 9000 North Knoxville Ave., Peoria, IL 61615

MODIFICATION OF MORTGAGE

00000010000003206807401116 2020

The names of all Grantors (sometimes "Grantor") can be found on page 1 of this Modification. The names of all Grantees (sometimes "Lender") can be found on page 1 of this Modification. The property address can be found on page 2 of this Modification. The legal description can be found on page 2 of this Modification. The related document or instrument number can be found on page 2 of this Modification.

THIS MODIFICATION OF MORTGAGE dated November 16, 2020, is made and executed between Sophie Foster, not personally but as Trustee on behalf of Sophie Foster Revocable Trust Dated November 14, 2005, whose address is 6590 Golf Course Road, Bettendorf , IA 52722 (referred to below as "Grantor") and Fortress Bank, whose address is 9000 North Knoxville Ave., Peoria, IL 61615 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated November 14, 2019 (the "Mortgage") which has been recorded in Scott County, State of Iowa, as follows:

Recorded in Scott County, Iowa as Document ID 022195600020 on December 13, 2019.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Scott County, State of Iowa:

See Exhibit A, which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 4607 E 53rd Street, Davenport, IA 52807. The Real Property tax identification number is N0910-01.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Extending Maturity Date to November 16, 2021.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED NOVEMBER 16, 2020.

GRANTOR:

SOPHIE FOSTER REVOCABLE TRUST DATED NOVEMBER 14, 2005

By: Sophie Foster

Sophie Foster, Trustee of Sophie Foster Revocable Trust Dated November 14, 2005

LENDER:

FORTRESS BANK

X

Nicholas J Esser, Vice President

TRUST ACKNOWLEDGMENT

STATE OF IOWA)
) SS
COUNTY OF SCOTT)

This record was acknowledged before me on Nov 2, 2020 by **Sophie Foster, Trustee of Sophie Foster Revocable Trust Dated November 14, 2005.**

Mary Claire Griffith
Notary Public in and for the State of IOWA
My commission expires 27 Feb 2021

MARY CLAIRE GRIFFITH
Commission Number 809155
My Commission Expires
February 27, 2021

LENDER ACKNOWLEDGMENT

STATE OF IOWA)
) SS
COUNTY OF SCOTT)

This record was acknowledged before me on 2 Nov, 2020 by **Nicholas J Esser as Vice President of Fortress Bank.**

Mary Claire Griffith
Notary Public in and for the State of IOWA
My commission expires 27 Feb 2021

MARY CLAIRE GRIFFITH
Commission Number 809155
My Commission Expires
February 27, 2021

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IA/IL C:\CFI\LPL\G201.FC TR-22126 PR-189

EXHIBIT A

Part of the Northeast Quarter of the Southwest Quarter of Section 9, T78N, R4E, of the 5th P.M. Davenport, Scott County, Iowa, more particularly described as follows:

Commencing as a point of reference at the Northeast corner of the Northeast quarter of the Southwest Quarter of Section 9, T78N ,R4E, of the 5th P.M. thence South 00°09'16" West 50.00 feet along the East line of the Northeast Quarter of the Southwest Quarter of said Section 9 to the Southerly right-of-way line of 53rd Street and the point of beginning of the parcel herein described (for the purposes of this description of the North line of the Northeast Quarter of the Southwest Quarter of said Section 9 is assumed to bear North 90°00'00" East);

thence South 00°09'16" West 1261.71 feet along the East line of the said Northeast Quarter of the Southwest Quarter of Section 9 and the Westerly line of Hunter Meadows 3rd and 4th Additions to the City of Bettendorf, Scott County, Iowa;

thence North 89°36'03" West 1316.85 feet to the West line of the said Northeast Quarter of the Southwest Quarter of Section 9 and the Easterly line of Olde Coventry First Addition to the City of Davenport, Scott County, Iowa;

thence North 00°23'41" East 1252.56 feet along the said West line of the Northeast Quarter of the Southwest Quarter of Section 9 and the Easterly line of Olde Coventry First Addition to the said Southerly right-of-way line of 53rd Street;

thence North 90°00'0" East 1311.59 feet along the said Southerly right-of-way line of 53rd Street to the point of beginning.

This parcel contains 37.93 acres more or less.

LAND DESCRIPTION

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9;

THENCE NORTH 90°00'00" WEST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 590.30 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1311.59 FEET ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 17.928 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

LAND DESCRIPTION

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DAVENPORT, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 4 EAST, OF THE 5TH PRINCIPAL MERIDIAN;

THENCE SOUTH 00°09'16" WEST 50.00 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE CONTINUING SOUTH 00°09'16" WEST 599.44 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°09'16" WEST 662.27 FEET ALONG THE SAID EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 3RD AND 4TH ADDITIONS TO THE NORTHERLY LINE OF O'SELL'S ADDITION;

THENCE NORTH 89°36'03" WEST 1316.85 FEET ALONG THE SAID NORTHERLY LINE OF O'SELL'S ADDITION TO THE WESTERLY LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION;

THENCE NORTH 00°23'41" EAST 662.26 FEET ALONG THE SAID WESTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE EASTERLY LINE OF OLD COVENTRY 1ST ADDITION TO A LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET;

THENCE NORTH 90°00'00" EAST 1314.08 FEET ALONG THE SAID LINE PARALLEL TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF 53RD STREET TO THE EASTERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE WESTERLY LINE OF HUNTER MEADOW 4TH ADDITION AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 20.000 ACRES MORE OR LESS.

(FOR PURPOSES OF THIS DESCRIPTION, THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 IS ASSUMED TO BEAR NORTH 90°00'00" EAST).

53RD STREET

EXISTING SINGLE FAMILY

DOG PARK WITH CHAIN LINK FENCE

OFFICE

5' SIDEWALK

WET DETENTION

EXISTING SINGLE FAMILY

HAMILTON DRIVE

EAST 51ST ST.

HAWK DRIVE

DOVE COURT

LANDSCAPE BUFFER / SCREEN

28 27 26 25 24 23 22

29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51

WET DETENTION

5' SIDEWALK

SETBACK

21 20 19 18 17 16 15 14

13 12 11 10 9 8 7 6 5 4 3 2 1

PARK

EXISTING SINGLE FAMILY

2020-12-28
S.J. Russell, L.C.
Sophie Foster Property
3204340

COMMERCIAL DEVELOPMENT

SHIVEHATTERY
ARCHITECTURE + ENGINEERING

Martin & Whitacre
Surveyors & Engineers, Inc.
1508 BIDWELL ROAD MUSCATINE, IOWA
PHONE (563) 263-7661 EMAIL info@martin-whitacre.com

FL EXISTING CREEK

EXISTING SINGLE FAMILY

EASTBURY ESTATES DR

EXISTING SINGLE FAMILY

RESIDENTIAL DEVELOPMINET

DAN DOLAN HOMES



LOT COUNT SUMMARY
SINGLE FAMILY = 58
MULTI FAMILY = 118
TOTAL = 173

N

100 0 100

F:\CIVIL3D PROJECTS\8630 DOLAN 20 ACRES DAVENPORT\20 DESIGN DRAWINGS\8630 - DOLAN EXHIBIT.DWG PLOTTED: 1/29/2021

#	DATE	DESCRIPTION	BY

DESIGNED BY: MWJ
DRAWN BY: RAM
PROJECT ENGR: MWJ

Martin & Whitacre Surveyors & Engineers, Inc.
1508 BIDWELL ROAD MUSCATINE, IOWA
PHONE (563) 263-7691 EMAIL info@martin-whitacre.com

DOLAN 20 ACRE DEVELOPMENT
DAVENPORT, IOWA

OVERALL SITE DEVELOPMENT CONCEPT
DOLAN CONDEPT - E

PROJ NO: 8630.20
CONST PROJ: 000
SCALE: AS NOTED
DATE: 1/29/21

DRAWING NO: EX-6
SHEET NO:

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

REZONING REQUEST NOTICE | Plan and Zoning Commission

Rezoning Request
REZ20-09: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. [Ward 6].

To: All property owners within 200 feet of the subject property located at **4607 East 53rd Street.**

Neighborhood Meeting
Date: 1/7/2021 Time: 5:30 PM Location: Birchwood Learning Center | 4620 East 53rd Street.

Plan and Zoning Commission Public Hearing
Date: 1/19/2021 Time: 5:00 PM Location: Council Chambers | City Hall | 226 W. 4th ST.

What is this About?
This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Zoning Map Amendment. The purpose of the Zoning Map Amendment is to lift the existing land use and development restrictions on the property, adjust the commercial zoning boundary, and allow for townhouse and multi-family development.

What are the Next Steps after the Neighborhood Meeting and Public Hearing?
The Plan and Zoning Commission will hold a formal public hearing at their meeting on January 19, 2021. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on February 2, 2021. The Commission's recommendation will be forwarded to the City Council, which is the final review authority. For the specific dates and times of subsequent meetings, please contact the case planner below. As a reminder, **Face masks are required for all in person attendance.**

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.

On-line/Telephone Participation at the Plan and Zoning Commission Public Hearing:
Persons may join the meeting virtually: https://www.gotomeet.me/Davenport_Planning/planzoning & at 1-866-899-4679 with access code: 492-653-453. All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": 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.

Adjacent Property Owner Notice Area
REZ 20-09
4607 East 53rd Street



Rezone from C-2 and R-4 to C-2 and R-MF
Revise Zoning Areas and Special Conditions

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

0 115 230 460 690 920 Feet

N

DAVENPORT
DEVELOPMENT & NEIGHBORHOOD SERVICES

Public Hearing Notice | Committee of the Whole

Date: 2/17/2021
Time: 5:30 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Rezoning Request Before the Committee of the Whole

To: All property owners within 200 feet of the subject property located at **4607 East 53rd Street**

There is on file in the Development and Neighborhood Services Department (DNSD), on behalf of the Plan and Zoning Commission, the following request:

REZ20-09: Request of S.J. Russell, L.C. on behalf of Sophie Foster Revocable Trust to rezone the property located at 4607 East 53rd Street to C-2 Corridor Commercial District and R-MF Multi-Family Residential District. The purpose of the rezoning is to lift the existing land use and development restrictions on the property, adjust the commercial zoning boundary, and allow for townhouse and multi-family development [Ward 6].

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Regional Commercial (RC) along the 53rd Street corridor and Residential General (RG) on the southern portion of the site.
2. The proposed C-2 Corridor Commercial District is compatible with the zoning of nearby property on 53rd Street. However, the proposed R-MF Multi-Family Residential District creates a higher density than the surrounding neighborhoods, which are zoned R-3 Single-Family and Two-Family Residential District. Therefore, conditions requiring enhanced landscaping buffers and a reduction in the maximum building height are needed to mitigate potential impacts between land uses.
3. Special consideration must be given to the increased density of the proposed rezoning petition. A traffic study is required to address increased traffic demand on the major arterial roadway and local streets. Requiring a traffic signal on 53rd Street and a public north-south road through the development site will aid in mitigating traffic and emergency response concerns.
4. Rezoning the property to C-2 Corridor Commercial District and R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. A north-south public street shall be required to connect Lakeview Parkway to Eastbury Estates Drive.
4. A traffic signal shall to be required at the intersection of Lakeview Parkway and East 53rd Street.
5. A second ingress/egress point to East 53rd Street shall be required.
6. Street connections to East 51st Street and Hawk Drive shall be prohibited.
7. The multi-purpose trail shall be extended to the west property line.
8. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.

9. A 30-foot buffer shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
10. The height of structures in the R-MF zoning district shall be no greater than 35 feet.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, February 17, 2021 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing. All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145



Neighborhood Meeting Sign-In Sheet

	NAME & TITLE	COMPANY NAME & ADDRESS	PHONE # / FAX # E-MAIL ADDRESS
28.	JASON Gillaspie	5143 Hamilton Ct	563-940-7044 Jason.gillaspie709@gmail.com
29.	Jessy Kelly	4832 E. 49th Ave	563-320-5894 jKelly@jewellgroup.com
30.	Jim Long	4996 Dove Ct	563-332-3937 susan LONG@Q.com
31.	Jarel Kelly	5034 Hamilton Dr.	563-449 16191
32.	Michael Ryan	4646 E 49th Ct	563-326-2892 michaelpatrickryan@email.co...
33.	Brian Wales	4835 E 49th Ave	563 332 13101
34.	W.T. Grampp	4750 E 49th Ave	563-343-1900 wgrampp@aol.com
35.	Anthony Ziskovsky	5200 Dove Ct	563 5251 3937 Zikodavich@gmail.com
36.	Marie Burton	2115 Hawk Dr.	(563)349-2757 mludgate@gmail.com
37.	Sue Thompson	2282 Hawk Dr	563-940-43861 theonecruiser@hotMail.com
38.			/
9.			/
			/
			/
			/

Neighborhood Meeting Sign-In Sheet

SHIVEHATTERY
ARCHITECTURE + ENGINEERING

Attendance Sheet

PROJECT NAME: 53rd St Commercial Development
MEETING TYPE: Neighborhood Meeting
Birchwood Learning Center
MEETING DATE: 1/7/2021
LOCATION: 4620 E. 53th St.
MEETING TIME: 5:30 - 6:30 PM
PROJECT NO.: 3204340

Please Write Clearly

	NAME & TITLE	COMPANY NAME & ADDRESS	PHONE # / MOBILE # / E-MAIL ADDRESS
1.	Bob Ingram	Plan & Zone Chair	BIngram@activethermal.net
2.	David Sheets	neighbor	wx4sheets@q.com
3.	Jimmie Clifford	Adjacent Property Owner	clifford jd1@gmail.com
4.	Mary Clifford	Adjacent Property Owner	2mclifford@mediacombb.net
5.	Jared Van Middlesworth	Adjacent Property Owner	vanmiddlesworth98@gmail.com
6.	Kyle Gripp	Alderman	—
7.	Travis Unterzuber	Davenport Resident	
8.	Barry & Kristin Winkler	4978 Dove Ct	
9.	Jim & Mari Powell	5078 Dove Ct	djcmps powell1@icloud.com
10.			
11.			
12.			

Neighborhood Meeting Sign-In Sheet

Please Write Clearly

	NAME & TITLE	COMPANY NAME & ADDRESS	PHONE # / FAX # E-MAIL ADDRESS
13.	Ben Jobgen	6316 Forest Rd. Davenport 52807	/
14.	Cathy Hettrick	5166 Dove Ct Bett	/
15.	Jim Hettrick	" "	/
16.			/
17.			/
18.			/
19.			/
20.			/
21.			/
22.			/
23.			/
			/
			/
			/
			/

Neighborhood Meeting Sign-In Sheet

	NAME & TITLE	COMPANY NAME & ADDRESS	PHONE # / FAX # / E-MAIL ADDRESS
43.	Kelly Young	Russell 4700 E 5th 3rd	/ kjyoung75@gmail.com
44.			/
45.			/
46.			/
47.			/
48.			/
49.			/
50.			/
51.			/
52.			/
53.			/

Neighborhood Meeting Sign-In Sheet

	NAME & TITLE	COMPANY NAME & ADDRESS	PHONE # / FAX # E-MAIL ADDRESS
58.	Mark Steeb		/
59.			/
60.			/
61.			/
62.			/
63.			/
64.			/
65.			/
66.			/
67.			/
68.			/
69.			/
70.			/

*** Proof of Publication ***

STATE OF IOWA
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE QUAD-CITY TIMES, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is made a part of this affidavit, was published in said THE QUAD-CITY TIMES, on the dates listed below.

CITY OF DAVENPORT

226 W 4TH ST
DAVENPORT, IA 52801

ORDER NUMBER 85876

The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

Section: Notices & Legals
Category: 2627 Miscellaneous Notices
PUBLISHED ON: 01/07/2021

TOTAL AD COST:	79.91
FILED ON:	1/7/2021

Subscribed and sworn to before me by said affiant this 7 day of Jan 2021.

DANINE GLASCOCK
Commission Number 810108
My Commission Expires 4-17-21

Notary Public in and for Scott County, Iowa

*** Proof of Publication ***

PUBLIC NOTICE

PUBLIC HEARING
TUESDAY, JANUARY 19 -5:00 P.M.
CITY OF DAVENPORT
PLAN AND ZONING COMMISSION
COUNCIL CHAMBERS -
DAVENPORT CITY HALL
226 WEST 4th STREET --
DAVENPORT, IOWA

There is on file in the Development & Neighborhood Services Department, on behalf of the Plan and Zoning Commission, the following requests:

Case REZ20-09: Request of S.J. Russell, LC on behalf of Sophie Foster Revocable Trust for a zoning map amendment on 38 acres, more or less, of property located at 4607 East 53rd Street as follows:
The north 18 acres, more or less, to C-2 Commercial Corridor with existing conditions removed.
The south 20 acres, more or less, from R-4 Single and Two-Family Residential to R-MF Residential Multi-Family with existing conditions removed. [Ward 6]

Case ORD20-02: Request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing. [Ward 3]

Case ORD20-02 also includes Request of Palmer College of Chiropractic to vacate the following three Rights-of-Way [Ward 3]:

(1) A portion of East 11th Street between Perry Street and Pershing Avenue described as follows: That part of East 11th Street located between Perry Street and Pershing Avenue, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:
Beginning at the southeast corner of Block 96 in LeClaire's 8th Addition; Thence South 02°52'09" East, a distance of 60.01 feet to the northeast corner of Block 89 in LeClaire's 8th Addition; Thence South 88°01'40" West along the north line of said Block 89, a distance of 321.23 feet to the northwest corner of said Block 89; Thence North 02°07'42" West, a distance of 61.84 feet to the southwest corner of said Block 96; Thence North 88°21'23" East along the south line of said Block 96, a distance of 320.47 feet to the Point of Beginning. The above-described parcel contains 19,545 square feet, more or less.

(2) Part of a 20-foot alley located partly in Block 89 of LeClaire's 8th Addition and partly in Outlot 30 of LeClaire's 2nd Addition in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows: Commencing at the at the northeast corner of Lot 5 in said Block 89; Thence South 01°50'01" East along the east line of said Block 89, a distance of 185.98 feet to the northerly line of said alley and the Point of Beginning; Thence continuing South 01°50'01" East along said east line, a distance of 20.00 feet to the southerly line of said alley; Thence South 88°02'49" West along said southerly line, a distance of 151.54 feet to the easterly line of said alley; Thence South 01°50'34" East along said easterly line, a distance of 108.54 feet; Thence South 87°15'17" West, a distance of 20.00 feet to the westerly line of said alley; Thence North 01°50'34" West along said westerly line, a distance of 128.82 feet to the northerly line of said alley; Thence North 88°02'49" East along said northerly line, a distance of 171.54 feet to the Point of Beginning. The above-described parcel contains 5,604 square feet, more or less.

(3) Part of a 20-foot alley located in Block 96 of LeClaire's 8th Addition in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows: Beginning at the southeast corner of Lot 5 in said Block 96; Thence South 01°53'25" East along the east line of said Block 96, a distance of 20.00 feet to the south line of said alley; Thence South 88°25'19" West along said south line, a distance of 204.63 feet; Thence North 01°30'45" West, a distance of 20.00 feet to the north line of said alley; Thence North 88°25'19" East along said north line, a distance of 204.50 feet to the Point of Beginning. The above-described parcel contains 4,091 square feet, more or less.

The public hearing on the above matter is scheduled for 5:00 p.m. or as soon thereafter as possible on Tuesday, January 19, 2021 in the Council Chambers of Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Information regarding are available at or

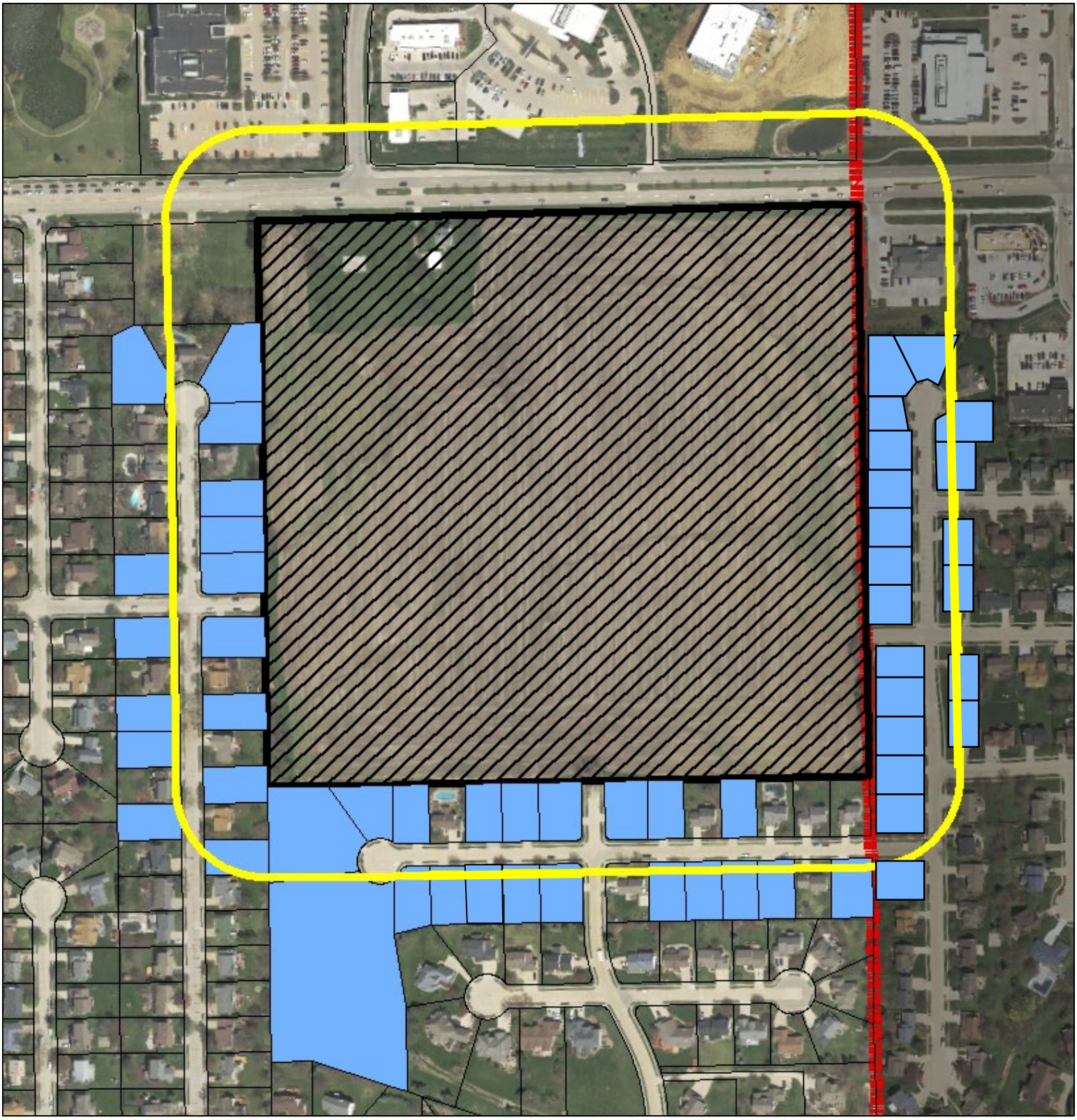
*** Proof of Publication ***

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No. 2105773

Department of Development & Neighborhood Services
E-MAIL: planning@davenportiowa.com
PHONE: 563-326-6198

Adjacent Property Owner Notice Area
REZ 20-09
4607 East 53rd Street



Written Protest Petitions Received Within the 200 Foot Notification Boundary as of February 12, 2021.

N

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Anthony & Christy Ziskovsky

Address: 5200 Dove Ct. Bettendorf

Signature: [signature] [signature]

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Nicole Dinville

Address: 5142 Hamilton Ct. Davenport

Signature: Nicole Dinville

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Brian Wales

Address: 4835 E 49th Ave Davenport IA 52807

Signature: [signature]

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: David Poole

Address: 4507 E 51st St, Davenport, IA 52807

Signature: David Poole

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Meghan Wilson

Address: 5153 Dove Ct. Bettendorf, IA 52722

Signature: Meghan Wilson

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: STEVEN KUNZ

Address: 4609 E 49TH CT DAVENPORT IA 52807

Signature:

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: James A Lange

Address: 4394 Dove CT BETT

Signature: James A Lange

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Pete & Karen Moldt

Address: 5131 Dove Ct. Bettendorf IA 52722

Signature: Karen Drew Moldt

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Mike Reckman

Address: 4803 E 49th Ave

Signature: Mike Reckman

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Marlena Jipp

Address: 4718 E. 49th Ave

Signature: Marlena Jipp

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Brenda Ripslinger

Address: 5026 Hamilton Drive

Signature: Brenda Ripslinger

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Stephani Nagle

Address: 4702 E 49th Ave

Signature: S. Nagle

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Troy C. Skeen

Address: 4755 E. 49th Ave

Signature: Troy S

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Kelly Foster

Address: 4661 E. 49th Ct. Davenport, IA 52807

Signature: Kelly Foster

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: BRIAN FRITZ

Address: 4625 E. 49th Ct Davenport

Signature: BAF

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: JACKSON FRERICHS

Address: 4927 HAMILTON DR DAVENPORT IA 52807

Signature:

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Joseph Helmke

Address: 5018 Hamilton Dr. DAV 52807

Signature:

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Colleen Gillaspie

Address: 5143 Hamilton Ct. Davenport, IA 52807

Signature: Colleen Gillaspie

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Jordan Cummings / Jennifer Nichols

Address: 5042 Hamilton Dr Davenport IA 52807

Signature: Jordan Cummings Jennifer Nichols

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: ROSEMARY CARPENTER

Address: 4420 E 51ST STREET, DAVENPORT

Signature: Rosemary Carpenter

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Janelle Haines

Address: 5121 Hamilton Ct.

Signature: Janelle Haines

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Liang Zhao

Address: 4634 E 49th ct Davenport IA 52807

Signature: Liang Zhao

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: BRIAN MORRISEY

Address: 5137 HAMILTON CT

Signature: Brian

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Patty Knight

Address: 5004 Hamilton Dr.

Signature: Knight

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Andrew Galvan

Address: 4649 E 49th Ct

Signature:

Protest Petition

Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Mary Jo Anderson

Address: 4658 E 49th Ct, Dav. IA

Signature: Mary Jo Anderson

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Michael Ryan

Address: ~~49~~ 4646 E 49th Ct

Signature: Michael Ryan

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: John Princell

Address: 4735 E 49TH AVE, DAVENPORT

Signature: John Princell

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Deana VanDerbinst

Address: 4545 E 49th Court Dav. Ia 52807

Signature: Deana VanDerbinst

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Scott and Janet Wadsworth

Address: 4610 E. 49 Ct. Davenport, IA. 52807

Signature: Scott Wadsworth

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Matt Zumwalt

Address: 5113 Hamilton Ct

Signature: M

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Diane Stanley

Address: 5011 Hamilton Dr Dav

Signature: Diane Stanley

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Kathryn E Phillips

Address: 5090 Dove Ct, Bettendorf, IA

Signature: Kathryn E Phillips

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Tamara J Chelf

Address: 4622 E. 49th Cir, Dav. IA 52807

Signature: Tamara J Chelf

Does Not Count Towards Protest Rate: Signature Does Not Match Name on Deed.

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Ryan Kelly

Address: 5034 Hamilton Dr.

Signature: Ryan Kelly

Does Not Count Towards Protest Rate: Signature Does Not Match Name on Deed.

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: John Shasang

Address: 4164 E 49 Dove Court Blvd 52722

Signature:

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Lisa Reisen

Address: 4919 Dove Ct Bettendorf IA 52722

Signature: Lisa M Reisen

Does Not Count Towards Protest Rate: Property Outside 200 Ft. Notification Boundary.

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Nate Hernandez

Address: 4928 Hamilton Dr

Signature:

Does Not Count Towards Protest Rate: Property Outside 200 Ft. Notification Boundary.

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: A John Holmes

Address: 4919 Hamilton Dr

Signature:

Does Not Count Towards Protest Rate: Property Outside 200 Ft. Notification Boundary.

Protest Petition
Property Within Protest Rate Boundary

FORMAL PROTEST

Name: Barry & Kristin Winkler

Address: 4978 Dove Ct., Bettendorf, IA 52722

I am filing this formal protest with the Planning and Zoning Commission and City Council of the City of Davenport, Iowa. I **object** to the rezoning of 4607 E. 53rd St. (Case REZ20-09).

Other comments (optional): The current zoning plan maintains a consistent housing plan within the neighborhood. The new zoning plan completely changes the neighborhood adjacent to the property. The only reason there is a new zoning request is because the property is priced above market value. If the property was sold at market value, the current zoning plan would allow any developer to make a reasonable profit.

Signature: Barry Winkler Kristin Winkler

Date: 1/18/2021 1/18/2021

Mail signed document to: Planning Division, 1200 E. 46th St., Davenport, IA 52807

Or Email signed document to: planning@davenportiowa.com

Protest Petition
Property Within Protest Rate Boundary

January 15, 2021

To: Davenport City Council Members

We are residents of Bettendorf at 5011 Dove Court, (corner of Hawk Dr. & Dove Ct.).

This letter serves as our reasons for objecting to the recent request for a Davenport rezoning plan filed under the Sophie Foster estate.

We live within the immediate perimeter of several neighborhoods impacted by the proposed plan. As a longtime Bettendorf resident (19 yrs.), we request consideration of our concerns listed in this letter on this subject. We have no plans of moving as many of us within these neighborhoods have homes that can or have been modified to allow us a quality of life of aging within our current homes.

Our main concerns to be addressed and/or communicated more in detail in future meetings:

1. There will be a significant increase in traffic volume and varying patterns of flow since Hawk Dr. is one of two outlets to/from the projected housing areas.

   We currently enjoy a clean, quiet, low crime neighborhood that will certainly change if this project is approved. That change has not been proven this would be a positive one.

   Question: Has there been a study conducted to show residents an estimation of impact/volume?

2. Traffic flow from the proposed condo/apartments adjacent to the proposed and including the commercial section only shows access or outlet from an already very busy 53rd Street. This proposal going forward should include plans for a coordinated and timely commitment to install sufficient well placed traffic lights. Otherwise, the current status for safety, convenience, and quality of commuting will decline quickly. If nothing more is communicated, this proposal will meet with escalating objections. This part is critical. I would hope planners, developers, etc, do not adopt the thought that disappointed and unhappy current residents will just simply pick up and move if they don't like it. We have created this desirable neighborhood and community in the first place. It just happened to be built next to farming land. Regardless, we all have been great stewards of our properties and plan to continue to maintain that same high level standard in the future. This is seen as a threat to leaving behind and perhaps the planners will not be gaining back like-minded new residents. Something to think about.

3. Light pollution form future commercial development hasn't been communicated very well as to how this is monitored, enforced, or addressed if there are infractions. That information is missing and lay people need to understand what would be leveraged as enforceable and result in fines should there be infractions.

   We can share the impression of many present during the last meeting was once the land is approved/rezoned, planners can do as they please. What protects current residents?

Protest Petition
Property Within Protest Rate Boundary

4. Collection ponds should be dry and not wet as the ponds north of 53rd St. have not been desirable in how they have been kept up, cleaned up, and the attraction of more geese with contamination of their proliferative waste products is not now we need more of. The collection marsh to the east of the Village Cooperative of Crow Creek is a far better option year round. Walking by them is more pleasant all seasons compared to north of 53rd.

These comments reflect our major concerns with this rezoning and we are asking for consideration and attention to this project.

Thank you,

Nancy & James F. Scott
5011 Dove Court
Bettendorf, Iowa 52722

Protest Petition
Property Within Protest Rate Boundary

January 14, 2021

To Whom It May Concern,

This letter is to serve as a written protest to the rezoning of the land on 4607 E 53rd. St. Davenport (Case REZ20-09). My husband and I own property at 2115 Hawk Dr. Bettendorf, IA which is within 200 feet of the property under consideration. We strongly object to the rezoning from R4 to R-MF, as we feel this would negatively impact our neighborhood and home values. We are also concerned about the amount of additional vehicular traffic on Hawk Dr. if it becomes an access street to the new townhomes as proposed.

We hope that you will take our concerns, as well as our neighbors', into consideration during the rezoning process.

Sincerely,

Marie Burton

Eric Burton

Marie and Eric Burton

2115 Hawk Dr.

Bettendorf, IA 52722

Protest Petition
Property Within Protest Rate Boundary

Subject: 38 acers of Foster Land on 53rd.

To the City of Davenport

Russell Construction's request to rezone the land from R-4 to R-MF would be far too much for the schools to handle with all the children moving in and it would also decrease the value of our homes on 49th CT. in Davenport.

Russell Construction's greed will only hurt the city and our home values.

Please consider the home owners affected by this decision and rule in our favor to not allow them to rezone the land.

Thank You. Douglas E Andersen
4658 East 49th CT
Davenport Ia. 52807

Protest Petition
Property Within Protest Rate Boundary

To Whom It May Concern:

My name is Kelly Cypher and I live at 4721 E 49th Ave Davenport, IA 52807. I have recently been notified about the proposed rezoning of 4607 E 53rd St Davenport, IA 52807, the property across the street from my home. I must voice my strong opposition to this rezoning as I bought my current home since it was not near any apartments, condominiums or town homes. This rezoning will decrease our property values and increase traffic and noise in our neighborhood which is one of the main reasons we purchased our home here, those are not current issues in this area. Please take into consideration all the homeowners, including myself and my family, near this property that object the rezoning of case # REZ20-09.

Thank you for your time,



Kelly Cypher

Protest Petition
Property Within Protest Rate Boundary

Matt,

I would be in protest of the proposed rezone. I own a property at 4750 E. 49th Ave. that touches the south end.

After attending the January 7th public meeting property owners raised solid arguments and concerns. I have practiced real estate sales and brokerage in Davenport for 40 years, statements made about property value reduction are "valid".

If the zoning on this property was decades old or zoned "ag" a change makes sense. The current zoning is only 3 years old. Several neighbors made purchase decisions based on the 2018 zoning change.

It is unfair to "move the goalposts" on the neighborhood.

The development should fit the zoning, not the other way around.

Kevin Dolan mentioned at the public meeting the ground was extremely expensive so the proposed development plan was needed to cover the costs. Why should property owners be damaged so Sophie Foster obtains a premium over market value.

She has been trying to sell the ground for 15 years. If it was "market priced" it would of sold in one year.

Enforce the current zoning without modification.

Please share this E-mail with the P&Z commission and or city council.

Regards,

W. T. Grampp

W. T. Grampp

Protest Petition
Property Within Protest Rate Boundary

FORMAL PROTEST

Name: Steve + Jan Slade

Address: 4956 Dove Ct Bettendorf IA 52722

I am filing this formal protest with the Planning and Zoning Commission and City Council of the City of Davenport, Iowa. I **object** to the rezoning of 4607 E. 53rd St. (Case REZ20-09).

Other comments (optional): _____

Signature: Jan Slade

Date: 1/25/21

Mail signed document to: Planning Division, 1200 E. 46th St., Davenport, IA 52807

Or Email signed document to: planning@davenportiowa.com

Protest Petition
Property Within Protest Rate Boundary

This is James Long @ 4996 dove ct. Bettendorf Iowa. I object to the rezoning of 4607 east 53rd street [case rez20-09].This land should be zoned the same as the land(with houses)on its three sides.

James A. Long

Protest Petition
Property Within Protest Rate Boundary

18 January 2021

To: City Of Davenport
Planning Division
1200 E. 46th St.
Davenport, IA 52807

Subject: Rezoning Of Sophie Foster Property
4607 E. 53rd St.
Davenport, IA

This letter is presented in opposition to the rezoning of the above listed property. Based on the proposed use of this property by S.J. Russell, L.C. major concerns are:

a. There are only two entrances/exits for the residential portion of this property. Rezoning as requested for multi-family dwellings and 56 single family dwellings will severely overload the residential streets of Hawk Drive and Eastbury Estates Drive.
b. The Bettendorf elementary neighborhood school will be adversely affected with the potential substantial increase in children.
c. There is concern for excessive water run-off due to the increased number of buildings being suggested for this property. Today there is a large of amount of water run-off and pooling in the low areas on the east side of this area is substantial.

Sincerely,

Rebecca & Dan Stansberry

Rebecca & Dan Stansberry
5120 Dove Ct.
Bettendorf, IA 52722

Protest Petition
Property Within Protest Rate Boundary

FORMAL PROTEST

Name: Beth and Jared Van Middlesworth
Address: 5148 Dove Ct
Bettendorf, IA 52722

City of Davenport Planning and Zoning,
Subject: **OBJECTION** to the rezoning of 4607 E. 53rd St. (Case REZ20-09)
Reference Property: 4607 E. 53rd St. (Case REZ20-09)

I would like to formally **object** to rezoning of 4607 E. 53rd St. (Case REZ20-09). We have many concerns with the development of this property, which is adjacent to my property. The following are my concerns.

Residential/Multi Family Concerns (R-MF)

- Traffic from single family homes.
    - Having the families exiting and entering the new neighborhood through Hawk Drive and Eastberry Estates poses many issues.

      The largest, and most concerning is safety. There are many families with children in the area, any additional traffic only increases the risk of accidents.

      Another major concern is maintenance. With the addition of the 100+ cars a day there will be additional wear and tear on the streets in Bettendorf. Who is going to pay for the additional maintenance that is required?
- Traffic from the Multi Family Rental Properties
    - How is the additional traffic on 53rd going to be addressed? It is already congested and adding 120+ homes will only make it worse.
- Height of the Multi Family Rental Properties
    - The R-MF zoning allows for building up to 70 feet tall. This does not fit the area and would be a big deterrent to owning a home adjacent to these structures. I feel a height restriction of 25-30 ft (2-story) exposed building would be appropriate for the area.
- Light Pollution from Multi family parking lots
    - I understand the builders will be required to follow the codes, with lighting levels of <1 fc at the lot line, but this does not address the direct site of the light fixtures themselves.

Commercial (C-2)

- Type of uses being proposed, Retail and Restaurants (bars), for the commercial zoned areas is less than desirable for many reasons.
    - Additional traffic. In addition to the traffic single family homes, the additional traffic to the stores and restaurants will only cause more traffic issues. How is this being addressed?
    - Noise. If restaurants and bars are going to be built there will be outdoor seating and the possibility of live, or played, music that will disrupt the surrounding area. If these types of businesses are going to be built, I feel limitations on outdoor seating and limitations on sound levels should be included in the zoning.
- Light Pollution from parking lots
    - I understand the builders will be required to follow the codes, with lighting levels of <1 fc at the lot line, but this does not address the direct site of the light fixtures themselves.

Thank you,

Jared Van Middlesworth

Protest Petition
Property Within Protest Rate Boundary

18 January 2021

City Of Davenport
Planning Division
1200 E. 46th St.
Davenport, IA 52807

Subject: Rezoning Of Sophie Foster Property 4607 E. 53rd St. Davenport, IA

This letter is presented in opposition to the rezoning of the above listed property. Based on the proposed use of this property by S.J. Russell, L.C. major concerns are:

- It seems to me that when both sides, that is the east and west sides of the property adjacent to 4607 East 53rd Street were being developed, adequate traffic flow onto the streets surrounding that property and the safety issues regarding vehicle congestion in those residential streets were a part of the planning process. In the proposed plan there seems to be no regard for those residents who own property on Hawk Drive and Eastbury Drive in terms of the new traffic flowing into those single family home residential areas. I believe this proposal will create a serious safety issue for the current residents.

- It seems to me that the school system in Bettendorf, specifically Paul Norton Elementary, has enrollment challenges due to the current population of residents in the area. I believe adding more family housing into the area will create more problems for current residents.

Thank you for your consideration,

Jon Wilson
5153 Dove Ct.
Bettendorf, IA 52722

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Jimmie Clifford

Address: 4530 E 49th Ct, Davenport, IA

Signature: Jimmie D Clifford

Protest Petition
Property Within Protest Rate Boundary

1-18-21

I object to the rezoning of 4607 E. 53rd St.

Sara Husser

Sara Husser

4550 E 49 Ct. Dav

Protest Petition
Property Within Protest Rate Boundary

David Cleveland
5027 Hamilton Dr.
Davenport IA 52807

I object to the rezoning proposed at

4607 E. 53rd Street
Davenport IA 52807

David Cleveland

Protest Petition
Property Within Protest Rate Boundary

FORMAL PROTEST

Name: Lowell Horton

Address: 5056 Dove Ct Bettendorf

I am filing this formal protest with the Planning and Zoning Commission and City Council of the City of Davenport, Iowa. I **object** to the rezoning of 4607 E. 53rd St. (Case REZ20-09).

Other comments (optional):

Property values will go down.
No close schools
Traffic problems on 53rd st.

Signature: Lowell T Horton

Date: 1/27/2021

Mail signed document to: Planning Division, 1200 E. 46th St., Davenport, IA 52807

Or Email signed document to: planning@davenportiowa.com

Protest Petition
Property Within Protest Rate Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: D James Powell

Address: 5078 Dove Ct Bettendorf 52722

Signature: D James Powell

Protest Petition
Property Within Protest Rate Boundary

Formal Protest REZ20-09

We, David and Julie Sheets, who own the property located at

5105 Hamilton Court

Davenport, Iowa 52807

Hereby protest the proposed REZ20-09 (property at 4607 E. 53rd St)

Signed: David Sheets Julie Sheets

Date: 1/26/21

Protest Petition
Property Within Protest Rate Boundary

January 19, 2021

To: Planning and Zoning Committee

This is Jim and Cathy Hettrick and we live at 5166 Dove Court, Bettendorf. We are addressing you regarding the property at 4607 53rd Street, Davenport, Case REZ20-09.

We are objecting to the proposed zoning changes. In fact, we are asking you to rezone the property to be used in a more satisfactory way.

This property abuts my home and with the proposed changes, we will have commercial businesses in our back yard. We do not see this as acceptable. We propose that rather than having two (2) rows of land zoned for commercial (C-2), that there should only be one (1) row, at half of the depth currently zoned. This would mitigate ourselves and most of our neighbors from having the lights and traffic bothering us at all hours of the day and night.

The proposed landscaping is definitely not acceptable. It would not buffer anything. The wet detention would attract disease carrying insects, specifically mosquitos. This would adversely affect our home and our neighborhood.

Having so many multi-family homes would also adversely affect the neighborhood. It would cause a great deal of noise and congestion. It is already difficult to get out on 53rd as it is, by adding so many more multi-family units, it would be untenable.

We would suggest that you limit it to detached single family homes, which would be consistent with how this neighborhood has developed and thrived. It would provide single family housing which is so needed right now. At this point in time, it is nearly impossible to find a detached single family home available, they sell as quickly as they are put on the market.

Again, we ask you to vote no.

Thank you for your time,

Jim Hettrick Cathy Hettrick

Jim and Cathy Hettrick
5166 Dove Court
Bettendorf, Iowa 52722

(563) 650-4818

Protest Petition
Property Within Protest Rate Boundary

John and Janelle Haines
5121 Hamilton Court
Davenport, IA 52807
2/04/2021

Planning Division
1200 E 46th Street
Davenport, IA 52807

Dear Planning Division:

We are homeowners at the above address and our backyard backs up to the property at 4607 E 53rd Street (Case REZ20-09). We strongly believe the proposed development and planned rezoning will negatively affect our home value and quality of life in this location. This is our written objection to the rezoning.

Sincerely,

John and Janelle Haines

Protest Petition
Property Within Protest Rate Boundary

February 11, 2021

To: The City of Davenport - Planning Division
Davenport Public Works
1200 East 46th Street
Davenport, IA 52807

From: Brad and Ann Cook
4637 East 49th Court
Davenport, IA 52807

We object to the rezoning of 4607 East 53rd Street, Davenport, IA. Case #REZ20-09.

Signed,

Brad Cook

Ann Cook

Protest Petition
Property Within Protest Rate Boundary

Public Comment
Property Outside Protest Rate Boundary

City of Davenport, Iowa

February 6, 2021

Formal Rezoning Protest

Carl and Kathy Anderson

4759 E. 48th Place

Davenport, Iowa 52807

We object to the rezoning of 4607 E 53rd Street

Case #REZ20-09

Carl Anderson 2/9/2021

Kathy (Dean) Anderson 2/9/2021

Public Comment
Property Outside Protest Rate Boundary

Berkley, Laura

From: Doug Andersen <doog_78@yahoo.com>
Sent: Thursday, January 21, 2021 9:29 PM
To: Planning
Subject: [EXT] 38 acers of Foster land on 53rd.

To the City of Davenport:

Russell Construction's request to rezone the land from R-4 to R-MF would be far too much for the schools to handle with all the children moving in and it would also decrease the value of our homes on 49th CT, Davenport.

Russell Construction's greed will only hurt the city and our home values.

Please consider the Home Owners affected by this decision and rule in our favor to not allow them to rezone the land.

Thank you. .Doug Andersen

Public Comment
Property Outside Protest Rate Boundary

City of Davenport, Iowa

2/9/2021

Formal Rezoning Protest

Thomas V. & Erin Mueller

4632 East 48th Place

Davenport, IA 52807

We object to the rezoning of 4607 East 53rd Street

Case # REZ20-09

Thomas V. Mueller

Signature

2/9/21

Date

Erin Mueller

Signature

2/9/21

Date

Public Comment
Property Outside Protest Rate Boundary

City of Davenport, Iowa 2/9/2021

Formal Rezoning Protest

Dan and Bridget Knight

4720 East 48th Place

Davenport, IA 52807

We object to the rezoning of 4607 East 53rd Street

Case # REZ20-09

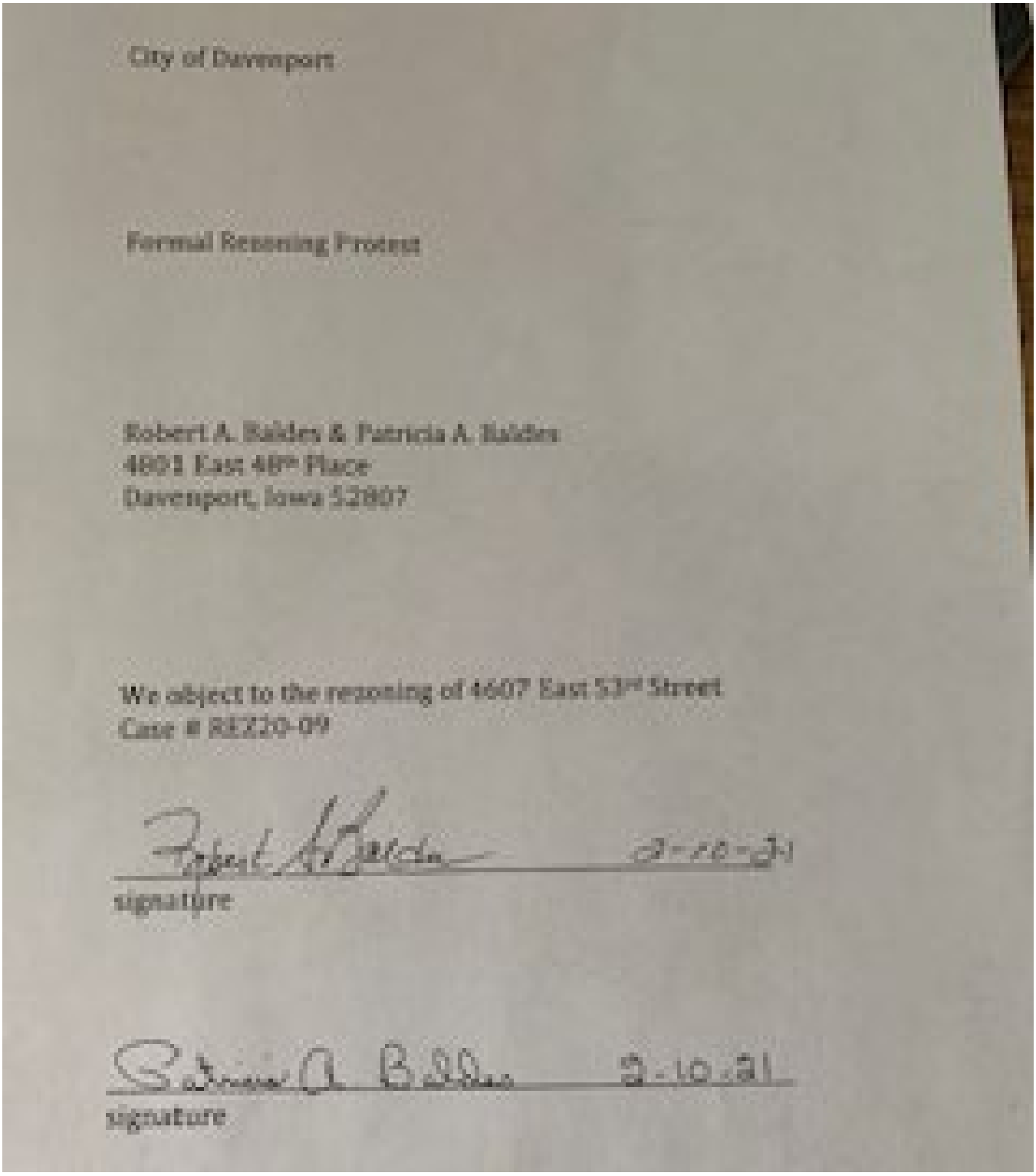
DanKnight 2-9-21

Signature Date

Bridget Knight 2-9-21

Signature Date

Public Comment
Property Outside Protest Rate Boundary



City of Davenport

Formal Rezoning Protest

Robert A. Baldes & Patricia A. Baldes
4801 East 48th Place
Davenport, Iowa 52807

We object to the rezoning of 4607 East 53rd Street
Case # REZ20-09

signature 3-10-21

signature 3-10-21

Robert A Baldes and Patricia A. Baldes
4801 East 48th Place
Davenport, Iowa 52807

We object to the rezoning of 4607 East 53rd Street
Case # REZ20-09

Public Comment
Property Outside Protest Rate Boundary

TO: City of Davenport - Planning Division
Davenport Public Works
1200 E. 46th Street
Davenport, IA 52807

FROM: Sharon Kendall Dunn
4704 E. 48th Place
Davenport, IA 52807

RE: Case #REZ20-09 / 4607 E. 53rd Street - OBJECTION

I strenuously object to case #REZ20-09 / 4607 E. 53rd Street proposed development for a variety of reasons.

We are the original owners of our home located on the corner of Eastbury Estates and E. 48th Place. We moved from our home in Bettendorf to our current Davenport location in 1998 to be within walking distance of Paul Norton Elementary School. We have happily raised three kids here. The neighborhood is once again thriving with young families who also see the value of living in a well-maintained neighborhood with close proximity to great schools.

However, traffic concerns have increasingly become an issue as drivers have discovered they can avoid Utica Ridge and 18th Street traffic and lights by cutting through our neighborhood to connect to Crow Creek or 18th Street. Eastbury Estates is already heavily traveled with school traffic alone. Many drivers disregard the stop sign at Eastbury & E. 48th Place completely, some slow down slightly before going through, and some choose to obey the stop sign. Excessive speed is continuously an issue and the stop sign only provides some improvement to the speeding issue.

We pay a considerable amount in Davenport property taxes and pay Bettendorf school taxes but appear to receive minimal attention from Davenport regarding city services.

The current traffic pattern, disobeying the stop sign and speed already create dangers to the young families in our neighborhood. Extending a north-south public street by extending Eastbury Estates to Lakeview Parkway is therefore a tremendously bad idea and could be detrimental to the well-being of the young families here so close to Paul Norton Elementary School.

Furthermore, when we moved here in 1998, we were told the land north of us would be developed with only single-family homes near the south edge of Sophie Foster's property and the northern section would be commercially developed. We were ok with this plan. We are not ok with the impact of high-density, 175+ townhouses towering 35 feet high, visibly near our single-family homes. I would be surprised if the local schools could even accommodate this high volume. I am interested in learning more about how the high-density dwellings and commercial development will impact stormwater runoff as well. Eastbury Estates, like many Davenport streets are fighting for limited city services and this development will only burden theses services more.

We disapprove any concept that creates a north-south throughfare that will divert Utica Ridge, 18th Street and 53rd Street traffic through the heart of our neighborhood.

My suggestions for this proposal include: Access to/from the development is ONLY from 53rd Street – NO north/south Eastbury connection to Lakeview Parkway; limit dwellings to single-level duplexes; significantly decrease the volume of dwellings; and consider a greenspace on the southern portion of the property to provide a greater setback buffer to the neighborhood.

Thank you for your consideration.

Signature Sharon Kendall Dunn Date: 2.11.21

DocuSign Envelope ID: CDC44E4F-6540-4B08-A432-CC653B833C70

Public Comment
Property Outside Protest Rate Boundary

To: City of Davenport

Planning Division at the Public Works Building

1200 E 46th Street

Davenport, IA 52807

From: Cory Horsman

4653 E 48th Place

Davenport, IA 52807

I object to the rezoning of 4607 E 53rd Street

(Case #REZ20-09)

Until this year, my Wife and I were paying over $10,500.00 per year in property taxes. When it snows, our street is one of the last ones to get plowed. When it does get plowed, it is done very poorly. A few weeks ago, I had to push our neighborhood mail delivery vehicle out of an icy rut by hand. We also have a stop sign at the intersection of Eastbury Estates and E 48th Place that stops the traffic on Eastbury Estates running North and South. This stop sign is the most ignored traffic signal I have ever seen. In the 5 years we have lived in our home, I have seen Davenport Police in our neighborhood twice, and one of those times was when I called them for a noise complaint.

A few years ago, my vehicle was broken into, and some personal items were stolen. I called to have an officer arrive so I could file a police report. I waited for two hours (while I was supposed to be at work) and nobody ever showed up.

My point here, is that before you expand the City, make sure you are taking care of what you are already responsible for.

DocuSigned by:
Cory Horsman 2/11/2021
9F31D150339F48F...

Cory Horsman

Public Comment
Property Outside Protest Rate Boundary

February 13, 2021

To: City of Davenport
Planning Division at the Public Works Building
Davenport, IA 52807

From: Rob & Becky Willey
4620 E 48th Place
Davenport, IA 52807

I object to the rezoning of 4607 E 53rd Street
[Case#REZ20-09]

We have lived in the neighborhood for over 15 years. Eastbury Estates is already a road which is traveled by too many cars who are going too fast. We have many children on the cul-de-sacs that play and walk to school. It would be very dangerous. Please reconsider.

Robert L. Willey

Rebecca L. Willey

Public Comment
Property Outside Protest Rate Boundary

To: City of Davenport
Planning Division at the Public Works Building
1200 E 46th Street
Davenport, IA 52807

From: Joseph Reichwein
4648 E 48th Pl
Davenport, IA 52807

I object to the rezoning of 4607 E 53rd Street Case# REZ20-09

Hello,

My wife Nicole and I searched for our forever home for a whole year with one thing at the top of the list, it had to be in a cul-de-sac. Why is this you ask? Well, we moved from the corner of Harmony and Olympia Drive where hundreds of cars sped by daily taking Olympia Drive as a short cut between Spruce Hills and Middle Road. We learned quickly that location wasn't the best to raise our children. Please ask the City of Bettendorf how many times they're called to that area because of the speed these vehicles drive down this road. I did read they already declined making Hawk Drive a thru street.

In our end of the street alone there are 11 children under the age of 16 who can safely play outside because of the low amount of traffic. If Eastbury Estates opens to the heavily used 53rd Street, it's going to turn into another short cut like the one I mentioned above in Bettendorf. I know you counted the traffic off our street, did you count the traffic down 18th and Utica? How much of that traffic will divert down Eastbury if you turn it into a thru street? I hope you're not only thinking about the extra tax money coming in for whatever project you plan on building off 53rd. Think about the people who are already paying it? Our property taxes alone are over $6000/year and we receive almost no return on our investment because of it. Our roads are the last to be plowed and when they do it's very poorly done. When the storm in April hit the neighbors and I ended up chipping in to rent a dump trailer after the dead limbs were sitting in front of our house for over a month. I've seen a police vehicle drive through our neighborhood one time in the 8 years we lived here. We should be holding a meeting with you folks on lowering our property taxes. We're certainly not getting what we pay for!

I missed the meeting this week because I was in a work meeting and I'll be out of town on the next one. Please feel free to call or email if you have any questions and please consider all the people this is affecting in our quiet little neighborhood. I guarantee everyone in the area will be against this. You wouldn't want this rezoning to happen if your family lived here.

Joseph Reichwein

Public Comment
Property Outside Protest Rate Boundary

City of Davenport, Iowa 2/9/2021

Formal Rezoning Protest

Joseph & Nicole Reichwein
4648 East 48th Place
Davenport, IA 52807

We object to the rezoning of 4607 East 53rd Street
Case # REZ20-09

Signature 2/9/21
Date

Signature 2/9/2021
Date

To: The City of Davenport
Planning Division
1200 E 46th Street
Davenport, IA 52807

From: Mr and Mrs Andrew and Julia Galvan
4649 E 49th Ct
Davenport, IA 52807

We object to the rezoning of 4607 E 53rd Street, Davenport, IA. Case #REZ20-09

The number of units and the volume of traffic will be far too much for this area, and will negatively impact the neighborhood.

- The traffic out to 53rd street will create a dangerous hazard within the neighborhood.
- The additional population burden on the area will make an already busy location unbearable in the schools and services
- The additional units will more than double the current units in the surrounding area, destroying any consistency and character in the neighborhood

Well spaced single family homes would be much better absorbed into existing capacity.

Signed,

12-Feb-21
Andrew Galvan

12-Feb 21
Julia Galvan

Protest Petition
Property Within Protest Rate Boundary

Protest Petition
Property Within Protest Boundary

To; The City of Davenport
Planning Division
1200 East 46th Street
Davenport, Ia, 52807

From Mr and Mrs. Doug Andersen
4658 East 49th CT.
Davenport Ia, 52807

I Doug Andersen object to the rezoning of 4607 East 53rd Street, Davenport, Iowa, Case # REZ 20-09.

East Bury Estates should be closed to all traffic coming from the Development I don't understand why Bettendorf would refuse to open Hawk Dr. when the kids going to Paul Norton (A Bettendorf school) would be dodging traffic on East Bury. To me it feels like the City of Davenport is more worried about the money coming in from the development than the safety of the children. Also East Bury Estates is far too narrow to handle all that traffic. If a car is parked on both sides of the street its hard to get through. Was there any traffic survey done at all? Please think of the children and not the money.

Thank You,

To: City of Davenport – Planning Division
Davenport Public Works
1200 E. 46th street
Davenport, IA, 52807

Protest Petition
Property Within Protest Boundary

From: Kelly & Leif Rehnberg
4703 E. 49th ave
Davenport, IA, 52807

RE: Case #REZ20-09 / 4607 E. 53rd Street – Objection

We purchased our home in July 2019 because this was a quiet neighborhood and was not on a busy street. In fact, we refused to even consider buying a home if it was on a busy street as we have a child who plays outside and dogs that could accidentally get loose. We are strongly opposed to this crowded development, and specifically the idea of connecting Eastbury Estates to it. Many children use Eastbury Estates to walk to and from school and we are greatly opposed to the idea of more traffic. We already have issues with vehicles disobeying the stop signs and speeding.

The suggested revisions to this plan are as follows:
1. No north/south connection to Eastbury Estates, with access to the development from 53rd only.
2. Limit dwellings to single level duplexes
3. Decrease the number of dwellings
4. Consider placing a greenspace on the southern portion of the development to provide a larger setback from the neighborhood.

We hope you will consider the many families that live in this neighborhood and understand that many of us purchased the property we did because of the low traffic and quiet neighborhood.

Thank you for your consideration,

Leif Rehnberg

Kelly Rehnberg

Protest Petition
Property Within Protest Boundary

I object to the City of Davenport Case Zoning Case No. REZ20-09 of property at 4607 East 53rd Street.

Name: Shaun Brown

Address: 5120 Hamilton Ct. Davenport IA 52807

Signature: Shaun Brown

Public Comment
Property Outside Protest Rate Boundary

City of Davenport, Iowa

Formal Rezoning Protest

Stacy and Brett Barnett

4804 East 48th Place

Davenport, IA 52807

We object to the rezoning of 4607 E 53rd Street

Case #REZ20-09

Stacy L. Barnett 2/9/21 Brett Barnett 2/9/21

Signature Date Signature Date

Public Comment

This email is in regard to the rezoning request REZ 20-09

I have lived at 4803 E49th since 1998, we had built a new home by Millage Construction at this property.

During the process of building we inquired what the in questioned property was zone and if they expect to develop anytime in the near future.

The property was and is today zoned for single family residents with the exception of the further northern piece being commercial.

The reason home developers like Millage Construction have not been able to develop these single family homes is that Sophie Foster has overpriced the property.

In 1998 she was asking $50,000.00 an acre, there was no way a developer can pay that price and build these single family homes.

So why should my neighbors and I agree to multi-family development that would in turn hurt our property values and take away the safety of our streets and sidewalks to have these multi-family units built and increase traffic flow.

In summary is it right for the Committee of the Whole to change the current zoning so that Ms. Foster can sell this property at an over inflated price that will not allow developers to develop this property as it is currently zoned, for single family homes.

Mike Reckman
4803 E49th Ave

Public Comment

To the City Council:

We moved to the corner of Eastbury Estates and E 48th Place in the summer of 2018 in the hopes of raising our family in a quiet and safe neighborhood in close proximity to great schools. We now have a 3 month old daughter and are enjoying the neighborhood and the community we live in.

We strongly object to case #REZ20-09 / 4607 E 53rd Street. We understand and agree that this land should be developed at some point, but we must object to a few particulars.

First, we emphatically object to the north-south public street connecting Lakeview Parkway to Eastbury Estates. Eastbury Estates is already used by many to walk to Paul Norton Elementary School. We believe connecting Eastbury Estates to both 53rd street and a high density townhome development is reckless considering the proximity to the school. We are concerned about our daughter walking to school safely or even playing in the yard in light of the increased traffic resulting from this new development. If anyone from the new 175+ townhome residential development wants to head south, they will be traveling south down Eastbury Estates. There will also be some traffic directed south down Eastbury Estates from any citizens visiting the new commercial area. Northbound traffic will increase as well from residents of the existing neighborhood looking to get to 53rd street or the new commerical area.

Second, we object to the construction of high density townhomes and/or duplexes as part of this development. It is not congruent with the character of the existing neighborhood, and will further exacerbate the traffic concerns mentioned above.

If these two concerns were mitigated, we would support the city's plans to develop this land.

Thank you for your service to our community,

Adam and Grace Lunde

Public Comment

Greetings Mr. Jobgen,

We are residents of 4732 E 49th Ave in Davenport, next to the farmland in question. I have grave concerns about the plan to connect Eastbury Estates to 200 additional town homes, and even possibly 53rd St, and the negative effect that will have in our neighborhood. The additional traffic would be incredibly cumbersome and devalue our houses' worth. I have spoken with neighbors who plan to sell if this plan goes through. We recently bought our house and it seems extremely unfair to rezone from family houses to townhomes that will exponentially increase traffic in our neighborhoods making them less safe and less desirable.

Thank you for consideration of our concerns, we strongly urge you to vote against this rezoning measure.

Thank you,
Nic and Sharla Rath

City Council Public Meeting Comments – February 17, 2021
City of Davenport Zoning Case REZ20-09 - 4607 East 53rd Street, Davenport, Iowa

Dawn and Wally Beck – 4729 Eastbury Estates Drive, Davenport, Iowa

Summary: We oppose the proposed development and object to the City of Davenport Zoning Case REZ20-09 for the property located at 4607 East 53rd Street as currently outlined in and provided to the City Council in the Planning and Zoning Commissions Recommendation for Approval dated 2/2/2021. (Dolan Concept "E" – Overall Site Development Concept drawing EX-6 dated 1/29/21.)

We believe the use of this land for medium to high density housing in the middle of the 53rd street commercial corridor is not consistent with the overall patterns of use. It is our opinion that the optimal land use for this parcel is to keep it purely commercial with access to 53rd Street and with no traffic outlets to Eastbury Estates Drive or any other neighborhood streets.

Primary Concern: Traffic impact to the local neighborhoods. The proposal directly opens single-family residential neighborhoods to a mixed-use commercial development. Additionally, the proposal directly opens the 53rd street commercial corridor to the current single family residential neighborhood; specifically, the connection of Eastbury Estates Drive to 53rd Street via Lakeview Parkway. This is especially troubling given the "Conditions" that prohibits other street connections to the detriment of Eastbury Estates Drive. The proximity of the proposed mixed-use development and other additional impacts, such as increased traffic, will negatively impact the property values and character of the current residential neighborhood with a commensurate adverse impact to the use and enjoyment of our property.

New Considerations from Neighborhood Meeting of 1/16/2021: We want to acknowledge the willingness of the developers to engage with affected property owners and the facilitation efforts by Alderman Jobgen. The following updates and considerations are provided and are based, in part, on information from the Neighborhood Meeting of 1/16/2021 held at the Birchwood Learning Center.

- **Traffic Impacts: Dolan Concept "F" – Overall Site Development Concept drawing EX-6 dated 2/12/21 addresses our concerns regarding traffic impact to the neighborhoods.**
- **Buffer Zones:** The proposed "step wise" approach of single-family semi-detached villas, owner occupied townhomes, and then multi-family rental homes is a positive change.
  - The developers should further consider efforts to maximize the buffer zones via physical distance, landscaping, fences, and a "pyramid" approach to building heights for the commercial properties so that the tallest buildings are in the center.
- **Other Issues:** Hydrology/run-off concerns, retention pond design, impacts to schools, and the expansion of the commercial use from "office park" to a broader array of commercial uses should be reviewed and formally addressed either as part of the final Dolan Concept proposal or as covered by existing permitting and zoning process; e.g. traffic studies, water run off controls, noise abatement, etc.
- **Single Family Semi-Detached and Townhomes:** *"The petitioner has provided a concept plan showing townhomes on the southern portion with the intention of selling as owner occupied."* While we appreciate good intentions, we would offer any potential zoning change approval make this a "Condition of the Approval." Furthermore, we would require a restriction to the deeds prohibiting these properties from ever being converted into rental units of any kind for any duration and that any proposed changes to the deeds pursuant to this stipulation require a super-majority of the affected landowners to so agree.

Thank-you for the opportunity to provide input to this process.

Wally and Dawn Beck

Beck - Comments for City Council meeting records of 2/17/2021.
(See attachment for copy of Formal Objection w/o enclosures submitted on 2/16/2021

Dawn and Wally Beck
4729 Eastbury Estates Drive, Davenport, Iowa 52722

February 16, 2021

City of Davenport
Plan and Zoning Commission
226 West 4th Street
Davenport, IA 52807

Subject: City of Davenport Zoning Case REZ20-09 – Recommendation dated 2/2/2021

We oppose the proposed development and object to the City of Davenport's Recommendation for Zoning Case REZ20-09 dated 2/2/2021 for the property located at 4607 East 53rd Street.

The use of this land for medium to high density housing in the middle of the 53rd street commercial corridor is not consistent with the overall patterns of use. The proposal directly opens single-family residential neighborhoods to a mixed-use commercial development. Additionally, the proposal directly opens the 53rd street commercial corridor to the current single family residential neighborhood; specifically, the connection of Eastbury Estates Drive to 53rd street. The proximity of the proposed mixed-use development and other additional impacts, such as increased traffic, will negatively impact the character of the current residential neighborhood. It is our opinion that the optimal land use for this parcel is to keep it purely commercial with access to 53rd Street and that no outlet to Eastbury or any other neighborhood streets should be considered or approved.

Attachment One to this letter provides a summary of our objections including additional details and questions regarding the proposed development as presented by Dolan Concept – E and the Planning and Zoning Commissions "Findings & Conditions" as stated in their 2/2/21 summary document of their recommendation for approval subject to stated conditions.

Respectfully submitted,

Wally John Beck

Wally and Dawn Beck
wjb57@aol.com

Attachment 1
Enclosures

City of Davenport Zoning Case REZ20-09 - 4607 East 53rd Street, Davenport Iowa

Summary: We oppose the proposed development and object to the City of Davenport Zoning Case REZ20-09 for the property located at 4607 East 53rd Street. The use of this land for medium to high density housing in the middle of the 53rd street commercial corridor is not consistent with the overall patterns of use. The proposal directly opens single-family residential neighborhoods to a mixed-use commercial development. Additionally, the proposal directly opens the 53rd street commercial corridor to the current single family residential neighborhood; specifically, the connection of Eastbury Estates Drive to 53rd street. This is especially troubling given the "Conditions" that prohibits other street connections to the detriment of Eastbury. The proximity of the proposed mixed-use development and other additional impacts, such as increased traffic, will negatively impact the character of the current residential neighborhood. It is our opinion that the optimal land use for this parcel is to keep it purely commercial with access to 53rd Street and no outlet to Eastbury or any other neighborhood streets.

Regarding the proposed development by Dolan Concept – E and the Planning and Zoning Commissions "Conditions" as stated in their 2/2/21 recommendation document the following questions and concerns are put forth for consideration:

Traffic Study:

- I concur that a detailed Traffic Study needs to be completed.
    - Specifically, what is the impact of traffic pattern changes for Eastbury Estates?
    - What are the projected increases and what changes in the type of traffic and frequency of the traffic patterns are predicted?
    - What are the potential safety impacts of the increased amount of traffic and what mitigating actions are planned if this proposal is approved?
- When will the Traffic Study be completed and when will it be available?
- Please provide a copy of the Traffic Study. I would like to review it.

Property Value Impact:

- What is the overall projected impact to property values in the surrounding area?
- What is the specific impact to property values on Eastbury Estates Drive given the increase in traffic and proximity to the proposed mixed-use development?
- Please provide results of reviews and studies on this issue.

Impact on Paul Norton Elementary and other Schools

- What is the overall projected impact to Paul Norton Elementary and other potentially impacted schools in the surrounding area?
- Does Paul Norton have the capacity to absorb the projected influx of new students?

Hydrology: What have the hydrology studies told us about the impact of the development? I would like to review the hydrology study. While I understand the current concept drawings have retention ponds, experience to date with runoff into the area is mixed.

Townhomes: *"The petitioner has provided a concept plan showing townhomes on the southern portion with the intention of selling as owner occupied."* While I appreciate good intentions, I would offer any potential zoning change approval make this a "Condition of the Approval." Furthermore, I would require a restriction to the deeds prohibiting these properties from ever being converted into rental units of any kind for any duration and that any proposed changes to the deeds pursuant to this stipulation require a super-majority of the affected landowners to so agree.

Amended conditions of the ordinance:

- Remove Condition 3 requiring a public street to connect Lakeview Parkway and Eastbury Estates Drive.
- Add Eastbury Estates Drive to the prohibited street connections in Condition 6.
- Remove the word buffer and replace with landscaped setback in Condition 9
- Add the following 6 Conditions (read the ones highlighted in yellow)

Proposed Amendment to Conditions for Case REZ20-09: 4607 E 53rd Street

1. The City Council is requested to pass a resolution amending the Regional Commercial (RC) and Residential General (RG) land use boundaries on the Davenport +2035 Future Land Use Map.
2. A traffic study is required and additional traffic safety measures may be required as development occurs.
3. ~~A north-south public street shall be required to connect Lakeview Parkway to Eastbury Estates Drive.~~
4. A traffic signal shall be required at the intersection of Lakeview Parkway and East 53rd Street.
5. A second ingress/egress point to East 53rd Street shall be required.
6. Street connections to East 51st Street, Eastbury Estates Drive, and Hawk Drive shall be prohibited.
7. The multi-purpose trail shall be extended to the west property line.
8. A 20-foot setback on the eastern and western-most property lines in the C-2 zoning district shall be required where abutting commercial zoning districts.
9. A 30-foot ~~buffer~~ landscaped setback shall be required on the eastern, western and southern-most property lines of the subject property where abutting residential districts.
10. The height of structures in the R-MF zoning district shall be no greater than 35 feet.
11. Upon vacation by the City of a portion of Eastbury Estates just to the south of the subject property, Petitioners, jointly and severally, shall be responsible for paying for or executing the work specified by the City of Davenport for reconfiguring/redesigning/reconstructing the northern terminus of Eastbury Estates in the area abutting the southern boundary of the subject property. The City is to provide plans, including a site plan and landscaping plan to Petitioners
12. Townhouses and Multi-Family units shall be prohibited where the property abuts existing single-family residential.
13. The requirement under Section 16.24.040C of the City Code stating no cul-de-sac shall exceed 600 feet in length as measured from the center line of the intersecting street to the termination of the right-of-way shall be waived, if the Petitioner provides secondary access via private ingress/egress easement to 53rd Street.
14. Carwashes and gas stations shall be prohibited west of Lakeview Parkway.
15. The fence associated with the required buffer between residential and commercial shall be installed after final grading has been completed.
16. Buildings within 100 feet of the west property, abutting existing residential line shall be limited to 35 feet in height.

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **3/24/2021**

Subject:
Third Consideration: Ordinance for Case ORD20-02 being the request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing. [Ward 3]

Recommendation:
Adopt the Ordinance.

Background:
The Palmer College of Chiropractic is zoned S-IC Institutional Campus. In 2018, the City approved the rezoning under Ordinance 2018-107 which adopted Palmer's Master Campus Plan. At that time, the Land Use Plan called for a Sports Field in the area bounded by East 11th Street and East 10th Street between Perry Street and Pershing Avenue. The Petitioner has requested to modify the plan to utilize this area for student housing. The project includes 115 units and replaces the proposed student housing along Main Street between 7th and 8th Streets.

The proposal Section 17.07.030F outlines thresholds associated with modifications of the Land Use Plan. The proposed use qualifies as a Major Amendment and requires Plan & Zoning Commission review and City Council approval.

The Plan & Zoning Commission at its February 2, 2021 meeting voted to recommend approval of the request 9-0.

See attached staff report for full analysis.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Backup Material	Major Modification Area current and proposed
Backup Material	Notified Property Owners
Backup Material	Recognized Neighborhood and Organization Letter
Backup Material	Application
Backup Material	Application Narrative

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berkley, Laura	Approved	2/12/2021 - 8:11 AM

ORDINANCE NO. _____

ORDINANCE for Case ORD20-02 being the request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing.

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

Section 1. The Land Use Plan adopted in association of Ordinance No. 2018-107 is amended to allow a student housing building as shown as "F" in the attached Campus Master Plan.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

_____
Mike Matson
Mayor

_____
Brian Krup
Deputy City Clerk

City of Davenport
Plan and Zoning Commission
Staff Report 2-2-2021

Case: ORD20-02: Request of Palmer College of Chiropractic to amend a section of the Campus Master Plan, bounded by East 11th Street and East 10th Street, between Pershing Avenue and Perry Street, from an athletic field to student housing [Ward 3].

Recommendation: Staff recommends that the Plan and Zoning Commission forward Case ORD20-02 to City Council with a recommendation of approval with the following findings:

1. The modification is consistent with the Comprehensive Plan.
2. The modification meets the intent of the Institutional Campus District.
3. Sufficient parking has been identified for the student housing.

Background:
The Palmer College of Chiropractic is zoned S-IC Institutional Campus. In 2018, the City approved the rezoning under Ordinance 2018-107 which adopted Palmer's Master Campus Plan. At that time, the Land Use Plan called for a Sports Field in the area bounded by East 11th Street and East 10th Street between Perry Street and Pershing Avenue. The Petitioner has requested to modify the plan to utilize this area for student housing. The project includes 115 units and replaces the proposed student housing along Main Street between 7th and 8th Streets.

The proposal Section 17.07.030F outlines thresholds associated with modifications of the Land Use Plan. The proposed use qualifies as a Major Amendment and requires Plan & Zoning Commission review and City Council approval.

Public Input:
Prior to submittal of the Modification request, Palmer College of Chiropractic notified recognized neighborhood and organizations. The notice has been included.

Property owners within 500 feet were notified of the proposed modification. A notice of the public hearing was published in the Quad City Times. A neighborhood meeting was held on January 11, 2021 with 20 people, including staff, elected officials and the Petitioner, in attendance.

A public hearing at the Plan & Zoning Commission was held on January 19, 2021. No one from the public spoke. No written protests from the property owners within the notice area have been submitted.

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

Future Land Use Designations: The major modification area is within the Civic and Institutional category in the Davenport +2035 Land Use Plan.

> **Civic and Institutional** – Reserved for major developments for government, education, religion, medical, utilities, and other cultural or non-profit organizations located outside of the Downtown (DT)

Zoning: Special Purpose District Institutional Campus (S-IC).

Institutional Campus District - Intended to encourage a comprehensive approach to development by significant institutions within the City. The S-IC District is also intended to:

1. Further the policies of the Comprehensive Plan;
2. Permit appropriate institutional growth within boundaries of the district while minimizing the adverse impacts associated with development and geographic expansion;
3. Balance the ability of specific institutions to grow and adapt to changing needs while protecting the livability and vitality of adjacent areas.
4. Encourage the preparation of a land use plan for higher development intensity institutional campuses that enables the community to understand the levels of development being proposed, their likely impacts and appropriate mitigation measures.

Technical Review: Stormwater has been identified as an ongoing issues within the area. Palmer has proposed stormwater detention as part of the student housing development as well as under the already planned athletic field to the north of the modification area to alleviate some of the stormwater issues. Palmer continues to work with staff to address stormwater and infrastructure needs as the implementation of their Campus Master Plan continues. Engineering staff believes the existing street network can accommodate the traffic associated with this modification.

Discussion: The major modification to the Palmer College of Chiropractic is required due to the increase in intensity within the proposed area. The remaining Campus Master Plan as adopted under Ordinance 2018-107 will remain with any minor changes reviewed by staff as outlined in Section 17.07.030F of the Zoning Code.

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

The proposed modification is consistent with the Comprehensive Plan. The modification is simply relocating an already approved use within the plan area.

b. The compatibility with the zoning of nearby property.

The subject property is adjacent to Residential – Multi-Family zoning districts and several other apartments in the vicinity. There is also R-4C at the campus edge. The Campus Master Plan addresses the need for delineating a campus edge which would be implemented with the modification. It is staff's opinion that the proposed amendment is compatible with the zoning of nearby property.

c. The compatibility with established neighborhood character.

The established neighborhood character is mixed use ranging from single and two-family residential, multi-family, commercial, and institutional. It is staff's opinion that the modification is compatible with the already approved character of the Palmer Campus Master Plan.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

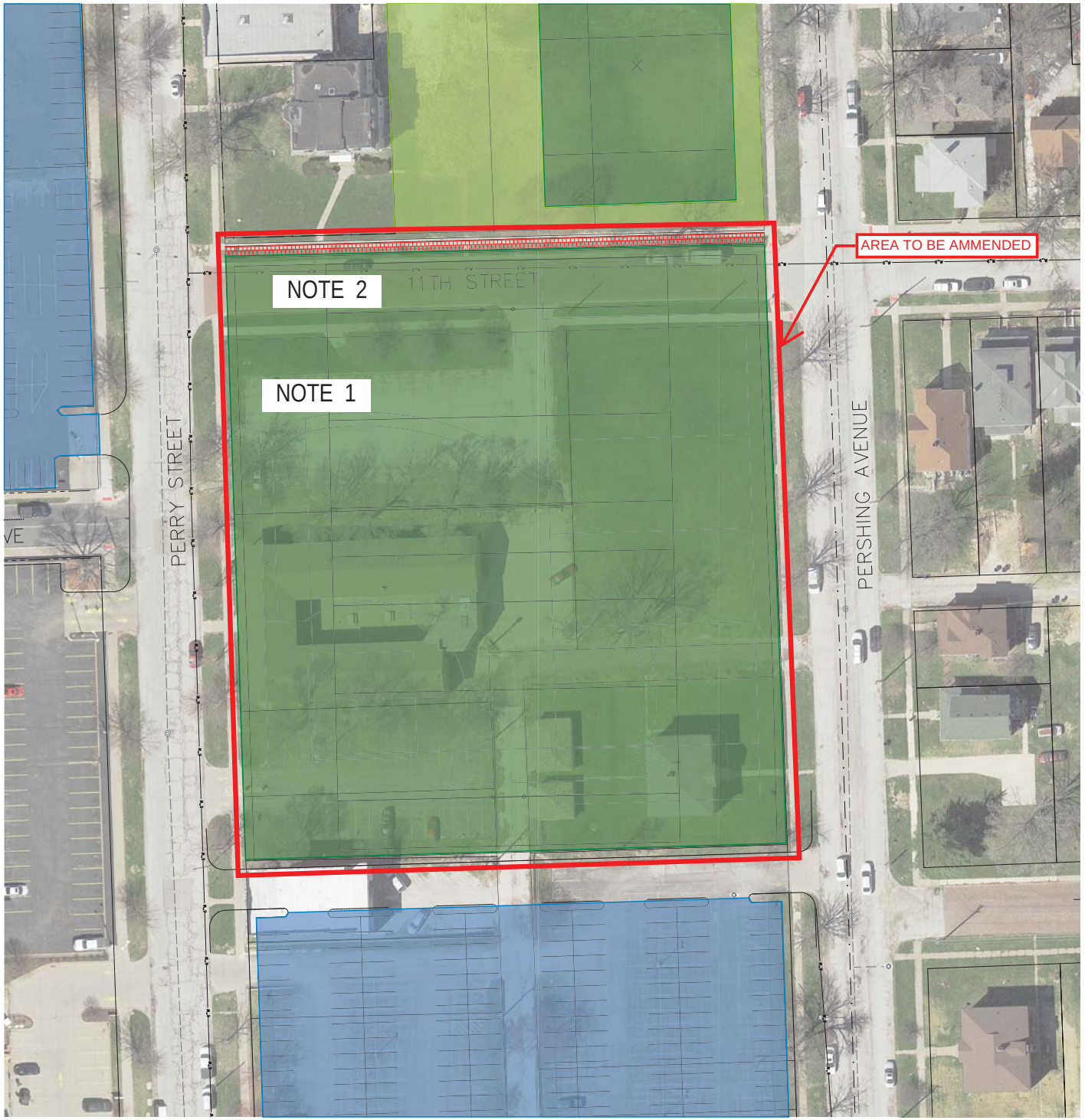
Palmer has identified 160 parking stalls within and adjacent to the proposed modification that will be allocated to students living within the student housing. According to the overall plan, the modification increases overall parking within the Campus. Appropriate access has been planned and will be achieved in conjunction with the vacation of proposed rights-of-way. The proposed modification will develop in a manner that promotes the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Under the current Zoning Ordinance, the S-IC Institutional Campus Zoning District allows for multi-family development. The current Campus Master Plan called for the same number of units of student housing to be located on Main Street between 7th and 8th Streets. The modification is relocated that housing as a net zero change in units.

f. The extent to which the proposed amendment creates nonconformities.

No nonconformities will be created with the modification.



20 10 0 20 40

SCALE: 1" = 20'

NOTES

1) PROPOSED BASEBALL FIELD TO BE REMOVED.

2) PROPOSED ATHLETIC FIELD TO BE REMOVED.

SPORTS FIELD

LANDSCAPE

PROPOSED PARKING

REVISIONS

No.	DESCRIPTION	DATE

IMEG

PALMER PID STUDENT HOUSING AMMENDMENT

DAVENPORT, IOWA

EXISTING APPROVED PID

IMEG Project No: 19005343.06

File Name: 19005343.06 AMMENDMENT

COPYRIGHT 2021
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Field Book No: ####

Drawn By: LKS

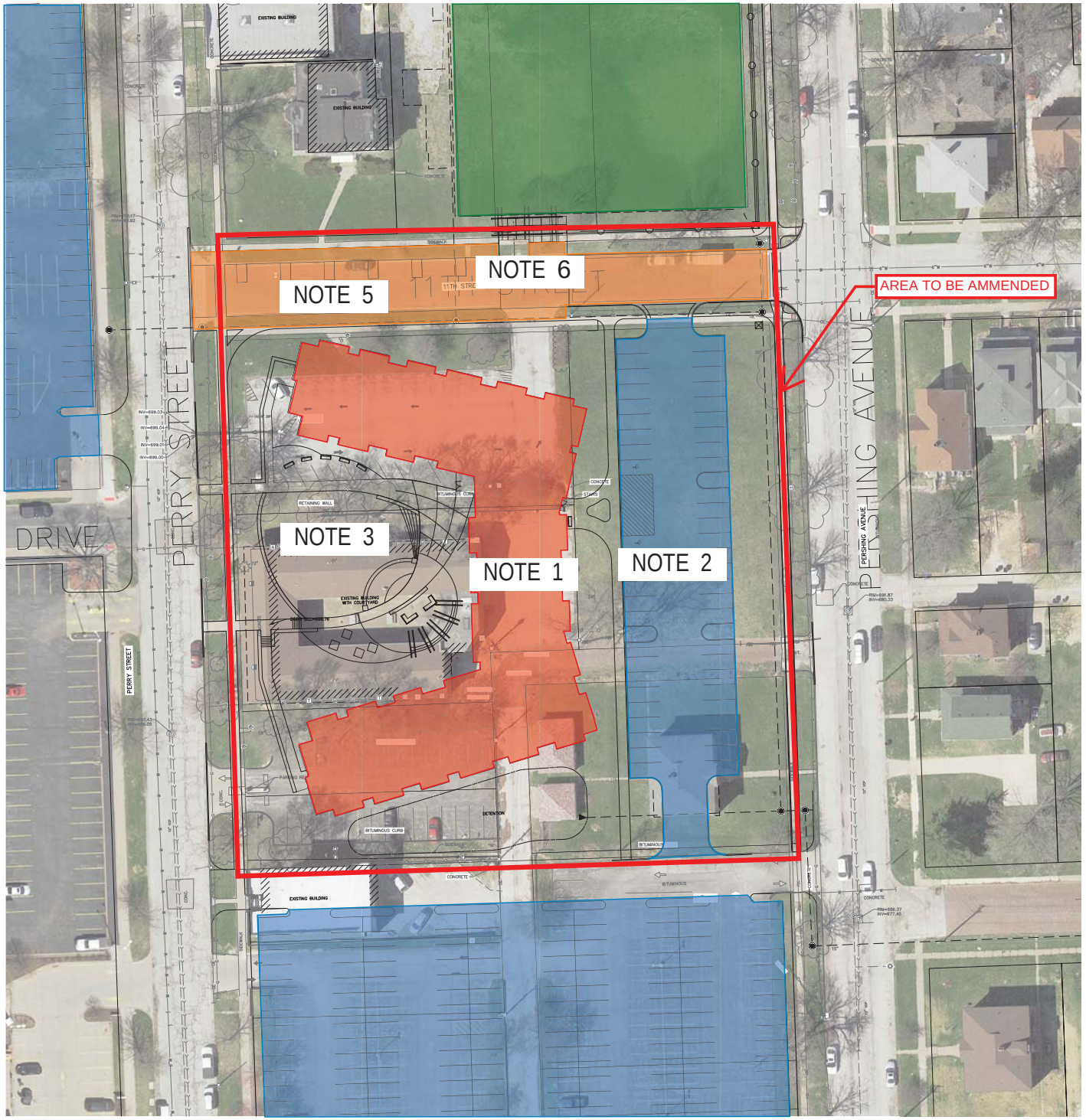
Checked By: AEK

Date: 1/4/2021

EX-1

Sheet 1 of 2

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20 10 0 20 40

SCALE: 1" = 20'

NOTES

1) PROPOSED STUDENT HOUSING BUILDING ADDED.
2) PROPOSED PARKING LOT ADDED.
3) PROPOSED COURTYARD FOR STUDENT HOUSING ADDED.
4) PROPOSED DETENTION POND ADDED.
5) 11TH STREET CORRIDOR LAYOUT UPDATED.
6) STORAGE BUILDING AND PATIO ADDED FOR ATHLETIC FIELD.

- PROPOSED SPORTS FIELD
- PROPOSED LANDSCAPE
- PROPOSED STRUCTURE
- PROPOSED PARKING
- PROPOSED ENHANCED CAMPUS CORRIDOR

REVISIONS

No.	DESCRIPTION	DATE

IMEG

PALMER PID STUDENT HOUSING AMMENDMENT
DAVENPORT, IOWA

PROPOSED S-IC

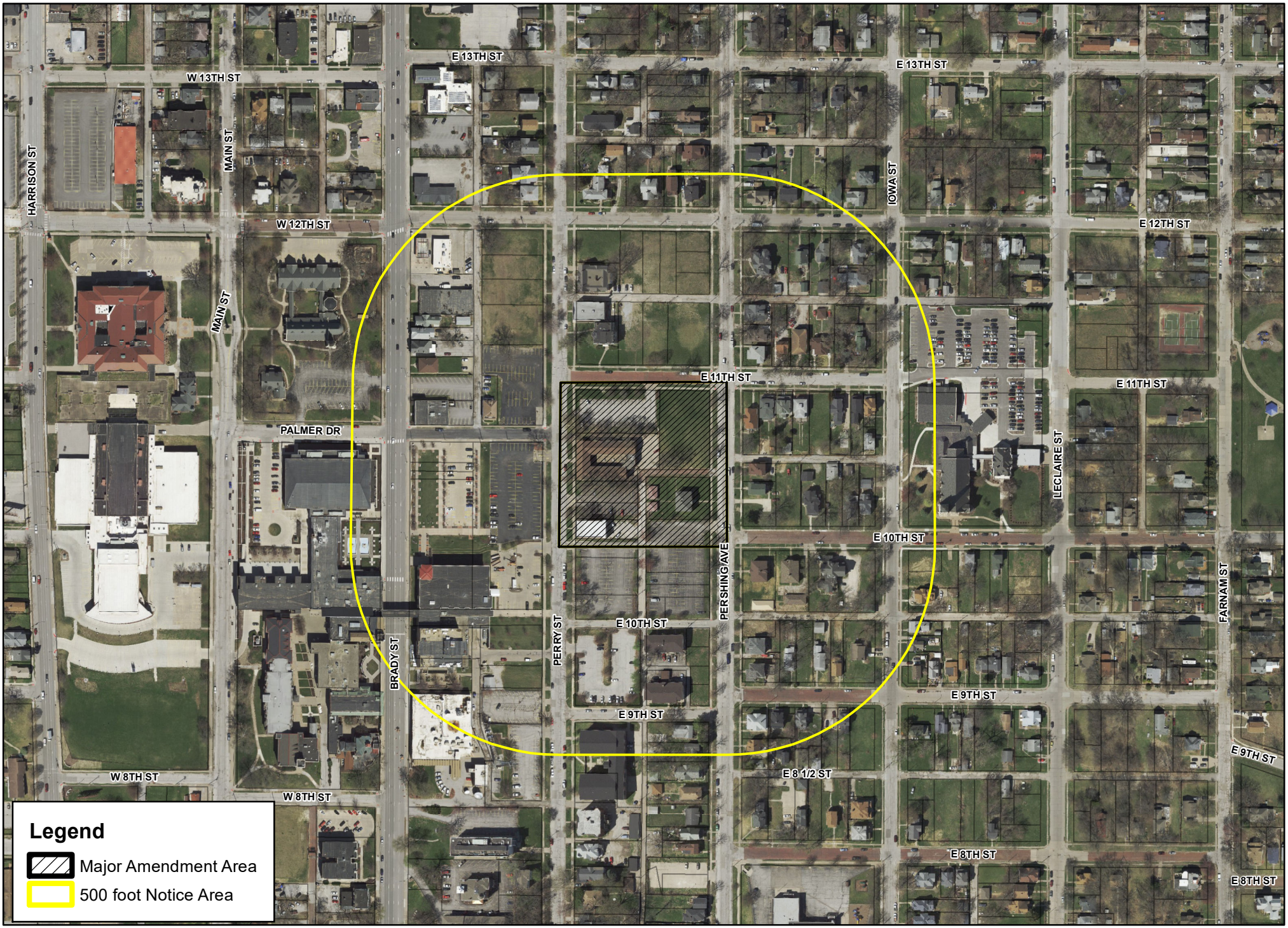
IMEG Project No: 19005343.06
File Name: 19005343.06 AMMENDMENT
COPYRIGHT 2021
ALL RIGHTS RESERVED
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Checked By: AEK
Date: 1/4/2021

EX-2

Sheet 2 of 2

Monday, January 4, 2021 1:39:05 PM
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Adjacent Property Owner Notice Area



PALMER
College of Chiropractic

September 23, 2020

Dear Palmer College Neighbor,

Palmer College of Chiropractic is beginning the design process for a new student-apartment building, to be located at the southeast corner of Perry and 11th Streets, in Davenport. The location of this facility is a revision, or amendment, to Palmer's city-approved Institutional Campus District Plan (S-IC).

You're receiving this letter because Palmer College is notifying adjacent neighborhood groups that it's beginning the amendment process to the S-IC, per Davenport City Code. As the design develops, additional details will be shared at neighborhood, Planning and Zoning Committee, and City Council meetings.

If approved, construction is expected to begin in March 2021, with completion expected in March 2022.

If you have questions, please contact: Palmer College Marketing & Communication at marketing@palmer.edu, or 563-884-5662.

Sincerely,

Dennis Marchiori, D.C., Ph.D.
Chancellor and CEO



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

Owner (if different from Applicant)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Engineer (if applicable)
Name:
Company:
Address:
City/State/Zip
Phone:
Email:

Architect (if applicable)
Name:
Company
Address:
City/State/Zip:
Phone:
Email:

Attorney (if applicable)
Name:
Company:
Address:
City/State/Zip:
Phone:
Email:

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

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

Historic Preservation Commission
Certificate of Appropriateness
Landmark Nomination
Demolition Request

Administrative
Administrative Exception
Health Services and Congregate Living Permit

****If the applicant is different from the property owner, please submit an authorization form or an accepted contract for purchase.**

Request:

Existing Zoning:

Proposed Zoning Map Amendment:

Purpose of the Request:

Total Land Area:

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

Submittal Requirements:

- The completed application form.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- A legal description of the request if not easily described on the deed or contract for purchase.
- Required fee:
  Zoning Map Amendment is less than 1 acre - $400.
  Zoning Map Amendment is one acre but less than 10 acres - $750 plus $25/acre.
  Zoning Map Amendment is 10 acres or more - $1,000 plus $25/acre.
  $10.00 per sign; more than one sign may be required depending upon the area of the request.

Formal Procedure:

(1) Application:
- Prior to submission of the application, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the 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) Plan and Zoning Commission public hearing:
- The City shall post notification sign(s) in advance of the public hearing. A minimum of one sign shall be required to face each public street if the property has frontage on that street. It is Planning staff's discretion to require the posting of additional signs. The purpose of the notification sign(s) is to make the public aware of the request.
- The applicant shall make a presentation regarding the request at a neighborhood meeting. The purpose of meeting is to offer an opportunity for both applicant and neighboring residents/property owners to share ideas, offer suggestions, and air concerns in advance of the formal public hearing process. Planning staff will coordinate meeting date, time, and location and send notices to surrounding property owners.
- The Plan and Zoning Commission will hold a public hearing on the request. Planning staff will send notices to surrounding property owners.

(3) Plan and Zoning Commission's consideration of the request:
- 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 vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

Formal Procedure (continued):

(4) City Council's consideration of the request:

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment 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: Date:

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: Date:

Planning staff

Date of the Public Hearing:

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

Authorization to Act as Applicant

I,
authorize
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council.

_____

_____
Signature(s)

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

This day of 20 _____
Form of Identification

_____
Notary Public

My Commission Expires:

2020 DEVELOPOMENT CALENDAR

CITY PLAN & ZONING COMMISSION SCHEDULE				CITY COUNCIL SCHEDULE		
REZONING & ROW VACATION SUBMITTAL DEADLINE	*SUBDIVISION & DEV. PLAN* SUBMITTAL DEADLINE	PLAN & ZONING PUBLIC HEARING (Preview for plats/plans)	PLAN & ZONING COMMISION MEETING	COUNCIL ITEMS SUBMITTAL DEADLINE	COMMITTEE OF THE WHOLE (PUBLIC HEARING)	CITY COUNCIL MEETING
12:00 PM - Monday	12:00 PM - Monday	5:00 PM - Tuesday	5:00 PM - Tuesday	12:00PM - Friday	5:30 PM - Wednesday	5:30 PM - Wednesday
11/19/19	12/02/19	12/10/19	12/24/19	12/27/19	01/08/20	01/15/20
12/02/19	12/16/19	12/24/19	01/07/20	01/10/20	01/22/20	01/29/20
12/17/19	**12/28/19**	01/07/20	01/21/20	01/24/20	02/05/20	02/12/20
12/27/19	01/13/20	01/21/20	02/04/20	02/07/20	02/19/20	02/26/20
01/13/20	01/27/20	02/04/20	02/18/20	02/21/20	03/04/20	03/11/20
01/27/20	02/10/20	02/18/20	03/03/20	03/06/20	03/18/20	03/25/20
02/10/20	02/24/20	03/03/20	03/17/20	03/20/20	04/01/20	04/08/20
02/24/20	03/09/20	03/17/20	03/31/20	04/03/20	04/15/20	04/22/20
03/09/20	03/23/20	03/31/20	04/21/20	04/24/20	05/06/20	05/13/20
03/30/20	04/13/20	04/21/20	05/05/20	05/08/20	05/20/20	05/27/20
04/13/20	04/27/20	05/05/20	05/19/20	05/22/20	06/03/20	06/10/20
04/27/20	05/11/20	05/19/20	06/02/20	06/05/20	06/17/20	06/24/20
05/11/20	**05/22/20**	06/02/20	06/16/20	06/19/20	07/01/20	07/08/20
05/22/20	06/08/20	06/16/20	06/30/20	07/03/20	07/15/20	07/22/20
06/08/20	06/22/20	06/30/20	07/14/20	07/24/20	08/05/20	08/12/20
06/22/20	07/06/20	07/14/20	08/04/20	08/07/20	08/19/20	08/26/20
07/13/20	07/27/20	08/04/20	08/18/20	08/21/20	09/02/20	09/09/20
07/27/20	08/10/20	08/18/20	09/01/20	09/04/20	09/16/20	09/23/20
08/10/20	08/24/20	09/01/20	09/22/20	09/25/20	10/07/20	10/14/20
08/31/20	09/14/20	09/22/20	10/06/20	10/09/20	10/21/20	10/28/20
09/14/20	09/28/20	10/06/20	10/20/20	10/22/20	11/04/20	11/10/20
09/28/20	10/12/20	10/20/20	11/03/20	11/05/20	11/18/20	**11/24/20**
10/12/20	10/26/20	11/03/20	11/17/20	11/20/20	12/02/20	12/09/20
10/26/20	11/09/20	11/17/20	12/01/20	**cancelled due to holiday**		
11/09/20	11/23/20	12/01/20	12/15/20	12/11/20	12/30/20	01/06/21
11/23/20	12/07/20	12/15/20	12/29/20	12/23/20	01/13/21	01/20/21
12/07/20	12/21/20	12/29/20	01/05/21	01/08/21	01/27/21	02/03/21
12/14/20	12/28/20	01/05/21	01/26/21	01/22/21	02/10/21	02/17/21

- **SUBMISSION & MEETING DATES MAY BE CHANGED DUE TO HOLIDAY MARKED IN RED**
- **ORDINANCES REQUIRE THREE CONSIDERATIONS BEFORE CITY COUNCIL**
- **DATES SUBJECT TO CGHHANE DUE TO HOLIDAYS MARKED IN RED**
- **DELAYS MAY OCCUR UPON THE PETITION REACHING THE CITY COUNCIL'S AGENDA**

PALMER COLLEGE OF CHIROPRACTIC
December 14, 2020 #19001956.03
SPECIAL PURPOSE DISTRICT/INSTITUTIONAL CAMPUS (S/IC) AMENDMENT

NARRATIVE

Narrative of intent and compatibility with surrounding area.

a. Description of overall architectural and/or urban design theme:

- **Palmer College of Chiropractic has evolved to meet the needs of its students and faculty as it has grown over the past 100 years; however, the architectural theme has remained constant. Buildings and houses of brick and stone dominate the campus, with more metal and glass introduced into recent projects. All have an urban "academic" design style with 2 to 4 floors of space. The campus plan and interaction with the neighborhood has also evolved aligning the core of academic spaces with Brady Street and residential buildings/parking at the perimeter. The proposed Master Plan strengthens the campus edge through expanded greenspace and landscaping at perimeter streets, buildings, and parking lots.**

b. Total number of existing and proposed users and employees of the facility:

- **Palmer's current enrollment on at their Davenport Campus is approximately 1,000 students supported by 250 faculty and staff. 150 students currently live on campus. The proposed 10-year plan allows for an accommodation of up to 1,500 students with 400 living on campus.**

c. Description of existing and proposed conditions of development along the outer boundaries of the planned institutional district and its relationship with the surrounding area. Standards must be established to permit a compatible transition from the institutional use to the surrounding area. Standards include, but are not limited to building height and form, exterior lighting, landscaping, etc.

- **The Master Plan goals are to "create sensitive and mutually beneficial transitions between campus and the adjacent properties." The proposed Campus Master Plan created by RDG Planning & Design is to create connection and comfort establishing a campus presence with the surrounding area. New buildings are minimal (residential only) and adding enhanced lighting, fencing, and landscaping will enhance this design concept.**

d. Description of existing and proposed methods of communication between the institution and the community, including a method of resolution of community concerns:

- **Palmer College has been actively involved with Hilltop Campus Village since its inception, as well as in communication with Davenport Community Schools and adjacent businesses regarding any campus activities and improvements that impact the surrounding neighborhood. Although there are no known active residential groups, Palmer proposes to open a line of communication with the neighbors similar to their relationships with surrounding businesses. Palmer will schedule annual meetings with the neighborhood stake holders and residents to present and discuss campus planning and schedule, as well as neighbor concerns.**

e. Description of any existing and proposed impacts of development and the surrounding area and how these impacts should be mitigated. This description shall include property outside the boundaries of the planned institutional district and their interaction with the surrounding area. Impacts include, but are not limited to lighting, noise, parking, etc.

- **The developments proposed in Palmer's Master Plan are primarily defining and softening their campus edge through expanding green space and landscaping. Proposed buildings will be designed to respect and complement the existing architectural theme on campus.**

f. Description of existing and proposed relationship of institutional transportation system (auto, bus, bicycle, pedestrian) to the external street network. A description of specific programs to reduce traffic impacts and to encourage the use of public transit, carpooling, bicycling and pedestrian.

- **The urban nature of this campus is reinforced by student living. 15% of Palmer's students live on campus and another 30% to 40% live in rented neighborhood and downtown houses and apartments. The Master Plan proposes and additional 130 beds in new student housing. These students all walk to campus. Other students and faculty are encouraged to use public transportation and/or car-pooling for other daily trips to campus. The greening of Brady Street proposed in the Master Plan provides more opportunity for bus access in proximity to campus buildings.**

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **3/24/2021**

Subject:
Third Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of the public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of an alley in Block 89 of LeClaire's 8th Addition. [Ward 3]

Recommendation:
Adopt the Ordinance.

Background:
As part of Palmer College of Chiropractic's Campus Master Plan, East 11th Street between Perry Street and Pershing Avenue and a portion of the alley on Block 89 of LeClaire's 8th Addition were planned for future right-of-way vacation. Palmer is formally requesting to vacate these sections of right-of-way to move forward with planned development.

Palmer was rezoned in 2018 to Planned Institutional District (now called S-IC Institutional Campus), with Ordinance 2018-107.Two conditions were specific to the right-of-way:

Condition 3: That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan

Condition 4: In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer, that a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue.

The legal descriptions of the proposed vacations are attached. The land area to be vacated are as follows:

- 11th Street between Pershing and Perry: 19,545 square feet, more or less.
- Alley in Block 89 of LeClaire's 8th Addition: 5,604 square feet, more or less.

The Plan & Zoning Commission reviewed Case ROW20-02 at its February 2, 2021 meeting and have recommended approval (9-0) with the following conditions:

1. A utility easement be dedicated for the preservation and maintenance of public utilities within the East 11th Street right-of-way.
2. An ingress/egress easement be provided from the alley to Pershing Avenue.

Approval of the 11th Street vacation will remove the street from the Historic Brick Street inventory. The staff report has been attached with a full analysis.

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance
🗋	Backup Material	Staff Report
🗋	Backup Material	Notice Area Map
🗋	Backup Material	HPC meeting minutes
🗋	Backup Material	Ordinance 2018-107

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berkley, Laura	Approved	2/12/2021 - 8:12 AM

ORDINANCE NO. _____

ORDINANCE for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of alley in Block 89 of LeClaire's 8th Addition. [Ward 3]

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:

That part of East 11th Street located between Perry Street and Pershing Avenue, in the City of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the southeast corner of Block 96 in LeClaire's 8th Addition;

Thence South 02°52'09" East, a distance of 60.01 feet to the northeast corner of Block 89 in LeClaire's 8th Addition;

Thence South 88°01'40" West along the north line of said Block 89, a distance of 321.23 feet to the northwest corner of said Block 89;

Thence North 02°07'42" West, a distance of 61.84 feet to the southwest corner of said Block 96;

Thence North 88°21'23" East along the south line of said Block 96, a distance of 320.47 feet to the Point of Beginning.

The above-described parcel contains 19,545 square feet, more or less.

For the purpose of this description bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

AND

Part of a 20-foot alley located partly in Block 89 of LeClaire's 8th Addition and partly in Outlot 30 of LeClaire's 2nd Addition in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Commencing at the at the northeast corner of Lot 5 in said Block 89;

Thence South 01°50'01" East along the east line of said Block 89, a distance of 185.98 feet to the northerly line of said alley and the Point of Beginning;

Thence continuing South 01°50'01" East along said east line, a distance of 20.00 feet to the southerly line of said alley;

Thence South 88°02'49" West along said southerly line, a distance of 151.54 feet to the easterly line of said alley;

Thence South 01°50'34" East along said easterly line, a distance of 108.54 feet;

Thence South 87°15'17" West, a distance of 20.00 feet to the westerly line of said alley;

Thence North 01°50'34" West along said westerly line, a distance of 128.82 feet to the northerly line of said alley;

Thence North 88°02'49" East along said northerly line, a distance of 171.54 feet to the Point of Beginning.

The above-described parcel contains 5,604 square feet, more or less.

For the purpose of this description Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

The vacation (abandonment) is subject to the following conditions:

1. A utility easement be dedicated for the preservation and maintenance of public utilities within the East 11th Street right-of-way.
2. An ingress/egress easement be provided from the alley to Pershing Avenue.

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
Plan & Zoning Commission

Case ROW20-02: Being the request of Palmer College of Chiropractic for the vacation of public right-of-way known as East 11th Street between Perry Street and Pershing Avenue and a portion of alley in Blocks 89 of LeClaire's 8th Addition. [Ward 3]

Introduction:

As part of Palmer College of Chiropractic's Campus Master Plan, East 11th Street between Perry Street and Pershing Avenue and the alley on Blocks 89 of LeClaire's 8th Addition were planned for future right-of-way vacation. Palmer is formally requesting to vacate these sections of right-of-way to move forward with planned development.

Palmer was rezoned in 2018 to Planned Institutional District (now called S-IC Institutional Campus), with Ordinance 2018-107.Two conditions were specific to the right-of-way:

> Condition 3: That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan
>
> Condition 4: In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer, that a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue.

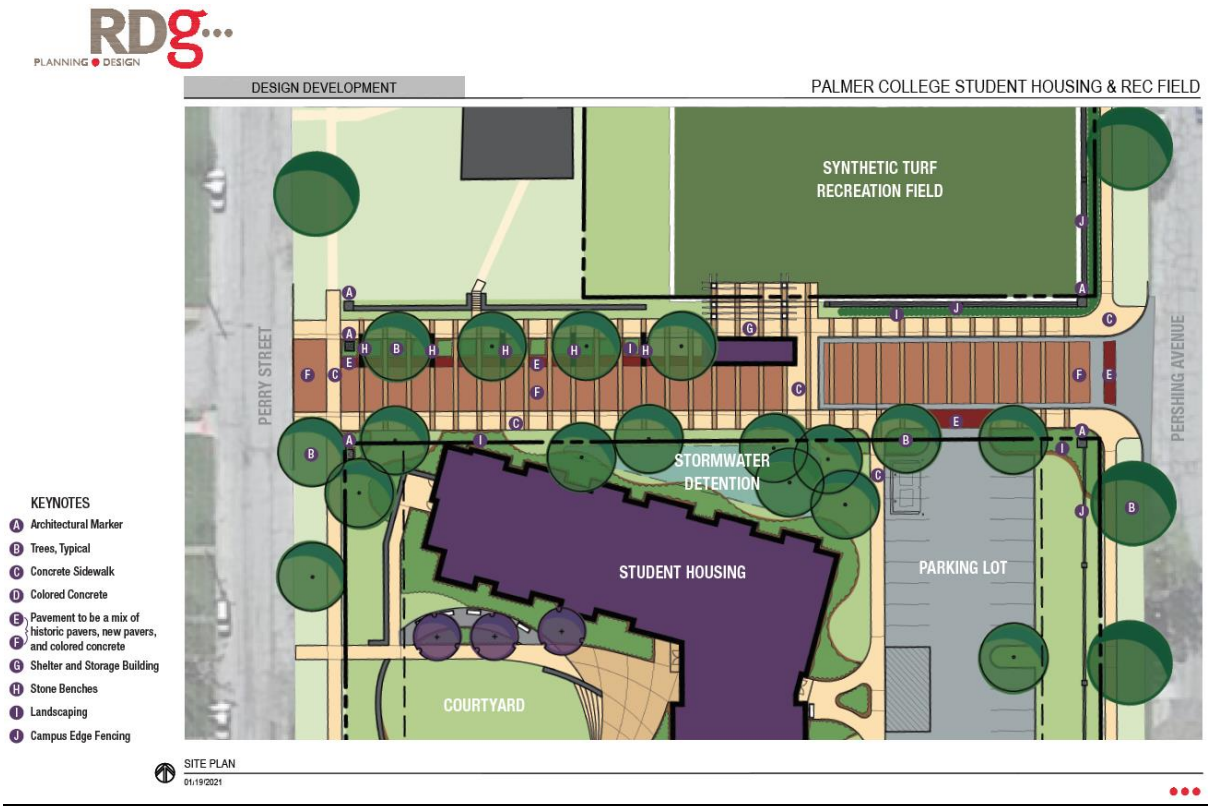
The legal descriptions of the proposed vacations are attached. The land area to be vacated are as follows:

- 11th Street between Pershing and Perry: 19,545 square feet, more or less.
- Alley in Block 89 of LeClaire's 8th Addition: 5,604 square feet, more or less.

The Petitioner has proposed ingress/egress easement from the alleys to the street to ensure adjacent properties will be able to maintain two-points of access off of the existing street network. These would be formalized as part of a subdivision.


E 12th St
E 12th St
N Perry St
Pershing Ave
E 11th St
E 11th St
E 11th St
INGRESS/EGRESS
EASEMENTS
Palmer Dr
N Perry St
N Perry St
E 10th St
Pershing Ave
E 10th St

The petitioner also intends to comply with the existing condition for the vacation of East 11th Street. A concept plan has been provided.



Analysis:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Zoning:

The adjacent properties are zoned S-IC Institutional Campus District and R-MF Residential Multi-Family District.

Technical Review:

Streets. East 11th Street is improved with roadways and sidewalks. Street is currently listed on the protected historic brick street inventory. The Historic Preservation Commission reviews the removal of historic brick streets. The Commission recommended a conditional approval of the removal of East 11th Street between Perry Street and Pershing Avenue at its August 8, 2017. Those conditions were incorporated into the rezoning conditions of the Planned Institutional District.

Storm Water. There is no existing stormwater infrastructure within the alleys or E 11th Street rights-of-way.

Sanitary Sewer. No sanitary sewer service is located within the rights-of-way.

Other Utilities. A water main is located parallel to East 11th Street and a utility easement will be required. Electric service is located within the alley in Block 89; however the utility is able to remove their infrastructure and still service their customers and the proposed student housing.

Emergency Services. East 11th Street will serve as a fire access point for the proposed student housing. All other affected properties are adjacent to other rights-of-way and would not affect Emergency services.

Parks/Open Space. This request does not impact any existing or planned parks or public open spaces. East 11th Street will serve as a pedestrian corridor with the Palmer campus to implement the Campus Master Plan's goal of connectivity throughout the campus.

Public Input:
Public Hearing notices were sent concurrently with Case ORD20-02, which is Palmer's request for a modification to the Campus Master Plan to allow for student housing. Property owners within 200 feet of the proposed right-of-way vacation in advance of the January 19, 2021 Plan and Zoning Commission Public Hearing. No one spoke other than the applicant at the public hearing. To date, staff has not received any written objections to the request.

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings for the East 11th Street and the alley in Block 89 of LeClaire's 8th Addition in Case ROW20-02 to the City Council with a recommendation for approval subject to the listed condition.

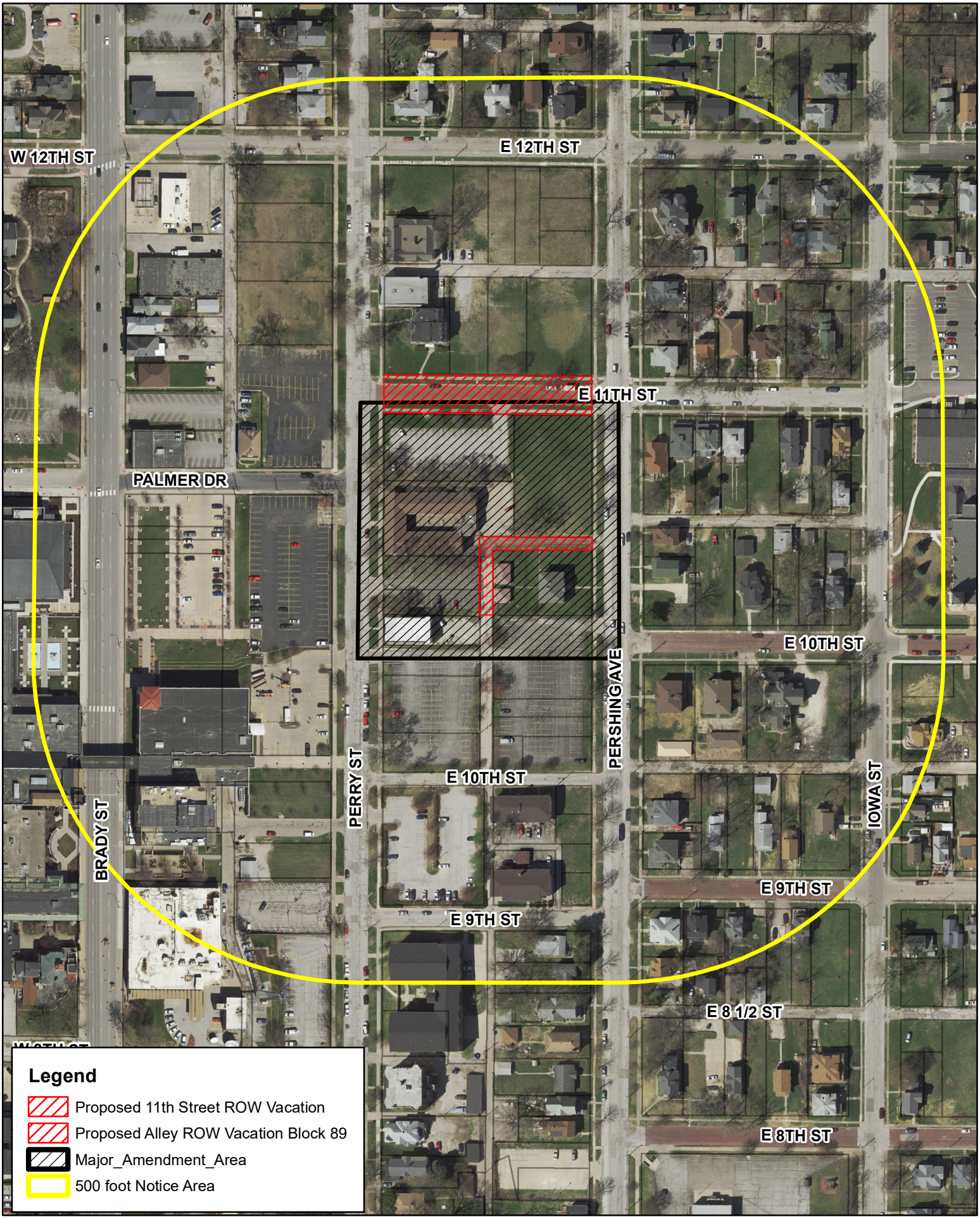
Findings:

1. The proposed right of way vacation would not impact adjacent property owners with the proposed ingress/egress easement; and
2. A utility easement would preserve the rights for utility providers maintaining utilities within the East 11th Street right-of-way.

Conditions:

1. A utility easement be dedicated for the preservation and maintenance of public utilities within the East 11th Street right-of-way.
2. An ingress/egress easement be provided from the alley to Pershing Avenue.

Case ROW20-02
Adjacent Property Owner Notice Area



HISTORIC PRESERVATION COMMISSION
Meeting Minutes

Tuesday, August 8, 2017 at 5:00 p.m.
Council Chambers
226 West 4th Street
City of Davenport, Iowa

I. Call to Order

Chairman Frueh called the meeting to order at approximately 5:00 p.m. with the following Commissioners present: Joseph Wonio, Kathleen Curoe and Robert McGivern.

Staff Present: Ryan Rusnak, Planner III

II. Commission Secretary's Report

Consideration of the July 11, 2017 regular meeting minutes.

Motion by Curio, second by Wonio to approve the July 11, 2017 regular meeting minutes.

Motion to approve was unanimous by voice vote (4-0).

III. Communications

There was none.

IV. Old Business

1. Removal of East 11th Street between Pershing Street and Perry Street from the list of maintained brick streets. Palmer College of Chiropractic, petitioner.

Aaron Christopher stated that they submitted a revised plan, which was to construct a pedestrian path in the general location of East 11th Street utilizing the bricks from East 11th Street. He also stated that they would erect historical markers commemorating the East 11th Street brick street at the path's intersection with Perry Street and Pershing Avenue. He stated that Palmer agrees to make the approval contingent upon its rezoning request to Planned Institutional District.

Rusnak stated that staff supports the request.

Motion by McGivern, second by Wonio to recommend removal of East 11th Street between Pershing Street and Perry Street from the list of maintained brick streets subject to the following conditions:

1. That the removal be contingent up the approval of Palmer College of Chiropractic's Planned Institutional District rezoning request;
2. That the path be made from bricks from the existing East 11th Street; and
3. That historical markers be erected in the location where the path intersections Perry Street and Pershing Street.

Motion to recommend approval was unanimous by roll call vote (4-0).

V. New Business

1. Case No: COA17-12: Certificate of Appropriateness to remove and replace loose damaged stucco at 627 Ripley Street. Louis P. and Clara L. (Krause) Best House is located in the Local Historic Hamburg District. David Cordes, petitioner.

Rusnak stated that staff recommends approval of COA17-12 as presented.

Cordes summarized the request and presented a brief history of building material and changes that have occurred its history.

Motion by McGivern, second by Wonio to approve COA17-12 in accordance with the work write up.

Motion to approve was unanimous by roll call vote (4-0).

VI. Other Business

1. Election of Vice-Chairperson.

Motion by Curoe, second by Wonio to nominate Robert McGivern as Vice-Chairperson.

Motion to approve was unanimous by roll call vote (4-0).

VII. Open Forum for Comment

No one from the audience spoke.

VIII. Adjournment

The meeting adjourned at 5:45 pm.

ORDINANCE NO. 2018-107

ORDINANCE for Case No. ROW17-08: Request of Palmer College of Chiropractic to rezone 37.63 acres, more or less, of property generally located between Harrison Street and Pershing Avenue and between East 12th and 5th Streets from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District [3rd Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:
Section 1. The following described property in Scott County, Iowa real estate is hereby rezoned from: "R-4" Moderate Density Dwelling District, "R-6M" High Density Dwelling District, "C-1" Neighborhood Commercial District, "C-2" General Commercial District, "C-4" Central Business District and "M-1" Light Industrial District to "PID" Planned Institutional District:

Part of the Northwest Quarter of Section 25, Township 78 North, Range 3 East and the Northeast and Southeast Quarter Section 26, Township 28 North, Range 3 East of the 5th Principal Meridian, Scott County, Iowa, more particularly described as follows:

Beginning at the intersection of the centerlines of Main Street and Palmer Drive; thence east along said centerline of Palmer Drive to the centerline of Brady Street; thence North along said centerline of said Brady Street to the south property line of 1139 Brady Street extended westerly to the centerline of Main Street; thence East along said south property line and its extensions westerly and easterly to the centerline of a public alley; thence North along said centerline of said public alley to the centerline of East 12th Street; thence East along said centerline of East 12 Street to the centerline of Pershing Avenue; thence South along said centerline of Pershing Avenue to the south property line of 826 Pershing Avenue extended easterly to the centerline of Pershing Avenue; thence West along said south property line and its extensions easterly and westerly to the centerline of a public alley; thence South along said centerline of a public alley to the south property line of 809 Perry Street extended easterly; thence West along said south property line to the southwest corner of 809 Perry Street; thence north to the south line of 809 Perry Street; thence west along the south line of 809 Perry Street and its extension westerly to the centerline of Perry Street; thence South along said centerline of Perry Street to the north property line of 702 Perry Street extended easterly to the centerline of Perry Street; thence west along said north property line and its easterly extension to the west property line of 702 Perry Street; thence south along said west property line of 702 Perry Street and its southerly extension to the centerline of East 7th Street; thence West along said centerline of East 7th Street tothe

centerline of Brady Street; thence South along said centerline of Brady Street to the centerline of a public alley extended easterly to centerline of Brady Street; thence West along said centerline of a public alley and its westerly extension to the centerline of Main Street; thence North along said centerline of Main Street to the north property line of 614 Main Street (Devries Halligan McCabe Funeral Home) extended easterly to the centerline of Main Street; thence west along said north property line and its extensions easterly and westerly to the centerline of a public alley; thence North along said centerline of a public alley to the north property line of 703 Harrison Street extended easterly to the centerline of a public alley; thence West along said north property line and its extensions easterly and westerly to the centerline of Harrison Street; thence North along said centerline of Harrison Street to the centerline of West 8th Street extended westerly to centerline of Harrison Street; thence East along said centerline of West 8th Street to the centerline of Main Street; thence North along said centerline of Main Street to the Point of Beginning.

Properties excluded from the above described PID boundary are as follows: 805 Brady Street, 1111 Perry Street, and 208 East 11th Street.

Four additional properties included in the PID boundary but not attached to the above described boundary are described as follows:

Beginning at the intersection of the centerlines of Brady Street and East 6th Street; thence east along the centerline of East 6th Street to the centerline of Pershing Avenue; thence south along said centerline of Pershing Avenue to the centerline of a public alley extended easterly to the centerline of Pershing Avenue; thence west along said centerline of a public alley and its extensions easterly and westerly to the west right of way line of Perry Street; thence south along said west right of way line to the south line of 520 Perry Street; thence west along said south line and its westerly extension to the centerline of Brady Street; thence north along said centerline of Brady Street to the Point of Beginning.

The boundaries of the legal descriptions contain 48.58 acres, more or less.

Section 2. The following conditions are hereby imposed upon said rezoning:

1. That any property rendered non-conforming by the adoption of the "PID" Planned Intuitional District not be subject to Section 17.46.020 entitled Discontinuance-Conformance required;
2. That the buildings achieve consistency with the required 25 foot front yard setback if a "PID" Planned Institutional District ordinance amendment is not adopted to allow setback reductions as depicted on the adopted Land Use Plan;
3. That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan as private use by Palmer College of Chiropractic. These areas on the Land Use are descriptive only with respect to the future use of the property and does not compel approval of any vacation/abandonment request; and
4. In the event that East 11th Street between Perry Street and Pershing Avenue is vacated and conveyed to Palmer College of Chiropractic, a pedestrian walkway be constructed from Perry Street to Pershing Avenue in the general location of East 11th Street utilizing existing bricks from the roadway surface and that historical markers be located at its intersection with Perry Street and Pershing Avenue. The cost of removing the roadway

material, curbs and sidewalks and the installation of the pedestrian walkway and historical markers shall be the expense of Palmer College of Chiropractic.

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 February 28, 2018

Second Consideration March 14, 2018

Approved March 28, 2018

Frank Klipsch
Mayor

Attest:
Jackie Holecek, MMC
Deputy City Clerk

Published in the *Quad City Times* on April 10, 2018

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Laura Berkley | 563-888-3553 **3/24/2021**

Subject:
Second Consideration: Ordinance for Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of an alley in Block 96 of LeClaire's 8th Addition. [Ward 3]

COMMITTEE OF THE WHOLE RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF THIRD CONSIDERATION.

i. Motion for suspension of the rules

ii. Passage of third consideration

Recommendation:
Adopt the Ordinance.

Background:
As part of Palmer College of Chiropractic's Campus Master Plan, East 11th Street between Perry Street and Pershing Avenue and the alleys on Blocks 89 and 96 of LeClaire's 8th Addition were planned for future right-of-way vacation. Palmer is formally requesting to vacate these sections of right-of-way to move forward with planned development.

At its February 2, 2021 Plan & Zoning Commission meeting, the Commission voted to table a decision on the alley in Block 96 of LeClaire's 8th Addition to allow the petitioner time to address concerns of the existing utilities located within the alley. Following the tabling, the utilities have agreed to the relocation of their infrastructure to a proposed 15 foot utility easement running from the remaining portion of the alley north to 12th Street. This will be captured in a future subdivision.

The legal description of the proposed vacation is attached. The land area to be vacated are is 4,091 square feet, more or less.

On February 16, 2021, the Plan & Zoning Commission voted to recommend approval of the vacation request subject to the listed findings and conditions:

Findings:

1. The proposed right of way vacation would not impact adjacent property owners with the proposed ingress/egress easement; and
2. A utility easement would preserve the rights for utility providers maintaining utilities.

Conditions:

1. A 15 foot utility easement shall be dedicated for the preservation and maintenance of public utilities.
2. An ingress/egress easement shall be provided from the alley to 12th Street.

The staff report has been attached with a full analysis.

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	ROW vacation map
Backup Material	Staff Report
Backup Material	Alley Block 96 vacation legal description
Backup Material	Property Owner Notice

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	2/25/2021 - 8:34 PM

ORDINANCE NO. _____

ORDINANCE for Case ROW20-02 being the request of Palmer College of Chiropractic for the vacation of a portion of alley in Block 96 of LeClaire's 8th Addition. [Ward 3]

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:

Part of a 20-foot alley located in Block 96 of LeClaire's 8th Addition in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the southeast corner of Lot 5 in said Block 96;

Thence South 01°53'25" East along the east line of said Block 96, a distance of 20.00 feet to the south line of said alley;

Thence South 88°25'19" West along said south line, a distance of 204.63 feet; Thence North 01°30'45" West, a distance of 20.00 feet to the north line of said alley;

Thence North 88°25'19" East along said north line, a distance of 204.50 feet to the Point of Beginning.

The above-described parcel contains 4,091 square feet, more or less.

For the purpose of this description Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

The vacation (abandonment) is subject to the following conditions:

1. A 15 foot utility easement be dedicated for the preservation and maintenance of public utilities.
2. An ingress/egress easement be provided from the alley to 12th Street.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

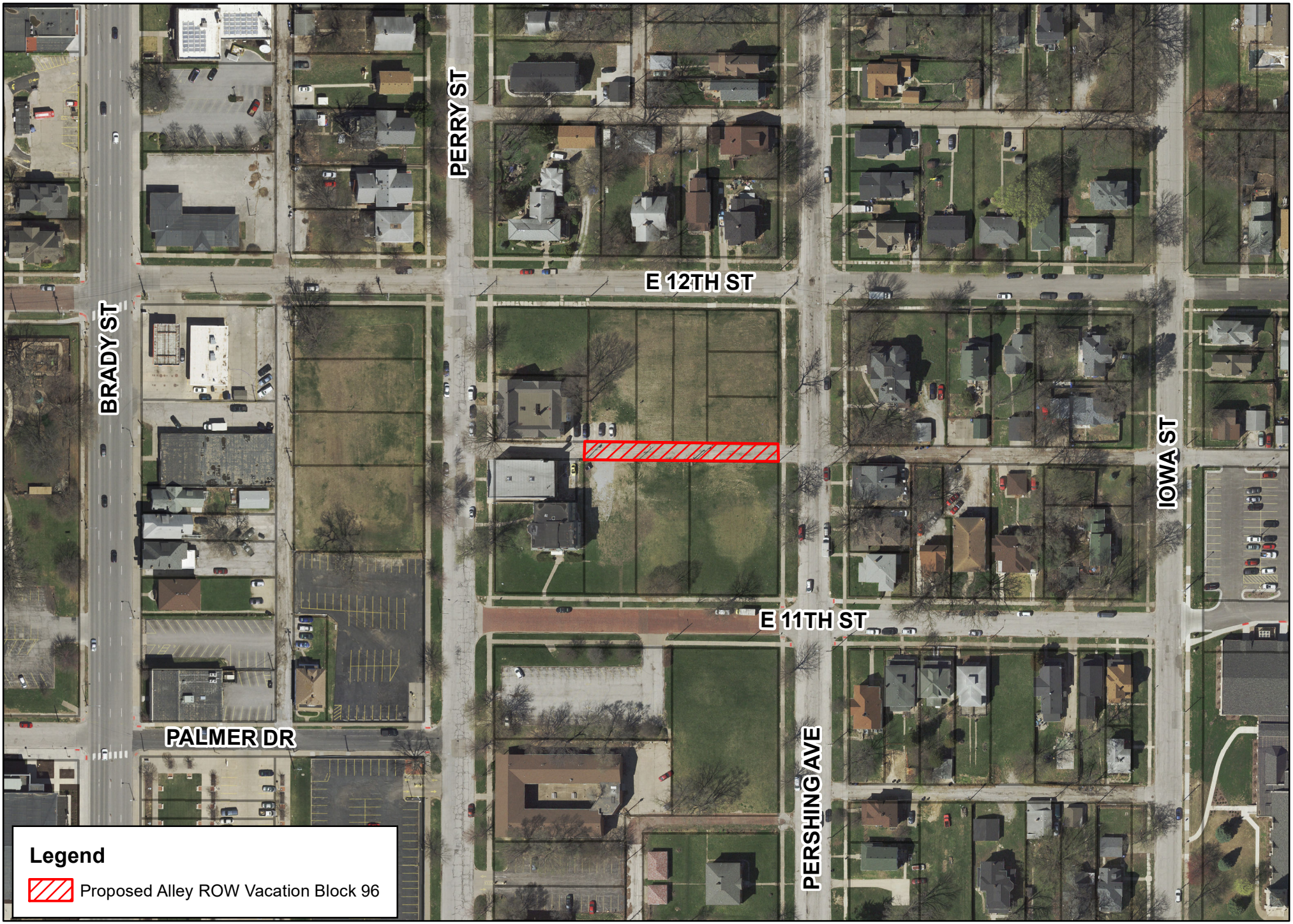
Published in the *Quad City Times* on _____

_____
Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Right-of-Way Vacation Request

ROW20-02 - A Portion of Alley in Block 96 of LeClaire's 8th Addition



City of Davenport
Plan & Zoning Commission

Case ROW20-02: Being the request of Palmer College of Chiropractic to vacate a portion of alley in Block 96 of LeClaire's 8th Addition. [Ward 3]

Introduction:

As part of Palmer College of Chiropractic's Campus Master Plan, East 11th Street between Perry Street and Pershing Avenue and the alleys on Blocks 89 and 96 of LeClaire's 8th Addition were planned for future right-of-way vacation. Palmer is formally requesting to vacate these sections of right-of-way to move forward with planned development.

At the February 2, 2021 Plan & Zoning Commission meeting, the Commission voted to table a decision on the alley in Block 96 of LeClaire's 8th Addition to allow the petitioner time to address concerns of the existing utilities located within the alley. The utilities have agreed to the relocation of their infrastructure to a proposed 15 foot utility easement running from the remaining portion of the alley north to 12th Street. This will be captured in a future subdivision.

Palmer was rezoned in 2018 to Planned Institutional District (now called S-IC Institutional Campus), with Ordinance 2018-107. One condition wwas specific to the right-of-way:

Condition 3: That Palmer College of Chiropractic formally requests the vacation/abandonment of the public streets and alleys depicted on the Land Use Plan

The legal description of the proposed vacation is attached. The land area to be vacated is 4,091 square feet, more or less.

The Petitioner has proposed ingress/egress easement from the alleys to the street to ensure adjacent properties will be able to maintain two-points of access off of the existing street network. These would be formalized as part of a subdivision.



Analysis:

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

Zoning:
The adjacent properties are zoned S-IC Institutional Campus District and R-MF Residential Multi-Family District.

Technical Review:
Streets. The proposal calls for an ingress/egress easement that connects the remaining portion of the alley serving adjacent properties to 12th Street.
Storm Water. There is no existing stormwater infrastructure within the alleys or E 11th Street rights-of-way.
Sanitary Sewer. No sanitary sewer service is located within the rights-of-way.
Other Utilities. Electric and telecommunication utilities are located within the alley in Block 96. The infrastructure will be relocated within a provided 15 foot utility easement from the existing alley north to 12th Street.
Emergency Services. The proposed ingress/egress easement will serve as a fire access point if needed. Adjacent property owners have street frontage.
Parks/Open Space. This request does not impact any existing or planned parks or public open spaces.

Public Input:
Public Hearing notices were sent concurrently with Case ORD20-02, which is Palmer's request for a modification to the Campus Master Plan to allow for student housing. Property owners within 200 feet of the proposed right-of-way vacation in advance of the January 19, 2021 Plan and Zoning Commission Public Hearing. No one spoke other than the applicant at the public hearing. To date, staff has not received any written objections to the request.

Staff Recommendation:
Staff recommends the City Plan and Zoning Commission accept the listed findings for the alley in Block 96 of LeClaire's 8th Addition in Case ROW20-02 to the City Council with a recommendation for approval subject to the listed findings and conditions.
Findings:

1. The proposed right of way vacation would not impact adjacent property owners with the proposed ingress/egress easement; and
2. A utility easement would preserve the rights for utility providers maintaining utilities.

Conditions:

1. A 15 foot utility easement shall be dedicated for the preservation and maintenance of public utilities.
2. An ingress/egress easement shall be provided from the alley to 12th Street.

LEGAL DESCRIPTION

Part of a 20-foot alley located in Block 96 of LeClaire's 8th Addition in the city of Davenport, County of Scott, State of Iowa, more particularly described as follows:

Beginning at the southeast corner of Lot 5 in said Block 96;

Thence South 01°53'25" East along the east line of said Block 96, a distance of 20.00 feet to the south line of said alley;

Thence South 88°25'19" West along said south line, a distance of 204.63 feet;

Thence North 01°30'45" West, a distance of 20.00 feet to the north line of said alley;

Thence North 88°25'19" East along said north line, a distance of 204.50 feet to the Point of Beginning.

The above-described parcel contains 4,091 square feet, more or less as shown by the attached Alley Vacation Plat.

For the purpose of this description Bearings are based on the Iowa State Plane Coordinate System, South Zone, North American Datum of 1983 (2011 Adjustment).

DAVENPORT
DEVELOPMENT &
NEIGHBORHOOD SERVICES

Public Hearing Notice | Committee of the Whole

Date: 3/3/2021
Time: 5:30 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.
Subject: Public Hearing for a Right-Of-Way Vacation

PALMER COLLEGE FOUNDATION
1000 N BRADY ST
DAVENPORT IA 52803

To: All property owners within 200 feet of the subject right-of-way bounded by East 11th Street and East 12th Street, between Pershing Avenue and Perry Street.

There is on file in the Development and Neighborhood Services Department (DNSD), on behalf of the Plan and Zoning Commission, the following request:

Case ROW20-02 being the request of Palmer College of Chiropractic to vacate a portion of the alley in Block 96 of LeClaire's 8th Addition [Ward 3].

At its February 16, 2021 meeting, the Plan and Zoning Commission recommended approval of the aforementioned case with the following findings and conditions:

Findings:

1. The proposed right of way vacation would not impact adjacent property owners with the proposed ingress/egress easement.
2. A utility easement would preserve the rights for utility providers maintaining utilities.

Conditions:

1. A 15 foot utility easement shall be dedicated for the preservation and maintenance of public utilities.
2. An ingress/egress easement shall be provided from the alley to 12th Street.

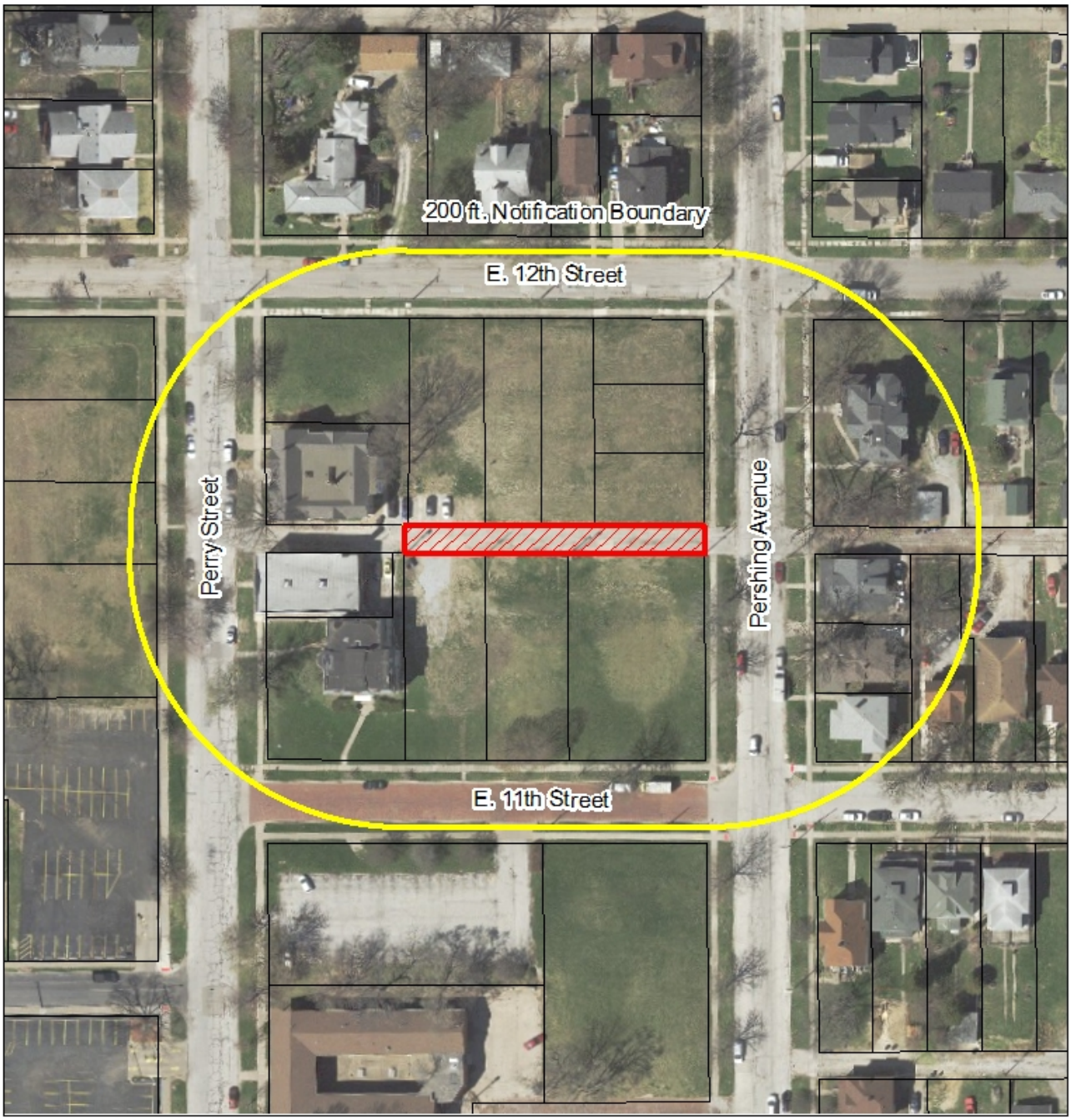
The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, March 3, 2021 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Right-of-Way Vacation Request
ROW20-02 - A Portion of Alley in Block 96 of LeClaire's 8th Addition



Proposed Alley ROW Vacation Block 96

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

0 50 100 200 Feet

N

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | contactus@davenportiowa.com

davenportiowa.com/DNS

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **3/24/2021**

Subject:
Resolution setting a Public Hearing on a proposed lease of land at the northeast corner of 5th and Brady for the Martin Luther King, Jr Plaza with the Friends of Martin Luther King, Jr (FoMLK, petitioner). [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Roughly six years ago, the City Council conceptually approved the splitting of a half block of vacant land/surface parking at the northeast corner of 5th and Brady. The eastern 2/3 of the half-block was conveyed to Newbury Development in 2015 for a new housing project which was completed in early 2017.

That structure included space on the first floor on the west side of the building for the MLK Interpretive Center which is currently operating out of that space. The western 1/3 of the block was to be either conveyed or leased to the Friends of MLK (FoMLK) for the planned MLK, Jr. Plaza. Together, the Interpretive Center and the Plaza would provide for a wide-range of programming activities regarding cultural awareness and education as well as a regional tourism destination.

Preliminary discussions led toward the FoMLK and the City entering into a lease as the housing project was completed, but the FoMLK had hoped to explore fundraising first. Though the COVID pandemic further slowed progress, the FoMLK and the City have now finalized a draft lease for consideration.

Under Iowa law, leases of municipal property with terms in excess of three years require that a Public Hearing be set and advertised prior to approval. As such, approval of this Resolution will set the date of said Public Hearing for Wednesday, April 7 at 5:30 p.m. at the City Council Committee of the Whole meeting at Davenport City Hall.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Renderings

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	1/13/2021 - 5:31 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting a Public Hearing on a proposed land lease agreement for property at the northeast corner of 5th and Brady to be used for the Martin Luther King, Jr. Plaza (Friends of MLK, petitioner).

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

> Lot 1 of Newbury Living Addition, City of Davenport, County of Scott, also referred to as parcel G0056A01, roughly 0.31 acres; and

WHEREAS, the petitioner (Friends of MLK, Jr. or FoMLK) operates the MLK Interpretative Center at 501 Brady and has plans to use this adjacent outdoor space to expand the awareness and educational programming of the Center; and

WHEREAS, the City of Davenport is supportive of the efforts of FoMLK and projects/programs that memorialize Dr. King, the civil rights movement, and advance the stories of individuals and movements in the Quad Cities that have shaped the community; and

WHEREAS, the petitioner and the City have agreed to mutually beneficial lease terms, including a 10-year term with the option to renew; and

WHEREAS, a Public Hearing on this proposed lease is required by Iowa law as it is longer than a 3-year term.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that a Public Hearing shall be held on this proposed lease at the April 7, 2021 Committee-of-the-Whole meeting which begins at 5:30 pm (local time).

Passed and approved this 24th day of March, 2021.

Attest:

_____ _____

Mike Matson
Mayor

Brian Krup
Deputy City Clerk


MLK PARK
streamline
ARCHITECTS


streamline
ARCHITECTS

streamline
ARCHITECTS

City of Davenport

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

Action / Date
3/24/2021

Subject:
Resolution approving Case CP21-01 being the request of MCC Iowa LLC on behalf of MM Development LLC to amend the Davenport 2035 Future Land Use Map Designation at 5000 Grand Avenue from Residential General (RG) to Industry (I). [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
The purpose of the resolution is to create consistency between the Zoning Map and Future Land Use Map.

City Council approved Case REZ20-08 at their March 10, 2021 meeting amending the zoning of the property from R-MF Multi-Family Residential District to I-1 Light Industrial District for the purpose of constructing a communications building to house and operate electronics and fiber optic cables.

City staff is requesting a Future Land Use Map Designation amendment from Residential General (RG) to Industry (I) to reflect the industrial development of the property and the surrounding industrial park.

Finding:

1. To promote the orderly development of Davenport in accordance with the Comprehensive Plan and adopted land use policies.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Future Land Use Map
🗋	Backup Material	Land Use Analysis

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Werderitch, Matt	Approved	3/9/2021 - 11:46 AM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving Case CP21-01 being the request of MCC Iowa LLC on behalf of MM Development LLC to amend the Davenport 2035 Future Land Use Map Designation at 5000 Grand Avenue from Residential General (RG) to Industry (I).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Davenport 2035 Future Land Use Map amendment from Residential General (RG) to Industry (I) at 5000 Grand Avenue is hereby approved and accepted and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Passed and approved this 24th day of March, 2021.

Approved:

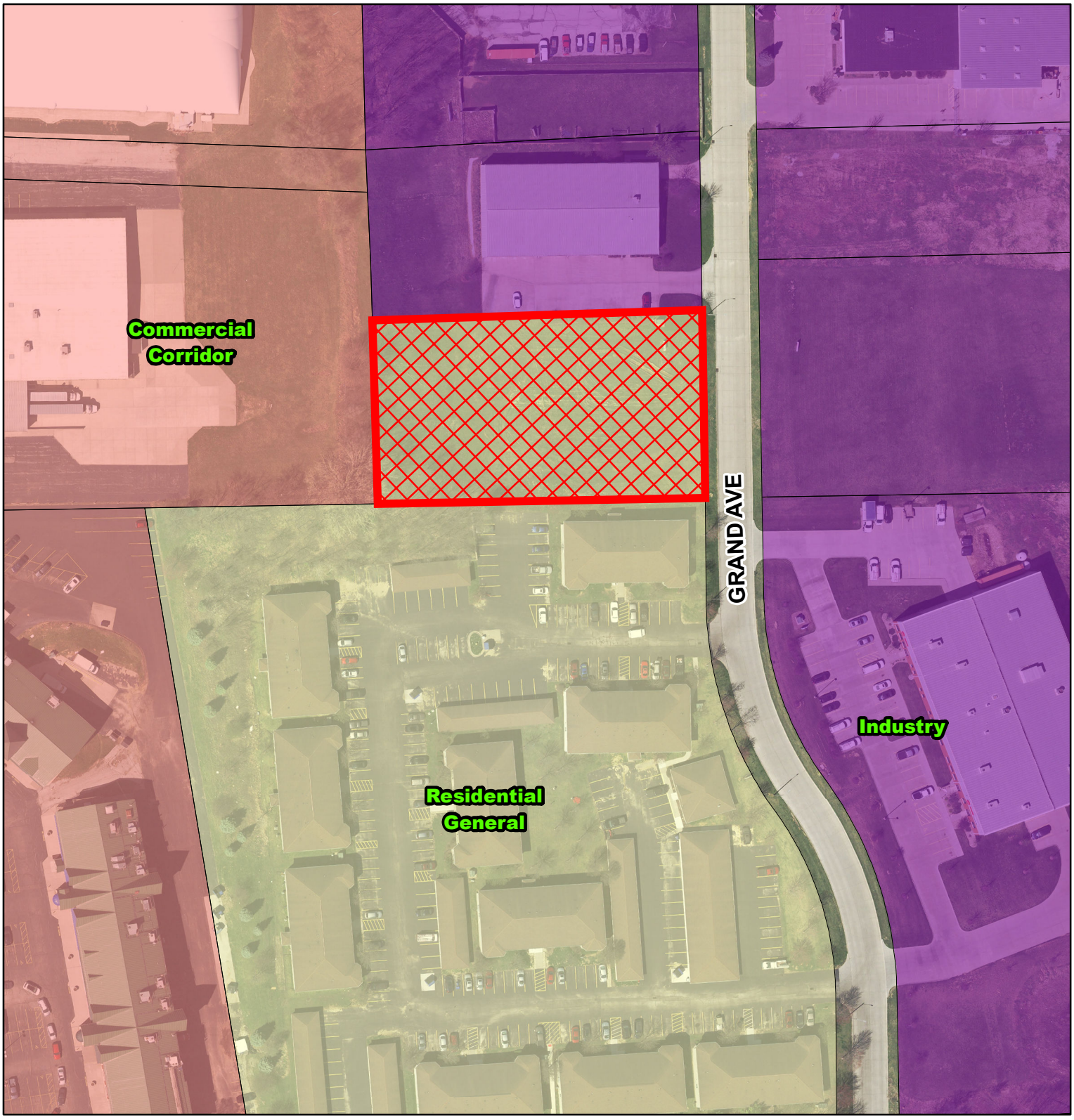
_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

Future Land Use Map (Davenport +2035)

REZ20-08 5000 Grand Avenue



General Residential to Industry

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

0 50 100 200 Feet

N

Land Use Analysis
Development and Neighborhood Services Department

Resolution approving Case CP21-01 being the request of MCC Iowa LLC on behalf of MM Development LLC to amend the Davenport 2035 Future Land Use Map Designation at 5000 Grand Avenue from Residential General (RG) to Industry (I). [Ward 7]

Discussion:
City Council adopted a rezoning ordinance at their March 10, 2021 meeting amending the zoning from R-MF Multi-Family Residential District to I-1 Light Industrial District. The proposed resolution will create consistency between the Zoning Map and Future Land Use Map.

City staff is requesting a Future Land Use Map Designation amendment from Residential General (RG) to Industry (I) to reflect the industrial development of the property and the surrounding industrial park. The proposed construction is for a communications building to house and operate electronics and fiber optic cables. The 1.09 acre lot is currently vacant. The property is located between multi-family development to the south and light industrial/service development to the north and east.

City Council approved Resolution 2019-79 in 2019 to amend the land use designation of 5000 Grand Avenue from Industry (I) to Residential General (RG) for the purpose of constructing apartment units. Development has not occurred on the property. The proposed Future Land Use Designation to Industry (I) will reverse the 2019 City Council resolution.

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

Future Land Use Designations:
The property is designated Residential General (RG) in the Davenport +2035 Land Use Plan. The Future Land Use Designation would need to be amended to Industry (I) through the adoption of a resolution by City Council.

1. **Residential General (RG)** – Designates neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.
2. **Industry (I)** – Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:
The City Council approved a rezoning ordinance at their March 10, 2021 meeting amending the zoning from R-MF Multi-Family Residential District to I-1 Light Industrial District for the purpose of constructing a communications building to house and operate electronics and fiber optic cables.

Technical Review:
City Departments have reviewed the proposed Zoning Map Amendment Application. The applicant is required to install stormwater detention and water quality treatment if impervious area is over 5,000 square feet.

Public Input:
Letters were sent to property owners within 200 feet of the proposed request notifying them of the January 5, 2021 Plan and Zoning Commission Public Hearing.

To date, staff has not received any responses from adjacent property owners. No individuals from the public spoke at the Plan and Zoning Commission public hearing on January 5, 2021.

Notices of Public Hearings were published in the Quad City Times for both the January 5th and February 2nd public hearings.

Approval Standards for Map Amendments (Chapter 17.14.040)
The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

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

   Staff Response: The property is designated Residential General (RG) in the Davenport +2035 Land Use Plan. The proposed communications building is incompatible with the future land use category description, which is intended for neighborhoods that are mostly residential. Instead, the proposed low intensity industrial development fits the criteria for Industry (I).

   It is staff's opinion that a condition shall be placed on the Zoning Map Amendment requesting City Council to adopt a resolution amending the Future Land Use Designation from Residential General (RG) to Industry (I).

b. **The compatibility with the zoning of nearby property.**

   Staff Response: The subject property is located on the boundary between R-MF Multi-Family Residential District and I-1 Light Industrial District. The abutting properties to the north, east, and west are zoned I-1 Light Industrial District. The rezoning petition will serve as a continuation of industrial property that extends east to the railroad tracks, between 53rd Street and 46th Street.

   It is staff's opinion that the proposed amendment is compatible with the zoning of nearby property.

c. **The compatibility with established neighborhood character.**

Staff Response: The established neighborhood character is primarily industrial to the north and east of the subject property. To the south, there is an apartment complex and smaller scale multi-family residential developments near the intersection of Grand Avenue and East 46th Street. The low intensity use of the site will serve as a transition between industrial and residential properties.

It is staff's opinion that the proposed amendment is compatible with the established neighborhood character.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

Staff Response: The proposed I-1 zoning is consistent with existing vicinity uses to the north, east, and west of the property. The proposed communications building will be a low intensity industrial development, which should not create any nuisances to the multi-family development directly south.

It is staff's opinion that the proposed zoning map amendment will develop in a manner that promotes the public health, safety, and welfare of the City.

e. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Staff Response: Under the current Zoning Ordinance, the R-MF Multi-Family Residential Zoning District does not allow for a communications building that houses and operates electronics and fiber optic cables. The intended development of the property is considered an Industrial-Light use.

It is staff's opinion that the property is not suited for development of the proposed business under the existing R-MF Multi-Family Residential District.

f. The extent to which the proposed amendment creates nonconformities.

Staff Response: The vacant 1.09 acre site satisfies the dimensional standards for the I-1 Light Industrial District.

It is staff's opinion that the proposed amendment will not create any nonconformities.

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
3/24/2021

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

Davenport Community School District; Track Meets; Brady Street Stadium, 3603 Brady Street; Various dates and times in April and May 2021 (see attached list); **Closure:** 36th Street from Brady Street to just west of Davenport Avenue. [Ward 7]

Ganzo's Mexican Restaurant, Ganzo's Cinco de Mayo 5K & Fiesta; Saturday, May 1, 2021; 6:00 a.m. – 11:00 a.m.; **Lane closures:** northbound N Marquette from W Kimberly to W 41st (northbound W Kimberly to 3923 N Marquette St closed until 11:30 p.m. for the Fiesta); W 41st from Marquette to Division; easternmost northbound lane Division from W 41st to W 53rd; southernmost eastbound lane W 53rd from Division to NW Blvd; southbound NW Blvd from W 53rd to Taylor; Taylor from NW Blvd to W 52nd; W 52nd/Garner Dr from Taylor to W 51st; W 51st from W 52nd/Garner Dr to Fillmore Ln; Fillmore Ln from W 51st to W 46th; W 46th from Fillmore Ln to Marquette; Marquette from W 46th to finish line at Ganzo's Restaurant. Volunteers will be present throughout the neighborhoods to assist residents who need to enter and exit. [Wards 7 & 8]

Recommendation:
Adopt the Resolution.

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

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	DCSD Track Meets Map
🗋	Backup Material	DCSD Track Meets Dates & Times List
🗋	Backup Material	Ganzo's 5k Map
🗋	Backup Material	Ganzo's Neighborhood Letter

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/12/2021 - 8:02 AM

Resolution No. _____

Resolution offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

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

WHEREAS, the City, through its Special Events Policy, has accepted the following applications to hold outdoor events on the following dates; and

WHEREAS, upon review of the applications it has been determined that the streets, lanes, or public grounds on the dates and times listed below will need to be closed; and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs staff to proceed with the temporary closure of the following streets, lanes, or public grounds on the following dates and times:

Davenport Community School District; Track Meets; Brady Street Stadium, 3603 Brady Street; Various dates and times in April and May 2021 (see attached list); ***Closure:*** *36th Street from Brady Street to just west of Davenport Avenue. [Ward 7]*

Ganzo's Mexican Restaurant, Ganzo's Cinco de Mayo 5K & Fiesta; Saturday, May 1, 2021; 6:00 a.m. – 11:00 a.m.; ***Lane closures:*** *northbound N Marquette from W Kimberly to W 41st (northbound W Kimberly to 3923 N Marquette St closed until 11:30 p.m. for the Fiesta); W 41st from Marquette to Division; easternmost northbound lane Division from W 41st to W 53rd; southernmost eastbound lane W 53rd from Division to NW Blvd; southbound NW Blvd from W 53rd to Taylor; Taylor from NW Blvd to W 52nd; W 52nd/Garner Dr from Taylor to W 51st; W 51st from W 52nd/Garner Dr to Fillmore Ln; Fillmore Ln from W 51st to W 46th; W 46th from Fillmore Ln to Marquette; Marquette from W 46th to finish line at Ganzo's Restaurant. Volunteers will be present throughout the neighborhoods to assist residents who need to enter and exit. [Wards 7 & 8]*

Passed and approved this 24th day of March, 2021.

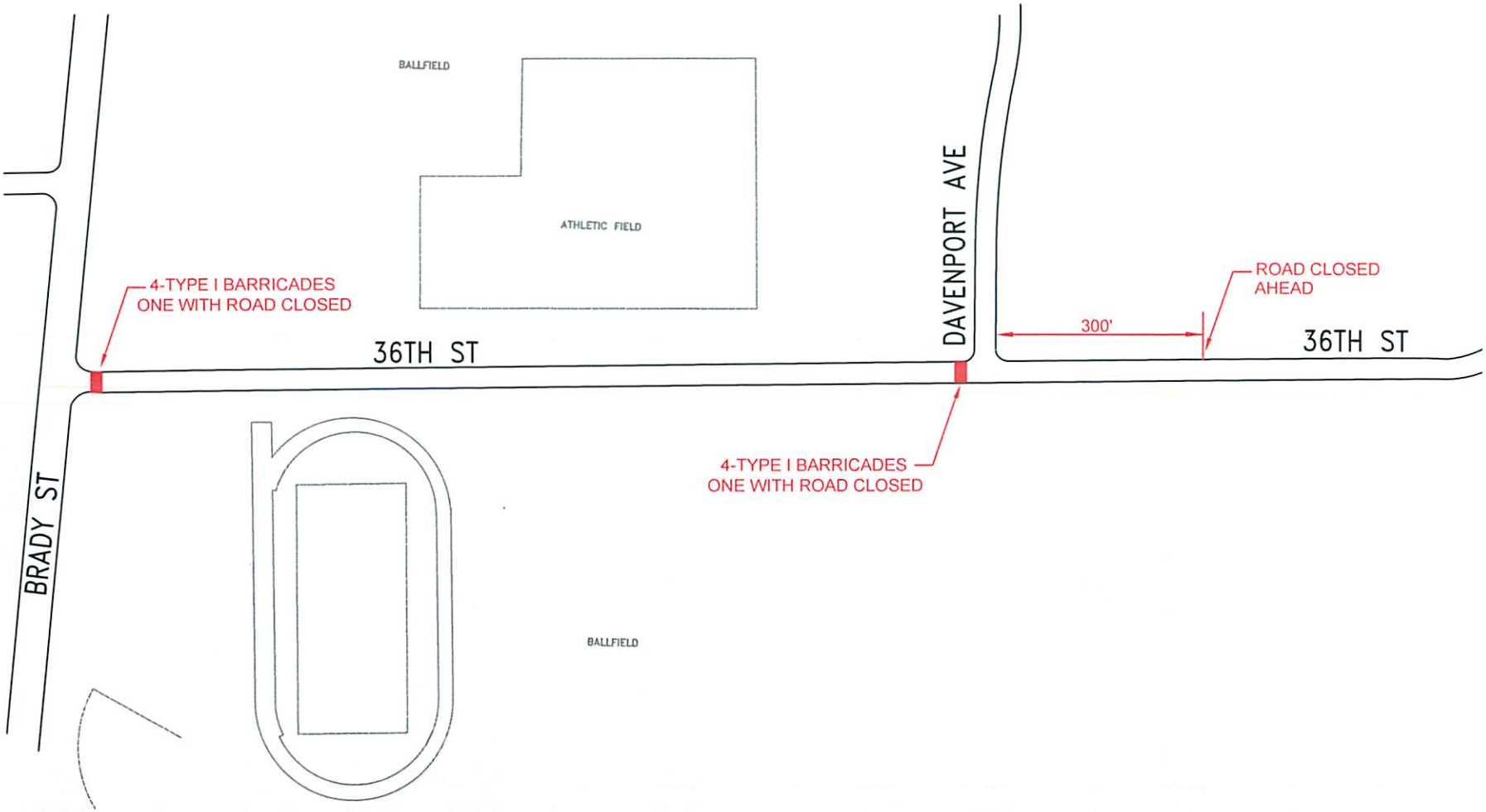
Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

DAVENPORT SCHOOLS
STREET CLOSURE



Tuesday, April 6th 2021

* This is the Ladies Classic Relay for HS Students

Setup Time: 2:00 PM - 8:00 PM

Event Time: 4:00 AM - 7:30 PM

Cleanup Time: 2:00 PM - 7:30 PM

Thursday, April 8th 2021

* This is the Dunsworth Relays for HS Students.

Setup Time: 2:00 PM - 7:30 PM

Event Time: 4:00 PM - 6:30 PM

Cleanup Time: 2:00 PM - 7:30 PM

Thursday, April 15th 2021

* This is Jesse Day Track Meet for HS Students.

Setup Time: 2:00 PM - 7:30 PM

Event Time: 4:00 PM - 7:00 PM

Cleanup Time: 2:00 PM - 7:30 PM

Monday, April 19th 2021

* This is JV Relays for HS Students.

Setup Time: 2:00 PM - 7:30 PM

Event Time: 4:00 PM - 7:00 PM

Cleanup Time: 2:00 PM - 7:30 PM

Wednesday, April 21st 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Monday, April 26th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Wednesday, April 28th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Wednesday, May 5th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Thursday, May 6th 2021

* This is High School Conference Meet.

Setup Time: 1:00 PM - 9:00 PM

Event Time: 4:00 PM - 8:30 PM

Cleanup Time: 1:00 PM - 9:00 PM

Monday, May 10th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Wednesday, May 12th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Wednesday, May 12th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Wednesday, May 19th 2021

* This is intermediate track meet.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time: 3:00 PM - 7:30 PM

Thursday, May 20th 2021

* This is a "Rain Date" in the event any of the track meets are cancelled due to weather conditions.

Setup Time: 3:00 PM - 7:30 PM

Event Time: 5:00 PM - 7:00 PM

Cleanup Time :3:00 PM - 7:30 PM


Goodwill
W 54th St
Fareway Grocery
Villa Dr
W 51st St
WATER STATION
2
W 49th St
N Sturdevant St
W 48th St
W 47th St
1
WATER STATION
46th St
Cheyenne Ave
Lambs Ln
W 44th Ct
W 43rd St
W 42nd St
Washington St
Marquette St.
Canterbury Ln
Royal Oaks Dr
Ridge
3
START/FINISH
RACE PARKING
Rob Creek
Lillie A
6
CINCO DE MAYO 5K
PRESENTED BY GANZO'S
NOTE:
-Packet Pickup
-Registration
-Restrooms
-Post Race Party
ALL IN GANZOS PARTY AREA

CINCO DE MAYO
—5K 2021—

Dear Neighbor,

We wish to inform you of our upcoming race, the 9th Annual Cinco de Mayo 5K benefitting the Quad Cities Autism Center, taking place in your neighborhood on Saturday, May 1st at 9:00 AM for approximately one hour. The course is shown on the reverse side of this letter.

The race committee and participants would greatly appreciate your support by not parking on the route for this brief period.

If you have any questions or concerns, please contact us at (309) 912-1471. For questions or comments regarding lane closures or noise, please contact Brian Krup at (563) 326-6163.

Thank you for supporting our race and our mission of raising funds and awareness for the Quad Cities Autism Center! We couldn't do it without you!

Thank you,
The Cinco de Mayo 5K Committee
www.ganzos5k.com

See what's planned at this year's fiesta: ganzos.com/cinco

CINCO DE MAYO
—5K 2021—

Dear Neighbor,

We wish to inform you of our upcoming race, the 9th Annual Cinco de Mayo 5K benefitting the Quad Cities Autism Center, taking place in your neighborhood on Saturday, May 1st at 9:00 AM for approximately one hour. The course is shown on the reverse side of this letter.

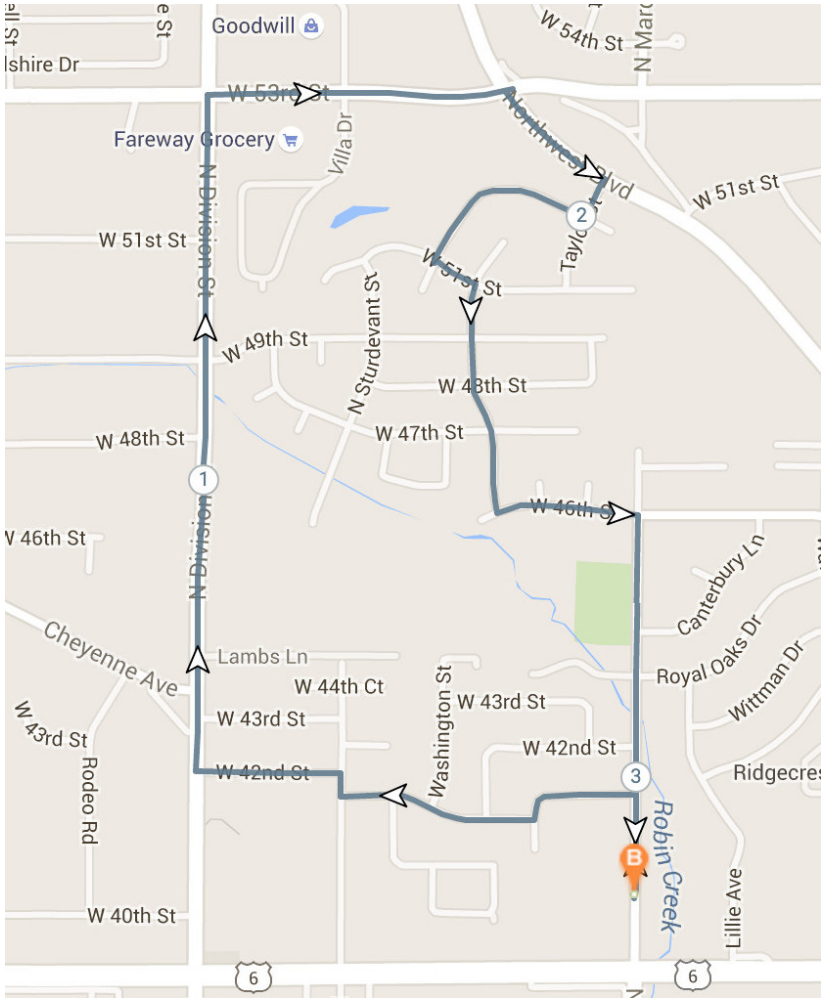
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If you have any questions or concerns, please contact us at (309) 912-1471. For questions or comments regarding lane closures or noise, please contact Brian Krup at (563) 326-6163.

Thank you for supporting our race and our mission of raising funds and awareness for the Quad Cities Autism Center! We couldn't do it without you!

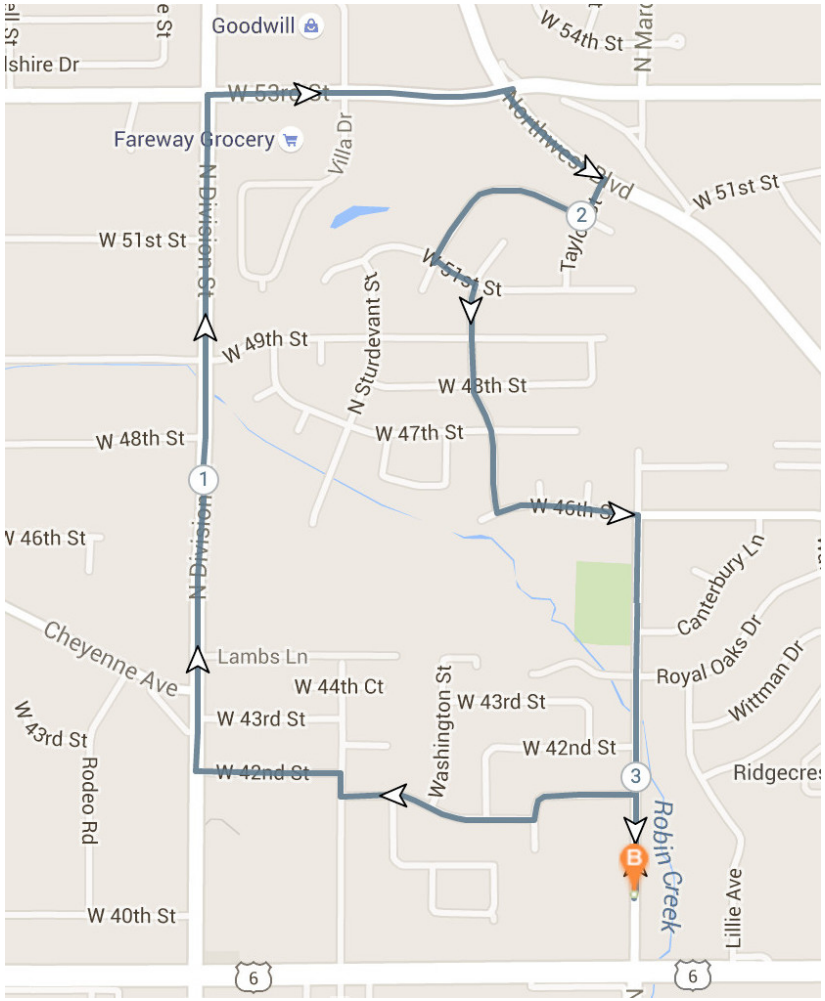
Thank you,
The Cinco de Mayo 5K Committee
www.ganzos5k.com

See what's planned at this year's fiesta: ganzos.com/cinco



2021 Cinco de Mayo 5K Course Map

www.ganzos5k.com/course



2021 Cinco de Mayo 5K Course Map

www.ganzos5k.com/course

City of Davenport

Department: Public Works - Admin
Contact Info: Nick Schmuecker | 563-327-5162

Action / Date
3/24/2021

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Sunderbruch Park Bridge Over Blackhawk Creek Repair Project, CIP #21005. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
Based on findings in the 2019 Biennial City Bridge Inspections, the Sunderbruch Park Bridge over Blackhawk Creek was listed as a high priority for repair. This project will correct outdated design standards and repair any failing components.

The project is scheduled to be bid in the spring with construction to start approximately one month following the award. Construction completion should occur at the start of July 2021. The current estimate is $179,353.50.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	3/10/2021 - 11:56 AM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 11:57 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:36 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

Resolved by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Sunderbruch Park Bridge over Blackhawk Creek Repair Project, CIP #21005.

WHEREAS, on the 5th day of March, 2021, plans, specifications, form of contract, and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Sunderbruch Park Bridge over Blackhawk Creek Repair Project, CIP #21005.

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for said Sunderbruch Park Bridge over Blackhawk Creek Repair Project.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Noah Jones | 563-327-5168

Action / Date
3/24/2021

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Causeway Flood Repairs project. [Ward 1]

Recommendation:
Adopt the Resolution.

Background:
This project will include milling off the existing asphalt surface, subbase placement and preparation, Hot Mix Asphalt (HMA) resurfacing, full depth HMA patching, granular shoulders, topsoil, and seeding on the causeway and several locations of the park road.

Portions of this project are being funded by FEMA in response to the flooding of 2019. Estimate of cost is $400,000 split approximately 50/50 with FEMA.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	3/10/2021 - 11:56 AM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 11:56 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:37 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Credit Island Causeway Flood Repairs project.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Credit Island Causeway Flood Repairs.

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that, said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Credit Island Causeway Flood Repairs.

Passed and approved this 24th day of March, 2021.

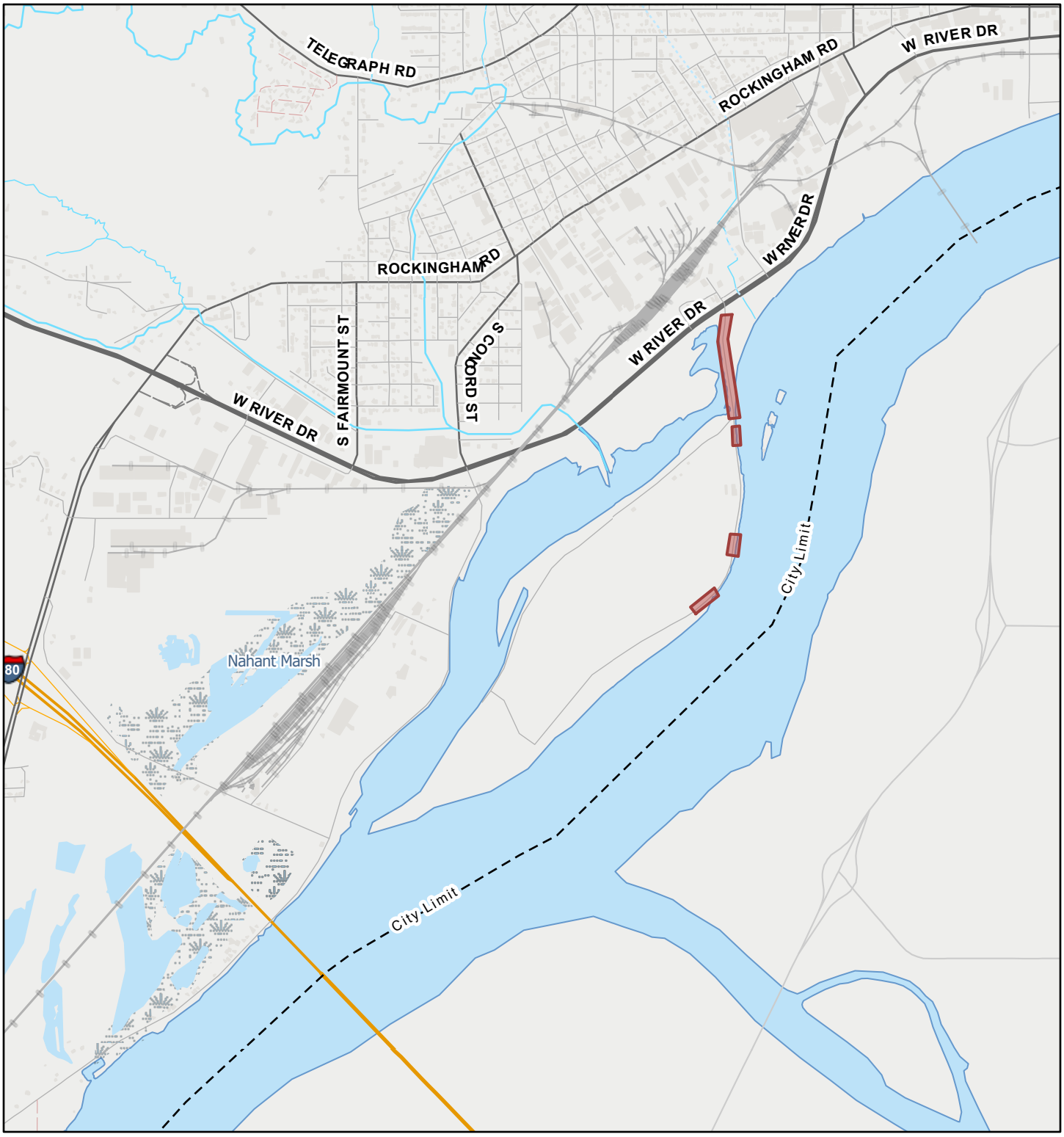
Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

Credit Island Causeway Flood Repairs



3/8/2021, 8:34:04 AM

1:36,112

0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

Web AppBuilder for ArcGIS
Scott County Iowa, Bi-State Regional Commission |

City of Davenport

Department: Public Works - Admin
Contact Info: Eric Gravert | 563-327-5125

Action / Date
3/24/2021

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 Sidewalk Program, CIP #28025. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This sidewalk program will be used to repair existing sidewalks throughout the City. Locations are based on citizens that have elected to utilize the 50/50 cost share program, areas where City tree roots have caused problems, and Cartegraph requests. Funding for this contract is from the CY 2021 Sidewalk Program CIP #28025 from the sale of general obligation bonds.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	3/12/2021 - 11:05 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 Sidewalk Program, CIP #28025.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the CY 2021 Sidewalk Contract within the City of Davenport, Iowa; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said CY2021 Sidewalk Contract.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Eric Gravert | 563-327-5125

Action / Date
3/24/2021

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 ADA Ramp Program Project, CIP #28026. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This project will provide for ADA compliant curb ramps at various locations throughout the City. This project includes the construction of curbs, associated sidewalk, hydro-seeding, erosion controls, and other work required to contract ADA compliant curb ramps. This project is estimated at $250,000 and funded through CIP #28026.

ATTACHMENTS:

	Type	Description
	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	3/12/2021 - 11:11 AM

Resolution No._____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the CY 2021 ADA Ramp Program, CIP #28026.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the CY 2021 ADA Ramp Program within the City of Davenport, Iowa; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for said CY 2021 ADA Ramp Program.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Nick Schmuecker | 563-327-5162

Action / Date
3/24/2021

Subject:
Resolution approving the contract for West 53rd Street Full Depth Patching to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $958,178, CIP #35046. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on February 4, 2021 and was sent to 106 vendors. On March 5, 2021, the Purchasing Division received and opened four responsible and responsive bids.

This project will include full depth patching on West 53rd Street from Northwest Boulevard to Candlelight Creek.

Funding for this project is from CIP #35046.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/11/2021 - 9:17 AM
Public Works Committee	Moses, Trish	Approved	3/11/2021 - 9:17 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:44 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the West 53rd Street Full Depth Patching project to CDMI Concrete Contractors Inc of Port Byron, Illinois in the amount of $958,178.

WHEREAS, the City needs to contract for this project to maintain sound infrastructure.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the contract for West 53rd Street Full Depth Patching project to CDMI Concrete Contractors Inc of Port Byron, Illinois is approved.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: WEST 53RD STREET FULL DEPTH PATCHING

BID NUMBER: 21-70

OPENING DATE: MARCH 5, 2021

GL ACCOUNT NUMBER: 70071681 530350 35046

RECOMMENDATION: AWARD THE CONTRACT TO CDMI CONCRETE CONTRACTORS INC. OF PORT BYRON, IL

VENDOR NAME	PRICE
CDMI Concrete Contractors Inc., IL	**$958,178.00**
Hawkeye Paving Corporation of Bettendorf, IA	$974,753.50
Langman Construction, Inc. of Rock Island, IL	$998,369.70
Centennial Contractors of the QC of Moline, IL	$1,199,287.35

Approved By Caitlyn Werner 3-10-2021
Purchasing Agent Date

Approved By Nicole Gleason 3-10-2021
Public Works Director Date

Approved By Brandi Corzine 3-10-21
Budget/CIP Date

Approved By William A. Merritt 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Noah Jones | 563-326-5168

Action / Date
3/24/2021

Subject:
Resolution approving the contract for the Harrison Street Reconstruction project (Northbrook Drive to 5003 Harrison Street) to Emery Construction Group of Moline, Illinois in the amount of $154,784.23, CIP #35047. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on February 11, 2021 and was sent to 106 vendors. On March 8, 2021, the Purchasing Division received and opened nine responsible and responsive bids.

This project will include full-width reconstruction of Harrison Street from Northbrook Drive to 5003 Harrison Street.

Funding for this project is from CIP #35047.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/11/2021 - 9:16 AM
Public Works Committee	Moses, Trish	Approved	3/11/2021 - 9:16 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:45 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Harrison Street Reconstruction project (Northbrook Drive to 5003 Harrison Street) to Emery Construction Group of Moline, Illinois in the amount of $154,784.23.

WHEREAS, the City needs to contract for this project to maintain sound infrastructure.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the contract for Harrison Street Reconstruction project (Northbrook Drive to 5003 Harrison Street) to Emery Construction Group of Moline, Illinois is approved.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: HARRISON STREET RECONSTRUCTION

BID NUMBER: 21-72

OPENING DATE: MARCH 8, 2021

GL ACCOUNT NUMBER: 70072681 530350 35047

RECOMMENDATION: AWARD THE CONTRACT TO EMERY CONSTRUCTION GROUP INC. OF MOLINE, IL

VENDOR NAME	PRICE
Emery Construction Group Inc. of Moline, IL	**$154,784.23**
Hawkeye Paving Corporation of Bettendorf, IA	$156,651.50
N.J. Miller, Inc. of Bettendorf, IA	$159,889.50
Five Cities Construction Company of Coal Valley, IL	$160,562.75
Langman Construction, Inc. of Rock Island, IL	$163,016.84
CDMI Concrete Contractors Inc. of Port Byron, IL	$175,471.50
Centennial Contractors of the QC of Moline, IL	$181,588.75
Valley Construction Company of Rock Island, IL	$189,886.75
McCarthy Improvement Company of Davenport, IA	$209,494.63

Approved By Caitlyn Jarmer 3-10-2021
Purchasing Agent Date

Approved By Nicole Gleason 3-10-2021
Public Works Director Date

Approved By Brenda Cowger 3-10-21
Budget/CIP Date

Approved By Mallory L. Merritt 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Noah Jones | 563-326-5168

Action / Date
3/24/2021

Subject:
Resolution approving the contract for the East 38th Street Reconstruction to McClintock Trucking & Excavating of Silvis, Illinois in the amount of $257,836, CIP #35047. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on February 11, 2021 and was sent to 106 vendors. On March 8, 2021, the Purchasing Division received and opened ten responsible and responsive bids.

This project will include full width reconstruction on East 38th Street from east of Spring Street to west of Belle Avenue.

Funding for this project is from CIP #35047.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Bid Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/11/2021 - 9:16 AM
Public Works Committee	Moses, Trish	Approved	3/11/2021 - 9:16 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:45 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the East 38th Street Reconstruction project to McClintock Trucking & Excavating of Silvis, Illinois in the amount of $257,836.

WHEREAS, the City needs to contract for this project to maintain sound infrastructure.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the contract for the East 38th Street Reconstruction project to McClintock Trucking & Excavating of Silvis, Illinois is approved.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 38TH STREET RECONSTRUCTION

BID NUMBER: 21-71

OPENING DATE: MARCH 8, 2021

GL ACCOUNT NUMBER: 70072681 530350 35047

RECOMMENDATION: AWARD THE CONTRACT TO MCCLINTOCK TRUCKING & EXCAVATING OF SILVIS, IL

VENDOR NAME	PRICE
CDMI Concrete Contractors Inc., IL	**$257,836.00**
Langman Construction, Inc. of Rock Island, IL	$263,231.20
CDMI Concrete Contractors Inc. of Port Byron, IL	$269,763.00
Five Cities Construction Company of Coal Valley, IL	$276,086.85
N.J. Miller, Inc. of Bettendorf, IA	$276,454.00
Emery Construction Group Inc. of Moline, IL	$277,267.45
Hawkeye Paving Corporation of Bettendorf, IA	$278,667.00
Centennial Contractors of the QC of Moline, IL	$307,381.75
Valley Construction Company of Rock Island, IL	$323,750.25
McCarthy Improvement Company of Davenport, IA	$324,088.00

Approved By Caitlyn Vamer 3-10-2021
Purchasing Agent Date

Approved By Nicole Gleason 3-10-2021
Public Works Director Date

Approved By Brandi Cowger 3-10-21
Budget/CIP Date

Approved By Mallory S. Merritt 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Nicole Gleason | 563-327-5150

Action / Date
3/24/2021

Subject:
Resolution approving the contract for the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) to Five Cities Construction Company of Coal Valley, Illinois in the amount of $288,021.50, CIP #35047. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued and sent to contractors on February 10, 2021. On March 9, 2021, the Purchasing Division opened and read nine bids. See bid tab attached.

Five Cities Construction was lowest responsive and responsible vendor submitting a bid. The have successfully performed this type of work for the City of Davenport in the past.

This project is a full width reconstruction, including pavement removal, subdrain installation, new subbase, PCC paving with integral curbing, PCC sidewalk and driveway approaches, ADA ramps, topsoil and seeding for West 43rd Street from North Michigan Avenue to North Elsie Avenue and North Elsie Avenue from West 43rd Street to West 42nd Street.

This project will not begin until July 6th, 2021 as part of the FY 2022 budget, CIP #35047 Neighborhood Street Repair Program. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/10/2021 - 11:55 AM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 11:55 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:46 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) to Five Cities Construction Company of Coal Valley, Illinois in the amount of $288,021.50, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the West 43rd Street Reconstruction; and

WHEREAS, Five Cities Construction Company of Coal Valley, Illinois was the lowest responsive and responsible bidder.

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

1. the contract for the West 43rd Street Reconstruction (Elsie Avenue to Michigan Avenue) to Five Cities Construction Company of Coal Valley, Illinois is approved; and

2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: W 43rd St RECONSTRUCTION, ELSIE TO MICHIGAN

BID NUMBER: 21-74

OPENING DATE: MARCH 9, 2021

GL ACCOUNT NUMBER: 70072681 530350 35050 NEIGHBORHOOD STREET REPAIR

RECOMMENDATION: AWARD THE BID TO FIVE CITIES CONSTRUCTION COMPANY OF COAL VALLEY IL

VENDOR NAME	PRICE
Five Cities Construction Company of Coal Valley IL	**$288,021.50**
CDMI Concrete Contractors Inc of Port Byron IL	$316,949.00
N J Miller Inc of Bettendorf IA	$329,525.50
Hawkeye Paving Corporation Bettendorf IA	$336,164.50
Emery Construction Group Inc of Moline IL	$339,546.50
Langman Construction Inc of Rock Island IL	$349,552.30
Centennial Contractors of the Quad Cities of Moline IL	$394,864.25
Walter D Laud Inc of Carbon Cliff IL	$397,408.50
McCarthy Improvement Company of Davenport IA	$429,827.63

Approved By Kristi Keller 3-10-2021
Purchasing Date

Approved By Nicole McLaren 3-10-2021
Department Director Date

Approved By Brandi Cooper 3-10-21
Budget/CIP Date

Approved By Matthew P. McMillan 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Nicole Gleason | 563-327-5150 **3/24/2021**

Subject:
Resolution approving the contract for the Heatherton Drive Reconstruction project (Fairmount Avenue to Michigan Avenue) to Hawkeye Paving Corporation of Bettendorf, Iowa in the amount of $297,591, CIP #35047. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
On February 10, 2021, an Invitation to Bid was issued and sent to contractors. The Purchasing Division opened and read four (4) responsive and responsible bids on March 9, 2021. See bid tab attached.

This work includes the furnishing of all labor, materials, equipment and services necessary for HMA road reconstruction including but not limited to survey, subdrain, subgrade, HMA pavement, driveway approaches, and seeding.

Funding for this project is from the CIP #53047 Neighborhood Street Repair Program. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/10/2021 - 11:56 AM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 11:56 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:46 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Heatherton Drive Reconstruction project (Fairmount Avenue to Michigan Avenue) to Hawkeye Paving Corporation of Bettendorf, Iowa in the amount of $297,591.00, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Heatherton Drive Reconstruction project; and

WHEREAS, Hawkeye Paving Corporation of Bettendorf, Iowa was the lowest responsive and responsible bidder.

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

1. the contract for the Heatherton Dr Reconstruction project (Fairmount Avenue to Michigan Avenue) to Hawkeye Paving Corporation of Bettendorf, Iowa is approved; and

2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: HEATHERTON DR RECONSTRUCTION, FAIRMOUNT TO MICHIGAN AVE

BID NUMBER: 21-75

OPENING DATE: MARCH 9, 2021

GL ACCOUNT NUMBER: 70072681 530350 35047 NEIGHBORHOOD STREET REPAIR

RECOMMENDATION: AWARD THE BID TO HAWKEYE PAVING CORPORATION OF BETTENDORF IA

VENDOR NAME	PRICE
Hawkeye Paving Corporation of Bettendorf IA	**$297,591.00**
Langman Construction Inc of Rock Island IL	$299,486.00
Tri City Blacktop Inc. of Bettendorf IA	$301,689.00
Manatt's Inc – Eastern IA Division of Camanche IA	$302,761.00

Approved By Kristi Keller 3-10-2021
Purchasing Date

Approved By Nicole Gleason 3-10-2021
Department Director Date

Approved By Brandi Cowger 3-10-21
Budget/CIP Date

Approved By Mallory S. Merritt 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Nicole Gleason | 563-327-5150 **3/24/2021**

Subject:
Resolution approving the contract for the Sheffield Drive Reconstruction project (West 54th Street to Hillandale Road) to Tri City Blacktop Inc of Bettendorf, Iowa in the amount of $291,242.50, CIP #35047. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on February 10, 2021 and sent to contractors. On March 9, 2021, the Purchasing Division opened and read six (6) responsive and responsible bids. See bid tab attached.

This work includes the furnishing of all labor, materials, equipment, and services necessary for HMA road reconstruction including but not limited to survey, subdrain, subgrade, HMA pavement, driveway approaches, and seeding.

Funding for this project is from the CIP #35047 Neighborhood Street Repair. These funds are from the sale of General Obligation Bonds

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/10/2021 - 12:01 PM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 12:01 PM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:46 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Sheffield Drive Reconstruction project (West 54th Street to Hillandale Road) to Tri City Blacktop Inc of Bettendorf, Iowa in the amount of $291,242.50, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Sheffield Drive Reconstruction project; and

WHEREAS, Tri City Blacktop Inc of Bettendorf, Iowa was the lowest responsive and responsible bidder.

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

1. the contract for the Sheffield Reconstruction project (West 54th Street to Hillandale Road) to Tri City Blacktop Inc of Bettendorf, Iowa is approved; and

2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: SHEFFIELD, 54TH ST TO HILLANDALE

BID NUMBER: 21-73

OPENING DATE: MARCH 9, 2021

GL ACCOUNT NUMBER: 70072681 530350 35047 NEIGHBORHOOD STREET REPAIR

RECOMMENDATION: AWARD THE BID TO TRI CITY BLACKTOP INC OF BETTENDORF IA

VENDOR NAME	PRICE
Tri City Blacktop Inc of Bettendorf IA	**$291,242.50**
Hawkeye Paving Corporation of Bettendorf IA	$301,320.00
Langman Construction Inc of Rock Island IL	$306,608.05
CDMI Concrete Contractors Inc. of Port Byron IL	$310,190.00
Manatt's Inc – Eastern IA Division of Camanche IA	$310,459.75
Emery Construction Group Inc of Moline IL	$337,813.00

Approved By Kristi Keller 3-10-2021
Purchasing Date

Approved By Nicole Gleason 3-10-2021
Department Director Date

Approved By Brandi Conyer 3-10-21
Budget/CIP Date

Approved By Matthew J. Mc Smith 3/10/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Amy Kay | 563-327-5160

Action / Date
3/24/2021

Subject:
Resolution approving the contract for Natural Resources mowing services to Delfs Landscape and Irrigation of Blue Grass, Iowa in the amount of $112,365. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
On January 22, 2021, the Purchasing Division issued a Request for Proposals to 164 vendors. On February 18, 2021, two proposals were received and opened.

Evaluation criteria for this RFP: price/time/materials 30%, qualified personnel 20%, workmanship 20%, responsiveness of vendor 20%, licensing 5%, safety record 5%.

Delfs Landscape and Irrigation was the highest scoring vendor based on scoring from the evaluations.

Funding for this contract is from 51251980 520217 MOW.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	Proposal Tabulation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	3/11/2021 - 9:17 AM
Public Works Committee	Moses, Trish	Approved	3/11/2021 - 9:17 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:34 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for mowing services for Natural Resources to Delfs Landscape and Irrigation of Blue Grass, Iowa in the amount of $112,365.

WHEREAS, the City needs to maintain right-of-ways, medians, and native vegetation during the 2021 season.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the contract for mowing services to Delfs Landscape and Irrigation of Blue Grass, Iowa is approved.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
REQUEST FOR PROPOSALS RESPONDENTS

DESCRIPTION: NATURAL RESOURCES MOWING SERVICES 2021

RFP NUMBER: 21-65

OPENING DATE: FEBRUARY 18, 2021

GL ACCOUNT NUMBER: 51251980 520217 MOW

RECOMMENDATION: AWARD CONTRACT TO DELFS LANDSCAPE AND IRRIGATION OF BLUE GRASS, IA

VENDOR NAME	LOCATION
DELFS LANDSCAPE AND IRRIGATION	**BLUE GRASS, IA**
SMITH SEEDING INC.	ELDRIDGE, IA

Approved By Caitlyn Warner 2-26-21
Purchasing Date

Approved By Nicole Gleason 2-25-2021
Public Works Director Date

Approved By 03/10/2021
Budget/CIP Date

Approved By Matthew R. Merritt 02/25/2021
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Marla Miller | 563-888-2099

Action / Date
3/24/2021

Subject:
Resolution authorizing the submission of a grant application to the Federal Transit Administration (FTA) for three battery powered electric buses and related charging facilities. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City of Davenport is looking to leverage City resources through a FY 2021 Low or No Emission Bus Program (5339(c)) for the replacement of three buses. Over the last three years, the City has made large strides in the procurement of new transit vehicles, however almost half of the transit fleet is still over seventeen years old. The three specified buses within the grant have an average accumulation of 687,654 miles. The City will still need to utilize buses that are nearing the end of their useful life in order to meet daily service needs. In addition, this grant would help start the City's transition to an all-electric fleet for long-term sustainability purposes.

The project would also aid in the reliability of the service. Since almost half of the fleet is more than seventeen years old, there are more breakdowns and road service calls with the current vehicles set to be replaced than what would occur with the newer buses. With a service that operates, with the exception of one route, 60-minute headways, a disruption in service due to a vehicle issue significantly impacts transit users.

Finally, as would be expected, the advanced age of nearly one-half of the fleet results in continuous maintenance to meet daily operation. Because many of the components for the aged vehicles are difficult or costly to procure, the financial impact on the City to keep these buses operating is not insignificant. The three battery electric buses would permit the City of Davenport's Fleet Maintenance Division to focus on additional preventive maintenance activities.

The City of Davenport is providing a local match for this grant request of up to $660,000 with a total project cost of up to $4,400,000.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works Committee	Admin, Default	Approved	3/12/2021 - 9:12 AM

Resolution No._____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the submission of a grant application to the Federal Transit Administration (FTA) for three battery powered electric buses and related charging facilities.

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

WHEREAS, the City is committed to improving its asset condition, long term maintenance costs and lowering emissions; and

WHEREAS, it is a requirement of the FTA that local matching funds in an amount up to $660,0000 be committed to the project and that such funds be readily available and unencumbered; and

WHEREAS, the City endorses the application and has estimated the total project cost to be up to $4,400,000, and the grant request to be up to $3,740,000; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport endorses said Electric Bus project and that City staff is authorized to submit an application to the Federal Transit Administration, authorizes the City Administrator to be the Designated Authorized Representative, and acknowledges that the City's matching funds in the amount of up to $660,000 are readily available and unencumbered.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
3/24/2021

Subject:
Resolution adopting the FY 2022 Operating Budget, FY 2022 Capital Improvement Budget, and the FY 2022 - FY 2027 Capital Improvement Plan. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City has held three budget work sessions on the operating and capital budgets. The recommended FY 2022 Budget presented to the Council is balanced, satisfies City Council liquidity policies, and maintains the current tax levy rate at $16.78 per $1,000 of taxable valuation. The overall budget for FY 2022 is $233,873,549 and is up 1.26% from FY 2021.

This budget continues the City's practice of developing two-year budget plans. Two-year budget plans have proven successful in increasing fund balances and providing for long-term budget planning. The six-year Capital Improvement Plan includes more than $240 million of capital projects.

Under the laws of the State of Iowa, the City is required to adopt an annual budget and certify it to the County Auditor no later than March 31 of each year. The City Administrator's Recommended Budget is presented prior to the required Public Hearing on March 17, 2021 and the public hearing notice with the presented budget was posted in the Quad City Times on March 7, 2021.

ATTACHMENTS:

	Type	Description
🗋	Resolution Letter	Resolution
🗋	Backup Material	FY 2022 Budget Packet

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	3/10/2021 - 4:35 PM
Finance Committee	Admin, Default	Approved	3/12/2021 - 12:11 PM
City Clerk	Admin, Default	Approved	3/12/2021 - 12:12 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City ofDavenport.

RESOLUTION adopting the FY 2022 Operating Budget, FY 2022 Capital Improvement Budget, and the FY 2022 - FY 2027 Capital Improvement Plan.

WHEREAS, it is necessary for the City of Davenport, Iowa to have an annual budget; and

WHEREAS, the City Administrator has prepared such a budget, reflecting any apparent Council majority support; and

WHEREAS, the FY 2022 Budget incorporates negotiated general wage increases for represented employees and a 1.75% general wage increase for non-represented employees; and

WHEREAS, the FY 2022 Budget incorporates and authorizes increases as follows in utility rates beginning July 1, 2021: 7% increase in sewer rates as approved by ordinance; 3% increase in solid waste fees to monthly rates of $13.81 for small carts, $17.60 for medium carts, and $21.42 for large carts; and 3% increase in the clean water fee to monthly rates of $2.97 per ERU; and

WHEREAS, the City Council is required to adopt the budget after Public Hearing.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the recommendations contained in the proposed budgets are hereby adopted for the City of Davenport for Fiscal Year 2022; and

BE IT FURTHER RESOLVED, that the adopted budget is authorized to be published and distributed.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

DAVENPORT
FINANCE

FY 2022 | *Budget Summary Overview*
March 09 2021

	Adopted FY 2021	Proposed FY 2022
Operating	$151,273,641	$152,966,003
Capital	$46,527,921	$47,306,132
Debt	$33,171,832	$33,601,414
Total	$230,973,394	$233,873,549

The FY 2022 Proposed Budget of $233,873,549 is presented as a balanced and core-competency driven budget and is up 1.26% compared to the FY 2021 Budget. The proposed FY 2022 Budget remains consistent with the following goals and policies established by the City Council:

The FY 2022 Budget is balanced and maintains the current tax levy rate of $16.78.

Maintains General Fund unassigned reserve levels at 17-25% range of expenditure costs. The expected FY 2022 year-end unassigned reserve level is expected to be 23.0%+.

The following user fees will be increased to maintain cost-recovery and current service levels:

- Sewer Fee – 7%
- Solid Waste Fee – 3%
- Clean Water Fee – 3%

The proposed Budget is core-competency driven and preserves the current level of service to Davenport residents and the community, including all public safety response levels.

Taxable value in the City of Davenport is projected to increase by 2.5% in the FY 2022 Budget, which continues a third year of strong tax base growth. Although growth is strong, the status of the commercial backfill revenue from the State of Iowa remains uncertain.

The FY 2022 Budget eliminates the City's dependence on the backfill to fund operations. The City will utilize realized funds for necessary capital projects and one-time programs as directed by the City Council or recommended by City staff.

Pension costs increased with the required employer rates for IPERS and MFPRSI in FY 2022 at 9.44% and 26.18% (up from 25.31% in FY 2021) respectively. Health insurance costs continue to be an area that is closely monitored.

The FY 2022 Capital Improvement Budget increased by 1.67% compared to the FY 2021 Budget and includes an investment of $15.4M into the street network and $18.2M into the sewer collection system. Some highlights of the FY 2022 CIP are:

- $1.04M for Urban Revitalization
- $5.7M for the 53rd Reconstruction Phase II
- $4.45M for Neighborhood Street Replacement
- $10.2M for WPCP Flood Mitigation Phase I
- $4.6M for High Volume Streets
- $850K for Riverfront Flood Resiliency
- $800K for Veterans Memorial Park
- $400K for Fire Station 3 Design

The City of : DAVENPORT County Name: SCOTT COUNTY
Adopted On: (entered upon proposal) Resolution:

The below-signed certifies that the City Council, on the date stated above, lawfully approved the named resolution adopting a budget for next fiscal year, as summarized on this and the supporting pages.

		With Gas & Electric		Without Gas & Electric
Regular	2a	4,824,709,657	2b	4,657,964,461
DEBT SERVICE	3a	5,047,979,344	3b	4,881,234,148
Ag Land	4a	20,454,363		

City Number: 82-773
Last Official Census: 99,687

TAXES LEVIED

Purpose	Dollar Limit	ENTER FIRE DISTRICT RATE BELOW				Request with Utility Replacement	Property Taxes Levied		Rate
Regular General levy	8.10000				5	39,080,148	37,729,512	43	8.10000
Non-Voted Other Permissible Levies									
Contract for use of Bridge	0.67500				6		0	44	0.00000
Opr & Maint publicly owned Transit	0.95000				7	4,390,500	4,238,748	45	0.91000
Rent, Ins. Maint of Civic Center	Amt Nec				8		0	46	0.00000
Opr & Maint of City owned Civic Center	0.13500				9		0	47	0.00000
Planning a Sanitary Disposal Project	0.06750				10		0	48	0.00000
Aviation Authority (under sec.330A.15)	0.27000				11		0	49	0.00000
Levee Impr. fund in special charter city	0.06750				13		0	51	0.00000
Liability, property & self insurance costs	Amt Nec				14	1,206,200	1,164,491	52	0.25000
Support of a Local Emerg.Mgmt.Comm.	Amt Nec				462		0	465	0.00000
Voted Other Permissible Levies									
Instrumental/Vocal Music Groups	0.13500				15		0	53	0.00000
Memorial Building	0.81000				16		0	54	0.00000
Symphony Orchestra	0.13500				17		0	55	0.00000
Cultural & Scientific Facilities	0.27000				18		0	56	0.00000
County Bridge	As Voted				19		0	57	0.00000
Missi or Missouri River Bridge Const.	1.35000				20		0	58	0.00000
Aid to a Transit Company	0.03375				21		0	59	0.00000
Maintain Institution received by gift/devise	0.20500				22		0	60	0.00000
City Emergency Medical District	1.00000				463		0	466	0.00000
Support Public Library	0.27000				23	1,302,672	1,257,650	61	0.27000
Unified Law Enforcement	1.50000				24		0	62	0.00000
Total General Fund Regular Levies (5 thru 24)					25	45,979,520	44,390,401		
Ag Land	3.00375				26	61,440	61,440	63	3.00375
Total General Fund Tax Levies (25 + 26)					27	46,040,960	44,451,841		
Special Revenue Levies									
Emergency (if general fund at levy limit)	0.27000				28	1,302,672	1,257,650	64	0.27000
Police & Fire Retirement	Amt Nec				29	6,235,100	6,019,627		1.29233
FICA & IPERS (if general fund at levy limit)	Amt Nec				30	6,306,200	6,088,239		1.30706
Other Employee Benefits	Amt Nec				31	11,244,550	10,855,945		2.33062
Total Employee Benefit Levies (29,30,31)					32	23,785,850	22,963,811	65	4.93001
Sub Total Special Revenue Levies (28+32)					33	25,088,522	24,221,461		
As Req		**With Gas & Elec Valuation**		**Without Gas & Elec Valuation**					
SSMID 1		78,224,731		54,717,809	34	430,236	300,948	66	5.50000
SSMID 2		10,198,225		10,198,225	35	35,694	35,694	67	3.50002
SSMID 3		36,021,588		33,630,915	36	133,077	124,245	68	3.69437
SSMID 4		25,037,474		25,037,474	37	75,113	75,113	69	3.00002
SSMID 5		37,830,988		37,830,988	555	172,131	172,131	565	4.55000
SSMID 6		24,909,301		24,909,301	556	113,338	113,338	566	4.55003
SSMID 7		19,910,011		19,910,011	1177	90,591	90,591	1179	4.55002
SSMID 8		0		0	1185		0	1187	0.00000
Total Special Revenue Levies					39	26,138,702	25,133,521		
Debt Service Levy 76.10(6)	Amt Nec				40	10,348,288	10,006,481	70	2.04999
Capital Projects (Capital Improv. Reserve)	0.67500				41		0	71	0.00000
Total Property Taxes (27+39+40+41)					42	82,527,950	79,591,843	72	16.78000

(Signature) (Date) (County Auditor) (Date)

ADOPTED BUDGET SUMMARY
City Name: DAVENPORT
Fiscal Year July 1, 2021 - June 30, 2022

		GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2022	RE-ESTIMATED 2021	ACTUAL 2020
Revenues & Other Financing Sources											
Taxes Levied on Property	1	44,451,841	25,133,521		10,006,481	0			79,591,843	78,286,848	74,988,886
Less: Uncollected Property Taxes-Levy Year	2	0	0		0	0			0	0	3,190,113
Net Current Property Taxes	3	44,451,841	25,133,521		10,006,481	0			79,591,843	78,286,848	71,798,773
Delinquent Property Taxes	4	0	0		0	0			0	0	279,590
TIF Revenues	5			7,297,866					7,297,866	5,999,999	5,814,676
Other City Taxes	6	6,108,119	17,605,181		349,807	0			24,063,107	24,855,449	27,697,127
Licenses & Permits	7	1,919,300	80,000					30,000	2,029,300	2,019,300	2,239,474
Use of Money and Property	8	802,040	290,000	0	105,000	0	0	759,810	1,956,850	1,908,110	3,204,978
Intergovernmental	9	3,823,415	24,330,430	0	534,612	13,119,632		2,355,000	44,163,089	31,238,151	35,503,451
Charges for Fees & Service	10	3,987,072	280,000		0	0	0	69,958,708	74,225,780	73,208,985	83,197,999
Special Assessments	11	0	7,500		20,000	0		0	27,500	27,500	142,819
Miscellaneous	12	2,689,624	1,222,000		700,000	75,000	0	278,450	4,965,074	4,780,226	6,601,996
Sub-Total Revenues	13	63,781,411	68,948,632	7,297,866	11,715,900	13,194,632	0	73,381,968	238,320,409	222,324,568	236,480,883
Other Financing Sources:											
Total Transfers In	14	24,113,350	1,762,183	0	9,960,000	7,681,500	0	5,470,500	48,987,533	49,769,747	49,085,721
Proceeds of Debt	15	0	0	0	0	26,430,000		0	26,430,000	37,266,000	15,630,000
Proceeds of Capital Asset Sales	16	0	0	0	0	0	0	0	0	0	0
Total Revenues and Other Sources	17	87,894,761	70,710,815	7,297,866	21,675,900	47,306,132	0	78,852,468	313,737,942	309,360,315	301,196,604
Expenditures & Other Financing Uses											
Public Safety	18	50,112,589	731,156	0			0		50,843,745	49,684,476	49,817,865
Public Works	19	3,693,820	15,430,726	0			0		19,124,546	19,438,812	18,484,871
Health and Social Services	20	0	0	0			0		0	0	0
Culture and Recreation	21	13,747,663	367,183	0			0		14,114,846	13,930,820	12,543,932
Community and Economic Development	22	1,080,670	12,114,101	4,288,000			0		17,482,771	16,145,738	13,123,954
General Government	23	13,048,391	207,534	0			0		13,255,925	12,263,383	10,925,360
Debt Service	24	0	0	3,074,954	20,240,273		0		23,315,227	22,584,251	34,955,186
Capital Projects	25	0	0	0		45,612,132	0		45,612,132	46,527,921	32,960,382
Total Government Activities Expenditures	26	81,683,133	28,850,700	7,362,954	20,240,273	45,612,132	0		183,749,192	180,575,401	172,811,550
Business Type Proprietray: Enterprise & ISF	27							76,159,001	76,159,001	76,934,832	67,068,407
Total Gov & Bus Type Expenditures	28	81,683,133	28,850,700	7,362,954	20,240,273	45,612,132	0	76,159,001	259,908,193	257,510,233	239,879,957
Total Transfers Out	29	5,738,683	39,299,850	275,000	0	1,694,000	0	1,980,000	48,987,533	49,769,747	49,085,721
Total ALL Expenditures/Fund Transfers Out	30	87,421,816	68,150,550	7,637,954	20,240,273	47,306,132	0	78,139,001	308,895,726	307,279,980	288,965,678
Excess Revenues & Other Sources Over	31										
(Under) Expenditures/Transfers Out	32	472,945	2,560,265	-340,088	1,435,627	0	0	713,467	4,842,216	2,080,335	12,230,926
Beginning Fund Balance July 1	33	23,281,834	20,225,255	7,702,987	19,724,903	14,613,036	0	104,860,648	190,408,663	188,328,328	176,097,402
Ending Fund Balance June 30	34	23,754,779	22,785,520	7,362,899	21,160,530	14,613,036	0	105,574,115	195,250,879	190,408,663	188,328,328

EXPENDITURES SCHEDULE PAGE 1
City Name: DAVENPORT
Fiscal Year July 1, 2021 - June 30, 2022

GOVERNMENT ACTIVITIES		GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2022	RE-ESTIMATED 2021	ACTUAL 2020
PUBLIC SAFETY											
Police Department/Crime Prevention	1	28,631,352	559,156						29,190,508	28,440,191	28,694,488
Jail	2								0	0	0
Emergency Management	3								0	0	0
Flood Control	4								0	0	0
Fire Department	5	20,140,099	172,000						20,312,099	20,056,495	20,058,697
Ambulance	6								0	0	0
Building Inspections	7	1,218,806							1,218,806	1,066,042	1,045,541
Miscellaneous Protective Services	8								0	0	0
Animal Control	9	122,332							122,332	121,748	0
Other Public Safety	10								0	0	19,139
TOTAL (lines 1 - 10)	11	50,112,589	731,156				0		50,843,745	49,684,476	49,817,865
PUBLIC WORKS											
Roads, Bridges, & Sidewalks	12	3,451,483	13,372,656						16,824,139	17,248,619	16,463,418
Parking - Meter and Off-Street	13								0	0	0
Street Lighting	14	228,574	1,515,052						1,743,626	1,762,928	1,437,562
Traffic Control and Safety	15								0	0	0
Snow Removal	16								0	0	0
Highway Engineering	17	13,763	415,116						428,879	427,265	397,038
Street Cleaning	18								0	0	0
Airport	19								0	0	0
Garbage (if not Enterprise)	20								0	0	0
Other Public Works	21		127,902						127,902	0	186,853
TOTAL (lines 12 - 21)	22	3,693,820	15,430,726				0		19,124,546	19,438,812	18,484,871
HEALTH & SOCIAL SERVICES											
Welfare Assistance	23								0	0	0
City Hospital	24								0	0	0
Payments to Private Hospitals	25								0	0	0
Health Regulation and Inspection	26								0	0	0
Water, Air, and Mosquito Control	27								0	0	0
Community Mental Health	28								0	0	0
Other Health and Social Services	29								0	0	0
TOTAL (lines 23 - 29)	30	0	0				0		0	0	0
CULTURE & RECREATION											
Library Services	31	5,581,122							5,581,122	5,593,025	5,241,240
Museum, Band and Theater	32	753,000							753,000	753,000	753,000
Parks	33	3,805,291	149,000						3,954,291	3,959,845	3,631,255
Recreation	34	1,987,250	218,183						2,205,433	2,128,950	1,684,894
Cemetery	35								0	0	0
Community Center, Zoo, & Marina	36								0	0	0
Other Culture and Recreation	37	1,621,000							1,621,000	1,496,000	1,233,543
TOTAL (lines 31 - 37)	38	13,747,663	367,183				0		14,114,846	13,930,820	12,543,932

EXPENDITURES SCHEDULE PAGE 2
City Name: DAVENPORT
Fiscal Year July 1, 2021 - June 30, 2022

GOVERNMENT ACTIVITIES		GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2022	RE-ESTIMATED 2021	ACTUAL 2020
COMMUNITY & ECONOMIC DEVELOPMENT											
Community Beautification	39								0	0	0
Economic Development	40	807,765	2,626,093	4,288,000					7,721,858	7,196,294	2,778,856
Housing and Urban Renewal	41	6,900	8,993,966						9,000,866	8,172,278	6,585,066
Planning & Zoning	42	266,005	494,042						760,047	777,166	779,354
Other Com & Econ Development	43								0	0	206,119
TIF Rebates	44								0	0	2,774,559
TOTAL (lines 39 - 44)	45	1,080,670	12,114,101	4,288,000			0		17,482,771	16,145,738	13,123,954
GENERAL GOVERNMENT											
Mayor, Council, & City Manager	46								0	1,851,053	1,656,684
Clerk, Treasurer, & Finance Adm.	47	1,811,258							1,811,258	2,158,684	1,928,199
Elections	48	2,126,720	25,000						2,151,720	0	0
Legal Services & City Attorney	49								0	0	0
City Hall & General Buildings	50	1,743,743	60,462						1,804,205	1,132,908	947,904
Tort Liability	51	1,630,061							1,630,061	1,607,876	1,231,885
Other General Government	52	5,736,609	122,072						5,858,681	5,512,862	5,160,688
TOTAL (lines 46 - 52)	53	13,048,391	207,534	0			0		13,255,925	12,263,383	10,925,360
DEBT SERVICE	54			3,074,954	20,240,273				23,315,227	22,584,251	34,955,186
Gov Capital Projects	55					45,612,132			45,612,132	46,527,921	32,960,382
TIF Capital Projects	56								0	0	0
TOTAL CAPITAL PROJECTS	57	0	0	0		45,612,132	0		45,612,132	46,527,921	32,960,382
TOTAL Government Activities Expenditures (lines 11+22+30+38+45+53+54+57)	58	81,683,133	28,850,700	7,362,954	20,240,273	45,612,132	0		183,749,192	180,575,401	172,811,550
BUSINESS TYPE ACTIVITIES											
Proprietary: Enterprise & Budgeted ISF											
Water Utility	59								0	0	0
Sewer Utility	60							14,285,835	14,285,835	14,013,381	13,877,330
Electric Utility	61								0	0	0
Gas Utility	62								0	0	0
Airport	63							311,632	311,632	316,904	324,102
Landfill/Garbage	64							5,643,479	5,643,479	5,753,290	5,588,941
Transit	65							6,847,581	6,847,581	7,200,721	7,025,494
Cable TV, Internet & Telephone	66								0	0	0
Housing Authority	67							361,695	361,695	366,499	1,015,704
Storm Water Utility	68							2,494,617	2,494,617	2,478,896	2,332,489
Other Business Type (city hosp., ISF, parking, etc.)	69							35,927,976	35,927,976	36,712,537	34,918,854
Enterprise DEBT SERVICE	70							10,286,186	10,286,186	10,092,604	1,985,493
Enterprise CAPITAL PROJECTS	71								0	0	0
Enterprise TIF CAPITAL PROJECTS	72								0	0	0
TOTAL Business Type Expenditures (lines 59 - 72)	73							76,159,001	76,159,001	76,934,832	67,068,407
TOTAL ALL EXPENDITURES (lines 58 + 73)	74	81,683,133	28,850,700	7,362,954	20,240,273	45,612,132	0	76,159,001	259,908,193	257,510,233	239,879,957
Regular Transfers Out	75	5,738,683	39,299,850			1,694,000		1,980,000	48,712,533	49,494,747	43,700,031
Internal TIF Loan / Repayment Transfers Out	76			275,000					275,000	275,000	5,385,690
Total ALL Transfers Out	77	5,738,683	39,299,850	275,000	0	1,694,000	0	1,980,000	48,987,533	49,769,747	49,085,721
Total Expenditures & Fund Transfers Out (lines 74+77)	78	87,421,816	68,150,550	7,637,954	20,240,273	47,306,132	0	78,139,001	308,895,726	307,279,980	288,965,678
Ending Fund Balance June 30	79	23,754,779	22,785,520	7,362,899	21,160,530	14,613,036	0	105,574,115	195,250,879	190,408,663	188,328,328

REVENUES DETAIL
City Name: DAVENPORT
Fiscal Year July 1, 2021 - June 30, 2022

		GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2022	RE-ESTIMATED 2021	ACTUAL 2020
REVENUES & OTHER FINANCING SOURCES											
Taxes Levied on Property	1	44,451,841	25,133,521		10,006,481	0			79,591,843	78,286,848	74,988,886
Less: Uncollected Property Taxes - Levy Year	2								0	0	3,190,113
Net Current Property Taxes (line 1 minus line 2)	3	44,451,841	25,133,521		10,006,481	0			79,591,843	78,286,848	71,798,773
Delinquent Property Taxes	4								0	0	279,590
TIF Revenues	5			7,297,866					7,297,866	5,999,999	5,814,676
Other City Taxes:											
Utility Tax Replacement Excise Taxes	6	1,589,119	1,005,181		341,807	0			2,936,107	3,289,949	3,807,728
Utility francise tax (Iowa Code Chapter 364.2)	7	760,000							760,000	760,000	768,630
Parimutuel wager tax	8								0	0	0
Gaming wager tax	9	1,200,000							1,200,000	1,200,000	1,240,321
Mobile Home Taxes	10	59,000			8,000				67,000	65,500	75,356
Hotel/Motel Taxes	11	2,500,000							2,500,000	2,940,000	2,199,875
Other Local Option Taxes	12		16,600,000						16,600,000	16,600,000	19,605,217
Subtotal - Other City Taxes (lines 6 thru 12)	13	6,108,119	17,605,181		349,807	0			24,063,107	24,855,449	27,697,127
Licenses & Permits	14	1,919,300	80,000					30000	2,029,300	2,019,300	2,239,474
Use of Money & Property	15	802,040	290,000		105,000			759,810	1,956,850	1,908,110	3,204,978
Intergovernmental:											
Federal Grants & Reimbursements	16	125,000	9,923,266			13,119,632		1,725,000	24,892,898	14,047,346	14,236,868
Road Use Taxes	17		12,800,000						12,800,000	12,500,000	13,460,315
Other State Grants & Reimbursements	18	3,229,535	1,007,164	0	534,612	0		630,000	5,401,311	3,720,805	7,030,678
Local Grants & Reimbursements	19	468,880	600,000						1,068,880	970,000	775,590
Subtotal - Intergovernmental (lines 16 thru 19)	20	3,823,415	24,330,430	0	534,612	13,119,632		2,355,000	44,163,089	31,238,151	35,503,451
Charges for Fees & Service:											
Water Utility	21								0	0	4,769
Sewer Utility	22							25,951,101	25,951,101	22,000,637	24,169,741
Electric Utility	23								0	0	0
Gas Utility	24								0	0	0
Parking	25							1,074,100	1,074,100	1,165,500	977,986
Airport	26							206,000	206,000	202,900	184,977
Landfill/Garbage	27							6,732,500	6,732,500	6,540,000	6,528,061
Hospital	28								0	0	0
Transit	29							431,000	431,000	269,600	316,547
Cable TV, Internet & Telephone	30								0	0	0
Housing Authority	31							60,000	60,000	60,000	463,424
Storm Water Utility	32							3,120,000	3,120,000	3,030,000	2,919,772
Other Fees & Charges for Service	33	3,987,072	280,000					32,384,007	36,651,079	39,940,348	47,632,722
Subtotal - Charges for Service (lines 21 thru 33)	34	3,987,072	280,000		0	0	0	69,958,708	74,225,780	73,208,985	83,197,999
Special Assessments	35		7,500		20,000				27,500	27,500	142,819
Miscellaneous	36	2,689,624	1,222,000		700,000	75,000		278,450	4,965,074	4,780,226	6,601,996
Other Financing Sources:											
Regular Operating Transfers In	37	23,838,350	1,762,183		9,960,000	7,681,500		5,470,500	48,712,533	49,494,747	43,700,031
Internal TIF Loan Transfers In	38	275,000							275,000	275,000	5,385,690
Subtotal ALL Operating Transfers In	39	24,113,350	1,762,183	0	9,960,000	7,681,500	0	5,470,500	48,987,533	49,769,747	49,085,721
Proceeds of Debt (Excluding TIF Internal Borrowing)	40					26,430,000			26,430,000	37,266,000	15,630,000
Proceeds of Capital Asset Sales	41								0	0	0
Subtotal-Other Financing Sources (lines 38 thru 40)	42	24,113,350	1,762,183	0	9,960,000	34,111,500	0	5,470,500	75,417,533	87,035,747	64,715,721
Total Revenues except for beginning fund balance (lines 3, 4, 5, 13, 14, 15, 20, 34, 35, 36, & 41)	43	87,894,761	70,710,815	7,297,866	21,675,900	47,306,132	0	78,852,468	313,737,942	309,360,315	301,196,604
Beginning Fund Balance July 1	44	23,281,834	20,225,255	7,702,987	19,724,903	14,613,036	0	104,860,648	190,408,663	188,328,328	176,097,402
TOTAL REVENUES & BEGIN BALANCE (lines 42+43)	45	111,176,595	90,936,070	15,000,853	41,400,803	61,919,168	0	183,713,116	504,146,605	497,688,643	477,294,006

LONG TERM DEBT SCHEDULE - LT DEBT1

GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name		Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
2013A	1		GO	2013-40	1,135,000	300,287	1,435,287			788,199	647,088
2014A	2		GO	2014-31	1,420,000	454,863	1,874,863			616,288	1,258,575
2014B	3		GO	2014-32	765,000	46,500	811,500			116,600	694,900
2015A	4		GO	2015-74	1,045,000	397,994	1,442,994			449,700	993,294
2016A	5		GO	2016-77	2,645,000	943,850	3,588,850			2,373,900	1,214,950
2016B	6		GO	2016-78	355,000	62,022	417,022			417,022	0
2016C	7		GO	2016-79	1,080,000	66,700	1,146,700			21,300	1,125,400
2017A	8		GO	2017-69	1,460,000	517,781	1,977,781			693,119	1,284,662
2017B	9		GO	2017-70	570,000	147,400	717,400			0	717,400
2017C	10		GO	2017-71	1,905,000	366,050	2,271,050			655,650	1,615,400
2018A	11		GO	2018-85	2,655,000	945,187	3,600,187			2,803,568	796,619
2018B	12		GO	2018-86	410,000	193,315	603,315			603,315	0
2019A	13		GO	2019-53	1,400,000	826,050	2,226,050			2,226,050	0
2020A	14		GO	2020-129	4,505,000	728,688	5,233,688			5,233,688	0
2020B	15		GO	2020-437	2,820,000	840,950	3,660,950			3,660,950	0
	16		-				0				0
	17		-				0				0
	18		-				0				0
	19		-				0				0
	20		-				0				0
	21		-				0				0
	22		-				0				0
	23		-				0				0
	24		-				0				0
	25		-				0				0
	26		-				0				0
	27		-				0				0
	28		-				0				0
	29		-				0				0
	30		-				0				0
TOTALS					24,170,000	6,837,637	31,007,637	0	0	20,659,349	10,348,288

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET
Fiscal Year July 1, 2021 - June 30, 2022
The City of: DAVENPORT
The City Council will conduct a public hearing on the proposed budget as follows:
Location: Davenport City Hall Meeting Date: 3/17/2021 Meeting Time: 05:30 PM

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per $1000 valuation on regular property 16.78000

The estimated tax levy rate per $1000 valuation on Agricultural land is 3.00375

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number
(563) 326-7792

City Clerk/Finance Officer's NAME
Mallory Merritt

		Budget FY 2022	Re-estimated FY 2021	Actual FY 2020
Revenues & Other Financing Sources				
Taxes Levied on Property	1	79,591,843	78,286,848	74,988,886
Less: Uncollected Property Taxes-Levy Year	2	0	0	3,190,113
Net Current Property Taxes	3	79,591,843	78,286,848	71,798,773
Delinquent Property Taxes	4	0	0	279,590
TIF Revenues	5	7,297,866	5,999,999	5,814,676
Other City Taxes	6	24,063,107	24,855,449	27,697,127
Licenses & Permits	7	2,029,300	2,019,300	2,239,474
Use of Money and Property	8	1,956,850	1,908,110	3,204,978
Intergovernmental	9	44,163,089	31,238,151	35,503,451
Charges for Fees & Service	10	74,225,780	73,208,985	83,197,999
Special Assessments	11	27,500	27,500	142,819
Miscellaneous	12	4,965,074	4,780,226	6,601,996
Other Financing Sources	13	26,430,000	37,266,000	15,630,000
Transfers In	14	48,987,533	49,769,747	49,085,721
Total Revenues and Other Sources	15	313,737,942	309,360,315	301,196,604
Expenditures & Other Financing Uses				
Public Safety	16	50,843,745	49,684,476	49,817,865
Public Works	17	19,124,546	19,438,812	18,484,871
Health and Social Services	18	0	0	0
Culture and Recreation	19	14,114,846	13,930,820	12,543,932
Community and Economic Development	20	17,482,771	16,145,738	13,123,954
General Government	21	13,255,925	12,263,383	10,925,360
Debt Service	22	23,315,227	22,584,251	34,955,186
Capital Projects	23	45,612,132	46,527,921	32,960,382
Total Government Activities Expenditures	24	183,749,192	180,575,401	172,811,550
Business Type / Enterprises	25	76,159,001	76,934,832	67,068,407
Total ALL Expenditures	26	259,908,193	257,510,233	239,879,957
Transfers Out	27	48,987,533	49,769,747	49,085,721
Total ALL Expenditures/Transfers Out	28	308,895,726	307,279,980	288,965,678
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	4,842,216	2,080,335	12,230,926
Beginning Fund Balance July 1	30	190,408,663	188,328,328	176,097,402
Ending Fund Balance June 30	31	195,250,879	190,408,663	188,328,328

Form EMC

CITY OF DAVENPORT

As provided in Iowa Code Section 384.12, subsection 22, a city may levy the amount necessary in support of a local Emergency Management Commission. In addition to this individual levy, Emergency Management Commission support may also be included as part of the General Fund Levy. Iowa Code Section 29C.17, subsection 5 states that any support from cities or counties must be separately reported on tax statements issued by the county treasurer.

Input the amount of General Fund Levy request to be used

		Request with Utility Replacement (A)	Property Taxes Levied (B)
1	Portion of General Fund Levy Used for Emerg. Mgmt. Comm.		0
2	Support of a Local Emerg.Mgmt.Comm.	0	0
3	TOTAL FOR FISCAL YEAR 2022	0	0

City of Davenport

FY 2022 Budget Summary Overvie

	Revenues			Expenditures							
Fund	**Projected Revenues**	**Transfers In**	**Total Resources**	**Salaries & Benefits**	**Supplies & Services**	**Equipment/ Capital**	**Allocated Costs**	**Debt Service**	**Transfers Out**	**Total Expenditures**	**Budgeted Excess/ (Deficiency)**
General Funds											
General Fund	52,711,003	1,643,973	54,354,976	41,136,264	6,544,216	77,500	5,957,283	-	758,807	54,474,070	(119,094)
Special Public Safety	215,624	215,624	431,248	415,732	-	-	15,516	-	-	431,248	-
Library Special Levy	1,370,095	-	1,370,095	1,073,303	104,810	-	192,204	-	-	1,370,317	(222)
Hotel/Motel Tax Fund	2,500,000	100,000	2,600,000	53,243	1,824,200	-	65,530	-	905,000	2,847,973	(247,973)
Trust and Agency	24,121,181	-	24,121,181	21,193,825	-	-	3,029,507	-	-	24,223,332	(102,151)
Emergency Tax Levy	1,315,095	-	1,315,095	-	-	-	-	-	1,316,473	1,316,473	(1,378)
Total General Funds	**82,232,998**	**1,959,597**	**84,192,595**	**63,872,367**	**8,473,226**	**77,500**	**9,260,040**	**-**	**2,980,280**	**84,663,413**	**(470,818)**
Special Revenue Funds											
Self-Supporting Improvement Districts	1,306,677	-	1,306,677	-	1,306,677	-	-	-	-	1,306,677	-
Fair Housing Fund	102,340	-	102,340	113,272	8,800	-	-	-	-	122,072	(19,732)
HUD Section 8	4,270,000	-	4,270,000	277,136	3,690,350	-	125,394	-	-	4,092,880	177,120
Community Development Block Grant	4,115,619	-	4,115,619	433,131	3,573,587	-	112,773	-	-	4,119,491	(3,872)
Community Development Loan Pool/S	1,570,970	500,000	2,070,970	52,387	2,018,325	-	258	-	500,000	2,570,970	(500,000)
Justice Crime Analytics Grant	220,337	-	220,337	220,337	-	-	-	-	-	220,337	-
Road Use Tax	13,495,000	1,554,552	15,049,552	7,997,851	2,706,819	525,300	2,032,015	-	1,600,000	14,861,985	187,567
Riverfront Improvement Fund	350,000	75,000	425,000	120,814	190,300	-	3,499	-	52,500	367,113	57,887
Youth Sports	150,000	68,183	218,183	157,483	60,700	-	-	-	-	218,183	-
Local Option Sales Tax	16,702,500	139,448	16,841,948	2,249,573	-	762,719	111,200	-	13,936,500	17,059,992	(218,044)
Total Special Revenue Funds	**42,283,443**	**2,337,183**	**44,620,626**	**11,621,984**	**13,555,558**	**1,288,019**	**2,385,139**	**-**	**16,089,000**	**44,939,700**	**(319,074)**
Proprietary Funds											
Sewer Maintenance	23,168,000	-	23,168,000	2,572,741	671,195	277,000	1,708,269	8,167,332	8,277,386	21,673,923	1,494,077
Water Pollution Control Plant	3,189,694	8,207,386	11,397,080	4,671,545	2,808,680	467,500	1,108,905	950,175	1,180,000	11,186,805	210,275
Solid Waste Collection	6,752,500	-	6,752,500	3,008,747	1,377,910	67,650	1,189,172	780,338	-	6,423,817	328,683
Clean Water Utility	3,211,500	-	3,211,500	1,708,825	416,890	76,000	292,902	218,172	650,000	3,362,789	(151,289)
Parking	1,204,500	-	1,204,500	425,176	459,700	-	197,292	-	150,000	1,232,168	(27,668)
Transit	6,949,698	-	6,949,698	3,887,892	1,840,123	-	1,119,566	32,620	-	6,880,201	69,497
Airport	327,110	-	327,110	119,334	135,599	-	56,699	36,000	-	347,632	(20,522)
Transload	-	-	-	-	3,500	-	-	-	-	3,500	(3,500)
Scattered Site Housing	274,000	-	274,000	182,234	100,710	-	78,751	-	-	361,695	(87,695)
RiverCenter Operating	3,657,570	655,000	4,312,570	-	4,020,671	-	190,349	101,550	-	4,312,570	-
Golf Course Operating	1,641,400	200,000	1,841,400	920,145	580,250	-	469,777	-	-	1,970,172	(128,772)
River's Edge Sports Center	539,800	225,000	764,800	419,953	273,570	-	238,948	-	-	932,471	(167,671)
Total Enterprise Funds	**50,915,772**	**9,287,386**	**60,203,158**	**17,916,592**	**12,688,798**	**888,150**	**6,650,630**	**10,286,187**	**10,257,386**	**58,687,743**	**1,515,415**
Information Management Systems	2,893,345	-	2,893,345	1,294,186	1,511,172	-	87,987	-	-	2,893,345	-
Employee Insurance	17,685,378	-	17,685,378	124,192	18,038,990	-	34,954	-	-	18,198,136	(512,758)
Risk Management	6,567,164	70,000	6,637,164	1,069,939	5,317,687	-	249,538	-	-	6,637,164	-
Total Internal Service Funds	**27,145,887**	**70,000**	**27,215,887**	**2,488,317**	**24,867,849**	**-**	**372,479**	**-**	**-**	**27,728,645**	**(512,758)**
Total Proprietary Funds	**78,061,659**	**9,357,386**	**87,419,045**	**20,404,909**	**37,556,647**	**888,150**	**7,023,109**	**10,286,187**	**10,257,386**	**86,416,388**	**1,002,657**
Debt Service Funds											
General Debt Service	11,271,292	9,960,000	21,231,292	-	-	-	-	20,240,273	-	20,240,273	991,019
Tax Increment Debt Service	7,297,866	-	7,297,866	-	4,288,000	-	-	3,074,954	275,000	7,637,954	(340,088)
Total Debt Service Funds	**18,569,158**	**9,960,000**	**28,529,158**	**-**	**4,288,000**	**-**	**-**	**23,315,227**	**275,000**	**27,878,227**	**650,931**
Total Capital Project Funds	**39,624,632**	**7,681,500**	**47,306,132**	**-**	**-**	**44,833,921**	**-**	**-**	**1,694,000**	**47,306,132**	**-**
TOTAL FY 2022 BUDGET	**260,771,890**	**31,295,666**	**292,067,556**	**95,899,260**	**63,873,431**	**47,087,590**	**18,668,288**	**33,601,414**	**31,295,666**	**291,203,860**	**863,696**

City of Davenport
FY 2022 Budget - Changes in Fund Balance by Fund

Fund	Beginning Fund Balance 6/30/2020	FY 2021 Revenues	FY 2021 Expenditures	Beginning Fund Balance 6/30/2020	FY 2022 Revenues	FY 2022 Expenditures	Budgeted Excess/ (Deficiency)	Est. Ending Fund Balance 6/30/2021
General Funds								
General Fund	12,589,015	53,242,604	53,222,229	12,609,390	54,354,976	54,474,070	(119,094)	12,490,296
Special Public Safety	819,105	224,632	422,654	621,083	431,248	431,248	-	621,083
Parks Special Needs	-	-	-	-	-	-	-	-
Special Library Levy	937,468	1,334,974	1,362,593	909,849	1,370,095	1,370,317	(222)	909,627
Hotel/Motel Tax Fund	1,572,540	2,940,000	3,033,491	1,479,049	2,600,000	2,847,973	(247,973)	1,231,076
Disaster Fund	89,000	-	-	89,000	-	-	-	89,000
Trust and Agency	3,289,163	23,837,992	23,830,591	3,296,564	24,121,181	24,223,332	(102,151)	3,194,413
Emergency Tax Levy	-	1,284,974	1,284,974	-	1,315,095	1,316,473	(1,378)	(1,378)
Total General Funds	**19,296,291**	**82,865,176**	**83,156,532**	**19,004,935**	**84,192,595**	**84,663,413**	**(470,818)**	**18,534,117**
Special Revenue Funds								
Self-Supporting Improvement Districts	907,502	1,696,761	1,696,761	907,502	1,306,677	1,306,677	-	907,502
Fair Housing Fund	(11,326)	102,340	123,946	(32,932)	102,340	122,072	(19,732)	(52,664)
HUD Section 8	79,678	4,259,500	4,222,891	116,287	4,270,000	4,092,880	177,120	293,407
Community Development Block Grant	568,334	3,001,372	3,001,372	568,334	4,115,619	4,119,491	(3,872)	564,462
Community Development Loan Pool/Sp. Revenue	112,840	2,175,648	2,675,648	(387,160)	2,070,970	2,570,970	(500,000)	(887,160)
Road Use Tax	2,625,755	14,961,356	15,032,091	2,555,020	15,049,552	14,861,985	187,567	2,742,587
Riverfront Improvement Commission	81,561	435,000	375,326	141,235	425,000	367,113	57,887	199,122
Youth Sports	29,944	194,383	194,383	29,944	218,183	218,183	-	29,944
Local Option Sales Tax	9,655,662	16,812,144	16,782,703	9,685,103	16,841,948	17,059,992	(218,044)	9,467,059
Total Special Revenue Funds	**14,049,950**	**43,638,504**	**44,105,121**	**13,583,333**	**44,400,289**	**44,719,363**	**(319,074)**	**13,264,259**
Proprietary Funds								
Sewer Maintenance	9,390,228	21,651,000	21,054,683	9,986,545	23,168,000	21,673,923	1,494,077	11,480,622
Water Pollution Control Plant	339,843	10,911,188	10,538,895	712,136	11,397,080	11,186,805	210,275	922,411
Solid Waste Collection	1,738,078	6,570,000	6,405,046	1,903,032	6,752,500	6,423,817	328,683	2,231,715
Clean Water Utility	2,624,129	3,122,000	3,454,796	2,291,333	3,211,500	3,362,789	(151,289)	2,140,044
Parking	2,947	2,155,900	2,003,703	155,144	1,204,500	1,232,168	(27,668)	127,476
Transit	512,183	7,219,433	7,233,341	498,275	6,949,698	6,880,201	69,497	567,772
Airport	-	310,010	354,104	(44,094)	327,110	347,632	(20,522)	(64,616)
Transload	170,225	-	-	170,225	-	-	-	-
Heritage Housing	584,847	1,038,000	821,557	801,290	-	-	-	801,290
Scattered Site Housing	77,955	366,499	366,499	77,955	274,000	361,695	(87,695)	(9,740)
RiverCenter Operating	1,165,814	5,226,900	5,226,900	1,165,814	4,312,570	4,312,570	-	1,165,814
Golf Course Operating	13,500	1,853,400	1,937,727	(70,827)	1,841,400	1,970,172	(128,772)	(199,599)
River's Edge Sports Center	3,365	828,300	890,607	(58,942)	764,800	932,471	(167,671)	(226,613)
Total Enterprise Funds	**16,623,114**	**61,252,630**	**60,287,858**	**17,587,886**	**60,203,158**	**58,684,243**	**1,518,915**	**18,936,576**
Information Management Systems	-	2,901,738	2,901,738	-	2,893,345	2,893,345	-	-
Employee Insurance	8,433,803	17,502,343	18,174,335	7,761,811	17,685,378	18,198,136	(512,758)	7,249,053
Risk Management	8,034,965	6,655,977	6,655,977	8,034,965	6,637,164	6,637,164	-	8,034,965
Total Internal Service Funds	**16,468,768**	**27,060,058**	**27,732,050**	**15,796,776**	**27,215,887**	**27,728,645**	**(512,758)**	**15,284,018**
Total Proprietary Funds	**33,091,882**	**88,312,688**	**88,019,908**	**33,384,662**	**87,419,045**	**86,412,888**	**1,006,157**	**34,220,594**
Debt Service Funds								
General Debt Service	11,034,457	20,615,425	19,258,519	12,391,363	21,231,292	20,240,273	991,019	13,382,382
Tax Increment Debt Service	17,734,422	5,999,999	7,887,732	15,846,689	7,297,866	7,637,954	(340,088)	15,506,601
Total Debt Service Funds	**28,768,879**	**26,615,424**	**27,146,251**	**28,238,052**	**28,529,158**	**27,878,227**	**650,931**	**28,888,983**
Total Capital Project Funds	**20,290,682**	**46,527,921**	**46,527,921**	**20,290,682**	**47,306,132**	**47,306,132**	**-**	**20,290,682**
TOTALS	**115,497,684**	**287,959,713**	**288,955,733**	**114,501,664**	**291,847,219**	**290,980,023**	**867,196**	**115,198,635**

City of Davenport, Iowa
Staffing Summary Report

	FY 2020				FY 2021				FY 2022			
	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total
Mayor's Office	**1.00**	**1.00**	**-**	**2.00**	**0.75**	**1.00**	**-**	**1.75**	**1.00**	**1.00**	**-**	**2.00**
City Council	**0.75**	**10.00**	**-**	**10.75**	**0.75**	**10.00**	**-**	**10.75**	**0.25**	**10.00**	**-**	**10.25**
Finance												
Administration	5.00	-	-	5.00	4.00	-	-	4.00	3.50	-	-	3.50
Revenue	6.50	0.50	-	7.00	6.00	1.00	-	7.00	7.00	1.00	-	8.00
Accounting	6.00	-	-	6.00	6.00	-	-	6.00	7.00	-	-	7.00
Purchasing	2.00	-	-	2.00	2.00	-	-	2.00	2.00	-	-	2.00
Risk Management	4.00	-	-	4.00	4.00	-	-	4.00	4.00	-	-	4.00
Total Finance	**23.50**	**0.50**	**-**	**24.00**	**22.00**	**1.00**	**-**	**23.00**	**23.50**	**1.00**	**-**	**24.50**
City Administration												
Administration	6.00	1.35	-	7.35	5.50	0.60	-	6.10	5.25	0.60	-	5.85
Public Safety Analytics	-	-	-	-	2.00	-	-	2.00	-	-	-	-
Total City Administration	**6.00**	**1.35**	**-**	**7.35**	**7.50**	**0.60**	**-**	**8.10**	**5.25**	**0.60**	**-**	**5.85**
Information Technology	**8.50**	**0.75**	**-**	**9.25**	**9.50**	**0.75**	**-**	**10.25**	**9.30**	**0.75**	**-**	**10.05**
Legal	**5.00**	**0.25**	**-**	**5.25**	**5.00**	**0.25**	**-**	**5.25**	**3.70**	**0.25**	**-**	**3.95**
Human Resources	**6.00**	**1.13**	**-**	**7.13**	**6.50**	**1.13**	**-**	**7.63**	**6.00**	**1.13**	**-**	**7.13**
CPED												
Administration	3.85	-	-	3.85	4.30	-	-	4.30	4.35	-	-	4.35
Planning	4.00	-	-	4.00	1.00	-	-	1.00	1.00	-	-	1.00
Project Management	1.00	-	-	1.00	1.00	-	-	1.00	1.00	-	-	1.00
Assisted Housing	6.55	-	-	6.55	6.20	-	-	6.20	4.65	-	-	4.65
Housing Rehabilitation	5.05	-	-	5.05	5.05	-	-	5.05	4.80	-	-	4.80
Economic Development	2.00	-	-	2.00	2.00	-	-	2.00	2.00	-	-	2.00
Total CPED	**22.45**	**-**	**-**	**22.45**	**19.55**	**-**	**-**	**19.55**	**17.80**	**-**	**-**	**17.80**
Civil Rights	**4.00**	**0.44**	**-**	**4.44**	**4.00**	**0.44**	**-**	**4.44**	**4.00**	**0.44**	**-**	**4.44**
Neighborhood Services												
Administration	1.00	-	-	1.00	2.00	-	-	2.00	2.00	-	-	2.00
Inspections	8.25	-	-	8.25	9.25	-	-	9.25	9.25	-	-	9.25
Parking	0.75	4.50		5.25	0.75	4.50	-	5.25	0.75	4.50	-	5.25
Code Enforcement	9.00	-	-	9.00	9.00	-	-	9.00	9.00	-	-	9.00
Planning and Development	-	-	-	-	3.00	-	-	3.00	3.00	-	-	3.00
Total NSD	**19.00**	**4.50**	**-**	**23.50**	**24.00**	**4.50**	**-**	**28.50**	**24.00**	**4.50**	**-**	**28.50**

City of Davenport, Iowa
Staffing Summary Report

	FY 2020				FY 2021				FY 2022			
	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total
Public Works												
Administration	7.00	-	-	7.00	2.00	-	-	2.00	5.00	0.65	-	5.65
Facilities	13.75	4.15	-	17.90	13.75	4.15	-	17.90	12.75	4.15	-	16.90
Engineering	27.00	1.75	-	28.75	12.00	0.25	-	12.25	12.00	0.25	-	12.25
Building Inspections	-	-	-	-	-	-	-	-	-	-	-	-
Water Pollution Control Plan	32.00	-	-	32.00	32.00	-	-	32.00	32.00	-	-	32.00
Compost	11.20	2.91	-	14.11	11.20	2.91	-	14.11	11.20	2.00	-	13.20
Clean Water	4.00	0.59	-	4.59	6.00	0.59	-	6.59	6.00	0.59	-	6.59
Streets	52.53	0.75	-	53.28	53.03	0.75	-	53.78	53.03	0.75	-	53.78
Forestry	7.00	-	0.46	7.46	7.00	-	0.46	7.46	7.00	-	0.46	7.46
Solid Waste	31.30	-	-	31.30	31.30	-	-	31.30	31.30	-	-	31.30
Sanitary Sewer Maintenance	12.34	0.38	-	12.72	12.84	0.38	-	13.22	12.84	0.38	-	13.22
Storm Sewer Maintenance	10.33	0.38	-	10.71	10.33	0.38	-	10.71	10.33	0.38	-	10.71
Fleet Management	35.00	3.75	-	38.75	35.00	3.75	-	38.75	35.00	3.75	-	38.75
Citibus	30.00	12.75	-	42.75	30.00	12.75	-	42.75	25.00	12.75	-	37.75
Traffic Engineering	1.00	-	-	1.00	1.00	-	-	1.00	1.00	-	-	1.00
Signals and Street Lights	4.00	-	-	4.00	4.00	-	-	4.00	4.00	-	-	4.00
Airport	1.00	-	-	1.00	1.00	-	-	1.00	1.00	-	-	1.00
Operations & Customer Service	7.00	-	-	7.00	6.00	0.65	-	6.65	3.00	-	-	3.00
Capital Design and Implementation	-	-	-	-	19.00	1.50	-	20.50	19.00	1.50	-	20.50
Total Public Works	**286.45**	**27.41**	**0.46**	**314.32**	**287.45**	**28.06**	**0.46**	**315.97**	**281.45**	**27.15**	**0.46**	**309.06**
Police												
Administration	5.00	-	-	5.00	5.00	-	-	5.00	6.00	-	-	6.00
Crossing Guards	-	5.36	-	5.36	-	5.36	-	5.36	-	-	-	-
Patrol	107.00	-	-	107.00	107.00	-	-	107.00	112.00	-	-	112.00
Investigations	37.00	-	-	37.00	37.00	-	-	37.00	39.00	-	-	39.00
Services	41.00	-	-	41.00	41.00	-	-	41.00	34.00	-	-	34.00
Crime Analytics	-	-	-	-	-	-	-	-	2.00	-	-	2.00
Total Police	**190.00**	**5.36**	**-**	**195.36**	**190.00**	**5.36**	**-**	**195.36**	**193.00**	**-**	**-**	**193.00**
Fire												
Administration	2.00	-	-	2.00	2.00	-	-	2.00	3.00	-	-	3.00
Prevention	3.00	-	-	3.00	3.00	-	-	3.00	3.00	-	-	3.00
Hazmat	1.00	-	-	1.00	1.00	-	-	1.00	1.00	-	-	1.00
Suppression	128.00	-	-	128.00	128.00	-	-	128.00	128.00	-	-	128.00
Training	2.00	-	-	2.00	2.00	-	-	2.00	2.00	-	-	2.00
Total Fire	**136.00**	**-**	**-**	**136.00**	**136.00**	**-**	**-**	**136.00**	**137.00**	**-**	**-**	**137.00**
Parks & Recreation												
Administration	2.00	4.27	1.00	7.27	3.00	4.27	1.00	8.27	3.00	4.27	1.00	8.27
Golf	5.00	11.74	5.46	22.20	5.00	13.61	1.66	20.27	5.00	13.61	1.66	20.27
Parks Operations	7.00	37.72	-	44.72	7.00	23.87	-	30.87	7.00	23.87	-	30.87
Recreation Programs	6.00	13.66	6.75	26.41	5.00	17.61	15.82	38.43	5.00	18.01	16.07	39.08
Self Sustaining Programs	-	25.20	-	25.20	-	25.20	-	25.20	-	25.20	-	25.20
River's Edge	1.00	9.49	-	10.49	1.00	9.49	-	10.49	1.00	9.49	-	10.49
Total Parks & Recreation	**21.00**	**102.08**	**13.21**	**136.29**	**21.00**	**94.05**	**18.48**	**133.53**	**21.00**	**94.45**	**18.73**	**134.18**

City of Davenport, Iowa
Staffing Summary Report

	FY 2020				FY 2021				FY 2022			
	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total	Full Time	Part Time	Seasonal	Total
Library												
Administration	4.00	1.21	-	5.21	4.00	1.00	-	5.00	4.00	1.13	-	5.13
Library Services	37.00	12.00	-	49.00	37.00	12.86	-	49.86	37.00	13.83	-	50.83
Total Library	**41.00**	**13.21**	**-**	**54.21**	**41.00**	**13.86**	**-**	**54.86**	**41.00**	**14.96**	**-**	**55.96**
Grand Total	**770.65**	**167.98**	**13.67**	**952.30**	**775.00**	**161.00**	**18.94**	**954.94**	**768.25**	**156.23**	**19.19**	**943.67**

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
3/24/2021

Subject:
Resolution approving seven Open Prairie/Forest Cover property tax exemptions. [Wards 1, 6, & 8]

Recommendation:
Adopt the Resolution.

Background:
Brian Ritter, Shirley Perry, Genesis Systems Group LTD, John Carillo, Lillian Voss/Burton Voss Trust, David Bierl, and Robert & Elaine Kuehl applied for an exemptions from the local property taxes for certain properties. This exemption is applied for annually (see attached). As provided by Iowa Law (Slough Bill), land committed to certain open spaces may be exempted from local real estate taxes with approval of the Board of Supervisors. In Scott County, the practice is to refer such requests to the City Council when the property is within the corporate limits of a municipality.

ATTACHMENTS:

Type	Description
Resolution Letter	Resolution
Backup Material	Slough Bill Request Additional Documents

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	3/10/2021 - 4:25 PM
Finance Committee	Admin, Default	Approved	3/12/2021 - 12:13 PM
City Clerk	Admin, Default	Approved	3/12/2021 - 12:14 PM

Resolution No._____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving seven Open Prairie/Forest Cover Property tax exemptions.

WHEREAS, the Scott County Board of Supervisors has implemented the "Slough Bill" which provides for the exemption from local real estate taxes of real estate committed to certain uses, including wetlands, forest cover and open prairies; and

WHEREAS, the County has received applications for exemption for the following properties, with the owner and use also noted:

the three and eight-tenths acres of property legally described as Sec 5 T77N R3E, Scott County, owned by Brian Ritter, Forest Cover;

the five acres of property legally described as SW ¼ N ½ SE ¼ Sec 33, Lincoln Twp T79N R4E, Scott County, owned by Shirley Perry, Open Prairie;

the seven acres of property legally described as NW ¼ Sec 35 Sheridan Twp T79N R3E, Scott County, owned by Genesis Systems Group, Open Prairie;

the six and six-tenths acres of property legally described as T78N R3E Sec 31 Davenport Twp, Scott County, owned by John Carrillo, Open Prairie;

the fifty-seven and fifty-nine hundredths acres of property legally described Parcels: Agriculture - #31807-01; #31717-06A; #31717-01; #31703-14; #30851-20; #31719-21; #31719-20; #31719-19; #31703-15A, and Residential - #31703-13, Scott County, owned by Lillian Voss/Burton Voss Trust, Forest Cover;

the seven and ninety-five hundredths acres of property legally described as Westfield Addition Outlot A, Parcel ID S3021-OLA, owned by David P. Bierl, Open Prairie (2.3 acres) & Forest Cover (5.65);

the two and seventy-five hundredths acres of property legally described as NE 1/4 Sec 4, T78N R4E, Pleasant Valley TWP, Scott County, owned by Robert or Elaine Kuehl, Open Prairie;

WHEREAS, the land lies within the corporate boundaries of the City of Davenport; and

WHEREAS, the matter came before the Davenport City Council for its review;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City supports the exemption of the above-described land from local real estate taxes.

Passed and approved this 24th day of March, 2021.

Approved:

_____
Mike Matson
Mayor

Attest:

_____
Brian Krup
Deputy City Clerk

OFFICE OF THE COUNTY ADMINISTRATOR
600 West Fourth Street
Davenport, Iowa 52801-1030

Ph: (563) 326-8702 Fax: (563) 328-3285
www.scottcountyiowa.gov

March 8, 2021

Tiffany Thorndike
Executive Assistant/Office of the Mayor & City Council
City of Davenport
226 West 4th Street
Davenport, Iowa 52801

Dear Tiffany:

The Board of Supervisors approved the implementation of the Slough Bill on March 29, 1990. The Slough Bill provisions allow exemptions for wetlands, recreational lakes, forest cover, forest reservations, rivers and streams, river and stream banks, wildlife habitat, native prairies and open prairies.

The resolution states that the Board will not consider exemptions for otherwise qualifying real property when it is located within the corporate limits of any municipality until the city council of that municipality first gives approval to the exemption request. Below is a list of exemptions the Davenport City Assessor received:

Name	Acres	Tax Exemption	Amount
Brian Ritter	3.8	Forest Cover	$36,470
Shirley Perry	5.0	Open Prairie	$5,020
Genesis Systems Group LTD	7.0	Open Prairie	$116,500
John Carillo	6.6	Open Prairie	$5,920
Lillian Voss/Burton Voss Trust	57.59	Forest Cover	$55,670
David R. Bierl	2.3	Open Prairie	
David R. Bierl	5.65	Forest Cover	$3,980
Robert & Elaine Kuehl	2.75	Open Prairie	$2,760

The exemption requests are enclosed for your city council's review and consideration.

Please notify me as soon as possible once the Davenport City Council has taken action on these exemption requests, and if possible email a copy of the resolution. Contact Nick VanCamp, Davenport City Assessor, should additional information be needed. Thank you for your attention to this matter.

Sincerely,

Renee C. Luze-Johnson

Renee Luze-Johnson
Executive Assistant
renee.luze-johnson@scottcountyiowa.gov

cc: Nick VanCamp, City Assessor
Property Owners

DAVENPORT CITY ASSESSOR'S OFFICE

SCOTT COUNTY ADMINISTRATIVE CENTER

March 8, 2021

Scott County Board of Supervisors
Scott County Administrative Center
600 West 4th Street
Davenport, Iowa 52801

The Davenport City Assessor's Office has received seven applications for Open Prairie/Forest Cover Property Tax Exemption for 2021.

These applications were certified by the Chairman of the County Soil Conservation District that the properties are eligible for exemption. The properties that meet the qualifications are described as follows:

1) Brian Ritter – **3.8 acres** – Residential – 20519-03 - **$36,470** – Forest Cover

2) Shirley Perry - **5 acres** - Agricultural – Y3337-04A - **$5,020** – Open Prairie

3) Genesis Systems Group LTD – **7 acres** - Industrial – X3501-01 - **$116,500** - Open Prairie

4) John Carrillo – **6.6 acres** – Agricultural – S3123-03A - **$5,920** - Open Prairie

5) Lillian Voss – **57.59 acres** – **$55,670** – Forest Cover

   Agricultural – 31807-01, 31717-06A, 31717-01, 31703-14, 30851-20, 31719-21, 31719-20, 31719-19, 31703-15A
   Residential – 31703-13

6) David P. Bierl – **7.95** total acres – 2.3 acres Open Prairie & 5.65 acres Forest Cover – Residential – S3021-OLA - **$3,980**

7) Robert & Elaine Kuehl – **2.75 acres** - Agricultural – Y0423-15 - **$2,760** – Open Prairie

It is recommended that the above referenced applications be approved by the Scott County Board of Supervisors for 2021 and the property owners be notified of the board's decision.

Sincerely,

Nick Van Camp
Davenport City Assessor

Encl: Open Prairie/Forest Cover Application List and Applications

2021

Open Prairie & Forest Cover

Note: Forest Cover does not deduct an acre for abandonded buildings like forest reservation does.

	Owner	Parcel #	Rt #	Class	Acres	Exempt Amt	Notes		
1	Ritter, Brian	20519-03	207004	Res	3.8	$ 36,470	Forest Cover		4.447 total acres
2	Perry, Shirley	Y3337-04A	Y03009	Ag	5	$ 5,020	Open Prairie		11 total acres
3	Genesis Systems Group LTD	X3501-01	X01036	Ind	7	$ 116,500	Open Prairie		15.85 total acres
4	Carillo, John	S3123-03A	S17014	Ag	6.6	$ 5,920	Open Prairie		10 total acres
5	Voss, Lillian	31807-01	304009	Ag	10.74	$ 10,790	Forest Cover		12 total acres
		31717-06A	304012	Ag	0.63	$ 580	Forest Cover	New 2017	all exempt
		31717-01	304013	Ag	13.22	$ 13,250	Forest Cover	New 2017	3 Dwellings, 18.32 total acres
		31703-13	304015	Res	1	$ 1,400	Forest Cover		$100 House & .252 aces not ex
		31703-14	304017	Ag	6.53	$ 6,410	Forest Cover		$90 House All Land Exempt
		30851-20	304019	Ag	5.62	$ 5,830	Forest Cover	New 2017	all exempt
		31719-21	308038	Ag	0.32	$ 380	Forest Cover	New 2017	all exempt
		31719-20	308039	Ag	2.7	$ 3,080	Forest Cover	New 2017	all exempt
		31719-19	308040	Ag	0.36	$ 380	Forest Cover	New 2017	all exempt
		31703-15A	304018	Ag	16.47	$ 13,570	Forest Cover	New 2017	22.16 acres. 2.7 Forest Reserve, 2.99 water, remain Forest Cover
					57.59	**$ 55,670**	**Total**		
6	Bierl, David P	S3021-OLA	S21030	Res	2.3	$ 1,150	Open Prairie		all exempt
					5.65	$ 2,830	Forest Cover		
					7.95	**$ 3,980**	**Total**		
7	Robert & Elaine Kuehl	Y0423-15	Y07017	Ag	2.75	$ 2,760	Open Prairie		5.98 total acres
			Grand Total		**90.69**	**$ 226,320**			

Scott County Soil & Water Conservation District

8370 Hillandale Road, Davenport, IA 52806
(563) 391-1403 Fax (563) 388-0682
Chad Dexter Lora Schmidt Joshua Witt Christine Bolte Richard Golinghorst

February 3, 2021

Scott County Assessor
600 W. 4th Street
Davenport, IA 52801

Enclosed are the applications for tax exemption under the Slough Bill. The SWCD Commissioners have recognized these applications as meeting the criteria for the type of exemption stated.

Renewal Applications:

John & Mary Arter	Open Prairie	188.11 acres
	Forest Cover	2.4 acres
Mary Arter	Open Prairie	20.0 acres
Charles Beason	Forest Cover	4.01 acres?
	Open Prairie	2.62 acres?
David Bierl	Open Prairie	2.3 acres
	Forest Cover 5.65	~~6.15~~ acres - only 7.95 acres
John Carrillo	Open Prairie	6.6 acres
Lori & Joe Cawiezell	Open Prairie	2.0 acres
Andrew Claeys	Forest Cover	21.9 acres?
Paul Claeys	Open Prairie	8.3 acres
J.C. Davis, Jr.	Forest Cover	17.45 acres
Gary & Elizabeth Fincher	Forest Cover	10.7 acres
Genesis Systems Group	Open Prairie	7.0 acres
Haase Living Trust	Open Prairie	5.6 acres
Marianne Hamilton	Forest Cover	18.1 acres
Greg Hawk	Forest Cover	19.0 acres
Alan Henningsen	Forest Cover	59.3 acres
	Open Prairie	66.2 acres
Jon Hilmann	Forest Cover	15.0 acres
JO-DA, LLC	Open Prairie	36.3 acres
	River & Streambanks	34.5 acres
Eugene Johnson Trust	Open Prairie	13.74 acres
Marguerite Johnson Trust	Open Prairie	4.6 acres
*Carol Klemme	Forest Cover	3.0 acres
Robert Kolwey	Forest Cover	22.98 acres
Richard H Kuehl Rev Tr.	Open Prairie	14.6 acres
Robert & Elaine Kuehl	Open Prairie	2.75 acres
Marilyn Leonard	Forest Cover	6.5 acres
Martin Family Rev Trust	Forest Cover	4.2 acres
Chad Miller	Forest Cover	2.0 acres
	River & Streambanks	2.3 acres
Brad Moeller	Open Prairie	50.0 acres
	Forest Cover	16.48 acres
Richard Mohr	Forest Cover	12.02 acres
Jane Morrell	Forest Cover	5.32 acres

Shirley Perry	Open Prairie	5.0 acres
Linda Purcell	Forest Cover	3.1 acres
	Open Prairie	5.5 acres
Terry Rathje	Open Prairie	4.2 acres
Brian Ritter	Forest Cover	3.8 acres
Ryan Living Trust	Forest Cover	5.0 acres
Camille Schoerberl	Forest Cover	2.0 acres
Brian Seibel	Forest Cover	91.0 acres
Tony Singh	Open Prairie	6.6 acres
Joe or Pam Slater	Open Prairie	2.0 acres
STL Properties LLC	Open Prairie	71.9 acres
Andrew Strunk	Forest Cover	2.0 acres
Kim Strunk	Open Prairie	5.0 acres
Ben Taylor	Forest Cover	3.4 acres
Diane Tee	Open Prairie	2.9 acres
Inez Tobin	Forest Cover	125.0 acres
Judy A Tully Rev Trust	Forest Cover	10.7 acres
Doug Vickstrom Rev Trust	Open Prairie	660.64 acres
Burton Voss Trust	Forest Cover	56.0 acres
Mark Wagemester	River & Streambanks	3.94 acres
Connie Youngers	Open Prairie	6.19 acres

*new application but applied in previous years

Please contact me if you have any questions.

Sincerely,

Jan McClurg
Conservation Assistant
Iowa Department of Agriculture and Land Stewardship
Scott County Soil & Water Conservation District
8370 Hillandale Rd
Davenport IA 52806
563.391.1403 x3
jan.mcclurg@ia.nacdnet.net

20519-03 (20100) R

IOWA **Property Tax**

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: 20519-03 (forest cover)

Owner: Brian Ritter

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 4622 Rockingham Rd.

City: Davenport State: IA ZIP: 52802

County: Scott Number of acres: 3.8 acres

Phone: 563-529-0110 Email: britter77@gmail.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒

Open prairies ☐ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Brian Ritter swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: _____ Date: _____

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: Brian Ritter Date: 12/4/2020

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

Y3337-04A (703001) Ag

IOWA **Property Tax**

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by ebruary 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: Y3337-04A (open prairie)

Owner: Shirley Perry

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 20739 210th St.

City: Bettendorf State: IA ZIP: 52722

County: Scott Number of acres: 5 acres

Phone: 563-~~359-5256~~ 343-3450 Email: _____

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐

Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

* I Shirley Perry swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

* Applicant Signature: Shirley J. Perry Date: 12-7-20

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott _____ County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

IOWA **Property Tax**

X 3501-01 (X01036) IND

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by ebruary 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: X3501-01

Owner: Genesis Systems Group LLC

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 8900 N. Harrison St.

City: Davenport State: IA ZIP: 52806

County: Scott Number of acres: 7 acres

Phone: 563-445-5600 Email: lbunn@genesis-systems.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

hone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐

Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Genesis Systems swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Lisa Bunn Date: 11-23-2020

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

S3123-03A (S17004) MG

IOWA **Property Tax**

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by ebruary 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: S3123-03A (open prairie)

Owner: John Carrillo

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 5505 Telegraph Rd.

City: Davenport State: IA ZIP: 52804

County: Scott Number of acres: 6.6 acres

Phone: 563-940-7042 Email: John jc 66 @yahoo.com

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes	☐	Rivers and streams	☐	Forest covers	☐
Open prairies	☒	River and stream banks	☐	Section 427.1(22)(g) property	☐

An aerial photo of the property on which the property to be exempted is outlined:
Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I John T. Carrillo swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: John T Carrillo Date: 12-15-2020

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

S3021-OLA (S21030) Res

IOWA **Property Tax**

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: S3021-OLA (2.3 ac. open prairie, 6.15 ac. forest cover)

Owner: David Bierl

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 5819 Shawnee Dr.

City: Davenport State: IA ZIP: 52804

County: Scott Number of acres: ~~8.45~~ 7.95 acres

Phone: 563-391-3081 Email: 794-5581 (work)

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes	☐	Rivers and streams	☐	Forest covers	☒
Open prairies	☒	River and stream banks	☐	Section 427.1(22)(g) property	☐

An aerial photo of the property on which the property to be exempted is outlined:
Is included: ☐ On file: ☐

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I David Bierl swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: David P. Bierl Date: 9 Dec 2020

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

IOWA **Property Tax**

Y0423-15 (Y07017) MS

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by ebruary 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: Y0423-15 (open prairie)

Owner: Robert A & Elaine M Kuehl

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 5820 Forest Grove Dr.

City: Davenport State: IA ZIP: 52807

County: Scott Number of acres: 2.75 acres

Phone: 563-355-7897 Email: _____

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☐

Open prairies ☒ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Elaine M. Kuehl swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Elaine M. Kuehl Date: 12/14/2020

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

IOWA **Property Tax**

Natural Conservation and Wildlife Areas Property Tax Exemption

Iowa Code section 427.1(22)

This application must be filed or postmarked to your local soil and water conservation district by February 1 of each year. Iowa conservation district addresses can be found at the Conservation Districts of Iowa website: (cdiowa.org).

Property Information – Please Print

Parcel number: See attached page for parcel #'s

Owner: Michael Voss/ Burton Voss Trust

Property location address: _____

City: _____ State: _____ ZIP: _____

Property owner mailing address: 4336 S. Concord St.

City: Davenport State: IA ZIP: ~~52806~~ 52802

County: Scott Number of acres: 56 acres

Phone: 563-289-5171 / 563-210-0331 Email: _____

Applicant if other than owner – Please Print

Name: _____

Applicant mailing address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Relationship to owner: _____

Property type:

Recreational lakes ☐ Rivers and streams ☐ Forest covers ☒

Open prairies ☐ River and stream banks ☐ Section 427.1(22)(g) property ☐

An aerial photo of the property on which the property to be exempted is outlined:

Is included: ☐ On file: ☒

If the property is a gully area susceptible to erosion, an erosion control map approved by the soil and conservation district commissioners: Is included ☐ On file ☐

I Michael Voss swear or affirm that the above property will not be used for economic gain of any kind during the assessment year.

Applicant Signature: Michael Voss Date: 11/9/2020

OFFICE USE ONLY

I hereby certify that the property described above is eligible to receive the exemption claimed.

Signed: _____ Date: _____

Chairman, Scott County Soil and Water Conservation District

This open prairie property has been inspected and certified as having adequate ground cover consisting of native species, and that all primary and secondary noxious weeds present are being controlled to prevent the spread of seeds by either wind or water.

Signed: _____ Date: _____

Chairman, _____ County Board of Supervisors

ATTACHMENT TO BURTON VOSS TRUST APPLICATION FOR PROPERTY TAX EXEMPTION

PARCEL #	ACRES	EXEMPTION
31717-01	13.22	FOREST COVER Ag
31703-14	6.53	FOREST COVER Ag
31719-21	0.32	FOREST COVER Ag
31719-20	2.70	FOREST COVER Ag
31703-13	1.00	FOREST COVER Res
31807-01	10.74	FOREST COVER Ag
31717-06A	0.63	FOREST COVER Ag
30851-20	5.62	FOREST COVER Ag
31719-~~17~~ 19	0.356	FOREST COVER Ag
*31703-15A	16.47	FOREST COVER

TOTAL EXEMPTION = 41.116 ACRES FOREST COVER (+ 31703-15A acres) = 57.586

NOTE: FOR THE 2018 APPLICATION YEAR, THIS APPLICATION WILL BE SUBMITTED BY A SEPARATE APPLICATION FOR EACH PARCEL.

***parcel 31703-15A was reviewed and qualifies for Forest Cover. The parcel is 22.16 acres. There are 2.7 acres that qualify for Forest Reserve. The remaining acres (19.46) less the acres that are water or wetlands quality for Forest Cover.**

City of Davenport

Department: Community Planning & Economic Development **Action / Date**
Contact Info: Bruce Berger | 563-326-7769 **3/24/2021**

Subject:
Motion approving the allocations for Year 47 (July 1, 2021 – June 30, 2022) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

Recommendation:
Pass the Motion.

Background:
The Citizens Advisory Committee (CAC) completed its process for funding recommendations for the Year 47 CDBG program, which is a subpart of the City's FY 2022 operating budget. The CAC reviewed the CDBG applications at a work session and held a public meeting at which applicants made presentations and answered questions about their programs and projects. The CAC's process concluded on March 1, 2021 when the CAC passed a Motion on its Year 47 funding recommendations for the Federal FY 2021 CDBG estimated entitlement of $1,638,026.

The purpose of the HOME Program is to create affordable housing opportunities for low and very low income residents. City HOME dollars are targeted to the construction or rehabilitation of single and multi-unit housing. HOME funds are available to non-profit, for-profit, or Community Housing Development Organizations (CHDO) developers of affordable housing. For Federal FY 2021, the estimated HOME entitlement is $423,634.

The attached Funding Summary lists for each of these programs: the agency receiving funds, its purpose, the services it will provide, and the amount of funding to be used. HOME dollars are reflected in bold.

Awarding of these funds is contingent upon the City receiving the entitlements as indicated from the Department of Housing and Urban Development.

A Public Hearing on these recommendations was held on March 17, 2021 at the regularly scheduled Committee of the Whole meeting.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Year 47 Allocation List

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	3/11/2021 - 12:40 PM

Year 47 (July 1, 2021 – June 30, 2022) CDBG Recommendations

Based on estimates – HUD formula allocations not yet announced

Public Service Programs

This category is capped by HUD regulation. The maximum available under the cap for public services has been recommended by the CAC.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
BIG BROTHERS/ BIG SISTERS OF THE QUAD CITIES	Provides adult mentoring for children	ADULT MENTORING	$40,040
BOYS & GIRLS CLUBS OF THE IOWA MISSISSIPPI VALLEY	Provides recreation, education, cultural arts and leadership programs	DAVENPORT PROGRAMS	$40,000
FAMILY RESOURCES	Provides individual and family therapy; counseling; domestic violence advocacy program and shelter; and crisis intervention.	DOMESTIC VIOLENCE	$5,000
FRIENDLY HOUSE	Provides recreational and educational activities for youth year-round	RECREATION & EDUCATION	$35,000
HUMILITY OF MARY HOUSING & SHELTER, INC.	Provides shelter, transitional and supportive housing and services	SHELTER & SUPPORTIVE HOUSING	$35,000
PROJECT RENEWAL	Provides after school program with social, recreational, educational Activities	AFTER SCHOOL PROGRAM	$47,520
SALVATION ARMY FAMILY SERVICE CENTER	Provides emergency shelter, meal site and case management services. This is the only site for single male head of household with children and intact two parent families with children.	EMERGENCY SHELTER	$32,440
VERA FRENCH COMM MENTAL HEALTH CTR.	Provides supportive services to Vera French Housing Corp tenants	TENANT SUPPORT SERVICES	$45,000
		PUBLIC SERVICE TOTAL:	**$280,000**

Year 47 (July 1, 2021 – June 30, 2022) CDBG Recommendations and HOME funds

Non-Public Service Programs

The amount recommended for Planning & Administration is below the HUD regulatory cap for that category.
No other non-public service programs are capped by HUD.

AGENCY	CDBG FUNDED PURPOSE/SERVICES	PROGRAM	PROPOSED ALLOCATION AMOUNT
PLANNING & ADMINISTRATION			
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (CPED)	Coordinates, administers, and monitors CDBG program; prepares reports and plans required by HUD; prepares needs assessments and other planning efforts including historic and environmental studies and coordination with neighborhood groups on planning Activities	CDBG STAFF & OPERATIONS	$305,592[1]
ECONOMIC DEVELOPMENT:			
CPED ECONOMIC DEVELOPMENT FUND `	Formulation, coordination, and implementation of local economic development strategies	STAFF ECONOMIC DEVELOPMENT FUND	$0[2] $0
HOUSING:			
CPED HOUSING REHABILIATION/ NEIGHBORHOOD REVITALIZATION FUND	Provides financing for rehabilitation and purchase of housing; elimination of blight; infrastructure in support of housing activities; and accessibility improvements.	STAFF CITY REHAB LOANS/ GRANTS/RELOCATION **HOME STAFF & OPERATIONS** **HOME LOANS / GRANTS**	$308,053[3] $744,381 **$42,363** **$381,271**
		NON PUBLIC SERVICE TOTAL: **HOME TOTAL:**	**$1,358,026** **$423,634**

[1] $0.00 in CDBG Program Income for grant administration
[2] $48,897 in Economic Development Revolving Loan Fund Program Income for program delivery
[3] $0.00 in Housing Rehabilitation Revolving Loan Fund Program Income for program delivery

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
3/24/2021

Subject:
Motion approving noise variance requests on the listed dates and times.

McCleary Excavating; Detention Pond Pumping; Prairie Pointe Detention Pond (north of East 58th Street and west of Belle Ave); March 25, 2021 through end of April 24 hours a day only after rain events; Commercial pump, over 50 dBA. [Ward 8]

Ganzo's Mexican Restaurant; Ganzo's Cinco de Mayo Fiesta; 3923 North Marquette Street; Saturday, May 1, 2021; 12:00 p.m. – 11:30 p.m.; Outdoor music, over 50 dBA. [Ward 7]

Recommendation:
Pass the Motion.

Background:
The following requests for a noise variances have been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

McCleary Excavating is wanting to quickly and efficiently dewater at the Prairie Pointe detention pond, but cannot do so with restricted hours for pumping and the influx of water. They are seeking permission to pump 24 hours per day when required in order to complete the work. Actual hours of pumping will be determined by rain and/or snow amounts and frequency.

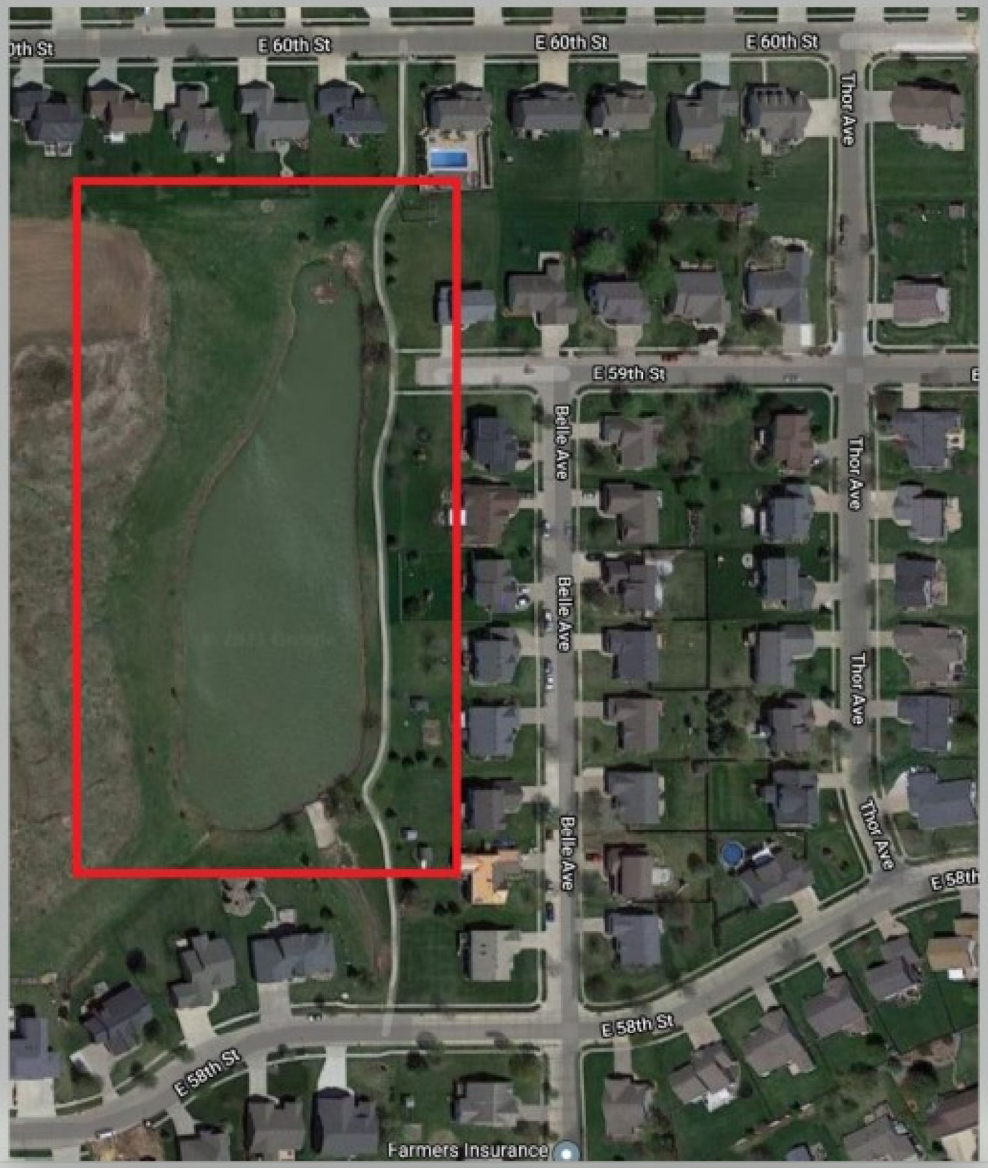
With the ability to pump 24 hours per day, McCleary can complete the project about two and a half times quicker.

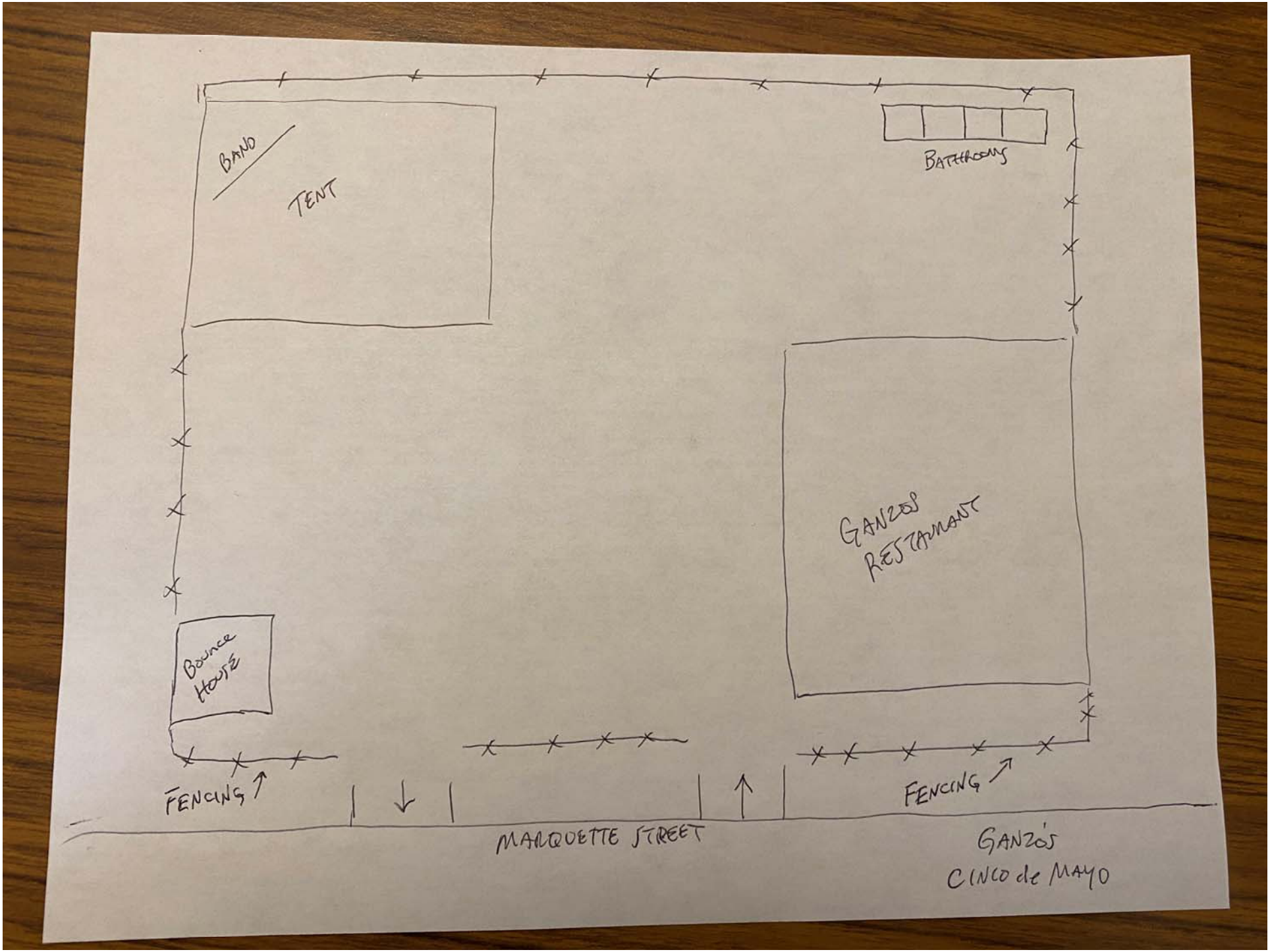
ATTACHMENTS:

	Type	Description
🗋	Backup Material	Prairie Pointe Pond Map
🗋	Backup Material	Ganzo's Fiesta Sketch

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	3/12/2021 - 9:12 AM


E 60th St
E 60th St
E 60th St
Thor Ave
E 59th St
Belle Ave
Thor Ave
Belle Ave
Thor Ave
Belle Ave
Thor Ave
E 58th St
E 58th St
E 58th St
Farmers Insurance


BAND
TENT
BATHROOMS
GANZOS
RESTAURANT
Bounce
House
FENCING
FENCING
MARQUETTE STREET
GANZOS
CINCO de MAYO

City of Davenport

Department: Public Safety **Action / Date**
Contact Info: Jamie Swanson | 563-326-7737 **3/24/2021**

Subject:
Motion approving beer and liquor license applications.

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

Ward 7

Assumption High School (Assumption High School) 1020 W Central Park Ave - "April Knights" April 23, 2021 – Outdoor Area - License Type: C Liquor

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

Ward 2

Rina Mart LLC (Rina Mart, LLC) - 3815 W Kimberly Rd - License Type: Class E Liquor

Ward 3

Rudy's Taco's (Majec, Inc) - 326 Cedar St - License Type: Class B Beer

Gateway Pub (Doo-Dah, Inc) - 702 W 3rd St - License Type: Class C Liquor

Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 W 2nd St - License Type: Class C Liquor

Taste of Ethiopia (Taste of Ethiopia, LLC) - 102 S Harrison St - Outdoor Area - License Type: Beer/Wine

Antonella's Trattoria Ristorante (Antonella Trattoria Restaurant, Inc) - 112 W 3rd St - License Type: Beer/Wine

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

Ward 4

Hilltop Grocery (Hilltop Grocery, LLC) - 1312 Harrison St - License Type: Class E Liquor

Famous Liquors (Jay Liquor, Inc) - 2604 W Locust St - License Type: Class E Liquor

Ward 5

The 11th St Precinct Bar and Grill (Carpe Diem I, LLC) - 2108 E 11th St - Outdoor Area - License Type: Class C Liquor

W-Mart (Kuntidharma LLC) - 1205 & 1207 E Locust St - License Type: Class E Liquor

Ward 6

Barrel House Three LLC (Barrel House Three, LLC) - 5141 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Big River Bowling (Kimberly Entertainment, LLC) - 2902 E Kimberly Rd - License Type: Class C Liquor

Buffalo Wild Wings (Blazin Wings, Inc) - 4860 Utica Ridge Rd - Outdoor Area - License Type: Class C Liquor

Fresh Thyme Farmers Market (Lakes Venture, LLC) - 2130 E Kimberly Rd - License Type: Class C Beer

Panchero's Mexican Grill (Central Coast Hospitality, Inc) - 4888 Utica Ridge - License Type: Class B Beer

Staybridge Hotel (Shree Balaji LLC) - 4729 Progress Dr - License Type: Beer/Wine

Ward 7

Los Portales Mexican Restaurant 2, Inc (Los Portales Mexican Restaurant 2, Inc) - 1012 E Kimberly Rd - License Type: Class C Liquor

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Merritt, Mallory	Approved	3/10/2021 - 4:26 PM
Public Safety Committee	Admin, Default	Approved	3/12/2021 - 9:15 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 9:15 AM

City of Davenport

Department: Public Works - Admin
Contact Info: Sandy Doran | 563-326-7756

Action / Date
3/24/2021

Subject:
Motion ratifying Change Order #1 to HR Green, Inc of Cedar Rapids, Iowa in the amount of $45,200 for the Water Pollution Control Plant Primary Clarifiers Rehabilitation project, CIP #39009. [Ward 1]

Recommendation:
Pass the Motion.

Background:
In October of 2020, HR Green, Inc was selected to provide services at the WPCP to evaluate the primary clarifiers' conditions to direct what rehabilitation is needed. HR Green, Inc suggested a phased approach, where Phase I was an evaluation of the primary clarifiers condition. The results of the Phase 1 evaluation would more clearly define what the scope for rehabilitation would be. Once the evaluation was completed with recommendations, the next phases of work were to be authorized. Change Order #1 includes Phase 2 - Design Services/Development of Plans & Specifications. Phase 3 Services will provide Bidding Assistance for the project.

CONTRACT SUMMARY:
Original Contract Amount – Phase 1 Services - $4,000 (Staff Approved)
Change Order #1 - Includes Phase 2 & Phase 3 Services - $45,200
Total Amended Contract $49,200

ATTACHMENTS:

Type	Description
Backup Material	CO #1 and HR Green, Inc. Professional Services Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	3/10/2021 - 11:50 AM
Public Works Committee	Moses, Trish	Approved	3/10/2021 - 11:50 AM
City Clerk	Admin, Default	Approved	3/12/2021 - 10:11 AM

DAVENPORT
PUBLIC WORKS

APPROVALS

ENGINEERING ADMIN MNG (Work is Needed) _____

CAPITAL MANAGER (Funds are Available) _____

CHIEF OF DESIGN/CONSTR (Work is Necessary) _____

CITY ENGINEER (Approval) BPS

CONTRACTOR: HR Green, Inc.
ADDRESS: 8710 Earhart Lane SW, Cedar Rapids, IA 52404

PROJECT TITLE: WPCP Primary Clarifier Rehabilitation

Description: Phase 1 Services- Primary Clarifier Evaluation have been completed. As a result, the Phase 2 & 3 services are more clearly defined.

CHANGE ORDER DESCRIPTION:

1. Addition of Phase 2 & Phase 3 services:	Phase 2 – Final Design	$37,600.00
	Phase 3 – Bidding Assistance	$ 7,600.00

Cost: $ 45,200.00
Working Days Adjustment: 0

SUMMARY OF CONTRACT AMOUNT:

Original Contract – Phase 1 Services:	$ 4000.00
Previous Additions to Contract	$ 00.00
This Change Order- Phase 2 & Phase 3	$ 45,200.00
Amended Contract Amount:	$ 49,200.00

Recommend/Approved:_____ Date:_____
(Up to $5,000) Project Manager

Recommend/Approved:_____ Date:_____
Contractor

Recommend/Approved: Nicole Gleason Date: Feb 8, 2021
(Up to $15,000) Nicole Gleason, Public Works Director-Assistant City Administrator

Recommend/Approved:_____ Date:_____
(Up to $50,000) Corrin Spiegel, City Administrator

Recommend/Approved:_____ Date:_____
(Over $50,000) City Clerk, City of Davenport

Required: Green Sheet Resolution to Approve Council Meeting Date:_____

HRGreen

PROFESSIONAL SERVICES AGREEMENT

For

WPCP Primary Clarifier Rehabilitation – Phase 1

Dan Miers, WPCP Manager
City of Davenport
2606 W. Concord, PO Box 3606
Davenport, IA 52808
563-326-7877

Andrew Marsh, Vice President
HR Green, Inc.
8710 Earhart Lane SW
Cedar Rapids, IA 52404
HR Green Project Number - 200746

September 2, 2020

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1.0 PROJECT UNDERSTANDING

2.0 SCOPE OF SERVICES

3.0 DELIVERABLES AND SCHEDULES INCLUDED IN THIS AGREEMENT

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8.0 TERMS AND CONDITIONS

THIS **AGREEMENT** is between City of Davenport (hereafter "CLIENT") and HR GREEN, INC. (hereafter "COMPANY").

1.0 Project Understanding

1.1 General Understanding

1.2 Design Criteria/Assumptions

2.0 Scope of Services

The CLIENT agrees to employ COMPANY to perform the following services:

See attached Letter dated August 31, 2020 – Phase 1 – Primary Clarifier Evaluation

3.0 Deliverables and Schedules Included in this Agreement

See attached Letter dated August 31, 2020 – Phase 1 – Primary Clarifier Evaluation

This schedule was prepared to include reasonable allowances for review and approval times required by the CLIENT and public authorities having jurisdiction over the project. This schedule shall be equitably adjusted as the project progresses, allowing for changes in the scope of the project requested by the CLIENT or for delays or other causes beyond the control of COMPANY.

4.0 Items not included in Agreement/Supplemental Services

The following items are not included as part of this AGREEMENT:

N/A

Supplemental services not included in the AGREEMENT can be provided by COMPANY under separate agreement, if desired.

5.0 Services by Others

N/A

6.0 Client Responsibilities

N/A

7.0 Professional Services Fee

7.1 Fees

The fee for services will be based on COMPANY standard hourly rates current at the time the AGREEMENT is signed. These standard hourly rates are subject to change upon 30 days' written notice. Non-salary expenses directly attributable to the project such as: (1) living and traveling expenses of employees when away from the home office on business connected with the project; (2) identifiable communication expenses; (3) identifiable reproduction costs applicable to the work; and (4) outside services will be charged in accordance with the rates current at the time the service is done.

7.2 Invoices

Invoices for COMPANY's services shall be submitted, on a monthly basis. Invoices shall be due and payable upon receipt. If any invoice is not paid within 15 days, COMPANY may, without waiving any claim or right against the CLIENT, and without liability whatsoever to the CLIENT, suspend or terminate the performance of services. The retainer shall be credited on the final invoice. Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the maximum legal rate) on the unpaid balance. In the event that any portion of an account remains unpaid 60 days after the billing, COMPANY may institute collection action and the CLIENT shall pay all costs of collection, including reasonable attorneys' fees.

7.3 Extra Services

Any service required but not included as part of this AGREEMENT shall be considered extra services. Extra services will be billed on a Time and Material basis with prior approval of the CLIENT.

7.4 Exclusion

This fee does not include attendance at any meetings or public hearings other than those specifically listed in the Scope of Services. These service items are considered extra and are billed separately on an hourly basis.

7.5 Payment

The CLIENT AGREES to pay COMPANY on the following basis:

Lump Sum of $4,000

8.0 Terms and Conditions

The following Terms and Conditions are incorporated into this AGREEMENT and made a part of it.

8.1 Standard of Care

Services provided by COMPANY under this AGREEMENT will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing at the same time and in the same or similar locality.

8.2 Entire Agreement

This AGREEMENT and its attachments constitute the entire understanding between CLIENT and COMPANY relating to COMPANY's services. Any prior or contemporaneous agreements, promises, negotiations, or representations not expressly set forth herein are of no effect. Subsequent modifications or amendments to this AGREEMENT shall be in writing and signed by the parties to this AGREEMENT. If the CLIENT, its officers, agents, or employees request COMPANY to perform extra services pursuant to this AGREEMENT, CLIENT will pay for the additional services even though an additional written agreement is not issued or signed.

8.3 Time Limit and Commencement of Services

This AGREEMENT must be executed within ninety (90) days to be accepted under the terms set forth herein. The services will be commenced immediately upon receipt of this signed AGREEMENT.

8.4 Suspension of Services

If the Project or the COMPANY'S services are suspended by the CLIENT for more than thirty (30) calendar days, consecutive or in the aggregate, over the term of this AGREEMENT, the COMPANY shall be compensated for all services performed and reimbursable expenses incurred prior to the receipt of notice of suspension. In addition, upon resumption of services, the CLIENT shall compensate the COMPANY for expenses incurred as a result of the suspension and resumption of its services, and the COMPANY'S schedule and fees for the remainder of the Project shall be equitably adjusted.

If the COMPANY'S services are suspended for more than ninety (90) days, consecutive or in the aggregate, the COMPANY may terminate this AGREEMENT upon giving not less than five (5) calendar days' written notice to the CLIENT.

If the CLIENT is in breach of this AGREEMENT, the COMPANY may suspend performance of services upon five (5) calendar days' notice to the CLIENT. The COMPANY shall have no liability to the CLIENT, and the CLIENT agrees to make no claim for any delay or damage as a result of such suspension caused by any breach of this AGREEMENT by the CLIENT. Upon receipt of payment in full of all outstanding sums due from the CLIENT, or curing of such other breach which caused the COMPANY to suspend services, the COMPANY shall resume services and there shall be an equitable adjustment to the remaining project schedule and fees as a result of the suspension.

8.5 Books and Accounts

COMPANY will maintain books and accounts of payroll costs, travel, subsistence, field, and incidental expenses for a period of five (5) years. Said books and accounts will be available at all reasonable times for examination by CLIENT at the corporate office of COMPANY during that time.

8.6 Insurance

COMPANY will maintain insurance for claims under the Worker's Compensation Laws, and from General Liability and Automobile claims for bodily injury, death, or property damage, and Professional Liability insurance caused by the negligent performance by COMPANY's employees of the functions and services required under this AGREEMENT.

8.7 Termination or Abandonment

Either party has the option to terminate this AGREEMENT. In the event of failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party, then the obligation to provide further services under this AGREEMENT may be terminated upon seven (7) days' written notice. If any portion of the services is terminated or abandoned by CLIENT, the provisions of this Schedule of Fees and Conditions in regard to compensation and payment shall apply insofar as possible to that portion of the services not terminated or abandoned. If said termination occurs prior to completion of any phase of the project, the fee for

services performed during such phase shall be based on COMPANY's reasonable estimate of the portion of such phase completed prior to said termination, plus a reasonable amount to reimburse COMPANY for termination costs.

8.8 Waiver

COMPANY's waiver of any term, condition, or covenant or breach of any term, condition, or covenant, shall not constitute a waiver of any other term, condition, or covenant, or the breach thereof.

8.9 Severability

If any provision of this AGREEMENT is declared invalid, illegal, or incapable of being enforced by any Court of competent jurisdiction, all of the remaining provisions of this AGREEMENT shall nevertheless continue in full force and effect, and no provision shall be deemed dependent upon any other provision unless so expressed herein.

8.10 Successors and Assigns

All of the terms, conditions, and provisions hereof shall inure to the benefit of and are binding upon the parties hereto, and their respective successors and assigns, provided, however, that no assignment of this AGREEMENT shall be made without written consent of the parties to this AGREEMENT.

8.11 Third-Party Beneficiaries

Nothing contained in this AGREEMENT shall create a contractual relationship with or a cause of action in favor of a third party against either the CLIENT or the COMPANY. The COMPANY's services under this AGREEMENT are being performed solely for the CLIENT's benefit, and no other party or entity shall have any claim against the COMPANY because of this AGREEMENT or the performance or nonperformance of services hereunder. The CLIENT and COMPANY agree to require a similar provision in all contracts with contractors, subcontractors, sub-consultants, vendors and other entities involved in this project to carry out the intent of this provision.

8.12 Governing Law and Jurisdiction

The CLIENT and the COMPANY agree that this AGREEMENT and any legal actions concerning its validity, interpretation and performance shall be governed by the laws of the State of Iowa without regard to any conflict of law provisions, which may apply the laws of other jurisdictions.

It is further agreed that any legal action between the CLIENT and the COMPANY arising out of this AGREEMENT or the performance of the services shall be brought in a court of competent jurisdiction in the State of Iowa.

8.13 Dispute Resolution

Mediation. In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the CLIENT and COMPANY agree that all disputes between them arising out of or relating to this AGREEMENT shall be submitted to non-binding mediation unless the parties mutually agree otherwise. The CLIENT and COMPANY further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with subcontractors, sub-consultants, suppliers or fabricators so retained, thereby providing for mediation as the primary method for dispute resolution between the parties to those agreements.

8.14 Attorney's Fees

If litigation arises for purposes of collecting fees or expenses due under this AGREEMENT, the Court in such litigation shall award reasonable costs and expenses, including attorney fees, to the party justly entitled thereto. In awarding attorney fees, the Court shall not be bound by any Court fee schedule, but shall, in the interest of justice, award the full amount of costs, expenses, and attorney fees paid or incurred in good faith.

8.15 Ownership of Instruments of Service

All reports, plans, specifications, field data, field notes, laboratory test data, calculations, estimates and other documents including all documents on electronic media prepared by COMPANY as instruments of service shall remain the property of COMPANY. COMPANY shall retain these records for a period of five (5) years following completion/submission of the records, during which period they will be made available to the CLIENT at all reasonable times.

8.16 Reuse of Documents

All project documents including, but not limited to, plans and specifications furnished by COMPANY under this project are intended for use on this project only. Any reuse, without specific written verification or adoption by COMPANY, shall be at the CLIENT's sole risk, and CLIENT shall defend, indemnify and hold harmless COMPANY from all claims, damages and expenses including attorneys' fees arising out of or resulting therefrom.

Under no circumstances shall delivery of electronic files for use by the CLIENT be deemed a sale by the COMPANY, and the COMPANY makes no warranties, either express or implied, of merchantability and fitness for any particular purpose. In no event shall the COMPANY be liable for indirect or consequential damages as a result of the CLIENT's use or reuse of the electronic files.

8.17 Failure to Abide by Design Documents or To Obtain Guidance

The CLIENT agrees that it would be unfair to hold COMPANY liable for problems that might occur should COMPANY'S plans, specifications or design intents not be followed, or for problems resulting from others' failure to obtain and/or follow COMPANY'S guidance with respect to any errors, omissions, inconsistencies, ambiguities or conflicts which are detected or alleged to exist in or as a consequence of implementing COMPANY'S plans, specifications or other instruments of service. Accordingly, the CLIENT waives any claim against COMPANY, and agrees to defend, indemnify and hold COMPANY harmless from any claim for injury or losses that results from failure to follow COMPANY'S plans, specifications or design intent, or for failure to obtain and/or follow COMPANY'S guidance with respect to any alleged errors, omissions, inconsistencies, ambiguities or conflicts contained within or arising as a result of implementing COMPANY'S plans, specifications or other instruments of service. The CLIENT also agrees to compensate COMPANY for any time spent and expenses incurred remedying CLIENT's failures according to COMPANY'S prevailing fee schedule and expense reimbursement policy.

8.18 Opinion of Probable Construction Cost

As part of the Deliverables, COMPANY may submit to the CLIENT an opinion of probable cost required to construct work recommended, designed, or specified by COMPANY, if required by CLIENT. COMPANY is not a construction cost estimator or construction contractor, nor should COMPANY'S rendering an opinion of probable construction costs be considered equivalent to the nature and extent of service a construction cost estimator or construction contractor would provide. This requires COMPANY to make a number of assumptions as to actual conditions that will be encountered on site; the specific decisions of other design professionals engaged; the means and methods of construction the contractor will employ; the cost and extent of labor, equipment and materials the contractor will employ; contractor's techniques in determining prices and market conditions at the time, and other factors over which COMPANY has no control. Given the assumptions which must be made, COMPANY cannot guarantee the accuracy of its opinions of cost, and in recognition of that fact, the CLIENT waives any claim against COMPANY relative to the accuracy of COMPANY'S opinion of probable construction cost.

8.19 Design Information in Electronic Form

Because electronic file information can be easily altered, corrupted, or modified by other parties, either intentionally or inadvertently, without notice or indication, COMPANY reserves the right to remove itself from its ownership and/or involvement in the material from each electronic medium not held in its possession. CLIENT shall retain copies of the work performed by COMPANY in electronic form only for information and use by CLIENT for the specific purpose for which COMPANY was engaged. Said material shall not be used by CLIENT or transferred to any other party, for use in other projects, additions to this project, or any other purpose for which the material was not strictly intended by COMPANY without COMPANY's express written permission. Any unauthorized use or reuse or modifications of this material shall be at CLIENT'S sole risk. Furthermore, the CLIENT agrees to defend, indemnify, and hold COMPANY harmless from all claims, injuries, damages, losses, expenses, and attorneys' fees arising out of the modification or reuse of these materials.

The CLIENT recognizes that designs, plans, and data stored on electronic media including, but not limited to computer disk, magnetic tape, or files transferred via email, may be subject to undetectable alteration and/or uncontrollable deterioration. The CLIENT, therefore, agrees that COMPANY shall not be liable for the completeness or accuracy of any materials provided on electronic media after a 30-day inspection period, during which time COMPANY shall correct any errors detected by the CLIENT to complete the design in accordance with the intent of the contract and specifications. After 40 days, at the request of the CLIENT, COMPANY shall submit a final set of sealed drawings, and any additional services to be performed by COMPANY relative to the

submitted electronic materials shall be subject to separate agreement. The CLIENT is aware that differences may exist between the electronic files delivered and the printed hard-copy construction documents. In the event of a conflict between the signed construction documents prepared by the COMPANY and electronic files, the signed or sealed hard-copy construction documents shall govern.

8.20 Information Provided by Others

The CLIENT shall furnish, at the CLIENT's expense, all information, requirements, reports, data, surveys and instructions required by this AGREEMENT. The COMPANY may use such information, requirements, reports, data, surveys and instructions in performing its services and is entitled to rely upon the accuracy and completeness thereof. The COMPANY shall not be held responsible for any errors or omissions that may arise as a result of erroneous or incomplete information provided by the CLIENT and/or the CLIENT's consultants and contractors.

COMPANY is not responsible for accuracy of any plans, surveys or information of any type including electronic media prepared by any other consultants, etc. provided to COMPANY for use in preparation of plans. The CLIENT agrees, to the fullest extent permitted by law, to indemnify and hold harmless the COMPANY from any damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, arising out of or connected in any way with the services performed by other consultants engaged by the CLIENT.

COMPANY is not responsible for accuracy of topographic surveys provided by others. A field check of a topographic survey provided by others will not be done under this AGREEMENT unless indicated in the Scope of Services.

8.21 Force Majeure

The CLIENT agrees that the COMPANY is not responsible for damages arising directly or indirectly from any delays for causes beyond the COMPANY's control. CLIENT agrees to defend, indemnify, and hold COMPANY, its consultants, agents, and employees harmless from any and all liability, other than that caused by the negligent acts, errors, or omissions of COMPANY, arising out of or resulting from the same. For purposes of this AGREEMENT, such causes include, but are not limited to, strikes or other labor disputes; severe weather disruptions or other natural disasters or acts of God; fires, riots, war or other emergencies; disease epidemic or pandemic; failure of any government agency to act in a timely manner; failure of performance by the CLIENT or the CLIENT'S contractors or consultants; or discovery of any hazardous substances or differing site conditions. Severe weather disruptions include but are not limited to extensive rain, high winds, snow greater than two (2) inches and ice. In addition, if the delays resulting from any such causes increase the cost or time required by the COMPANY to perform its services in an orderly and efficient manner, the COMPANY shall be entitled to a reasonable adjustment in schedule and compensation.

8.22 Job Site Visits and Safety

Neither the professional activities of COMPANY, nor the presence of COMPANY'S employees and sub-consultants at a construction site, shall relieve the general contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending or coordinating all portions of the work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. COMPANY and its personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions. The CLIENT agrees that the general contractor is solely responsible for job site safety, and warrants that this intent shall be made evident in the CLIENT's AGREEMENT with the general contractor. The CLIENT also agrees that the CLIENT, COMPANY and COMPANY'S consultants shall be indemnified and shall be made additional insureds on the general contractor's and all subcontractor's general liability policies on a primary and non-contributory basis.

8.23 Hazardous Materials

CLIENT hereby understands and agrees that COMPANY has not created nor contributed to the creation or existence of any or all types of hazardous or toxic wastes, materials, chemical compounds, or substances, or any other type of environmental hazard or pollution, whether latent or patent, at CLIENT's premises, or in connection with or related to this project with respect to which COMPANY has been retained to provide professional services. The compensation to be paid COMPANY for said professional services is in no way commensurate with, and has not been calculated with reference to, the potential risk of injury or loss which may be caused by the exposure of persons or property to such substances or conditions. Therefore, to the fullest extent permitted by law, CLIENT agrees to defend, indemnify, and hold COMPANY, its officers, directors,

employees, and consultants, harmless from and against any and all claims, damages, and expenses, whether direct, indirect, or consequential, including, but not limited to, attorney fees and Court costs, arising out of, or resulting from the discharge, escape, release, or saturation of smoke, vapors, soot, fumes, acid, alkalis, toxic chemicals, liquids gases, or any other materials, irritants, contaminants, or pollutants in or into the atmosphere, or on, onto, upon, in, or into the surface or subsurface of soil, water, or watercourses, objects, or any tangible or intangible matter, whether sudden or not.

It is acknowledged by both parties that COMPANY'S Scope of Services does not include any services related to asbestos or hazardous or toxic materials. In the event COMPANY or any other party encounters asbestos or hazardous or toxic materials at the job site, or should it become known in any way that such materials may be present at the job site or any adjacent areas that may affect the performance of COMPANY'S services, COMPANY may, at its option and without liability for consequential or any other damages, suspend performance of services on the project until the CLIENT retains appropriate specialist consultant(s) or contractor(s) to identify, abate and/or remove the asbestos or hazardous or toxic materials, and warrants that the job site is in full compliance with applicable laws and regulations.

Nothing contained within this AGREEMENT shall be construed or interpreted as requiring COMPANY to assume the status of a generator, storer, transporter, treater, or disposal facility as those terms appear within the Resource Conservation and Recovery Act, 42 U.S.C.A., §6901 et seq., as amended, or within any State statute governing the generation, treatment, storage, and disposal of waste.

8.24 Certificate of Merit

The CLIENT shall make no claim for professional negligence, either directly or in a third party claim, against COMPANY unless the CLIENT has first provided COMPANY with a written certification executed by an independent design professional currently practicing in the same discipline as COMPANY and licensed in the State in which the claim arises. This certification shall: a) contain the name and license number of the certifier; b) specify each and every act or omission that the certifier contends is a violation of the standard of care expected of a design professional performing professional services under similar circumstances; and c) state in complete detail the basis for the certifier's opinion that each such act or omission constitutes such a violation. This certificate shall be provided to COMPANY not less than thirty (30) calendar days prior to the presentation of any claim or the institution of any judicial proceeding.

8.25 Limitation of Liability

In recognition of the relative risks and benefits of the Project to both the CLIENT and the COMPANY, the risks have been allocated such that the CLIENT agrees, to the fullest extent permitted by law, to limit the liability of the COMPANY and COMPANY'S officers, directors, partners, employees, shareholders, owners and sub-consultants for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert witness fees and costs, so that the total aggregate liability of the COMPANY and COMPANY'S officers, directors, partners, employees, shareholders, owners and sub-consultants shall not exceed $3,000,000.00, or the COMPANY'S total fee for services rendered on this Project, whichever is greater. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

8.26 Municipal Advisor

The COMPANY is not a Municipal Advisor registered with the Security and Exchange Commission (SEC) as defined in the Dodd-Frank Wall Street Reform and Consumer Protection Act. When the CLIENT is a municipal entity as defined by said Act, and the CLIENT requires project financing information for the services performed under this AGREEMENT, the CLIENT will provide the COMPANY with a letter detailing who their independent registered municipal advisor is and that the CLIENT will rely on the advice of such advisor. A sample letter can be provided to the CLIENT upon request.

This AGREEMENT is approved and accepted by the CLIENT and COMPANY upon both parties signing and dating the AGREEMENT. Services will not begin until COMPANY receives a signed agreement. COMPANY's services shall be limited to those expressly set forth in this AGREEMENT and COMPANY shall have no other obligations or responsibilities for the Project except as agreed to in writing. The effective date of the AGREEMENT shall be the last date entered below.

Sincerely,

HR GREEN, INC.

Approved by: _____

Printed/Typed Name: Andrew Marsh

Title: Vice President Date: 09/02/2020

City of Davenport

Accepted by: _____

Printed/Typed Name: Dan Micks, WPCP

Title: WPCP Manager, Davenport Date: 9-3-2020

HRGreen

6710 Earhart Lane SW | Cedar Rapids, IA 52404
Main 319.841.4000 + Fax 319.841.4012

HRGREEN.COM

August 31, 2020

Dan Miers
WPCP Manager
City of Davenport
2606 S. Concord, PO Box 3606
Davenport, IA 52808

RE: WPCP Primary Clarifier Rehabilitation

Dear Dan:

Thank you for the opportunity to propose on the primary clarifier evaluation, design, bidding, and construction project. We understand the project includes rehabilitation of the primary clarifier mechanisms, drives, baffles, and walkways as determined by an assessment of condition. The primary clarifier drive for primary clarifier 4 was replaced in 2016 and 2017. Envirodyne was the selected manufacturer. One of the remaining clarifiers is currently down and is a priority to move forward with replacement. The remaining clarifier drives are nearing the end of their useful life and should be replaced to prevent failure. The rake arms, columns, baffles, and walkways need inspection and the feed well in primary clarifier 3 is damaged. This background knowledge and the current secondary clarifier rehabilitation project will allow us to complete this project effectively and efficiently.

Clarifier Rehabilitation Experience

A snapshot of our experience with clarifiers is shown below:

Clarifier Repair and Rehabilitation

- Cedar Rapids, IA
- Metropolitan Council Environmental Services (MCES), Minneapolis, MN
- Ottumwa, IA
- Wilton, IA

Full Design Wastewater Treatment Plant Including Clarifiers

- Iowa Great Lakes Sanitary District, Milford, IA
- Burlington, IA
- Indianola, IA
- Nevada, IA
- Adair, IA
- Fairmont, MN

Project Team

Andrew Marsh, P.E. will serve as your project manager and Lauren O'Neil, P.E. will serve as your assistant project manager and local support. Andrew and Lauren are currently leading the secondary clarifier evaluation and rehabilitation project which has provided them an up-close look at the primary clarifiers and will allow them to efficiently complete the rehabilitation of the primary clarifiers. Mike Halde, P.E., as a technical advisor, will provide support to the City from his significant involvement with previous projects at the treatment plant. This will save the plant staff time and effort from having to start from scratch with a new consultant unfamiliar with the work.

The remaining team members are comprised of team members located in the Cedar Rapids office. The Cedar Rapids water team has collaborated on a multitude of projects, and the team's previous work has fostered a close knit, high efficiency team. Our team is prepared to partner with the City to complete this project on schedule and on budget.

Phase 1 – Primary Clarifier Evaluation

Our four phased approach would begin with the evaluation of the primary clarifiers. During our site visit for the secondary clarifier evaluation, we made a visual observation of the primary clarifiers. For the purposes of this proposal, we assume each of the drives, require replacement and the walkway, tower and rake arm require surface preparation and coating.

As an advocate of the City, our services would include:

- Review alternative and recommend acceptable replacement manufacturers. (2 hours)
- Provide a reasonable implementation schedule (2 hours).
- A brief technical memo will be prepared to summarize the recommendations for the mechanical equipment (rehabilitation versus new) and planning level opinions of construction cost (8 hours).
- Coordination via teleconference for clarification and coordination (4 hours).
- Project Management (4 hours)

Total for Phase 1: (20 hours = $4,000 of engineering services). We understand the concrete in the primary clarifier has been previously inspected by others and found to be in good condition. For estimating purposes, no structural engineering involvement is included at this time.

Phase 2 – Final Design

At the completion of Phase 1, the scope for Phase 2 will be more clearly defined. Phase 2 is intended to utilize the information obtained in Phase 1 and develop plans and specifications for bidding purposes. It is necessary for the plans to be understandable and clear for the City to be protected. HR Green has a solid history of producing projects with significantly fewer change orders than the industry standard at less than 2% of the construction cost. With our current understanding of the project and our knowledge of the history of improvements at the plant, the scope is expected to include the following:

Phase 2.1 - Preliminary and General Items

a. Provide administration and management of the design phase. Review ongoing activities. Monitor schedule and budget.
b. Meet with Owner's staff to confirm Engineers understanding of scope and design parameters for the project. Confirm recommendations for each of the major areas of work as presented in the preliminary design.
c. Arrange for and participate in informal meetings with Owner during the design phase to review progress and exchange ideas and information. One meeting in addition to the milestone review meetings defined the final design scope is anticipated. Meetings anticipated to be at the Davenport WPCP are designated as such. Other meetings with Owner are anticipated to be virtual.
d. Identify and monitor changes during final design that have an impact on design and construction costs and schedule. Track and document the proposed changes for discussion at each of the progress meetings. This tool will mitigate risk on cost overruns and will guide the project to fall within budget.

Phase 2.2 - Final Design

The final design of the proposed Primary Clarifier Rehabilitation project will be executed in three sub-phases as indicated below. Each sub-phase ends in an Owner review, internal QC review, and development of a cost opinion milestone.

a. Phase 2.2.1 – Define significant elements and select acceptable manufacturers. Establish the layout and general requirements for the primary clarifier rehabilitation. Prepare preliminary base drawings of the existing primary clarifiers.
    1. Conduct a kickoff meeting at the WPCP to walk through preliminary concepts, finalize design schedule, discuss construction sequence, and discuss Owner concerns.
    2. Review and identify acceptable manufacturers for the clarifier equipment. Confirm sizing and identify configuration.
    3. Prepare preliminary base drawings of the existing primary clarifiers. Reuse of much of the existing drawings will be used.
    4. Meet with Owner for review.
b. Phase 2.2.2 – Prepare dimensioned layouts including plans and sections of the primary clarifiers. Develop technical specifications for the major elements of the work.
    1. Prepare preliminary drawings for clarifier drive replacement and mechanism modifications
    2. Prepare preliminary specifications for clarifier equipment related work elements
    3. Submit electronic set of preliminary drawings and specifications to Owner for review.
    4. Conduct internal quality control review of the Phase 2.2 deliverables.
    5. Update the opinion of probable construction cost.
    6. Identify sequence of construction for the proposed improvements including expected durations for construction activities. Staging is required to align clarifiers out of service with expected flows.
    7. Hold a project review meeting to discuss the drawings and specifications and resolve issues.
c. Phase 2.2.3 – Incorporate final details to the drawings and complete the specifications to produce construction contract documents for bidding purposes.

1. Incorporate Owner and internal QC review comments and complete dimensioned plans and sections and develop appropriate details for the final drawings. Assume up to four (4) process/mechanical drawings and one (1) electrical drawing in total.
2. Develop remaining technical specifications. City to prepare legal front-end contractual documents
3. Coordinate bid letting date, time, and place with Owner, and prepare and distribute draft Notice of Hearing and Letting.
4. Conduct an internal review of the documents for completeness, biddability, and constructability.
5. Provide electronic set of contract documents to the Owner for review by WPCP staff.
6. Develop final opinion of probable construction cost.
7. Meet with the Owner at WPCP after documents have been reviewed to discuss them and resolve any questions.
8. Incorporate internal and Owner review comments.
9. Submit three sets of documents to Iowa Department of Natural Resources (IDNR) for construction permit, and two sets to Owner. Direct equipment replacement/rehab is anticipated for a streamlined review.

Total for Phase 2: (227 hours = approximately $37,600 of engineering final design services are estimated at this time. Phase 2 scope will be verified after the initial inspection). For example, no structural, electrical, or instrumentation and control engineering design is included in the final design engineering scope and estimate at this time.

Scope does not include the following:

- Primary sludge changes including piping and pumping
- Scum handling changes, other than mechanism components internal to the clarifiers
- Operational changes; existing instrumentation and control routines will remain unchanged

Phase 3 – Bidding Assistance

According to our current understanding of the project, the third phase would include the following tasks:

a. Assist and advise Owner in developing the advertisements of the Notice of Hearing and Letting. Identify potential contractors and suppliers.
b. Conduct, at a date and time selected and a place provided by Owner, a pre bid conference to:
    1. Instruct prospective bidders and suppliers as to the types of information required by the contract documents and the format in which bids should be presented.
    2. Review special project requirements and contract documents in general.
    3. Receive requests for interpretations which will be issued by addendum.
    4. Prepare minutes of the conference and issue by addendum.
c. Interpret construction contract documents. Prepare and issue addenda to the construction contract documents when required.
d. Review and evaluate the qualifications of the apparent successful bidder and the proposed major or specialty subcontractors. The review and evaluation will include such factors as work previously

completed, equipment that is available for the work, financial resources, technical experience, and responses from references.

e. Distribute construction contract documents to the successful bidder.

Total for Phase 3: (46 hours = approximately $7,600 of engineering bidding assistance services are estimated at this time. Phase 3 scope will be verified after the initial inspection). We will need to confirm the scope with the City staff and the desired level of service. For example, attending a pre-bid is included but attending the bid opening is not included. It can be included in the scope and effort, if needed. We are happy to adjust the scope based on the City staff needs.

Phase 4 – Construction Administration

According to our current understanding of the project, the fourth phase would include the following tasks:

a. Conduct a preconstruction meeting after award of construction contract for the Owner, contractor, subcontractors, and utility companies.
b. Consult with and advise Owner and act as Owner's representative. All of Owner's instructions to the Contractor will be issued through Engineer, who will have the authority to act on behalf of Owner. The Engineer shall not act on the Owner's behalf without securing actual authority from the Owner's representative prior to taking such action.
c. During the period of construction, Engineer shall make periodic visits to the site at intervals appropriate to the various stages of construction as Engineer deems appropriate. A total of three site visits while construction is in progress are anticipated and budgeted. The purpose of these visits shall be to observe the site and work, to familiarize Engineer with the progress and quality of the work, and to determine for the Owner's benefit and protection if the work is proceeding in accordance with the intent of the contract documents and construction schedule. On the basis of our on-site observations as a professional engineer, the Engineer shall keep the Owner informed of the progress and quality of the work and he shall use reasonable care to inform the Owner of defects and deficiencies in the Contractor's work and of the Contractor's failure to carry out the work in accordance with the intent of the construction documents and the construction schedule. The Engineer shall not, during such visits supervise, direct or have control over the Contractor's work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor, for safety precautions and programs incident to the work or for any failure of the Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to the Contractor furnishing and performing his work. Accordingly, Engineer can neither guarantee the performance of the construction contract by the Contractor nor assume responsibility for the Contractor's failure to furnish and perform his work in accordance with the contract documents. During such visits Engineer may disapprove of or reject the Contractor's work while it is in progress if Engineer believes that such work will not produce a completed Project that conforms generally to the contract documents or that it will prejudice the integrity of the design concept of the Project as reflected in the contract documents.
d. Issue necessary interpretations and clarifications of the contract documents, and in connection therewith, prepare change orders as required.

e. Review shop drawings, samples, and other data which the Contractor is required to submit, but only for conformance with design concept of the Project and conformance with the information given in the contract documents. Such review shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.
f. Evaluate and determine the acceptability of substitute materials and equipment proposed by the Contractor. Any substitutions shall first be approved by the Owner.
g. Engineer shall have authority to require special inspection or testing of the work, and shall receive and review all certificates of inspection, testing, and approvals required by law, rules, regulations, ordinances, codes, orders or the contract documents.
h. Consult with Owner regarding the status of the work and partial payments due to the Contractor. Such recommendations of payment will constitute a representation to Owner, based on such observations and review, that the work has progressed to the point indicated, and that, to the best of Engineer's knowledge, information and belief, quality of such work is generally in accordance with the contract documents. In the case of unit price work, Engineer's recommendation of payment will include determinations of quantities and classifications of such work. Engineer's review of the Contractor's work for the purpose of recommending payments shall not impose on Engineer the responsibility to supervise, direct or control such work. It shall also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes the Contractor has used the monies paid on account of the contract price.
i. Conduct an observation to determine if the work is substantially complete and a final observation to determine if the completed work is acceptable so that Engineer may recommend, in writing, final payment to the Contractor and may give written notice to Owner and the Contractor that the work is acceptable, but any such recommendation and notice will be subject to the limitations expressed in item c. and the duties imposed under item h.
j. Review and assemble the operating and maintenance information supplied by the manufacturers of the equipment into a Manufacturers Operations and Maintenance Manual.
k. Prepare record drawings showing those changes made during construction, based on the marked-up drawings and other data furnished by the Contractor to Engineer and which Engineer considers significant. Provide the Owner with one paper copy and an electronic copy in AutoCAD of the record drawings.

Total for Phase 4: The secondary clarifier project currently underway includes the assessment, design, and bidding phases. The construction phase services will be included at a later date. We propose that same approach here for the primary clarifiers – to contract for the construction phase once the design phase is complete, so the construction phase services are more clearly defined on the level of effort.

Summary

The engineering services fees are as follows:

Phase 1 is $4,000.

Phase 2 is $37,600.

Phase 3 is $7,600.

HRGreen

Dan Miers
August 31, 2020

Phase 4 is TBD after final design is complete.

The mission statement—*Building Communities. Improving Lives.* —is rooted in these values that set the culture we promote to how we do business. These values really provide the mindset we would take with this project and driving business accountability and best utilizing City resources for a long-term solution.

HR GREEN'S VALUES



LEADERSHIP

"We encourage equip, challenge and cultivate our employees to be leaders in our company and their communities."

PERFORMANCE

"We never forget our basic responsibility to deliver the right sensible results for our clients."

OPERATIONAL EXCELLENCE

"We seek to understand each situation's context, enabling innovation and entrepreneurial solutions."

COLLABORATION

"Our team work exemplifies the qualities of honesty, responsiveness, integrity, and understanding."

COMMUNITY

"We utilize our personal and professional talents to be good stewards of our community resources."

If you have any questions, please contact me to discuss at 319.841.4393 or via email at amarsh@hrgreen.com.

Sincerely,

HR GREEN, INC.

Andrew Marsh, PE (IA, IL, NE, MN, GA, AZ)
Principal

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City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Clay Merritt | 563-888-3055 **3/24/2021**

Subject:
Motion ratifying Change Order #1 and #2 to HR Green, Inc of Cedar Rapids, Iowa in the amount of $64,200 for the Flood Resiliency Plan, CIP #60028. [Wards 1 & 3]

Recommendation:
Pass the Motion.

Background:
In 2020, the City hired H.R. Green to develop and recommend structural and non-structural flood defense systems throughout multiple areas of the City that experience flooding during high water events from the Mississippi River. To ensure the accuracy of those recommendations, City staff approved Change Order #1 which increased the scope of the contract to televising various sanitary and storm sewers in a number of areas to better determine depth and location. During this process, it was found that a number of lines have significant sediment blocking the televising process. Change Order #2 gives approval to H.R. Green to perform heavy cleaning of those lines so that they can be properly televised.

CONTRACT SUMMARY:

Original Contract Amount $387,000 (Approved)
Change Order #1 $29,500 (Staff Approved)
Change Order #2 $43,525 (Staff Approved & Pending Council Ratification)
Total Amended Contract $460,025

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Admin, Default	Approved	3/12/2021 - 9:13 AM

City of Davenport

Department: Public Works - Admin **Action / Date**
Contact Info: Clay Merritt | 563-888-3055 **3/24/2021**

Subject:
Motion ratifying Change Orders #1, #2, and #3 to Studio 483 Architects of Davenport, Iowa in the amount of $64,200 for the Modern Woodmen Park floodwall extension, workout room addition, and clubhouse renovation project, CIP #23049. [Ward 3]

Recommendation:
Pass the Motion.

Background:
In 2020, the City Council approved an architectural and engineering contract for the design of a floodwall and workout room addition at Modern Woodman Park. Since that time, the City has been made aware that additional upgrades are needed in order to meet MLB standards. Change Orders #1 and #2 increased the scope of the design contract to include renovations to both the home and away team clubhouses while Change Order #3 will extend the original scope of the floodwall, recess the batting cage area of the upcoming workout room addition, and provide funds for additional design of the clubhouse renovation portion of the project as instructed by the QC River Bandits and the Kansas City Royals.

CONTRACT SUMMARY:

Original Contract Amount $87,100 (Approved)
Change Order #1 $7,700 (Staff Approved)
Change Order #2 $11,300 (Staff Approved)
Change Order #3 $45,200 (Staff Approved & Council Ratification)
Total Amended Contract $151,300

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	2/25/2021 - 11:39 AM
Public Works Committee	Moses, Trish	Approved	2/25/2021 - 11:39 AM
City Clerk	Admin, Default	Approved	2/25/2021 - 11:53 AM

City of Davenport

Department: Public Works - Admin
Contact Info: Amy Kay | 563-327-5160

Action / Date
3/24/2021

Subject:
Motion approving a professional services contract with Veenstra & Kimm, Inc of Rock Island, Illinois in the amount of $94,370, CIP #33052. [All Wards]

Recommendation:
Pass the Motion.

Background:
In conjunction with the WPCP UV Disinfection project, which is eligible to utilize grant funding from the State Revolving Fund (SRF), the City's application for a Clean Water SRF Water Restoration Sponsored Project was approved. The Clean Water SRF project associated with these dollars will include a permeable alley in the Myrtle Street and High Street area, a water treatment wetland at Duck Creek Golf Course, and multiple water quality treatment practices within municipal parks. This project will be a partnership between the City and the Iowa Department of Natural Resources.

The scope of this professional services contract is to provide all survey and design, a complete set of digital and paper plans and specifications for this project, and compile and file all necessary permit applications with the Iowa DNR and the Iowa Department of Transportation.

ATTACHMENTS:

	Type	Description
🗋	Backup Material	Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	3/11/2021 - 1:41 PM

VEENSTRA & KIMM, INC.
1800 5th Avenue • Rock Island, Illinois 61201-8119
309-786-7590 • 309-797-0996 (fax) • 877-241-8010 (WATS)

February 23, 2021

City of Davenport
Attn: Amy Kay
Public Works, Natural Resources
1200 E. 46th Street
Davenport, IA 52807

DAVENPORT, IOWA
SPONSORED WATER QUALITY IMPROVEMENTS PROJECT
ASSOCIATED WITH THE WWTP UV PROJECT (IDNR PROJECT WRR19-022)
AGREEMENT FOR PROFESSIONAL SERVICES

Attached are two copies of the Agreement for Professional Services regarding the Sponsored Water Quality Improvements project associated with the WWTP UV project (IDNR project WRR19-022).

Attachment V shows the Work Breakdown Structure and changes that were made from our email correspondence on February 12, 2021.

Once this has been signed, please return one copy to this office. If you have any questions regarding this project, please contact the undersigned at 309-786-7590.

VEENSTRA & KIMM, INC.

Leo F. Foley, P.E.

LFF:mjf
Enclosures
CF: Dan Miers, Water Pollution Control Plant

AGREEMENT FOR PROFESSIONAL SERVICES

CITY OF DAVENPORT, IOWA
SPONSORED PROJECT WATER QUALITY IMPROVEMENTS
ASSOCIATED WITH THE WWTP ULTRAVIOLET DISINFECTION PROJECT (REVISION 1)
IDNR PROJECT WRR19-022

WHEREAS, the CITY OF DAVENPORT, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa, hereinafter referred to as the "CITY," is desirous of obtaining professional engineering services in connection with the Sponsored Project Water Quality Improvements Associated with the Ultraviolet Disinfection Project, hereinafter referred to as the "Project," and

WHEREAS, VEENSTRA & KIMM, INC., hereinafter referred to as the "CONSULTANT," being a corporation organized and existing under the laws of the State of Iowa; and

WHEREAS, the CONSULTANT is desirous of performing professional services for the CITY in connection with the Sponsored Project Water Quality Improvements Associated with the Ultraviolet Disinfection project.

NOW, THEREFORE, it is mutually agreed as follows:

SECTION I - GENERAL

A. PERFORMANCE

The performance of the CONSULTANT shall be limited to the scope of services outlined as hereinafter set forth.

B. CONFERENCES

Conferences shall be held from time to time as the performance of this Agreement progresses at a mutually convenient location at the request of the CITY. The CONSULTANT shall prepare and present such information as may be pertinent or necessary to enable the CITY to pass critical judgment on the features and progress of services under this Agreement. The CONSULTANT shall make such changes, amendments, or revisions in the detail of any phase of services under this Agreement as may be required by the CITY. If alternates or alternatives are to be considered, the CITY shall have the right of selection. The CONSULTANT shall, at the request of the CITY, appear personally, prepare and present such documents and/or explanations to the Davenport City Council as may be requested.

C. INDEMNIFICATION

The CONSULTANT shall and hereby agrees to hold and save the CITY harmless from any and all claims, settlements, and judgments, to include all reasonable investigative fees, attorneys' fees, suit and court costs for personal injury, property damage, and/or death arising out of the CONSULTANT's or any of its agents', servants', and employees' errors, omissions or negligent acts for services under this Agreement, and for all injury and/or death to any and all of the CONSULTANT's personnel, agents, servants, and employees occurring under the Worker's Compensation Act of the State of Iowa.

D. INSURANCE

The CONSULTANT shall furnish the CITY with a certificate or certificates of insurance by an insurance company licensed to do business in the State of Iowa, in compliance with Attachment II, "Insurance and Indemnification Contractors".

E. PROGRESS REPORTS

The CONSULTANT shall furnish the CITY with monthly progress reports which shall indicate the percentage of engineering services completed on the project to the date of the report, together with a description of the status of services in progress during the CONSULTANT's performance under this Agreement. The CONSULTANT shall also, upon request of the CITY, furnish the necessary documentation to verify the reported progress in the performance of said services.

F. ACCESS TO CONSULTANT'S RECORDS

The CONSULTANT shall maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred in performing work covered by this contract. The CITY or any of its duly authorized representatives shall have access to all such books, records, documents and other evidence for the purpose of inspection, audit and copying during normal business hours. All such books, records, and documents shall be retained for three years from the date of final payment under the contract.

G. OWNERSHIP OF DOCUMENTS

All survey notes, reports, design plans, specifications, special studies, records and other data prepared under this Agreement shall become the property of the CITY upon completion or termination of the services of the CONSULTANT.

H. FEDERAL REQUIREMENTS

Not applicable.

I. TERMINATION

If the CITY should desire to suspend or terminate the services to be rendered by the CONSULTANT under this Agreement, such suspension or termination may be effected by the CITY giving the CONSULTANT written notice. Payment shall be made by the CITY for services rendered by the CONSULTANT to date of termination.

J. CHANGES IN SCOPE OF SERVICES

1. Extra Work

Authorization for extra work shall be evidenced by the CITY in writing, in the form of a Supplemental Agreement. Extra work will usually be of limited extent and may consist of, but is not necessarily limited to, the introduction of new items of work beyond the stated or implied scope of the Agreement.

At the option of the CITY, payment for extra work may be made on a fixed price; a cost plus a fixed fee, time and materials; or other mutually agreed basis.

If the CONSULTANT is of the opinion that any work the CONSULTANT has been directed to perform is beyond the scope of this Agreement and constitutes extra work, the CONSULTANT shall promptly notify the CITY in writing of that fact. In the event the CITY determines that such work does constitute extra work, the CITY shall provide extra compensation to the CONSULTANT as provided for above. No extra work shall be performed by the CONSULTANT without receiving a written agreement from the CITY in advance.

2. Deletion of Work

Authorization for deletion of work shall be evidenced by the CITY in writing.

At the discretion of the CITY, work items listed in Section 2 - Scope of Work, or parts thereof, may be deleted from the project.

Reduction to the CONSULTANT's compensation as a result of deletion of work shall be based on the cost estimate of the work deleted. In the event that the CONSULTANT had performed authorized work on the items deleted prior to deletion, the cost of such work shall be retained in the CONSULTANT's compensation.

K. NONDISCRIMINATION

Attachment I "Special Provisions Section III Nondiscrimination In Employment by Contractors/Subcontractors and Suppliers" shall be signed by the CONSULTANT and shall become a part of this Agreement. In Attachment I the contractor/supplier is the CONSULTANT for terms of this Agreement.

L. CONTRACT COMPLIANCE PROGRAM

The CONSULTANT agrees to comply with the City of Davenport Special Provisions which is attached.

M. SUBLETTING OR ASSIGNMENT

The CONSULTANT shall not sublet, assign or otherwise dispose of any portion of the services to be provided by this Agreement without a written permission to sublet signed by the City Engineer and approved by the City Council. Requests for permission to sublet shall be in writing and shall name the organization which will perform the work, the work to be performed, and the dollar amount of the work to be performed. Subconsultants which are shown as part of this Agreement shall be deemed to be approved when this Agreement is executed.

A "City of Davenport Consultant Cost Summary for Subagreements" or equal shall be provided on each organization showing Hourly rates and Overhead and Fringe Benefit rates that will be applied to services to be sublet.

When requested by the City Engineer, the CONSULTANT shall provide a written report showing that the organization which will perform the work is particularly experienced and equipped for such work. Consent by the CITY for the CONSULTANT to sublet, assign or otherwise dispose of any portion of this Agreement shall not relieve the CONSULTANT of any responsibility for fulfillment of this Agreement, nor shall it in any way create a contractual relationship between the CITY and the SUBCONSULTANT. The CONSULTANT agrees to include in and make a part of all subagreements all portions of this Agreement which relate to the subconsultants' work including the Nondiscrimination portions of this Agreement.

N. CLOSE-OUT OF AGREEMENT

Upon completion or termination of services under this Agreement, the CONSULTANT shall provide the CITY the following documents:

1. Documents as stated in Section 1.G of the Agreement.

2. Statement of Final Billing.

3. Written report showing the actual amounts paid by the CONSULTANT for services under this Agreement to MBE/WBE Firms.

O. LAWS, REGULATIONS AND CODES

The CONSULTANT hereby agrees that all work done as part of this Agreement which is subject to current Federal, State or Local Laws, Regulations and/or Codes shall comply with such applicable Laws, Regulations and/or Codes.

P. CITY POLICY AND PROCEDURES

The CONSULTANT hereby agrees to conform to CITY policy and procedures as they relate to this Agreement. Such policy and procedure shall include but is not limited to the following:

1. Invoice and billings for service.
2. Engineering Department Design Standards.
3. Engineering Department standard format for reports, plans, and/or specifications.
4. Plan-review process including site-plan and architectural review.
5. Include CITY Work Order Number and Contract Number on all documents related to this Agreement if appropriate.

Q. NOTICE TO PROCEED

The CONSULTANT shall not begin work until a written notice to proceed is issued by the City Engineering Department. If Section 2 of this Agreement provides for the work to be completed in phases, a notice to proceed shall be issued for each phase.

SECTION 2 - SCOPE OF SERVICES

SPONSORED PROJECT WATER QUALITY IMPROVEMENTS ASSOCIATED WITH THE ULTRAVIOLET DISINFECTION PROJECT

A. SERVICES PROVIDED BY CONSULTANT

The scope of the services for which construction services are to be performed under this Agreement shall include:

1. The services by the CONSULTANT under this Agreement shall include, but not necessarily be limited to, the following:
    a. Prepare plans and specifications for construction of wetland and native plantings near the Duck Creek Golf Course, Hole No. 4.

b. Revise existing plans for Myrtle Avenue Permeable Alley to include any IDNR-sponsored project requirements and to fit the sponsored project budget as shown in Attachment III.

c. Plan and complete construction drawings for 5 park bioswale, raingarden and native seed projects detailed in Attachment III.

d. Provide contract administration and construction review of the school site, Myrtle Ave., and 5 park improvements estimated to be a total of $48,040.

It is understood by the CITY and CONSULTANT that the Project must be flexible during the course of implementation. As data is collected, it is often necessary to refine and change the scope and focus of the Project. The CITY and CONSULTANT agree the scope of the Project may be adjusted during the course of performance by adding or subtracting work from the specific work tasks. Work may be added, shifted or deleted provided the total cost of the Project does not increase.

B. OBLIGATIONS OF CITY TO CONSULTANT

1. Provide available information, such as topography, site plans, building plans, mapping, and other information that mutually is agreed upon as pertinent to the project.

2. Designate a liaison officer from the CITY who will work directly with the CONSULTANT to coordinate the collection of CITY-supplied data, arrange for meetings, and be responsible for the general coordination between the CITY and the CONSULTANT.

3. Provide the services of the City Solicitor experienced in legal matters pertaining to this type of project. The CONSULTANT shall cooperate with the City Solicitor and comply with the requirements of the City Solicitor as to form of contract documents and procedures relative to them.

4. Provide access to all manholes and intakes in the area.

5. If soil borings are required, Veenstra & Kimm, Inc. will provide locations and the City will obtain borings.

C. DELIVERABLES

The scope of the services shall be considered to be complete upon delivery of the following items to the satisfaction of the CITY.

The documents provided to the CITY by the CONSULTANT shall include but may not be limited to the following in accordance with each project type:

- 4 copies of plan sheets with specifications
- Electronic copies of plans and specifications
- Permit applications for IDNR and IDOT

SECTION 3 - COMPENSATION AND PAYMENT

A. COMPENSATION

1. Design and investigation not-to-exceed fee of $46,330 based on approximately $656,000 in construction improvements.
2. Construction contract management and on-site inspection during construction not-to-exceed fee of $48,040.
3. Total Compensation Not-to-Exceed Ninety-Four Thousand Three Hundred Seventy Dollars ($94,370).
4. Attachment V shows a work breakdown structure of tasks and associated costs.

SECTION 4 - COMPLETION OF WORK

The CONSULTANT shall complete all services outlined in this Agreement to allow a spring 2022 construction award, providing no unforeseen delays are experienced beyond the control of the CONSULTANT.

It is assumed there will be three separate construction contracts with a construction total of about $655,000. The three contracts anticipated are as follows:

1. School Site Stream Improvements
2. Myrtle St. Alley Permeable Pavers
3. Five (5) park bioswales, raingardens and native plantings

See Attachment 6 for a detailed schedule.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this _____ day of _____, 2021.

CITY OF DAVENPORT, IOWA

By_____

ATTEST:

By_____

Title _____

VEENSTRA & KIMM, INC.

By_____
Leo F. Foley, Office Manager

WITNESS:

By Mikayla Yeast

Title Administrative Assistant

SPECIAL PROVISIONS

SECTION III -

Nondiscrimination in Employment by Contractors/Subcontractors and Suppliers

Contractor's Agreement

During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, sex, national origin or ancestry, age, marital status, physical or mental disability, or political beliefs and affiliations.

(3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative of the Contractor's commitments under the Davenport Affirmative Action Plan and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan.

(5) The Contractor will furnish all information and reports required by the Davenport Affirmative Action Plan and procedures developed by the City's Compliance Officer in pursuit of that plan and will permit access to his/her books and accounts by the contracting department and the Compliance Officer for purposes of investigation to ascertain compliance with the City's Affirmative Action Plan.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any implementing procedures or orders, this contract may be cancelled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further City contracts in accordance with procedures authorized in The Davenport Affirmative Action Plan and such other sanctions may be imposed and remedies invoked as provided in the Davenport Affirmative Action Plan, or as otherwise provided by law.

(7) The Contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order in the amount of $5,000 or more, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the City of Davenport to enter into such litigation to protect the interests of the City of Davenport.

INSURANCE AND INDEMNIFICATION
CONTRACTORS

CONTRACTOR'S INSURANCE

The Contractor shall secure and maintain such primary insurance policies as will protect himself or his Subcontractors from claims for bodily injuries, death or property damage which may arise from operations under this contract whether such operations be by himself or by any Subcontractor or anyone employed by them directly or indirectly.

The following insurance policies are required unless other limits are specified in the "Advertisement for Bids" or "Special Provisions." The City is to be named as an additional insured under Commercial General Liability.

(1) **Commercial General Liability**

Each Occurrence	$1,000,000
General Aggregate	$2,000,000
Products Completed	$1,000,000

(2) **Commercial Automobile Liability**

Any Auto, Hired & Non-Owned Combined Single Limit	$1,000,000

(3) **Excess Liability Umbrella** $2,000,000

(4) **Statutory Worker's Compensation** with waiver of subrogation in favor of the City.

(5) **Professional Services (Errors & Omissions) Insurance** $1,000,000

INSURANCE INCLUSIONS

The comprehensive general liability insurance shall include independent Contractors protective liability, products and completed operations broad form property damage coverage. The completed operations and products liability shall be maintained for two years after final payment. Property damage shall include coverage for explosion, collapse, and underground damage.

CONTRACTUAL LIABILITY

The insurance required above under "CONTRACTOR'S INSURANCE" on page 1, shall:

(1) **be Primary insurance and non-contributory.**

(2) include contractual liability insurance coverage for the Contractor's obligations under the INDEMNIFICATION paragraph on page 3.

CERTIFICATES OF INSURANCE

Certificates of Insurance, acceptable to the City indicating insurance required by the Contract is in force, shall be filed with the City prior to approval of the Contract by the City. The Contractor shall insure that coverages afforded under the policies will not be cancelled until at least thirty (30) days prior written notice has been given to the City. The Contractor will accept responsibility for damages and the City's defense in the event no insurance is in place and the City has not been notified.

PROPERTY INSURANCE

Unless otherwise provided, the Contractor shall purchase and maintain property insurance upon the contractor's entire work, supplies and materials at the site to the full insurable value thereof. This insurance shall include the interests of the City, the Contractor, Subcontractors and Sub-subcontractors in the work and shall insure against the perils of fire and extended coverage and shall include insurance for physical loss or damage including, without duplication of coverage, theft, vandalism, malicious mischief and equipment breakdown. The Contractor shall effect and maintain similar property insurance on portions of the work stored off the site or in transit when such portions of the work are to be included in an Application for Payment. If the City is damaged by failure of the Contractor to purchase or maintain such insurance, then the Contractor shall bear all reasonable costs properly attributable thereto.

BUILDER'S RISK INSURANCE

The City of Davenport reserves the right to require "Builder's Risk" coverage dependent upon the scope of the project. If required, "Builder's Risk" policies and limits will be specified in the "Advertisement for Bids" or "Special Provisions."

LOSS ADJUSTMENTS

Any loss that is insured under the PROPERTY INSURANCE paragraph above, is to be adjusted with the Contractor and made payable to the Contractor as trustee for the insured, as their interests may appear. The Contractor shall pay each Subcontractor a just share of any insurance moneys received by the Contractor and, by appropriate agreement written where legally required for validity, shall require each Subcontractor to make payments to his Sub-subcontractors in similar manner.

INDEMNIFICATION

To the fullest extent permitted by the law, the Contractor shall defend, indemnify, and hold harmless the City, its officials and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to, all attorneys' fees arising out of or resulting from the performance of the work, provided that any such claim, damage, loss or expense

(1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself), including the loss of use resulting therefrom; and

(2) is caused in whole or in part by any negligent act or omission of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

Attachment III

DAVENPORT, IOWA
SRF SPONSORED PROJECTS
PROPOSED BUDGET

PROPOSED SPONSERD PROJECT	PARENT PROJECT 1930s SEWER PROJECT (18026)	PARENT PROJECT WPCP UV PROJECT (19002)	
DUCK CREEK GOLF COURSE (Storm water wetland/native seeding)	$ 710,000		Awaiting Golf Course Concurrence
SCHOOL DISTRICT SITE-WISCONSIN AVE (Streambank stabilization)		$ 230,000	School Agreement in Place
PARK PROJECTS-BIOSWALES, RAINGARDENS, AND NATIVE SEEDINGS		$ 425,000	
Northwest Park - West Area Prairie		$ 10,000	
Marquette Park Seeding/Bioswale		$ 10,000	
Myrtle Ave Permeable Alley		$ 350,000	Need to show how this meets intent of grant application
Prairie Parks Heights - Bioswale between the Track and Roadway		$ 3,500	
Red Hawk Golf Course Bioswale		$ 43,500	
Eastern Avenue Park Grassed Waterway		$ 8,000	
CONSTRUCTION ESTIMATE - BUDGET	$ 710,000	$ 655,000	
PLANNING AND DESIGN	$ 104,500	$ 65,500	1930'S Sponsored Work Under Contract to V & K, Inc, Amendment or New Contract for UV Sponsored Work
CONSTRUCTION ENG SERVICES (REVIEW/CONTRACT ADMIN/REPORTING)	$ 38,000	$ 52,400	1930'S Sponsored Work Under Contract to V & K, Inc, Amendment or New Contract for UV Sponsored Work
TOTAL ENGINEERING COSTS	$ 142,500	$ 117,900	
TOTAL COST ESTIMATE/BUDGET PER "SPONSERING PROJECT"	$ 852,500	$ 772,900	Sponsoring Loans will need to amended to after bid openings

SPONSORED TOTAL BUDGET	$	1,625,400

Estimated Loan Amount for 1930's and UV work	$	10,387,000	8,249,000	
Completion Date for "Sponsoring" Project		June 2021	June 2022	Need a Formal Change Order to Change Substantial Completion of 1930's Work to at least August 2021. Principal Payments for the loan are due in July after completion.
Construction Schedule		Spring/Summer 2021	Fall 2021-Summer 2022	Will Maximize the Sponsored Loan Amount.
Max Loan Awarded	$	905,000	825,000.00	
Admin Fees .5%	$	45,250	41250	From Iowa Finance
Bond Council	$	5,000	5000	Estimated
SRF Sponsered Money Avail	$	854,750	778750	

Attachment IV

VEENSTRA & KIMM, INC.
860 22nd Avenue - Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

LETTER OF TRANSMITTAL

TO Iowa DNR
SRF Nonpoint Source Program
502 East 9th Street
Des Moines, IA 50319

DATE 9/4/18 | JOB 22283
RE: Davenport September 2018 Sponsored Project Application

ATTENTION Lee Wagner

WE ARE SENDING YOU

☐ Copy of Letter ☐ Prints ☐ Plans ☐ Specifications
☐ Pay Estimate ☐ Change Order ☑ Davenport 9/2018 Sponsored Project App.

Quantity	Description
1	Signed Sponsored Project Application w/ appendices, letters of support, council motion,
	and bond council letter of support

THESE ARE TRANSMITTED as checked below:

☐ For Approval ☐ As Requested ☐ For Review and Comment
☑ For Your Use ☑ For Your Files ☐ _____

REMARKS

SIGNED Meredith Pearl

COPY TO 22283 file

Sewer separation SRF# 1970 EE3301

Clean Water SRF
WATER RESOURCE RESTORATION
Sponsored Projects

APPLICATION COMPLETENESS CHECKLIST

- [x] Pre-application consultation held 11/29/2017 (date – must be prior to June 30, 2018)
- [ ] Hard copy and CD containing electronic files postmarked by September 4, 2018
- [ ] Application signed by authorized official
- [ ] If electronic files submitted via e-mail, sent by 4:00 p.m. on September 4, 2018
- [x] CWSRF wastewater project is eligible
- [ ] Acquisition of Property Form signed by authorized official
- [x] Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application
- [x] Identification of any third-party entity involved and the potential need for a 28E agreement between the utility and the qualified entity
- [x] Identification of water quality organization or organizations involved in the project, with a discussion of the organization's participation in project design, selection, and implementation
- [x] Letters of support from project partners
- [x] Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept
- [x] Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
- [x] Discussion of project goals and objectives
- [x] Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
- [x] Description of potential practices to be implemented with the expected water quality outcomes
- [x] Discussion of project locations, land ownership, and any plans for acquiring properties or easements
- [x] Identification of any other organizations or resources to be involved in the project and their expected contributions
- [x] Proposed project schedule with major milestones, along with a discussion of how the sponsored project construction schedule coordinates with the infrastructure project schedule
- [x] Proposed evaluation procedures and measures
- [x] Explanation of the proposed budget, including other planned funding sources and flexibility to adjust budget according to final amount available through sponsored project mechanism
- [x] Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

Clean Water SRF

WATER RESOURCE RESTORATION

Sponsored Project Application

Application Instructions:

- Please print or type the information on the form.
- Sign the application.
- Attach supporting documentation.
- Submit ONE original hard copy, with original signatures, to the following address:

  State Revolving Fund
  Iowa Department of Natural Resources
  Wallace State Office Building, 502 E. 9th Street
  Des Moines, IA 50319-0034

  Must be postmarked by September 4, 2018

- Scan and submit the entire application, with attachments, in PDF form to lee.wagner@dnr.iowa.gov. OR, if attachments are too large to transmit, e-mail the application only and include the attachments on a CD with the hard copy.

  Application must be e-mailed by 4:00 p.m. on September 4, 2018

Section 1: Applicant Information

(This information relates to the wastewater utility that will be the Clean Water SRF borrower.)

Applicant Name:	City of Davenport
Mailing Address:	1200 East 46th Street
City, State, Zip + 4	Davenport, IA 52807
Authorized Representative:	Amy Kay
Signature:	
Title:	Clean Water Manager
Telephone Number:	563-326-7923
E-mail:	akay@ci.davenport.ia.us

Section 2: SRF Project Status

Choose One	☒ The project is on the CWSRF Intended Use Plan and is in the "Planning" phase, SRF Number CS1920 88801
	☐ We are submitting this sponsored project application in conjunction with our CWSRF Intended Use Plan application for DNR Project Number S

Section 3: Information on the Identified Watershed and Water Quality Issues
(Summarize the information here and expand or add documentation, maps, monitoring data, and other data in the project conceptual plan attached to this application as shown in Section 7.)

Name of Waterbody:	Duck Creek
HUC Number and Name (where both wastewater utility and waterbody are located):	0708010103 Duck Creek
Uses for the Waterbody (e.g. recreation, drinking water, other):	Primary contact (recreation), children's contact (recreation), secondary contact (recreation), aquatic life.
Water Quality Concerns (e.g. sediment, bacteria, nutrients):	Urban runoff, bacteria, nutrients
Sources of Water Quality Data (e.g. DNR water monitoring, IOWATER, US Geological Survey, utilities, other):	DNR Duck Creek Watershed Management Plan, DNR Water Quality Assessment Database, Iowa Nutrient Reduction Strategy.
Nonpoint Source Contributions to Water Quality Concerns (e.g. urban stormwater, soil erosion, livestock operations, other):	Urban runoff, agricultural runoff
Primary Water Quality Goal of the Sponsored Project:	Reduce urban runoff and bacteria loads

Section 4: Brief Summary of Proposed Water Resource Restoration Sponsored Project

Describe the scope of the proposed project (i.e., specific solution to the water quality problem). Summarize the process of analyzing and selecting the most appropriate nonpoint source practices relating to the unique issues and characteristics of the identified waterbody and planning area. Provide additional detail in the attachments to this application.
The City has determined several priority Duck Creek sub-watersheds where sponsored project money could be spent. The following projects were recommended for one or more of the sub-watersheds: 1) wetlands where drainage, topography and soils allow, 2) prairie reconstruction where soils and willing landowners allow, 3) partnering with institutions to install bioretention cells to collect urban runoff from parking lots (i.e. mall, school district, etc.), 4) residential BMP cost-share program (SQR, raingardens, etc.), 5) commercial BMP cost-share program targeting impervious surface runoff, 6) BMPs in City owned parks targeting impervious surface runoff, 7) septic system repair cost-share program. These projects will help reduce bacteria, nitrogen, phosphorus, sediment and hydrocarbons from urban and agricultural sources. Specific project selection will depend on available funding.

Section 5: Water Quality Organization(s) Involved in Project Planning

Organization	Contact Person	Email Address
NRCS	Amy Bouska and Justin Bisinger	Amy.Bouska@ia.nacdnet.net
IDALS	James Martin	James.Martin@iowaagriculture.gov
Soil & Water Conservation District	Scott Boose	Scott.Boose@ia.nacdnet.net

Section 6: Qualified Entity Information

Is the applicant proposing to enter into an agreement with a qualified third party entity to implement the sponsored project?

☐ No		
☒ Yes	Organization:	Potential – School District, John Deere

Section 7: Sponsored Project Cost

Cost Category	Total Estimated Project Costs	Costs to be Covered from Other Funds	Costs to be Allocated from Up to 1% of SRF Loan Interest
Land and Easements			
Relocation Expenses			
Professional Planning Fees			
Professional Design Fees	$126,000		$126,000
Professional Construction Fees	$42,000		$42,000
Construction	$725,000		$725,000
Equipment			
Miscellaneous			
Bond Counsel Fees			
Contingencies	$109,000		$109,000
		TOTAL	**$1,002,000**

Section 8: Attachments
Attachments must be submitted with the application. Applications will not be considered complete unless all required attachments are submitted.

- Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application;
- Letters of support from project partners;
- Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept;
- Project conceptual plans, including:
    - Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
    - Discussion of project goals and objectives
    - Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
    - Description of practices to be implemented with the expected water quality outcomes
    - Discussion of project locations, land ownership, and any plans for acquiring properties or easements
    - Identification of any other organizations or resources to be involved in the project and their expected contributions
    - Proposed project schedule with major milestones, along with a discussion of how the sponsored project construction schedule coordinates with the infrastructure project schedule
    - Proposed evaluation procedures and measures
- Explanation of the proposed budget, including other planned funding sources and flexibility to adjust budget according to final amount available through sponsored project mechanism
- Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

Section 9: Acquisition of Property – Required Form

U.S. ENVIRONMENTAL PROTECTION AGENCY
ASSURANCE WITH RESPECT TO REAL PROPERTY ACQUISITION
OF TITLE III OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 AS AMENDED

The City of Davenport (Applicant) hereby assures that it has authority under applicable State and local law to comply with Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note) and 49 CFR 1.48(cc); and certifies, assures and agrees that, notwithstanding any other provision set forth in the application.

1. For projects resulting in the displacement of any person:

a. It will adequately inform the public of the relocation payments and services which will be available as set forth in Subparts A, C, D and E of 49 CFR 24.
b. It will provide fair and reasonable relocation payments to displaced persons as required by Subparts D and E of 49 CFR 24.
c. It will provide a relocation assistance program for displaced persons offering services described in Subpart C of 49 CFR 24.
d. Comparable replacement dwellings will be available pursuant to Subpart F of 49 CFR 24, or provided if necessary, a reasonable period in advance of the time any person is displaced.
e. In acquiring real property, it will provide at least 90 days written notice to each lawful occupant of real property acquired, stating the date such occupant is required to move from a dwelling or to move his business or farm operation.

2. For projects resulting in the acquisition of real property:
a. It will fully comply with the requirements of Subpart B of 49 CFR 24.
b. It will adequately inform the public of the acquisition policies, requirements and payments which apply to the project.
c. It will make every effort to acquire real property expeditiously through negotiation.
d. Before the initiation of negotiations it will have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property, except as provided in 49 CFR 24.102(c)(2).
e. Before the initiation of negotiations it will establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount; and at the same time it will provide the owner a written statement of the basis for such amount in accordance with 49 CFR 24.102.
f. Before requiring any owner to surrender possession of real property it will pay the agreed purchase price; or deposit with the court, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property; or pay the amount of the award of compensation in a condemnation proceeding for the property.
g. If interest in real property is to be acquired by exercise of the power of eminent domain, it will institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of this real property; and
h. It will offer to acquire the entire property, if acquisition of only part of a property would leave its owner with an uneconomic remnant.

References to 49 CFR are citations to Title 49, Code of Federal Regulations, Part 24, published in the Federal Register Vol. 54, No. 40, March 2, 1989.

This document is hereby made part of and incorporated in any contract or agreement, or any supplements and amendments thereto, relating to the above-identified application and shall be deemed to supersede any provision therein to the extent that such provisions conflict with the assurances or agreements provided therein.

Brian Schadt
(Legal Name of Applicant)

By _____ 8/31/18
(Signature of Authorized Representative) (Date)

UV DNR # W2018-C145A

Clean Water SRF
WATER RESOURCE RESTORATION
Sponsored Projects

APPLICATION COMPLETENESS CHECKLIST

- ☑ Pre-application consultation held 11/29/2017 (date – must be prior to June 30, 2018)
- ☐ Hard copy and CD containing electronic files postmarked by September 4, 2018
- ☐ Application signed by authorized official
- ☐ If electronic files submitted via e-mail, sent by 4:00 p.m. on September 4, 2018
- ☑ CWSRF wastewater project is eligible
- ☐ Acquisition of Property Form signed by authorized official
- ☑ Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application
- ☑ Identification of any third-party entity involved and the potential need for a 28E agreement between the utility and the qualified entity
- ☑ Identification of water quality organization or organizations involved in the project, with a discussion of the organization's participation in project design, selection, and implementation
- ☑ Letters of support from project partners
- ☑ Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept
- ☑ Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
- ☑ Discussion of project goals and objectives
- ☑ Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
- ☑ Description of potential practices to be implemented with the expected water quality outcomes
- ☑ Discussion of project locations, land ownership, and any plans for acquiring properties or easements
- ☑ Identification of any other organizations or resources to be involved in the project and their expected contributions
- ☑ Proposed project schedule with major milestones, along with a discussion of how the sponsored project construction schedule coordinates with the infrastructure project schedule
- ☑ Proposed evaluation procedures and measures
- ☑ Explanation of the proposed budget, including other planned funding sources and flexibility to adjust budget according to final amount available through sponsored project mechanism
- ☑ Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

Clean Water SRF

WATER RESOURCE RESTORATION

Sponsored Project Application

Application Instructions:

- Please print or type the information on the form.
- Sign the application.
- Attach supporting documentation.
- Submit ONE original hard copy, with original signatures, to the following address:

  State Revolving Fund
  Iowa Department of Natural Resources
  Wallace State Office Building, 502 E. 9th Street
  Des Moines, IA 50319-0034

  Must be postmarked by September 4, 2018

- Scan and submit the entire application, with attachments, in PDF form to lee.wagner@dnr.iowa.gov. OR, if attachments are too large to transmit, e-mail the application only and include the attachments on a CD with the hard copy.

  Application must be e-mailed by 4:00 p.m. on September 4, 2018

Section 1: Applicant Information

(This information relates to the wastewater utility that will be the Clean Water SRF borrower.)

Applicant Name:	City of Davenport
Mailing Address:	1200 East 46th Street
City, State, Zip + 4	Davenport, IA 52807
Authorized Representative:	Amy Kay
Signature:	
Title:	Clean Water Manager
Telephone Number:	563-326-7923
E-mail:	akay@ci.davenport.ia.us

Section 2: SRF Project Status

Choose One	☐ The project is on the CWSRF Intended Use Plan and is in the "Planning" phase, SRF Number CS1920
	☒ We are submitting this sponsored project application in conjunction with our CWSRF Intended Use Plan application for DNR Project Number SW2018-0145A

Section 3: Information on the Identified Watershed and Water Quality Issues
(Summarize the information here and expand or add documentation, maps, monitoring data, and other data in the project conceptual plan attached to this application as shown in Section 7.)

Name of Waterbody:	Duck Creek
HUC Number and Name (where both wastewater utility and waterbody are located):	0708010103 Duck Creek
Uses for the Waterbody (e.g. recreation, drinking water, other):	Primary contact (recreation), children's contact (recreation), secondary contact (recreation), aquatic life.
Water Quality Concerns (e.g. sediment, bacteria, nutrients):	Urban runoff, bacteria, nutrients
Sources of Water Quality Data (e.g. DNR water monitoring, IOWATER, US Geological Survey, utilities, other):	DNR Duck Creek Watershed Management Plan, DNR Water Quality Assessment Database, Iowa Nutrient Reduction Strategy.
Nonpoint Source Contributions to Water Quality Concerns (e.g. urban stormwater, soil erosion, livestock operations, other):	Urban runoff, agricultural runoff
Primary Water Quality Goal of the Sponsored Project:	Reduce urban runoff and bacteria loads

Section 4: Brief Summary of Proposed Water Resource Restoration Sponsored Project

Describe the scope of the proposed project (i.e., specific solution to the water quality problem). Summarize the process of analyzing and selecting the most appropriate nonpoint source practices relating to the unique issues and characteristics of the identified waterbody and planning area. Provide additional detail in the attachments to this application.
The City has determined several priority Duck Creek sub-watersheds where sponsored project money could be spent. The following projects were recommended for one or more of the sub-watersheds: 1) wetlands where drainage, topography and soils allow, 2) prairie reconstruction where soils and willing landowners allow, 3) partnering with institutions to install bioretention cells to collect urban runoff from parking lots (i.e. mall, school district, etc.), 4) residential BMP cost-share program (SQR, raingardens, etc.), 5) commercial BMP cost-share program targeting impervious surface runoff, 6) BMPs in City owned parks targeting impervious surface runoff, 7) septic system repair cost-share program. These projects will help reduce bacteria, nitrogen, phosphorus, sediment and hydrocarbons from urban and agricultural sources. Specific project selection will depend on available funding.

Section 5: Water Quality Organization(s) Involved in Project Planning

Organization	Contact Person	Email Address
NRCS	Amy Bouska and Justin Bisinger	Amy.Bouska@ia.nacdnet.net
IDALS	James Martin	James.Martin@iowaagriculture.gov
Soil & Water Conservation District	Scott Boose	Scott.Boose@ia.nacdnet.net

Section 6: Qualified Entity Information

Is the applicant proposing to enter into an agreement with a qualified third party entity to implement the sponsored project?

☐ No		
☒ Yes	Organization:	Potential – School District, John Deere

Section 7: Sponsored Project Cost

Cost Category	Total Estimated Project Costs	Costs to be Covered from Other Funds	Costs to be Allocated from Up to 1% of SRF Loan Interest
Land and Easements			
Relocation Expenses			
Professional Planning Fees			
Professional Design Fees	$126,000		$126,000
Professional Construction Fees	$42,000		$42,000
Construction	$725,000		$725,000
Equipment			
Miscellaneous			
Bond Counsel Fees			
Contingencies	$109,000		$109,000
		TOTAL	**$1,002,000**

Section 8: Attachments
Attachments must be submitted with the application. Applications will not be considered complete unless all required attachments are submitted.

- Authorizing resolution passed by the wastewater utility's governing board for the sponsored project application;
- Letters of support from project partners;
- Letter from the wastewater utility's bond counsel indicating concurrence with the sponsored project concept;
- Project conceptual plans, including:
    - Assessment of the impacted waterbody and its watershed with data that supports the identification of the water quality problems to be addressed
    - Discussion of project goals and objectives
    - Evaluation of possible water quality practices that could be implemented, considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area
    - Description of practices to be implemented with the expected water quality outcomes
    - Discussion of project locations, land ownership, and any plans for acquiring properties or easements
    - Identification of any other organizations or resources to be involved in the project and their expected contributions
    - Proposed project schedule with major milestones, along with a discussion of how the sponsored project construction schedule coordinates with the infrastructure project schedule
    - Proposed evaluation procedures and measures
- Explanation of the proposed budget, including other planned funding sources and flexibility to adjust budget according to final amount available through sponsored project mechanism
- Preliminary communication plan indicating how information about the proposed project will be communicated to and from key audiences, such as community residents, neighbors, city council or other decision-makers, and other stakeholder groups

Section 9: Acquisition of Property – Required Form

U.S. ENVIRONMENTAL PROTECTION AGENCY
ASSURANCE WITH RESPECT TO REAL PROPERTY ACQUISITION
OF TITLE III OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 AS AMENDED

The City of Davenport (Applicant) hereby assures that it has authority under applicable State and local law to comply with Section 213 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Public Law 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note) and 49 CFR 1.48(cc); and certifies, assures and agrees that, notwithstanding any other provision set forth in the application.

1. For projects resulting in the displacement of any person:

a. It will adequately inform the public of the relocation payments and services which will be available as set forth in Subparts A, C, D and E of 49 CFR 24.
b. It will provide fair and reasonable relocation payments to displaced persons as required by Subparts D and E of 49 CFR 24.
c. It will provide a relocation assistance program for displaced persons offering services described in Subpart C of 49 CFR 24.
d. Comparable replacement dwellings will be available pursuant to Subpart F of 49 CFR 24, or provided if necessary, a reasonable period in advance of the time any person is displaced.
e. In acquiring real property, it will provide at least 90 days written notice to each lawful occupant of real property acquired, stating the date such occupant is required to move from a dwelling or to move his business or farm operation.

2. For projects resulting in the acquisition of real property:
a. It will fully comply with the requirements of Subpart B of 49 CFR 24.
b. It will adequately inform the public of the acquisition policies, requirements and payments which apply to the project.
c. It will make every effort to acquire real property expeditiously through negotiation.
d. Before the initiation of negotiations it will have the real property appraised and give the owner or his representative an opportunity to accompany the appraiser during inspection of the property, except as provided in 49 CFR 24.102(c)(2).
e. Before the initiation of negotiations it will establish an amount which it believes to be just compensation for the real property, and make a prompt offer to acquire the property for that amount; and at the same time it will provide the owner a written statement of the basis for such amount in accordance with 49 CFR 24.102.
f. Before requiring any owner to surrender possession of real property it will pay the agreed purchase price; or deposit with the court, for the benefit of the owner, an amount not less than the approved appraisal of the fair market value of the property; or pay the amount of the award of compensation in a condemnation proceeding for the property.
g. If interest in real property is to be acquired by exercise of the power of eminent domain, it will institute formal condemnation proceedings and not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of this real property; and
h. It will offer to acquire the entire property, if acquisition of only part of a property would leave its owner with an uneconomic remnant.

References to 49 CFR are citations to Title 49, Code of Federal Regulations, Part 24, published in the Federal Register Vol. 54, No. 40, March 2, 1989.

This document is hereby made part of and incorporated in any contract or agreement, or any supplements and amendments thereto, relating to the above-identified application and shall be deemed to supersede any provision therein to the extent that such provisions conflict with the assurances or agreements provided therein.

Brian Schadt
(Legal Name of Applicant)

By _____ 8/31/18
(Signature of Authorized Representative) (Date)

Davenport Sponsored Project Application Concept

DUCK CREEK WATERSHED ASSESSMENT SUMMARY

This sponsored project application focuses on the Duck Creek watershed and urban runoff and bacterial impairment issues being experienced therein. A watershed assessment, called the Duck Creek Watershed Management Plan (DCWMP), was completed for Duck Creek in 2011 (Appendix A). The DCWMP illustrates a correlation between impervious surface and bacterial loads. The sub-watersheds with the highest bacterial loads are the ones with the most impervious surface area. Therefore, addressing urban runoff from impervious surfaces is a key focus of this application.

Duck Creek Watershed – Bacterial Impairment

The Duck Creek Watershed is located entirely in Scott County, Iowa. The watershed encompasses the urban sectors of the city of Davenport, the city of Bettendorf and rural Scott County (see Figure 1). Duck Creek is not supporting two of the intended uses of the stream: primary contact recreation (Class A1 use) and children's recreation, (Class A3 use). Primary contact recreation includes activities that involve direct contact with the water such as swimming and wading. Children's recreation is similar, but specific to activities or locations where children contact the water. Neither designated use is currently supported in Duck Creek due to high levels of indicator bacteria called Escherichia coli (*E. coli)* measured in the stream. High *E. coli* levels in a waterbody can indicate the presence of potentially harmful bacteria and viruses (also called pathogens). Humans can become ill if they come into contact with and/or ingest water that contains pathogens. Sources of bacteria in the Duck Creek Watershed are as follows:

1. During high flows – pet waste
2. During medium flows – cattle
3. During low flows – cattle and septics
4. Spring "moist" conditions – manure application
5. Summer "dry" conditions – cattle and septics

Duck Creek Watershed – Urban Runoff

Although urban runoff is not listed on the 303d list of impairments, it and its associated pollutants are an area of concern for Duck Creek. Urban runoff is a key concern in the Duck Creek Watershed because urbanized areas accumulate pollutants on streets, rooftops and other surfaces. During rainfall or snowmelt, these pollutants are mobilized and transported to Duck Creek.

Key pollutants commonly found in urban runoff are bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons. Sub-watersheds with the largest percent impervious surface in Duck Creek experience the greatest bacterial loads. Therefore, addressing urban runoff from impervious surfaces is a key component of this sponsored

project application. Within Duck Creek urban areas, another pollutant of concern is high nitrate concentration from lawn runoff. The Iowa Nutrient Reduction Strategy (INRS) estimates that the Major Land Resource Area (MLRA) including the city of Davenport is the third largest contributor of nitrogen from lawn fertilization in the state.[1]

Collecting and treating runoff from urban areas using water filtration and infiltration practices will reduce pollutant loadings. By treating urban stormwater runoff, the city of Davenport will address a major source of Duck Creek's bacterial impairment. In addition, practices to reduce nutrient loads will also be helping the State of Iowa achieve its INRS goal of reducing the State's nutrient loads to the Mississippi River.

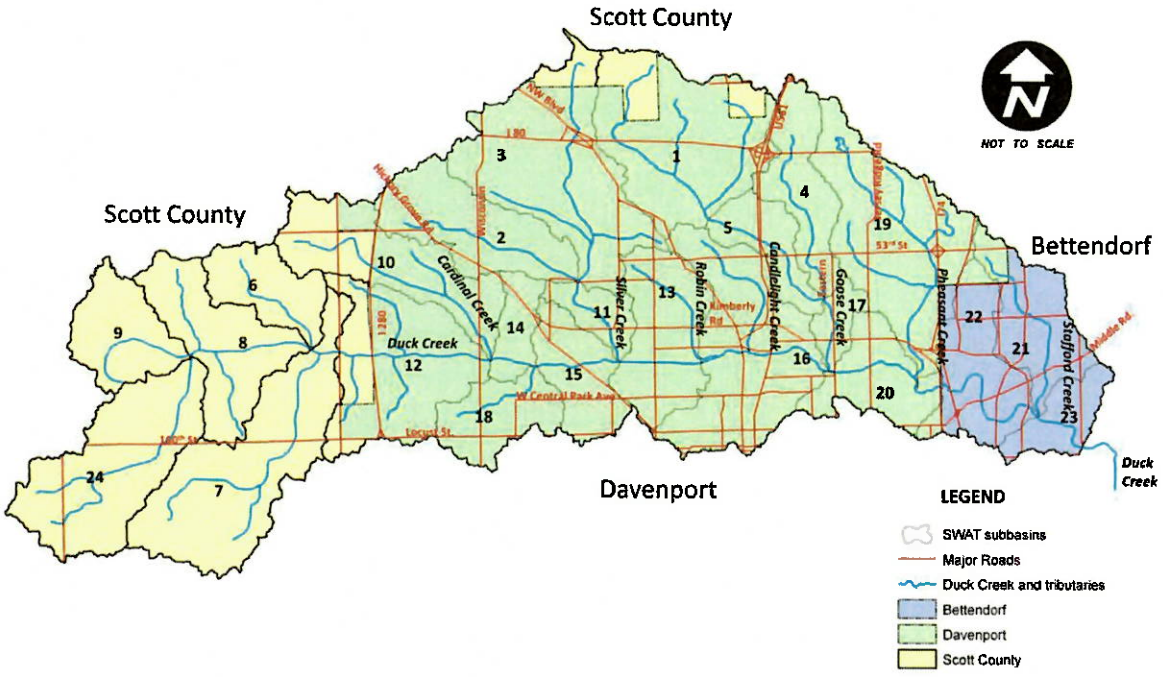


Figure 1: Duck Creek Watershed Jurisdictional Map

[1] Iowa Nutrient Reduction Strategy, Revised Version (October 1, 2014), section 2, p. 20.

PROJECT GOALS AND OBJECTIVES

Goals

The main goals of this sponsored project application are to reduce bacteria loads in Duck Creek, reduce urban runoff from the city of Davenport, and reduce nutrient loads to the Mississippi River.

Objectives

The main objective of this application is to implement large and small scale best management practices (BMPs) throughout the Duck Creek Watershed to help reduce bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons from urban and agricultural sources. Another objective of this application is to implement best management practice recommendations from the DCWMP in targeted areas of the watershed to help address the bacterial impairment in Duck Creek.

BEST MANAGEMENT PRACTICES

Per the Iowa Stormwater Management Manual (ISMM), BMPs that reduce urban runoff, bacteria, nitrogen, phosphorus, pesticides, sediment and hydrocarbons include: 1) Bioretention Cells, 2) SQR and 3) Wetlands. Prairie reconstruction can be utilized as an agricultural BMP to reduce runoff, bacteria, nutrient and sediment loads. Other projects recommended in the DCWMP to address Duck Creek's bacterial impairment are as follows: 1) Urban BMP Cost-Share Program, 2) Septic System Repairs and 3) a Pet Waste Campaign. Below are descriptions of each BMP.

Bioretention Cells

Bioretention systems incorporate shallow landscaped level depressions that temporarily store and readily infiltrate runoff. They include both rain gardens and bioretention cells. Bioretention cells typically include a rock chamber, subdrain, and modified soil mix. In bioretention cells, stormwater runoff collected in the upper layer of the system is filtered through the surface vegetation, mulch layer, pervious soil layer, and then stored temporarily in a stone aggregate base layer. Typically, bioretention cells are planted with native prairie species.

Soil Quality Restoration

Healthy soil is the key to preventing polluted runoff. As buildings and houses are built topsoil is removed and the remaining subsoil is compacted by the grading and construction activity. The owner is left with heavily compacted subsoil, usually with a high clay content and little organic matter after construction is complete. Yards with poor, compacted soil contribute to water quality problems due to their inability to absorb water or infiltrate it to the roots of turfgrass. Compacted soil also requires more fertilizers and pesticides, both of which could end up in runoff and contribute to pollution in our local creek and streams.

Soil quality restoration (SQR) is the process of improving soil health on new or existing lawns. SQR reduces compaction, increases pore space, improves organic matter content, and re-establishes populations of soil dwelling organisms (microbes, worms, insects, etc.) on soils disturbed during construction. On existing turf grass, SQR is accomplished using deep tine aeration and a blanket of compost to restore organic matter to the soil profile. Ultimately, SQR leads to healthier, more functional soils and to landscapes that can absorb more rainfall.

Wetlands

Wetlands are a management practice designed and constructed to address the quality and quantity of stormwater runoff. Stormwater rates and volumes are decreased by absorption, evapotranspiration and outlet restrictions. Pollutant removal is accomplished by settling, biochemical reactions and plant uptake. They are most appropriate in locations where a continuous base flow or high-water table can assist in sustaining a permanent pool of water to support aquatic vegetation to the soil profile.

Prairie Reconstruction

Converting land use from row crops to native prairie eliminates nutrient application to the converted area while increasing rainwater infiltration and soil water holding capacity resulting in less water runoff. With less runoff, sediment, nutrients, and bacteria from manure applications are less likely to be transported to associated water bodies. In addition, native prairies enhance habitat for wildlife and insects including pollinators.

Other BMPs Recommended in DCWMP

Urban BMP Cost-Share Program

The DCWMP identified a city-sponsored urban BMP cost-share program as a key component in addressing Duck Creek's bacterial impairment. A Stormwater BMP Cost-Share Program provides property owners financial and technical assistance in implementing stormwater BMPs for improving water quality and reducing the amount of stormwater runoff from their property. Financial assistance helps cover the cost of materials and/or contractor labor for completing the projects. Projects can range from rain gardens and bioretention cells to pervious pavement and soil quality restoration. The city of Davenport could provide cost-share for both residential and commercial property owners for as part of this application.

Septic System Repairs Cost-Share Program

The DCWMP identified septic system repairs as a key component in addressing Duck Creek's bacterial impairment. A potential opportunity to improve water quality in Duck Creek using sponsored Project funds would be for the City to cost-share septic system repairs with interested land owners whose septic systems are not functioning correctly.

Pet Waste Campaign

The DCWMP identified a Pet Waste Campaign as a key component in addressing Duck Creek's bacterial impairment. A Pet Waste Campaign is an outreach activity conducted to educate pet owners how their animal's waste contributes to water quality problems. Pet

Waste Campaign activities can include any or all of the following: passing out pet waste bags and dispensers, posters, magnets, press releases, bill stuffers, pet waste management survey cards, pet guide to neighborhood pollution prevention. **Although recommended in the DCWMP, a Pet Waste Campaign in not eligible for Sponsored Project dollars and therefore is not being considered as a potential project for this application.**

PRIORITY AREAS IN DUCK CREEK WATERSHED

Based on information shown in Figures 2 and 3, the following information was gathered for each of the priority sub-watersheds.

DCWMP Sub-Watershed 15
Sub-Watershed 15 is located in Davenport and drains to Duck Creek. The DCWMP estimates a total impervious surface area of approximately 27,500,000 square feet and an average bacterial load of 280-380 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 15, mostly along the Duck Creek stream corridor. Land use characteristics for Sub-Watershed 15 are as follows: 5% agriculture; 95% urban (50% residential, 20% commercial, 20% industrial and 5% parks and recreation).

DCWMP Sub-Watershed 17
Sub-Watershed 17 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 9,000,000 square feet and an average bacterial load of 280-380 $x10^9$ organisms/acre/day from this sub-watershed. The City does own property in Sub-Watershed 17, but it is minimal. Land use characteristics for Sub-Watershed 17 are as follows: 100% urban (60% Residential, 30% Commercial/Industrial and 10% Parks & Recreation).

DCWMP Sub-Watershed 16
Sub-Watershed 16 is located in Davenport and drains to Candlelight Creek. The DCWMP estimates a total impervious surface area of approximately 70,500,000 square feet and an average bacterial load of 63-120 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 16, mostly along the Duck Creek stream corridor. Land use characteristics for Sub-Watershed 16 are as follows: 100% urban (55% Residential, 40% Commercial/Industrial and 5% Parks & Recreation).

DCWMP Sub-Watershed 5
Sub-Watershed 5 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 21,000,000 square feet and an average bacterial load of 63-120 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 5 (Goose Creek Park). Land use characteristics for Sub-Watershed 5 are as follows: 100% urban (30% Residential, 50% Commercial/Industrial and 20% Parks & Recreation).

DCWMP Sub-Watershed 11
Sub-Watershed 11 is located in Davenport and drains to Silver Creek. The DCWMP estimates a total impervious surface area of approximately 11,500,000 square feet and an average bacterial load of 63-120 $x10^9$ organisms/acre/day from this sub-watershed. The City does not own any property in Sub-Watershed 11. Land use characteristics for Sub-Watershed 11 are as follows: 5% agriculture; 95% urban (90% Residential, 5% Commercial/Industrial and 0% Parks & Recreation).

DCWMP Sub-Watershed 20
Sub-Watershed 20 is located in Davenport and drains to Duck Creek. The DCWMP estimates a total impervious surface area of approximately 21,000,000 square feet and an average bacterial load of 280-380 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property in Sub-Watershed 20, mostly along Duck Creek stream corridor. Land use characteristics for Sub-Watershed 20 are as follows: 100% urban (70% Residential, 10% Commercial/Industrial and 20% Parks & Recreation).

DCWMP Sub-Watershed 19
Sub-Watershed 19 is located in Davenport and drains to Pheasant Creek. The DCWMP estimates a total impervious surface area of approximately 81,000,000 square feet and an average bacterial load of 280-380 $x10^9$ organisms/acre/day from this sub-watershed. The City does not own any property in this area. Land use characteristics for Sub-Watershed 19 are as follows: 100% urban (40% Residential, 60% Commercial/Industrial and 0% Parks & Recreation).

DCWMP Sub-Watershed 13
Sub-Watershed 13 is located in Davenport and drains to Robin Creek. The DCWMP estimates a total impervious surface area of approximately 40,500,000 square feet and an average bacterial load of 14-63 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property in this area (Marquette Park, Northwest Park and N. Marquette Dog Park). Land use characteristics for Sub-Watershed 13 are as follows: 100% urban (85% Residential, 10% Commercial/Industrial and 5% Parks & Recreation).

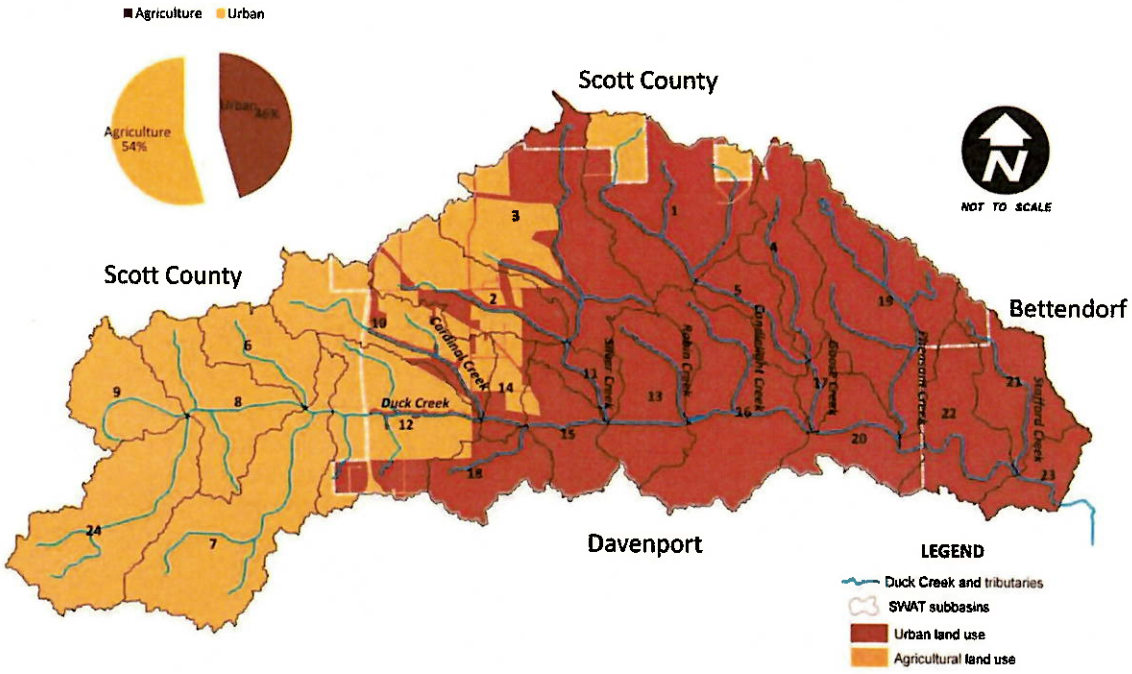


Figure 2: Duck Creek Watershed Urban and Agricultural Land Use Map

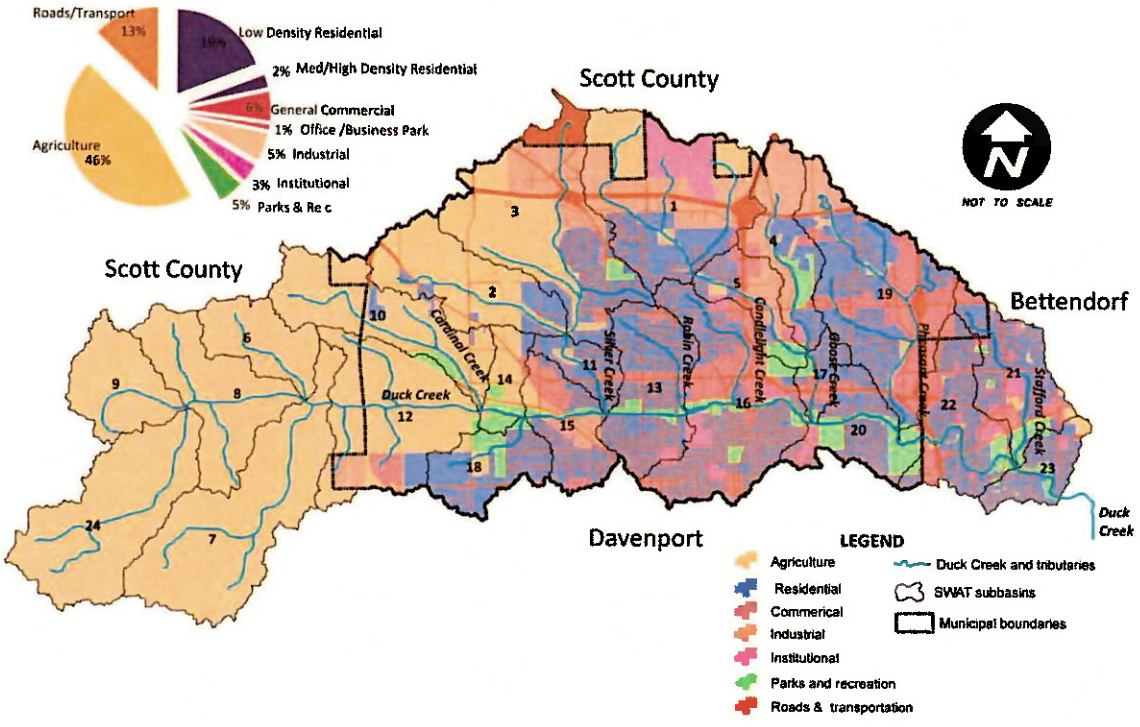


Figure 3: Duck Creek Watershed Detailed Land Use Map

DCWMP Sub-Watershed 18
Sub-Watershed 18 is located in Davenport and drains to Crystal Creek. The DCWMP estimates a total impervious surface area of approximately 19,000,000 square feet and an average bacterial load of 280-380 $x10^9$ organisms/acre/day from this sub-watershed. The City does not own property in this sub-watershed. Land use characteristics for Sub-Watershed 18 are as follows: 5% agriculture; 95% urban (80% Residential, 0% Commercial/Industrial and 15% Parks & Recreation).

DCWMP Sub-Watershed 4
Sub-Watershed 4 is located in Davenport and drains to Deere Creek. The DCWMP estimates a total impervious surface area of approximately 36,000,000 square feet and an average bacterial load of 14-63 $x10^9$ organisms/acre/day from this sub-watershed. The City does not own property in this Sub-Watershed 4. Land use characteristics for Sub-Watershed 4 are as follows: 100% urban (20% Residential, 60% Commercial/Industrial and 20% Parks & Recreation).

DCWMP Sub-Watershed 3
Sub-Watershed 3 is located in Davenport and drains to Silver Creek. The DCWMP estimates a total impervious surface area of approximately 48,400,000 square feet and an average bacterial load of 63-120 $x10^9$ organisms/acre/day from this sub-watershed. There is a large piece of City owned property near the confluence of "Middle Branch of Silver Creek" and "Silver Creek" in Sub-Watershed 3. Land use characteristics for Sub-Watershed 3 are as follows: 40% agriculture; 60% urban (20% Residential, 35% Commercial/Industrial and 5% Parks & Recreation).

DCWMP Sub-Watershed 1
Sub-Watershed 1 is located in Davenport and drains to Goose Creek. The DCWMP estimates a total impervious surface area of approximately 70,300,000 square feet and an average bacterial load of 14-63 $x10^9$ organisms/acre/day from this sub-watershed. The City owns property is this sub-watershed (Ridgeview Park). The Davenport Municipal Airport is also located in this sub-watershed. Land use characteristics for Sub-Watershed 1 are as follows: 25% agriculture; 75% urban (25% Residential, 25% Commercial/Industrial and 25% Institutional).

DCWMP Sub-Watershed 2
Sub-Watershed 2 is located in Davenport and drains to West Branch of Silver Creek. The DCWMP estimates a total impervious surface area of approximately 3,800,000 square feet and an average bacterial load of 0-14 $x10^9$ organisms/acre/day from this sub-watershed. The City does not own property in this sub-watershed. Land use characteristics for Sub-Watershed 2 are as follows: 85% agriculture; 15% urban (15% Residential, 0% Commercial/Industrial and 0% Parks & Recreation).

DCWMP Sub-Watersheds 21, 22 & 23
Sub-Watershed 21, 22 and 23 are located in Bettendorf. Because these sub-watersheds are

located downstream of Davenport, implementing a water quality practice in this location would not benefit upstream Davenport users who are funding the project. Therefore, these sub-watersheds are not considered for potential projects.

POTENTIAL WATER QUALITY PROJECTS IDENTIFIED

Based on their unique demographic, topographic, hydrologic and institutional characteristics, potential projects for all priority sub-watersheds were identified. The following general projects were recommended for one or more of the sub-watersheds. Table 1 shows which projects were identified in each sub-watersheds.

1. Wetlands where drainage, topography and soils allow.
2. Prairie reconstruction where soils and willing land owners allow.
3. Partnering with institutions to install bioretention cells on parking lots (e.g. Mall, school district, etc).
4. Residential BMP Cost-Share Program (SQR, raingardens, etc).
5. Commercial BMP Cost-Share Program targeting impervious surface runoff.
6. BMPs in city owned parks targeting impervious surface runoff.
7. Septic system repair cost-share program.

Table 1: Potential Projects in Each Priority Sub-Watershed

Sub-Watershed	Priority #	Wetlands	Prairie Restoration	Parking Lot Bioretention Cells	Residential BMP Cost-Share	Commercial BMP Cost-Share	BMPs in City Parks	Septic System Repair Cost-Share
15	1				X	X	Petersen Park	X
17	2				X	X	Eastern Ave Park	X
16	3			Mall, Brady Street Stadium	X	X	Vander Veer Park	X
5	4			North High School	X	X	Goose Creek Park	X
11	5				X	X		X
20	6				X	X		X
19	7				X	X		X
13	8				X	X	Marquette, Northwest	X
18	9				X	X		X
4	10	John Deere	John Deere		X	X		X
3	11	City Property			X	X	Whalen Park	X
1	12				X	X	Ridgeview Park	X
2	13	School District			X	X		X

Sub-watersheds where large scale BMPs could be implemented to capture and treat large volumes of water are highest priority for the city. Projects and programs that could implement smaller BMPs throughout all sub-watersheds are also a high priority for the city. With this in mind, the following projects were selected as the highest priority for this application.

Wetland on City Owned Property

Constructing a wetland on city owned property on Silver Creek near Hillandale Rd. & West 49th St is being considered (Figure 4). This project is located in sub-watershed 3. Initial analysis showed the site to be a good candidate for wetlands with soils in the area being Hydrologic Soil Group (HSG) C and a search on the National Wetlands Inventory (NWI) showing the current site as a non-wetland area. Further analysis showed the tributary basin for this proposed wetland to be roughly 5 square miles. Using the ISMM 3% rule of thumb, a wetland in this area would need to be 90+ acres to treat the water quality volume of the drainage basin. The City only owns 54 acres.

Although the City's current land area does not meet the general 3% rule-of-thumb, V&K believes that upon a more detailed look at design calculations, an appropriately sized wetland in this location may still be possible due to the fact that approximately 40% of the tributary area is agricultural land that will generate significantly less runoff than an urban setting. It is estimated this wetland would treat nearly 120,000,000 gallons of stormwater per year and remove 9.1×10^{16} organisms from the watershed per year. Land use for this drainage basin is as follows: 40% row crop; 20% Residential, 35% Commercial/Industrial and 5% Parks & Recreation. Based on information provided in the INRS, this wetland could potentially remove up to 118,000 pounds of nitrogen from Silver Creek, Duck Creek and the Mississippi River.

Wetland on School District Property

The city has briefed the school district on this potential project and the school district has shown interest in partnering on the wetland to improve water quality in the area and as an educational opportunity for their students. The wetland would be located near Wisconsin Ave & Kimberly Rd on school district property in sub-watershed 2 (Figure 5). Initial analysis showed the site to be a good candidate for wetlands with soils in the area being HSG C/D and a search on the NWI showing the current site as a non-wetland area. The drainage area for this wetland is estimated to be approximately 600 acres. Using the ISMM 3% rule of thumb, the wetland would need to be approximately 18 acres to treat the water quality volume of the drainage basin. It is estimated the wetland would treat nearly 14,000,000 gallons of stormwater per year and remove 2.0×10^{15} organisms from the watershed per year. Land use for this drainage basin is as follows: 85% row crop; 15% residential. Based on information provided in the INRS, this wetland could potentially remove up to 47,000 pounds of nitrogen from Silver Creek, Duck Creek and the Mississippi River.

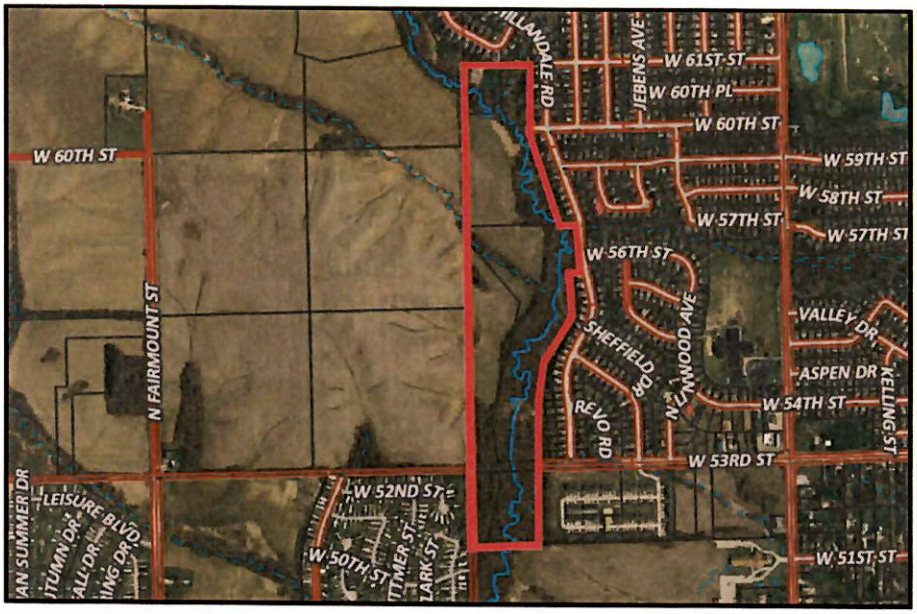


Figure 4: Proposed wetland on City owner property near Hillandale Road and West 53rd Street



Figure 5: Proposed wetland on school district property near Wisconsin Ave. and Kimberly Rd.

Wetland on John Deere Property

There is potential for the city to partner with John Deere to install a wetland on John Deere property near I-80 & Hwy 61 (Figure 7). The city has reached out and continues to reach out to John Deere in an attempt to gauge their interest in collaborating on this potential

project. John Deere has shown willingness in the past to partner with the city and the city believes there is potential for collaboration between the two entities. Initial analysis showed the site to be a good candidate for wetlands with soils in the area being HSG C/D and a search on the NWI showing the current site as a non-wetland area. The drainage area for this wetland is estimated to be approximately 600 acres. Using the ISMM 3% rule of thumb, the wetland would need to be approximately 18 acres to treat the water quality volume of the drainage basin. It is estimated the wetland would treat nearly 16,000,000 gallons of stormwater per year and remove $9.0x10^{15}$ organisms from the watershed per year. Land use for this drainage basin is as follows: 90% row crop, 10% industrial. Based on information provided in the INRS, this wetland could potentially remove up to 50,000 pounds of nitrogen from Deere Creek, Duck Creek and the Mississippi River.

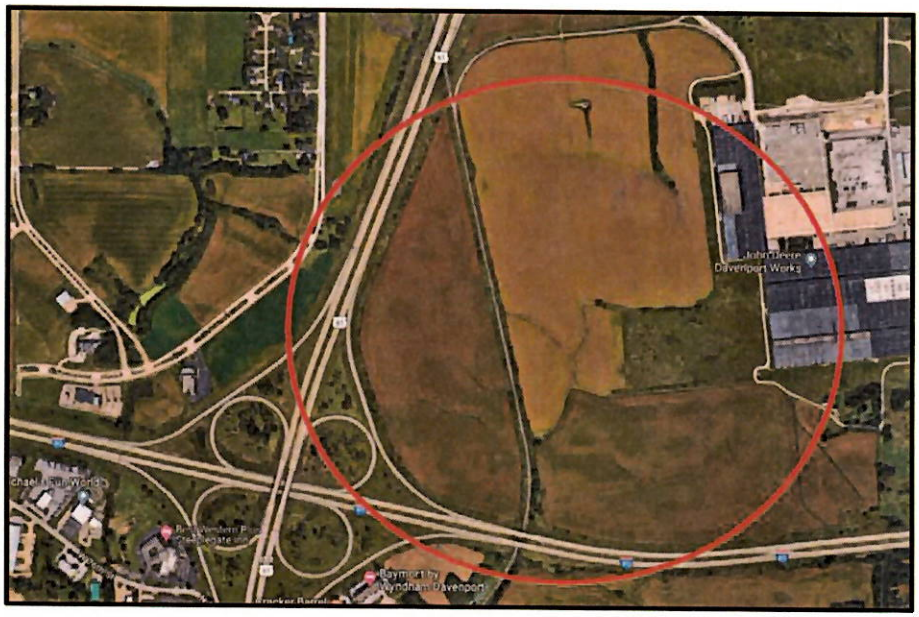


Figure 6: Area map showing location of potential wetland and prairie projects in collaboration with John Deere Corporation.

Prairie Restoration of John Deere Property

There is potential for the city to partner with John Deere to restore native prairie on John Deere property near I-80 & Hwy 61 (Figure 7). The city has reached out and continues to reach out to John Deere in an attempt to gauge their interest in collaborating on this potential project. John Deere has shown willingness in the past to partner with the city and the city believes there is potential for collaboration between the two entities. The prairie restoration project could be as big or small as the city and John Deere would like. However, in this application, it was assumed that 66 acres of crop land could potentially be restored to native prairie. This change in land use would decrease the curve number (CN) of the tributary drainage area from 82.9 to 81.2 and would allow the soils to absorb and retain an additional 3,000,000 gallons of stormwater that otherwise would be shed to

Deere Creek carrying with it nutrients, pesticides and potentially bacteria from manure fertilizer. Based on information provided in the INRS, converting 66 acres of row crop to prairie would keep up to 11,750 pounds (or 5.9 tons) of nitrogen out of Deere Creek, Duck Creek and the Mississippi River.

Bioretention Cell at Brady Street Stadium

The city briefed the school district on this potential project and the school district has shown interest in partnering on a bioretention cell to collect runoff from their new Brady Street Stadium parking lot (Figure 6). There is potential for this bioretention cell to be an educational piece for the school district as well. The parking lot is approximately 17,400 square feet. A bioretention cell, or series of bioretention cells, would need to total 800 square feet in order to treat the water quality volume generated by the new parking lot. It is estimated this BMP, or series of BMPs, would treat 320,000 gallons of stormwater per year and keep 250 pounds of sediment out of nearby Duck Creek.



Figure 7: Potential Brady Street Stadium bioretention cell

BMP Cost-Share Program

A BMP cost-share program for residential and commercial property owners is recommended for the city of Davenport. With this cost-share program, the city could promote SQR, raingardens and bioretention cells for homeowners and homeowner's associations and cost-share a full 100% up to $1,500 dollars. For commercial property owners, the city could promote cost-share for bioretention cells, SQR, raingardens and other applicable urban BMPs to collect runoff from large and small commercial impervious surfaces.

If the city set aside $100,000 for residential raingardens (as an example BMP) and $300,000 for commercial bioretention cells (as an example BMP), they could construct approximately 3,333 square feet of raingardens and 10,000 square feet of bioretention cells. The raingardens would treat runoff from roughly 33,333 square feet of impervious roofs, and the bioretention cells would treat runoff from roughly 220,000 square feet of impervious parking lots. In total, these practices would capture and treat approximately 4,700,000 gallons of runoff per year.

BMPs in City Parks

The city could implement BMPs (i.e. raingardens, bioretention cells, SQR, etc.) in the following parks to address impervious surface runoff: Petersen, Eastern Ave., Vander Veer, Goose Creek, Marquette, Northwestern, Whalen and Ridgeview Park. The impervious surface in these parks amounts to approximately 140,000 square feet. Implementing BMPs in these areas would capture and treat 2,600,000 gallons of stormwater per year. It is the City's intent to manage the WQv from these impervious surfaces with a combination of rain gardens, bioretention cells and SQR (SQR in strategic locations) pending further design analysis.

Septic System Repair Cost-Share Program

The DCWMP states that "262 [septic] systems in the watershed are not designed to discharge to a surface water, are not inspected annually and are not permitted under General Permit No. 4. Out of the 262 systems, a 10% failure rate is assumed (26 systems) (Larry Linnenbrink and Jack Hoskins, Scott County Health Department, 2010, personal communication)." Between 2011 and 2014, as part of the 319 Program, Scott County Soil & Water Conservation District (SWCD) planned to investigate septic systems in sub-watersheds 6,10 and 18 to locate failures, figuring these sub-watersheds had the greatest likelihood of failed septic systems based on the high number of bacteria in receiving streams. Unfortunately, the 319-project ended before the SWCD could investigate. The City could pick-up where the SWCD left off and set aside sponsored project money to investigate and repair failed septic systems. Based on conversations with project partners, only 2-3 septic systems were repaired per year during the 319 watershed project. Considering the Sponsored Project timeframe will last at most 2 years, the city thinks it could realistically fund 4-6 septic system repairs for a total of $40,000 to $60,000 dollars. The City has been in contact with the State Health Department in Scott County and the Department has provided the City with a map of all known septic systems and a spreadsheet listing each septic system by age. The spreadsheet lists over one hundred septic systems that are over 50 years old. The City can use this information to identify the oldest septic systems in key watersheds and target those for investigation and repair.

Cost Estimate for Each Project

Proposed budgets for several potential projects are shown below. The city anticipates most funding to come from sponsored project dollars. The city has flexibility to adjust

which projects they choose, the scope of said projects and the associated budget of said projects according to the final amount available through the sponsored project funding mechanism. In total, the city has identified $3,279,500 worth of water quality projects to choose from depending on funding availability.

Table 2: City Wetland Cost Estimate

Wetland on City Property	$750,000
Sub-Total	*$750,000*
Contingency (15%)	$112,500
Estimated Construction Cost	**$862,500**
Design (15%)	$130,000
Contract Admin (2.5%)	$22,000
Construction Review (2.5%)	$22,000
Estimated Project Cost	**$1,036,500**

Table 3: School District Wetland Cost Estimate

Wetland with School District	$475,000
Sub-Total	*$475,000*
Contingency (15%)	$72,000
Estimated Construction Cost	**$547,000**
Design (15%)	$69,000
Contract Admin (2.5%)	$11,500
Construction Review (2.5%)	$11,500
Estimated Project Cost	**$552,000**

Table 4: John Deere Wetland Cost Estimate

Wetland with John Deere	$600,000
Sub-Total	*$600,000*
Contingency (15%)	$90,000
Estimated Construction Cost	**$690,000**
Design (15%)	$103,500
Contract Admin (2.5%)	$17,300
Construction Review (2.5%)	$17,300
Estimated Project Cost	**$828,100**

Table 5: John Deere Prairie Restoration Cost Estimate

Prairie Restoration with John Deere (66 acres, 4-7 grass species, 8-15 wildflower species)	$115,500
Sub-Total	*$115,500*
Contingency (15%)	$17,400
Estimated Construction Cost	**$132,900**
Design (15%)	$20,000
Contract Admin (2.5%)	$3,400
Construction Review (2.5%)	$3,400
Estimated Project Cost	**$159,700**

Table 6: Brady Street Stadium Bioretention Cell Cost Estimate

Bioretention Cell at Brady Street Stadium (800 sf)	$24,000
Sub-Total	*$24,000*
Contingency (15%)	$3,600
Estimated Construction Cost	**$27,600**
Design (15%)	$4,200
Contract Admin (2.5%)	$700
Construction Review (2.5%)	$700
Estimated Project Cost	**$33,200**

Table 7: City-Wide BMP Cost-Share Estimates & Septic System Cost-Share Estimate

Residential BMPs	$100,000
Commercial BMPs	$300,000
City Park BMPs	$200,000
Septic System Repair Cost-Share (6 septic systems)	$60,000
Total	**$660,000**

Partner Organizations & Expected Contributions

The following organizations have been involved with the project application process thus far:

1) National Resource Conservation Service (NRCS) – technical assistance
2) Iowa Department of Natural Resources (IDNR) – loan program assistance
3) Scott County Soil & Water Conservation District – assistance identifying watershed and agricultural runoff issues
4) Iowa Department of Agriculture & Land Stewardship (IDALS) – watershed technical assistance
5) Scott County Health Department – septic system information
6) Davenport Community School District – Potentially providing land for wetland and allowing city to construct bioretention cells to collect runoff from school district parking lots.

Other potential partners include: John Deere Corporation

Project Schedules

1930's Interceptor Flow Diversion Project
Bid – Fall 2018
Construction Begin – Spring 2019
Construction End – Winter 2021

UV Disinfection Project
Bid – Spring 2018
Construction Begin – Spring 2018
Construction End – Spring 2020

Sponsored Project(s)
Design – Spring 2019
Bid – Summer 2019
Construction Begin – Summer 2019
Construction End – December 2020

Evaluation Procedures & Measurements

A new Scott County Snapshot group will be monitoring Duck Creek water quality by performing snap-shot sampling three times per year. The group will house all data they collect. The data collected by this group will be used to determine water quality impacts of implemented projects. There are local volunteer groups and municipal staff that would be willing to participate in long-term monitoring of the local watersheds to track water quality improvements associated with specific projects. PVC monitoring wells will be installed on applicable practices to allow for additional monitoring. The Scott County SWCD has also shown interest and a willingness to help with monitoring efforts.

Environmental benefits from the installed practices will be calculated using the IDALS/DNR Pollutant Reduction Calculator and the Iowa State University Nitrate Load Calculator.

With regard to maintenance, the city plans to inspect practices after major rainfall events. Residential and commercial cost-share projects will have a maintenance/repair agreement so installed practices will continue to function as designed.

PRELIMINARY COMMUNICATION PLAN

The city of Davenport's Public Works Department uses a variety of means to inform the media and the community about public works programs and services; phone, website, social media, government access tv, door hanger/leaflets, e-mail, signage, city newsletter, public participation events, media releases, press conferences and council meetings are all forms of communication that might be used to share information with the community and its stakeholders. Communication plans may include developing targeted campaigns involving school collaboration, community fairs, neighborhood meetings, special events, volunteer opportunities, surveys, and hosting workshops. Communication plans will vary depending on the topic, goal, affected individuals and properties, and other conditions.

As an agency accredited by the American Public Works Association, policies and procedures for deploying communication tools and strategies exist. From the initial announcement of an SRF grant award, to implementing education campaigns, specific communication strategies that promote an informed citizenry and foster stewardship will be developed for the various components of an SRF grant award as projects become more formalized and implemented.

Attachment V

DAVENPORT, IOWA
SPONSORED PROJECT WATER QUALITY IMPROVEMENTS ASSOCIATED WITH THE WWTP ULTRAVIOLET DISINFECTION PROJECT
ENGINEERING FEE ESTIMATE (REVISION 1)

	DESCRIPTION		ESTIMATED COST
1	Topographic Survey including NW Park, Marquette Park, Prairie Heights Park, Red Hawk Golf Course, and Eastern Ave Park project area		$ 13,500.00
2	Duck Creek Golf Course Wetland and Prairie Seeding Final Construction Plans		$ 6,000.00
3	Myrtle Ave Alley Plans Modifications		$ 3,780.00
4	Planning and Construction Plans for Park Projects - Bioswales, Rain Gardens, and Native Seeding		$ 7,700.00
5	Special Provisions For Construction Bidders		$ 8,000.00
6	Environmental Coordination		$ 2,100.00
7	Permit and IDNR Coordination		$ 4,000.00
8	Bid Letting and Coordination		$ 1,250.00
10	**Subtotal Design & Investigations**		**$ 46,330.00**
11	Contract Administration (Assume 3 Contracts)		$ 20,000.00
12	Construction Review On All Sites (320 hours)		$ 28,040.00
14	**Subtotal Construction Services**		**$ 48,040.00**
	PROJECT TOTAL		**$ 94,370.00**

SCHEDULE FOR

SPONSORED PROJECT WRR-19-022 SCHOOL PROPERTY STREAM RESTORATION/MYRTLE ST. PERMEABLE ALLEY/PARK WETLANDS (SPONSORING PROJECT UV DISINFECTION)

DAVENPORT, IOWA

Design Concepts	
School Stream Restoration	Complete
Myrtle St. Permeable Alley	March 30, 2021
Parks (Bioswales/Rain Gardens/ Native Seeding)	April 30, 2021
Preliminary Plans	
School Stream Restoration	Complete
Myrtle St. Permeable Alley	May 30, 2021
Parks (Bioswales/Rain Gardens/ Native Seeding)	May 30, 2021
60% & Maintenance Plans	
School Stream Restoration	Complete
Myrtle St. Permeable Alley	July 30, 2021
Parks (Bioswales/Rain Gardens/ Native Seeding)	July 30, 2021
100% Plans	
School Stream Restoration	10/30/2021
Myrtle St. Permeable Alley	10/30/2021
Parks (Bioswales/Rain Gardens/ Native Seeding)	10/30/2021
Bid Openings	March 2022
Start Construction	May 2022
Construction Complete	October 2022

City of Davenport

Department: Finance
Contact Info: Kelley Shook | 563-888-3379

Action / Date
3/24/2021

Subject:
Motion approving the renewal of an excess flood insurance premium for policy period February 12, 2021 to February 12, 2022 with Trisura Specialty Insurance Company in the amount of $63,986.53. [All Wards]

Recommendation:
Pass the Motion.

Background:
The City has established a Risk Management Fund to account for various insurance premiums, claims, and administrative costs for the Risk Management program. One type of insurance included in this fund is for excess flood protection (on top of the regular flood protection we carry) at three specific locations.

These locations are Union Station, 102 South Harrison Street, Davenport, IA 52801; Modern Woodmen Park, 209 South Gaines Street, Davenport, IA 52802; and Freight House, 401-421 West River Drive, Davenport, IA 52801.

It has been the practice of the City to contract with Arthur J. Gallagher & Company to serve as the agent/broker for this insurance policy. The agent/broker is paid by a combination of policy commissions. The role of the agent/broker is to make recommendations for policy enhancements and to negotiate with the various insurance markets on the City's behalf. The goal is to find most cost-effective coverages to minimize the overall risk exposure with stable insurance firms capable of handling the specialized needs for a municipal government. The overall premium increase for our excess flood insurance this year increased from $60,721.20 to $63,986.53. or 5.38% compared to last year. The modest increase is favorable for the City compared to similar municipalities.

Attached are documents labeled "Excess Flood Invoice" which shows the breakdown of the invoiced amount and the "Binder of Coverage" which shows the coverage schedule and conditions for the policy.

ATTACHMENTS:

	Type	Description
🗋	Cover Memo	Excess Flood Invoice
🗋	Cover Memo	Binder of Coverage

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	3/10/2021 - 4:24 PM
Finance Committee	Admin, Default	Approved	3/12/2021 - 12:13 PM
City Clerk	Admin, Default	Approved	3/12/2021 - 12:14 PM

Arthur J. Gallagher Risk Management Services, Inc.
220 Emerson Place, Suite 200
Davenport, IA 52801

Phone: (563)322-3521 Fax: (563)322-1046

VANCA1

Invoice # 3747256	1 of 1
ACCOUNT NUMBER	DATE
DAVENPO-01	2/12/2021
BALANCE DUE ON	AMOUNT DUE
2/12/2021	$63,986.53

City of Davenport
226 West Fourth Street
Davenport, IA 52801

Gallagher
Insurance | Risk Management | Consulting

Interested in convenient installment payments for your premium?
Contact your client service manager today for premium financing options.

Excess Earthquake /Flood PolicyNumber: RST-0000020-01 Company: Trisura Specialty Insurance Company Effective: 2/12/2021 to 2/12/2022

Item #	Trans Eff Date	Due Date	Trans	Description	Amount
22937193	2/12/2021	2/12/2021	RENB	21-22 Excess Flood Premium	$63,233.00
22937198	2/12/2021	2/12/2021	CFEE	Policy Fee	$120.00
22937202	2/12/2021	2/12/2021	SLTX	Surplus Lines Taxes	$633.53
				Total Invoice Balance:	$63,986.53

RECEIVED
FEB 18 2021
City of Davenport
Finance Department

Please return this portion with your payment. Include your invoice number on your remittance to expedite processing.

VANCA1

City of Davenport
226 West Fourth Street
Davenport, IA 52801

Invoice # 3747256	
ACCOUNT NUMBER	DATE
DAVENPO-01	2/12/2021
BALANCE DUE ON	AMOUNT DUE
2/12/2021	$63,986.53
AMOUNT PAID	
$63,986.53	

Please send your remittance to:

Arthur J. Gallagher Risk Management Services, Inc.
39735 Treasury Center
Chicago, IL 60694-9700

*** SAVE TIME AND MONEY! PAY THIS INVOICE ONLINE AT WWW.AJG.COM/EZPAY. ***

Gallagher
Insurance | Risk Management | Consulting

Flood Risk Solutions Inc

BINDER OF INSURANCE

DATE:	February 11, 2021
NAMED INSURED:	City of Davenport
MAILING ADDRESS:	226 West Fourth St., Davenport, IA 52801
COVERED LOCATION:	As per the schedule on file
POLICY PERIOD:	February 12, 2021 February 12, 2022 (12:01 A.M. Standard time at the address of the insured shown above)
INSURER:	**Trisura Specialty Insurance Company (hereinafter "the Company")** Non-Admitted Carrier
TOTAL INSURANCE VALUES:	$34,200,000
POLICY LIMITS:	$3,000,000 per occurrence, annual aggregate
DEDUCTIBLE:	$500,000 per building, per occurrence
COVERED PERILS:	Direct physical loss or damage caused by the peril of Flood, subject to policy terms and conditions
COVERAGES:	Real property (Building)
POLICY NUMBER:	RST-0000021-01
CONDITIONS:	The Company binds the kind(s) of insurance stipulated on this Binder of Insurance. The insurance is subject to the terms, conditions and limitations of the policy in current use by the Company. This Binder of Insurance (hereinafter "Binder") may be cancelled by the Named Insured by surrender of this Binder or by written notice to the Company stating when cancellation will be effective, subject to a twenty-five percent (25%) minimum earned premium. This Binder many be cancelled by the Company by notice to the Named Insured in accordance with the policy conditions. This Binder is cancelled when replaced by a policy. If this Binder is not replaced by a policy, the Company is entitled to charge a premium for the Binder according to the rules and rates in user by the Company