

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, February 26, 2020; 5:30 PM

City Hall, 226 W 4th St, Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting Minutes for February 12, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for February 19, 2020.

VIII. Appointments, Proclamations, Etc.

A. Proclamations

1. NAWIC National Women in Construction Week - March 1-7, 2020

IX. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any matters of City business not appearing on the 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.

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Pine St Sidewalk Project, CIP #28021. [Ward 2]
2. Motion approving the Main Street Landing Destination Play Area Design Competition RFQ and directing staff to execute the proposed procedures contained within. [Ward 3]

XII. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance for Case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 E 11th St from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]
2. Third Consideration: Ordinance for Case ROW19-02 being the request to vacate a portion of the original Division St right-of-way located between Ridgeview Dr and W 76th St (Earle Glaus, petitioner). [Ward 8]
3. Second Consideration: Ordinance amending Chapter 2.18 to add urban planning functions to the Neighborhood Services Department and rename it "Development and Neighborhood Services Department." [All Wards]
4. Second Consideration: Ordinance amending Chapter 2.32 entitled "Department of Community Planning and Economic Development" to redefine duties and rename the department. [All Wards]
5. First Consideration: Ordinance for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way located at N Elsie Ave extending north of W 3rd Pl. [Ward 1]
6. Resolution authorizing the Mayor to sign the 2019 Certified Local Government Annual Report. [All Wards]
7. Resolution supporting a Workforce Housing Tax Credit (WHTC) application to the State for the Roosevelt Building project located at 307 W 6th St and approving an Urban Revitalization Tax Exemption (URTE) application for the same (Andrew Wold Investments, LLC, petitioner). [Ward 3]
8. Resolution approving 2020 Urban Revitalization Tax Exemption (URTE) Projects. [All Wards]
9. Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events.

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300 W 3rd St; Saturday, March 14, 2020 after parade – 11:30 p.m.; **Closures:** parking lane and west travel lane on Harrison St adjacent to Kilkenny's (beginning Friday, March 13, 2020 at 5:00 p.m.) and W 3rd St between Ripley St and Harrison St. [Ward 3]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; **Closure:** parking lane and two north travel lanes on W 3rd St in front of establishment. [Ward 3]

Stickman Racing Group; Easter Egg Scramble 5K; Saturday, April 11, 2020 6:30 a.m. – 11:30 a.m.; **Closures:** Christie St from E 11th to E 12th; E 11th St from Christie to Jersey Ridge; Jersey Ridge from 11th to Middle; Middle

from Jersey Ridge to Eastmere to Bettendorf City Limits; Wood Ln from Bettendorf City Limits to Forest Rd; Forest Rd between Wood Ln; Wood Ln from Forest Rd to McClellan Blvd; McClellan Blvd from Wood Ln to River St (alternate route: McClellan Blvd from Wood Ln to Edgehill Ter; Edgehill Ter from McClellan Blvd to River St); River St from McClellan Blvd to the finish at 2132 E 11th St. [Wards 5 & 6]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; **Closure:** northbound Marquette St from Kimberly Rd to 3923 Marquette St. [Ward 7]

St. Paul Lutheran Church; Mayfest; 2136 Brady St; Sunday, May 17, 2020 8:00 a.m. - 3:00 p.m.; **Closure:** Lombard St from Main St to Brady St. [Ward 5]

City of Davenport Parks and Recreation; Youthfest; Fejervary Park; Wednesday, July 8, 2020 7:00 a.m. - 3:00 p.m.; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to just north of the Fejervary Family Aquatic Center parking lot. [Ward 4]

10. Resolution accepting work completed under the Green Alley Project, CIP #33031. The total contract with Hawkeye Paving Corp of Bettendorf, IA was \$143,043. [Ward 4]
11. Resolution accepting the Underground Storage Tank Removal project at the Davenport Municipal Airport completed by Impact7G, Inc of Clive, IA. The project was completed with a final contract amount of \$135,740.37, CIP #20011. [Ward 8]
12. Resolution approving contract amendment #1 for the Sanitary Sewer Condition Assessment within Canadian Pacific and Iowa Interstate Railroad right-of-ways to Veenstra & Kimm, Inc, in an amount not-to-exceed \$201,843.21 budgeted in CIP #30047. [All Wards]
13. Resolution awarding the contract for E 39th St and Forest Rd Intersection Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL in the amount of \$137,987.90, CIP #35040. [Ward 6]
14. Resolution awarding the contract for the W 29th St Pavement Reconstruction project to Centennial Contractors of the Quad Cities of Moline, IL in the amount of \$154,092.05, CIP #35040. [Ward 7]
15. Resolution accepting the Forest Grove Rd Paving project from Utica Ridge Rd to the east corporate limits completed by McCarthy Improvement Company of Davenport, IA. The project was completed with a final contract amount of \$6,422,584.92, CIP #01145. [Ward 6]
16. Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY20 Crack and Seat Program, CIP #35042. [Wards 2 & 7]
17. Resolution awarding the contract to Manatt's Inc of Brooklyn, IA for the E 53rd St Pavement Reconstruction Project Phase I in the amount of \$6,274,672.69, CIP #35031. [Wards 7 & 8]

18. Resolution accepting the Lincoln Ave Reconstruction (W Locust St to W Central Park Ave) Project, CIP #35035. [Ward 4]
19. Resolution approving the contract for the Elmwood Avenue 61st St to 62nd St Reconstruction to Manatts, Inc of Camanche, IA in the amount of \$225,492.03, CIP #35040. [Ward 2]
20. Resolution setting a Public Hearing on Wednesday, March 4, 2020 at 5:30 p.m. to convey the following property to Hawkeye Paving Corporation, LLC: 4241 W 83rd Street, Tax Parcel ID No V3237-02, City of Davenport, County of Scott, State of Iowa. [Ward 2]
21. Resolution setting a Public Hearing for the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Program for March 18, 2020. [All Wards]
22. Motion approving noise variance requests for various events on the listed dates and times.

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300-312 W 3rd St; Friday, March 13, 2020 6:00 p.m. - 11:00 p.m. and Saturday, March 14, 2020 6:00 a.m. - 11:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Dam View Inn; St. Patrick's Day Event; 410 E 2nd St; Saturday, March 14, 2020 7:00 a.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 3]

Circle Tap; St. Patrick's Day Party on the Patio; 1345 W Locust St; Saturday, March 14, 2020 2:00 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBa. [Ward 4]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 N Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 7]

23. Motion approving beer and liquor license applications.

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

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - Temporary Outdoor Area March 14, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Carriage Haus (Carriage Haus, Inc) - 312 W 3rd St - Temporary Outdoor Area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Mac's Tavern (Failte, Inc) - 316 W 3rd St - Temporary Outdoor Area March 14-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Dam View Inn (VanDamQC LLLC) - 410 E 2nd St - Outdoor area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Ward 4

Eddy's Snack Bar (Qiurong Chen) - 1132 W Locust St - Outdoor Area - License Type: C Liquor

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

Ward 1

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 817 S Farragut St - License Type: B Beer

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - License Type: C Liquor

Super Saver Liquor (MNE, Inc) - 1610 Rockingham Rd - License Type: E Liquor

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 1616 W Locust St - Outdoor Area - License Type: C Liquor

Ward 5

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

Eleven 17 (Big Dill, Inc) - 1117 Mound St - Outdoor Area - License Type: C Liquor

EZ Stop (Shivco Inc) - 2923 Brady St. - License Type: E Liquor

Ward 6

Big 10 Mart (Molo Oil Company) - 5310 Corporate Park Dr - License Type: C Beer

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: E Liquor

Ward 8

Davenport Chapter Izaak Walton League of America (Davenport Chapter IWLA) - 8402 N Harrison St - Outdoor Area - License Type: C Liquor

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 201 W 50th St - License Type: Beer / Wine

24. Motion determining property values for the east-west alley between E River Dr and Wood Ln from Forest Rd for the FY20 Alley Resurfacing Program. [Ward 6]
25. Motion awarding the contract for replacement of the HVAC system at the Credit Island Lodge to Schebler Company of Bettendorf, IA in the amount of \$77,200, CIP #23040. [Ward 1]
26. Motion approving change order #1 for the First Floor Elevation Structural Inventory project with Townsend Engineering in the amount of \$40,000, CIP #60022. [Ward 1]
27. Motion awarding a five-year contract for mechanical and plumbing services to Crawford Company of Rock Island, IL. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

1. Motion for suspension of the rules to add and vote on the item below:
2. Resolution opposing Iowa Senate Study Bill 3180 which removes the ability of cities to place certain restrictions on pet stores or implement protections for companion animals in their care. [All Wards]

XIV. Public with Business

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

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

Action / Date
2/26/2020

Subject:
Approval of the City Council Meeting Minutes for February 12, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	CC Min 021220

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/20/2020 - 12:30 PM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, February 12, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, February 12, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present (Ald. Lee present via telephone).

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting Minutes from January 29, 2020

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for February 5, 2020

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 5, 2020--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:29 p.m. with Mayor Matson presiding and all Aldermen present. The following Public Hearings were held: Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the FY21 State Patching Program, CIP #35045; and 2) on the plans, specifications, forms of contract, and estimate of cost for the City Hall North Wall Dewatering project, CIP #23047. Finance: on the FY21 Proposed Maximum Property Tax Levy.

*The following proclamation was issued: Heart Health Month – February 2020, **2020-50**.*

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Lee, second by Ald. Peacock all items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Jobgen, second by Ald. Dickmann the liquor license for Uptown Bar & Grill at 1720 E Kimberly Rd moved to the Discussion Agenda and all other items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Ambrose all items moved to the Consent Agenda except item # 15, Motion ratifying four contracts for the First Floor Elevation Structural Inventory project, which was voted on later in the meeting. Finance: Ald. Condon reviewed all items listed. On motion by Ald. Peacock, second by Ald. Dickmann all items moved to the Consent Agenda.

*Other Ordinances, Resolutions, and Motions: On motion by Ald. Dickmann, second by Ald. Jobgen with all Aldermen present voting aye, the rules were suspended and the following Motion passed (all Aldermen present voting aye): Motion ratifying four contracts for the First Floor Elevation Structural Inventory project, **2020-51**.*

Council adjourned at 6:28 p.m.

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2020-52

1. Zoning Board of Adjustment

- Angela Loebach (New Appointment)

IX. Public with Business

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

*On motion by Ald. Ambrose, second by Ald. Peacock the following Motion failed (**Ayes:** Ald. Peacock, Ald. Dickmann, and Ald. Jobgen; **Nays:** Ald. Ambrose, Ald. Dunn, Ald. Dohrmann, Ald. Meginnis, Ald. Lee, Ald. Gripp, and Ald. Condon):*

1. 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 6

Uptown Bar & Grill (Uptown Bar & Grill LLC) - 1720 E Kimberly Rd – License Type: C Liquor

XII. Approval of All Items on the Consent Agenda

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

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

1. **Third Consideration:** Ordinance amending Schedule VII of Chapter 10.96 entitled “No Parking” by adding 52nd St along the north side from 53rd St to Eastern Ave and along the south side from 53rd St east 610 feet. [Ward 7] **ADOPTED 2020-53**

ORDINANCE NO. **2020-53**

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE VII NO PARKING THERETO BY ADDING 52ND ST ALONG THE NORTH SIDE FROM 53RD ST TO EASTERN AVE AND ALONG THE SOUTH SIDE FROM 53RD ST EAST 610 FEET.

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

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

52nd St along the north side from 53rd St to Eastern Ave and along the south side from 53rd St east 610 feet.

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 2/12/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance for Case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 E 11th St from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

MOVED TO THIRD CONSIDERATION

3. Second Consideration: Ordinance for Case ROW19-02 being the request to vacate a portion of the original Division St right-of-way located between Ridgeview Dr and W 76th St (Earle Glaus, petitioner). [Ward 8]

MOVED TO THIRD CONSIDERATION

4. First Consideration: Ordinance amending Chapter 2.18 to add urban planning functions to the Neighborhood Services Department and rename it "Development and Neighborhood Services Department." [All Wards]

MOVED TO SECOND CONSIDERATION

5. First Consideration: Ordinance amending Chapter 2.32 entitled "Department of Community Planning and Economic Development" to redefine duties and rename the department. [All Wards]

MOVED TO SECOND CONSIDERATION

6. Resolution for Case F19-21 being the request of BRUS Farm Development LC (owner) and Kwik Trip Inc (purchaser) for a final plat of Kwik Trip 1071, a two-lot subdivision on 62.8 acres, more or less, located directly south of 118th Ave and west of Interstate I-280. [Adjacent to Ward 1]

ADOPTED 2020-54

7. Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events.

ADOPTED 2020-55

Cornbelt Running Club; Chili Chase 4 Mile Run/Walk; Sunday, February 23, 2020 11:30 a.m. - 3:30 p.m.; **Closures** (only one lane will be closed and traffic will be allowed to cross when safe to do so): E Pleasant St from Fernwood Ave to Forest Rd; Forest Rd from E Pleasant St to E George Washington Blvd; E George Washington Blvd from Forest Rd to Jersey Ridge Rd; Duck Creek Trail Pkwy from Jersey Ridge Rd returning to Duck Creek Lodge. [Ward 6]

Evan Esser; QCSO Symphony Day; RiverCenter/Adler Theatre 136 E 3rd St; Thursday, February 27, 2020 7:30 a.m. - 2:30 p.m.; **Lane closures (for school bus parking)**: northernmost parking lane and two northernmost travel lanes on 3rd St from Brady St to Iowa St. [Ward 3]

Mac's Tavern; St. Patrick's Day Celebration; 316-318 W 3rd St; Saturday, March 14 1:30 p.m. - 12:00 a.m.; **Closure**: W 3rd St from Ripley St to Harrison St (middle lane will remain unobstructed for emergency vehicles). [Ward 3]

Davenport Community School District; Intermediate Track Meet Rain Date; Brady Street Stadium, 3603 Brady St; Wednesday, May 6, 2020 3:30 p.m. - 7:30 p.m.; **Closure:** E 36th St between Brady St and Davenport Ave. [Ward 7]

Quad Cities River Bandits; Race to Home 5K; Saturday, August 29, 2020 8:30 a.m. - 10:00 a.m.; Downtown; **Closure:** W 2nd St from Western Ave to Gaines St/Centennial Bridge; 2nd St exit ramp and the easternmost northbound lane on Centennial Bridge. [Ward 3]

Quad City Arts; Riverssance Festival of Fine Arts; 8:00 a.m. Friday, September 18, 2020 - 7:00 p.m. Sunday, September 20, 2020; Village of East Davenport; **Closure:** 11th St from Jersey Ridge Rd to Hillcrest Ave. [Ward 6]

8. Resolution ordering in sidewalks related to the 2020 Sidewalk Construction Program.
[Wards 2, 7, & 8] **ADOPTED 2020-56**
9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY21 State Patching Program, CIP #35045. [All Wards] **ADOPTED 2020-57**
10. Resolution accepting the Jersey Ridge Road Patching project completed by Hawkeye Paving Corporation of Bettendorf, Iowa. The project was completed with a final contract amount of \$431,338, CIP #35035. [Ward 6] **ADOPTED 2020-58**
11. Resolution accepting the 2300 block of N Fairmount St Reconstruction project completed by Langman Construction, Inc of Rock Island, IL. The project was completed with a final contract amount of \$319,124.41, CIP #35035. [Ward 2] **ADOPTED 2020-59**
12. Resolution accepting work completed under the W 16th St & Main St Streetscape Improvements project, project #BG250. The total contract with Emery Construction Group was \$312,879.13. [Ward 5] **ADOPTED 2020-60**
13. Resolution approving the plans, specifications, form of contract, and estimate of cost for the City Hall North Wall Dewatering project, CIP #23047. [Ward 3] **ADOPTED 2020-61**
14. Resolution assessing the cost of weed cutting at various lots and tracts of real estate.
[All Wards] **ADOPTED 2020-62**
15. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2020-63**
16. Resolution assessing the cost of sidewalk repair at various lots and tracts of real estate.
[All Wards] **ADOPTED 2020-64**
17. Resolution assessing the cost of tree removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2020-65**
18. Resolution assessing the cost of building board up at various lots and tracts of real estate. [All Wards] **ADOPTED 2020-66**

19. Resolution accepting the 46th St Reconstruction (N Pine to Cheyenne) Project completed by CDMI Concrete Contractors with a final cost of \$266,391 budgeted in CIP #35036.

[Wards 7 & 8]

ADOPTED 2020-67

20. Resolution awarding the contract for the W 76th St Paving Rehabilitation project to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$520,758, CIP #35042.

[Ward 8]

ADOPTED 2020-68

21. Resolution authorizing the submission of a grant application to the Federal Transit Administration for FY19 carryover grant funding. [All Wards]

ADOPTED 2020-69

22. Resolution approving the FY21 Maximum Property Tax Dollars. [All Wards]

ADOPTED 2020-70

23. Resolution approving the contract for Forms Management Services (Printing and Mailing Services) to QuestMark Information Management Inc of Houston, TX. [All Wards]

ADOPTED 2020-71

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

PASSED 2020-72

Davenport Riverfront Improvement Commission and Regional Development Authority; Music on the River 2020; Petersen Pavilion, LeClaire Park; Various dates/times June through August (see attached); Outdoor music, over 50 dBa.

[Ward 3]

Quad City Arts; Riverssance Festival of Fine Arts; Saturday, September 19, 2020 10:00 a.m. - 5:00 p.m. and Sunday, September 20, 2020 10:00 a.m. - 4:00 p.m.; Lindsay Park; Outdoor music, over 50 dBa. [Ward 6]

25. Motion approving beer and liquor license applications.

PASSED 2020-73

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

Ward 3

Varieties Nightclub (Newman's Arcade & Amusement, LLC) - 822 W 2nd St - Outdoor Area - License Type: C Liquor

Ward 4

Azteca Express Restaurant, Inc (Azteca Express Restaurant, Inc) - 1902 N Division St, Ste 5 - License Type: C Liquor

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

Ward 1

Hy-Vee #1 (Hy-Vee, Inc) - 3019 Rockingham Rd - License Type: E Liquor/B Wine/C Beer

Ward 3

Figge Art Museum (Frontier Management Corp) - 225 W 2nd St – Outdoor Area - License Type: C Liquor

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 W 3rd St - License Type: C Liquor

Rubys (Infamous LLC) - 429 E 3rd St - Outdoor Area - License Type: C Liquor

Third Street Bar & Grill (Michael D. Hauser) - 831 W 3rd St - Outdoor Area - License Type: C Liquor

Ward 6

Granite City Food & Brewery (Granite City Restaurant Operations, Inc) – 5270 Utica Ridge Rd - Outdoor Area - License Type: C Liquor

Hy-Vee Market Cafe (Hy-Vee, Inc) - 4064 E 53rd St - Outdoor Area – License Type: C Liquor

XIII. Other Ordinances, Resolutions and Motions

1. On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye the rules were suspended to add and vote on the Resolution below.

2. On motion by Ald. Ambrose, second by Ald. Meginnis with all Aldermen present voting aye the following Resolution was adopted:

Resolution approving the purchase of excess flood insurance for Union Station, the Freight House, and Modern Woodmen Park. [Ward 3]

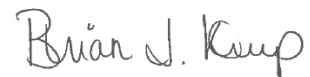
ADOPTED 2020-74

XIV. Public with Business

XV. Reports of City Officials

XVI. Petitions and Communications from Council Members and the Mayor

XVII. Adjourn **6:35 p.m.**



Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
2/26/2020

Subject:
Approval of the Report on Committee of the Whole for February 19, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	COW Report 021920

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/20/2020 - 12:23 PM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 19, 2020--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present. The following Public Hearings were held: Community Development: 1) for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way (ROW) located at N Elsie Ave extending north of W 3rd Pl. Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the Pine St Sidewalk Project, CIP #28021, and 2) on the plans, specifications, form of contract, and estimate of cost for the CY20 Crack and Seal Program, CIP #35042.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Lee, second by Ald. Dickmann all items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Jobgen, second by Ald. Dickmann all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Dickmann item #5, Resolution approving the plans, specifications, form of contract, and estimate of cost for the Pine St Sidewalk Project, CIP #28021, moved to the Discussion Agenda and all other items moved to the Consent Agenda. Finance: Ald. Condon reviewed all items listed. On motion by Ald. Peacock, second by Ald. Dickmann item # 5, Motion approving the Main Street Landing Destination Play Area Design Competition RFQ and directing staff to execute the proposed procedures contained within, moved to the Discussion Agenda and all other items moved to the Consent Agenda.

Council adjourned at 6:37 p.m.

City of Davenport

Agenda Group:

Department: City Clerk

Contact Info: Samantha Torres 563-326-7701

Wards:

Action / Date

2/26/2020

Subject:

NAWIC National Women in Construction Week - March 1-7, 2020

REVIEWERS:

Department

Reviewer

Action

Date

City Clerk

Admin, Default

Approved

2/3/2020 - 1:32 PM

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
2/26/2020

Subject:
Resolution approving the plans, specifications, form of contract, and estimate of cost for the Pine St Sidewalk Project, CIP #28021. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
The project includes the construction of 5' wide Portland Cement Concrete (PCC) sidewalk as well as associated work. Work also includes an amount of PCC pavement reconstruction and curb and gutter work.

The sidewalk is to be located on the west side of N Pine St starting between the current end of the sidewalk at 6228 N Pine St to W 63rd St.

The estimated project cost is \$100,000.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Rejected	2/13/2020 - 10:56 AM
Public Works - Engineering	Kriz, Nichole	Approved	2/13/2020 - 10:01 AM
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 11:30 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 11:30 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:46 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, forms of contract and estimate of cost for the Pine St Sidewalk Project, CIP #28021.

WHEREAS, plans, specifications, forms of contract and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Pine St Sidewalk Project, CIP #28021.

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 Pine St Sidewalk Project, CIP #28021.

Passed and approved this 26th day of February, 2020.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Zach Peterson 563-328-6709
Wards:

Action / Date
2/12/2020

Subject:
Motion approving the Main Street Landing Destination Play Area Design Competition RFQ and directing staff to execute the proposed procedures contained within. [Ward 3]

Recommendation:
Pass the Motion.

Background:
On March 27, 2019, Council adopted a Resolution that established a Task Force to recommend a final design for the next development phase at Main Street Landing.

The development site, informally known as Block S-1 (area located between Brady and Perry Streets between the CP Railroad tracks and the Mississippi River), has been called out by previous master plan documents to construct a Regional/Destination Scale Activity/Play area. Throughout the remainder of 2019 until the present, the Regional Activity Area Task Force (changed to "Destination Play Area Task Force" by its membership on 01/23/2020) has met to develop the desired site amenities and the procedure upon which a design consultant will be selected to undertake the preparation of a final design and construction documents in anticipation of a Spring 2022 groundbreaking.

On January 23, 2020, the Task Force approved a Motion to approve an RFQ that outlines the proposed consultant selection procedure in the form of a design competition.

The procedure is outlined as a two-step process.

1. **Phase One RFQ:** An RFQ to solicit interest from qualified design firms capable of executing the proposed project scope. Upon receipt of these applications, members of the Task Force will reconvene to evaluate and score the submissions and a number of shortlist candidates will be selected for interview. Once interviews are completed a number of finalists will be invited to enter the next project phase.
2. **Phase II Design Competition:** The finalist project teams will be issued a stipend and enter into a design competition to develop a conceptual plan for the project site based upon the parameters outlined in the RFQ and supplemented by a series of public input open house workshops. After an approximate 100 day duration, project teams will present their concepts to the public and the winning concept will advance into contract negotiations to prepare a biddable set of construction drawings of the winning concept.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Destination Play Area RFQ

REVIEWERS:

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

Finance

Admin, Default

Approved

1/30/2020 - 3:56 PM

CITY OF DAVENPORT - MAIN STREET LANDING

DESTINATION PLAY AREA DESIGN COMPETITION



REQUEST FOR QUALIFICATIONS

FEBRUARY 03, 2020



THE CITY OF
DAVENPORT
IOWA | USA

INVITATION

Greetings,

All great cities have a place people naturally gravitate towards. In Davenport, it's our Riverfront. The riverfront connects us to nature, it reminds us of our history, it provides us opportunity for leisure and an escape from everyday life. The riverfront makes us proud to be from Davenport and it defines our community. The riverfront brings out the best in all of us. In 1924 businessman W.D. Petersen returned from Europe determined to transform our riverfront into a beautiful and functional riverfront. Ever since then the City of Davenport has understood the importance of continuously improving our riverfront. One hundred years later our work continues.

The city of Davenport has set aside a 2-acre site for a Destination Play Area that will activate Main Street Landing and transform the regional narrative about Davenport, drawing families into the city from throughout Eastern Iowa and Western Illinois. Main Street Landing will become a powerful driver of economic development, unlocking the potential of the riverfront and generating millions of dollars in new jobs and tax revenue on our riverfront and in our downtown. Main Street Landing will be a showpiece of the region, and have a profound impact on local residents. We are seeking a team of designers to help us dream about the possibilities of the Davenport Riverfront, and bring our vision into focus.

This special park will be created by collaboration between visionary designers and passionate Davenporters. We will build on our city's legacy as a leader in community engagement to welcome the ideas and visions of all Davenporters into the design and programming decisions. Please dream big. Build your team out of your favorite people. This is a special moment in the history of Davenport, and we intend to find the best people in the world to create the future, together.

Sincerely,

Kyle Gripp,
Alderman At-Large
Chair, Destination Play Area Task Force



PROJECT PARTNERS

DESTINATION PLAY AREA TASK FORCE:

- Kyle Gripp, Chairman, Alderman at Large, City of Davenport
- J.J. Condon, Alderman at Large, City of Davenport
- Tom Knight, Davenport Community School District
- Greg Lundgren, Design Review Board
- Kyle Carter, Downtown Davenport Partnership
- Diane Franken, Historic Preservation Commission
- Tegan Trees, Parks & Recreation Advisory Board
- Randall Goblirsch, Riverfront Improvement Commission

STAFF LIAISONS:

- Steve Ahrens, Executive Officer, Riverfront Improvement Commission
- Chad Dyson, Director, Davenport Parks & Recreation
- Zachary C. Peterson, PLA, ASLA, Landscape Design Architect

COMMUNITY PARTNERSHIPS

Creative Arts Academy

Figge Art Museum

Q2030 Regional Action Plan / Riverfront Workgroup

Quad Cities Chamber of Commerce

ABOUT THE RIVERFRONT IMPROVEMENT COMMISSION

In 1909, the Iowa Legislature passed a law allowing cities, acting under a special charter, to improve their waterfronts. The law provided for the creation of a Levee Improvement Commission (Now known as Riverfront Improvement Commission) which was done by the Davenport City Council by ordinance in 1911. Also, in 1898 the United State Government, through the Corps of Engineers, established a harbor line along the Mississippi River's edge in Davenport. Since these events occurred, land has been acquired, and property has been filled to create nine miles of publicly-owned riverfront. The land under the jurisdiction of the Commission is south of River Drive and the Canadian Pacific Railroad to the centerline of the channel of the Mississippi River, and between the east and west city limits of Davenport.

Even though the Iowa law allowed for the creation of a property tax levy, most of the funds raised in Davenport have come from revenue generated by leasing land to business and industry. Additional funding comes from the City Council approved Capital Improvement Program for specific projects. Therefore, the Commission has two focus areas: the creation of public improvements along the waterfront and economic development benefiting the community. It has control of the funds which are generated from rents and it supervises the improvements which are made along the waterfront.



CONTENTS

I.	PROJECT BACKGROUND	1-3
II.	SITE	4-5
III.	QUALIFICATIONS TO COMPETE	6-7
IV.	RFQ/COMPETITION PROCESS	8-11
V.	GENERAL INSTRUCTIONS	12-14
VI.	APPENDIX	15-20



The Davenport Levee as it appeared in the 1940s, prior to construction of the seawall extension

PROJECT BACKGROUND

A RIVER VISION

REQUEST FOR QUALIFICATIONS SUMMARY

The City of Davenport is currently accepting submissions from qualified consultant teams for the purpose of designing a destination play area which will be the second constructed block phase (+/-1.6 AC) of a 10.66 AC section of Davenport Riverfront, informally known as "Main Street Landing."

Submissions received will be reviewed by a committee comprised of City Staff and representatives of the "Destination Play Area Task Force" who will evaluate and score each proposal according to the selection criteria as outlined in this RFQ. From this evaluation, a shortlist of candidates will be interviewed and a determined number of finalists will advance to participate in a design competition for the purpose of developing a *constructable* concept for the project site factoring in the unique site opportunities and constraints supplemented by additional goals and objectives introduced via a public input process.

Upon conclusion of the design competition, the winning project team will advance into contract negotiations to develop the concept into a biddable set of construction documents for an estimated Spring 2022 construction start date.

BACKGROUND

Davenport, Iowa (est. population, 102,320) is the largest City in a metropolitan area known as the Quad Cities (est. population 474,937), located on the banks of the Mississippi River.

The City of Davenport has a long and unique history with the Mississippi River. Davenport was the place where railroads first crossed the River and became America's first gateway to the West. Today, Davenport is also the largest city in America on a major river without structural flood protection. In lieu of costly, unsightly, and unreliable flood protection structures, Davenport's approach is to "let the river be a river" as it floods into public parks, while employing tactics and technology to cost efficiently protect certain structures or districts along its riverfront.

Davenport is a historic, special charter city, created by Congress prior to Iowa gaining statehood. The City owns the vast majority of riverfront in Davenport (over 9 miles) and has, over the course of decades, cleared structures that were leased to private businesses to create multi-purpose public spaces that are unique in the region, and nation. The City's efforts are supported by a Riverfront Improvement Commission, which has its own long and proud history of riverfront stewardship.

In 2003, in a partnership with the City of Rock Island, Davenport embarked on a public planning process that resulted in the RiverVision Final Report of 2004 prepared by Hargreaves Associates. This document is frequently called the "RiverVision Plan" or, simply, "RiverVision". As approved, the plan outlines the design framework for a twenty year time frame. In 2014, the City once again engaged Hargreaves Associates to update the plan which was approved by the City Council in 2014. "Complete Rivervision" was adopted as a strategic goal of the City in 2015.

Importantly, a "riverboat" casino which sat at the foot of Main Street for more than twenty years was removed in the summer of 2016 to a land-based operation. The removal of the casino has created the opportunity to transition the former casino site into the public park amenity as originally conceived by RiverVision. In 2017, The resulting re-development site was subsequently re-branded as, "Main Street Landing" with the goal of becoming the centerpiece of the Davenport Riverfront parks system.

Since 2017, development of Main Street Landing has become the focus. Given the limitations of the existing capital improvements budget, a phased project buildout approach by separating the site into a series of blocks has become the primary development strategy. As means of ensuring a foundation of consistency between project phases, the City engaged the services of RDG Planning and Design to develop a set of design guidelines which outlines a uniform material "vocabulary" upon which all project phases will be based.

As means of continuing the momentum of site development, in 2018 the Downtown Davenport Partnership and the Figge Art Museum partnered with the City for the purpose of taking a more in-depth look at RiverVision development by introducing a unique artistic narrative into the development program, elements of which could be introduced in adjacent Quad Cities Region Riverfronts to create a larger shared theme. The resulting "art study," prepared by RDG Dahlquist Art Studio took the most detailed look at the site to date by visualizing the site improvements through 3D modeling and integrating the materials introduced via the Design Guidelines into the built form. The end result has been an effective tool in marketing the project and gathering public support/understanding of the bold vision being proposed.

PROJECT BACKGROUND

GUIDING PRINCIPLES

When completed, Main Street Landing will be a public platform for social interaction, recreation, and a respite for city residents, regional visitors, and tourists to enjoy Davenport's Mississippi Riverfront. In service to this vision, four principles have been established to guide the qualifications, design competition, and evaluation process:

UNIVERSAL DESIGN, ACROSS BOUNDARIES

The Destination Play component of Main Street Landing represents a unique opportunity for the world's design talent to engage with the citizenry of Davenport for the purpose of creating a special place that transcends cultures, ethnicity, income level, gender, sexual orientation, physical ability, and age with the goal of shaping a vibrant gathering place for all.

UNIQUELY DAVENPORT

The inspiration, programming and design for the park will be shaped with subtle tributes to the site's historic past and further informed by stakeholder groups representing a cross-sectional makeup of the community at large. Intentional collaboration between design teams and stakeholders will shape the vision, purpose and quality of place for a Park that will authentically represent the City of Davenport and its people.

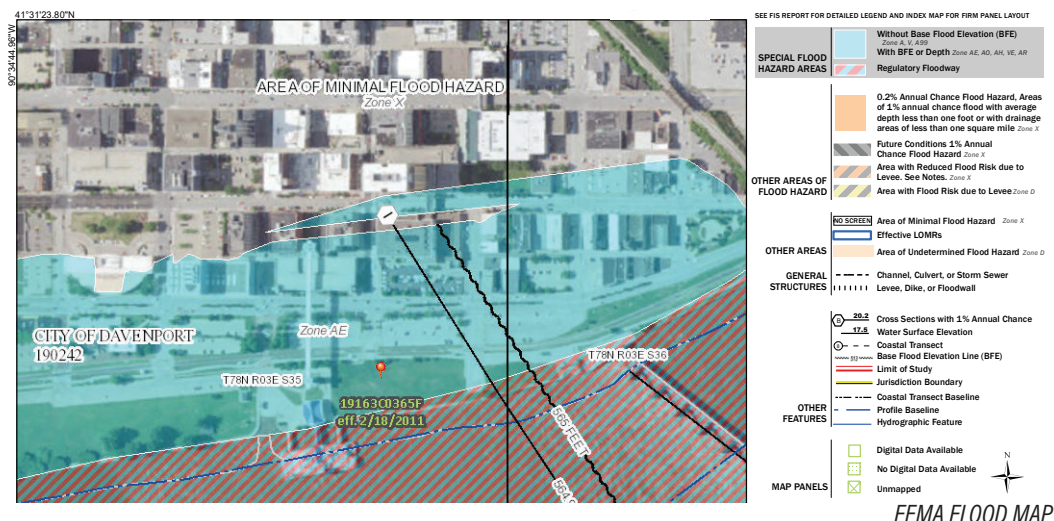
A REGIONAL DESTINATION

The City of Davenport (est. population, 102,320) as the largest City in the Quad Cities Metro Area (population 474,937), envisions the Destination Play component of Main Street Landing to be **THE** regional destination for recreational use, given its direct connection between Downtown Davenport, the Mississippi Riverfront, and recreational trail networks such as the Riverfront Trail which coincides with the designated route of the American Discovery Trail (ADT), Mississippi River Trail (MRT), and the recently announced National Rail-Trail. The Park will demonstrate a new standard for a public play space with mass appeal across geographies and age groups.

RESILIENT BY DESIGN

FLOODING ON THE MISSISSIPPI RIVER WILL HAPPEN

The City of Davenport currently engages in a passive flood resistance strategy in order to protect its Riverfront assets. **It will be paramount to the success of this project to understand the factors at play during a flood event and include the appropriate project team members necessary to develop a design solution that responds effectively to this unique site attribute from a planning, operational, hydrological, and regulatory perspective.**



PROJECT BACKGROUND

DESIGN EXPECTATIONS

ELEVATING DESIGN STANDARDS

As the largest contemporary public space investment in Davenport, Main Street Landing will complement other significant public space improvements throughout the city, especially the nine (9) miles of adjacent publicly held riverfront lands. The Main Street Landing play area aspires to be more than a unique playground, but a destination landscape that represents the City's values, cultures, and heritage, and a **FUN** gathering place that reinforces a sense of civic pride.

ACTIVATING SPACE, ENERGIZING PEOPLE

Park programming should be cognizant of the unique climate of its region and shall integrate opportunities for year-round programming and subsequent use. The design response shall be cognizant of daily, weekly, and seasonal cycles, indirect response to the wide variety of user groups, levels of utilization and climate. This includes the creation of areas of activity with distinct scale and character that will elevate the human experience, while still recognizing the diverse and evolving demands placed on contemporary open spaces. The Park should physically and symbolically represent the City of Davenport's commitment to design, culture, identity and long term financial stability.

MITIGATING RAILROAD SAFETY CONCERNS

The Canadian Pacific Railroad bisects the Main Street Landing site and also forms the northern boundary of the destination play area site. Through context sensitive design, special attention shall be given to secure trackage from potential trespassing children and provide built-in noise mitigation to protect the site from blaring horns.

A CAPTIVATING / MARKETABLE VISION

The conceptual vision developed through this design competition should be capable of not only capturing the imagination of the public but also capable of bringing private partnerships and other supplemental funding mechanisms to the table. The momentum generated by this project should be able to be rolled over into the build out of future project phases. The conceptual plan and associated imagery prepared through this design competition shall be capable of generating project interest and attracting the necessary public and private funding commitments to make the concept a constructed reality.

A CATALYST FOR CONTINUED ECONOMIC GROWTH

By activating the site through careful programming and context sensitive design, the continued development of Main Street Landing will help provide Davenport with the ingredients necessary to unlock and achieve the economic growth potential within the adjacent Downtown.



MAIN STREET LANDING AS THE CENTERPIECE OF THE DAVENPORT RIVERFRONT PARKS SYSTEM

SITE

A LANDMARK OPPORTUNITY

MAIN STREET LANDING DEVELOPMENT HISTORY

The development block that forms the basis of this RFQ, informally known as “S-1,” and is intended to be the second constructed block phase of the Main Street Landing project.

Block S-1 is located south of the Canadian Pacific Railroad tracks between Brady and Perry Streets with the Riverfront Trail and Mississippi River which form the north and south borders respectively.

From a functional standpoint, Block S-2 with its active play programming will complement the soon to be completed Flexible Event Space / Parking Lot (Block N5). Together, these two blocks will form a functional nucleus of Main Street Landing and both will work together to activate the space as a destination amenity.

DEVELOPMENT STRATEGY

The Main Street Landing project site has been separated into a series of development blocks in order to facilitate a phased build-out approach to site development. This allows the City to achieve a high-quality of design over an extended time frame while still meeting the budgetary limitations of the current Capital Improvements Program. As means of achieving a uniform look between project phases, a set of design guidelines has been established which prescribes the palette of building materials, site furnishings, light fixtures, signage, plant materials, and site branding that will be integrated into all project phases.

PROJECT BUDGET CONSIDERATIONS

Approximately \$3-4M dollars have been in the upcoming City of Davenport Capital Improvements Plan to construct Block S-1. This figure shall constitute the core construction budget upon which the final built product shall be based. The City understands the power of leveraging this capital with supplemental grant and public/private partnership funding in order to achieve an expanded built outcome. The ideal project team will have demonstrated the ability to develop a strong concept that is capable of marketing to attract benefactors while providing a concept that is flexible in nature and able to expand to the level of supplemental funding commitments without expanding to the point of being financially unattainable.



The project site as viewed from the Davenport Skybridge



The project site as viewed from the perspective of a boat on the Mississippi River

SITE

CONDITIONS & CONSTRAINTS

MAIN STREET LANDING DEVELOPMENT BLOCKS



Blocks N5 and S1 are the first and second phases of Main Street Landing respectively.

FLOODING: A “NEW” REALITY



An aerial image of the record setting flooding during the Spring of 2019.

Today, Davenport is the largest city in America on a major river without structural flood protection. Davenport's approach is a passive flood resistance strategy that allows flood waters to inundate the riverfront, while employing tactics and technology to cost efficiently protect select assets along its riverfront.

Throughout Spring and Summer 2019, The Davenport Riverfront was subject to sustained, record setting flooding. Periodic site flooding appears to be the “new normal” as seven of the ten highest flood crests have occurred within the last twenty years.

CP RAIL AND FLOODING

The Canadian Pacific Railroad operates a set of tracks which bisect the Main Street Landing site along the north boundary of the project site.

As means of combatting this flooding frequency, the Canadian Pacific Railroad made an executive decision to elevate their riverfront trackage in order to maintain service levels during times of inundation.

As a result, the city is currently in negotiations with CP Rail to restore track crossings to match the elevation change including the raising of the Riverfront Recreation Trail to the new track level. When complete, the elevated trail will provide a direct link to the Skybridge which will provide access to Downtown Davenport during moderate flood events.

A creative design in response to the realities of the modified site access constraints imposed by the raised track configuration will be an essential element of a successful design concept.

QUALIFICATIONS

METHOD & ELEMENTS

Consideration for this project will be given to visionary teams that have demonstrated the ability to incorporate community input into design concepts as well as deliver well executed projects on schedule and budget. Professional services include, but are not limited to: master planning, landscape architecture, architecture, civil/hydrological/environmental engineering. Where applicable, project team members must have a representative who is licensed to practice in Iowa in their respective disciplines.

DESIGN METHODOLOGY

The team's written or diagrammatic description of the approach and design philosophy should highlight the team's approach toward design and demonstrate an understanding of the project. The response to this criterion should include recognition of the unique design constraints presented by this project and how the proposed team is exceptionally suited to solve these issues.

DESIGN ELEMENTS INCLUDING BUT NOT LIMITED TO

- Integrated flood resilient design
- Unique landforming
- Vertical play elements
- Embankment slides
- Restroom Building
- Family-oriented activities
- Universal accessibility
- Integrated landscaping
- Swinging benches
- Natural play elements

RELEVANT PROJECT EXAMPLES (MAXIMUM OF 5)

Team members should have experience working with multi-disciplinary teams and on projects similar in size and complexity. The project team should demonstrate experience in projects which have been taken from concept through a completed construction. The project examples should show specialized design expertise, technical competence, familiarity with sustainability principles, and capacity for meaningful community engagement.

SUBMISSIONS

Respondent submissions should be limited to twenty (20) pages, including a maximum of five (5) work samples of relevant scale. Each respondent shall provide the following information:



The project site as it once appeared in the 1970's

QUALIFICATIONS

FORMATS & REQUIREMENTS

Cover letter indicating interest (not included in 20 page limit), project understanding, and composition of team. Description of qualifications (limited to 20 pages, including 5 work samples), including:

INTRODUCTION: An introduction to the project team submitting the proposal.

EXPERIENCE: A statement detailing the experience and expertise of the firm and their chosen project team. The respondent's relevant experience with similar project(s).

DESIGN INTENT: A statement of design intent and philosophy which describes how the work samples are relevant to the approach (no more than 2 pages.)

COMMUNITY ENGAGEMENT: The respondent's demonstrated expertise and ability to engage a myriad of project stakeholder groups and incorporate that input into design concepts.

BUDGET & SCHEDULE: Ability to plan and execute work effectively, meet deadlines, interface professionally with applicable overlapping public, private, and governmental jurisdictions, and produce conceptual budgets that are realistic to delivering project construction in the Quad Cities specific construction labor market.

PROFESSIONAL QUALIFICATIONS: A resume for each key team member who will be working on the project [including sub-consultants]. Provide information on how long the members of the firm have been working together and a list of similar projects the firm or individuals have worked. Resumes should be no more than one-page per person and will not be counted against the 20-page limit.

RELEVANT PROJECTS: A full written description and color images of five (5) relevant projects that have been completed along with associated construction budget and contact information (email and phone numbers) for the clients who engaged the respondent's team. Project examples shall be comparable to the proposed project, and include primary involvement and experience of key personnel from the respondent team. The City of Davenport reserves the right to contact these references to discuss their project experience with your firm.

QUESTIONS

All requests for clarifications or interpretations shall be made via email to the Purchasing Division at purchasing@ci.davenport.ia.us. Inquiries shall contain the firm's name, contact person and fax number and be titled "RFQ 20-XX – Destination Play Area Design Competition". Deadline for inquiries is **Month, Date @ Time PM CST**. Responses to all inquiries will be posted in the form of an addendum on the City's website by the end of the business day on **Month, Date, 2020**. Addenda are posted on the City's website at <https://davenport.ionwave.net> under the original RFQ documents. Failure to acknowledge all addenda may result in the rejection of the proposal.

Be advised that any conversation (in reference to this RFQ) between vendors and any City employee, City official or City Project Manager, outside of the Purchasing Division, during the entire competitive bidding process is strictly prohibited. Such actions will result in removal of the vendor from the vendor's list and rejection of the vendor's proposal. **The ONLY official position of the City is that position which is stated in writing and issued by the Purchasing Division.** No other means of communication, whether written or oral, shall be construed as a formal or official response statement.

All questions and communication regarding this RFQ/Competition should be submitted electronically to Kris Keller, Purchasing Manager at Purchasing@cityofdavenportiowa.com. Questions must be received by the date specified within this document. Questions after the deadline specified will not be considered. Any additional information and /or clarification regarding this RFQ/Competition will be issued in the form of an addendum to this RFQ/Competition Guidebook by Date. Respondents will be responsible for keeping abreast of the addenda as they are posted to the web site and via the City's ebid web site. All such addenda shall become a part of the RFQ/Competition, and all respondents shall be bound by such, whether or not received by the respondent.

SUBMISSIONS DUE

Provide one(1) electronic PDF version 20MB of the proposal to the City of Davenport, Purchasing Division website by **Month, Date 2020, @TIME PM CST**. Incomplete submissions will not be considered.

RFQ PROCESS

RFQ & PUBLIC INTERVIEWS

PHASE 1:

A. REQUEST FOR QUALIFICATIONS

RFQ ISSUED

February 3, 2020

DEADLINE FOR QUESTIONS

February 14, 2020

QUESTION RESPONDED POSTED

February 21, 2020

RESPONSES DUE

February 28, 2020

SHORTLIST EVALUATIONS - The Destination Play Area Task Force of project stakeholders will evaluate, score, and rank qualifications and vote on the selection of shortlist candidates

March 2 - 13, 2020

SHORTLIST NOTIFICATIONS

March 16, 2020

B. PUBLIC INTERVIEWS

SHORTLIST INTERVIEWS

A Jury Panel comprised of membership from the Destination Play Area Task Force will evaluate submittals and interview teams in a public meeting format. Interviews will be held over a two (2) day period in the City of Davenport. Shortlisted project teams will be scheduled for a block of time to interview on their preferred date and time. Meeting time preference shall be given priority to Project Teams by their initial RFP score.

Week of March 30 - April 3, 2020

FINALIST ANNOUNCEMENT

A total of three (3) consultant teams will be announced as finalists to advance to the competition round.

April 4, 2020

DESIGN COMPETITION PROCESS

CONCEPT DEVELOPMENT & PUBLIC INTERVIEWS

PHASE 2:

A. DESIGN CONCEPT DEVELOPMENT

PROJECT KICKOFF

A stipend of \$25,000 will be issued to each of the finalist teams. Stipend is intended to cover all project travel, materials, and deliverables related to the competition. City Staff will prepare and issue a data package of project background files for use by the consultant teams.

May 4, 2020

PUBLIC INPUT WORKSHOP

A public meeting workshop will be held at the start of the design process for Project Teams to perform a comprehensive site analysis and incorporate public stakeholder input. Design teams will have the opportunity to tour the site, engage project stakeholder groups, and the general public via a series of focus group meetings and a public workshop format. A successful project team effort will effectively incorporate resident input into their designs and will undertake additional engagement at their discretion.

Week of May 4 - 8, 2020

Additional public input will be gathered via an online survey to be prepared by City Staff.

CONCEPT PLAN DEVELOPMENT

Teams will be given ten (10) weeks to develop and complete a design concept plan incorporating site analysis and public input findings.

May - July, 2020

B. FINAL PRESENTATION & JURY REVIEW

CONCEPT PLANS DUE

July 7, 2020

FINALIST TEAM PRESENTATIONS

Project teams will once again converge in Davenport for final presentations on a date TBD. A Jury Panel will evaluate and rank the teams.

Week of July 6 - 10, 2020

WINNER ANNOUNCED

July 10, 2020

RFQ / COMPETITION PROCESS

SELECTION CRITERIA & EXPECTATIONS

PHASE 1:

A. REQUEST FOR QUALIFICATIONS

A selection committee composed of representatives from Davenport City Council, City Staff, Riverfront Improvement Commission, Parks and Recreation Advisory Board, Historic Preservation Commission, Design Review Board, and Davenport Community School District shall evaluate and score all submitted RFQ responses. A list of short listed respondents will be chosen based on qualifications, previous completed works, approach to community engagement, and understanding of the nature of the project (see full criteria below).

A total of eight (8) shortlisted respondents may be interviewed. The selection committee may request additional meetings with respondents to gather further information before making a final selection.

SCORING CRITERIA:

RELEVANT EXPERIENCE OF PROJECT TEAM (35 POINTS)

Design intent and philosophy, qualifications and capacity to perform work from concept development to a completed built project. The City expects a high quality design from a firm(s) with a national portfolio and reputation. Experience in all aspects of the Scope of Services shall be detailed in the submission.

PROJECT UNDERSTANDING (35 POINTS)

Experience with, or understanding of the project intent and the nature of the site, understanding of local planning, design opportunities and constraints. The City expects the project team to be well experienced, innovative and utterly committed to the project development, design and implementation.

PROPOSED WORK APPROACH (20 POINTS)

Approach to community engagement, public process, and building local relationships and partnerships. The City expects the project team to be well balanced and experienced in providing productive open public processes. Special consideration given to past demonstration of the ability to successfully bring private partnerships and their associated funding as means of executing/actualizing a design product above and beyond the limitations of the City of Davenport Capital Improvements Plan.

PRESENT WORKLOAD / AVAILABILITY OF KEY STAFF (10 POINTS)

B. PUBLIC INTERVIEWS

Shortlisted respondents will be invited to Davenport to share their ideas and participate in interviews with a Jury Panel. The interviews will be open to the public and public comments received will be taken into consideration in the Jury selection process. The public interviews shall demonstrate transparency, build anticipation for the park, and reinforce the principle that the Main Street Landing Destination Play Area belongs to everyone and will be designed with stakeholder input.

Following the interviews, 4 project teams may be selected as finalists and given a stipend of \$25,000 to generate design concepts for the Park over a 10-week period. The City reserves the right to add or eliminate the number of finalists based upon the relative strength of the RFQ submittals received.

RFQ / COMPETITION PROCESS

SELECTION CRITERIA & EXPECTATIONS

PHASE 2:

A. PUBLIC INPUT WORKSHOP

City Staff will prepare and distribute a package of background project data (including but not limited to, aerial photos, CAD files, GIS data, previous master plan reports and construction plans, site survey, historical photos, etc.) for consultant team use in the preparation of base files for the public input workshop.

The City will facilitate a several day community engagement workshop that will include:

- Staff lead background presentation on site history, past riverfront master plan initiatives, and recently completed construction activities.
- A riverfront bike tour/walking tour/boat tour? site visit including highlights of the 9 miles of publicly held riverfront.
- On-line survey instruments to solicit public input into the design process
- Introductory presentations from consultant teams.
- Stakeholder focus group interviews
- Open house public meeting / design charrette
- Opportunities for independent research and on-site reconnaissance

B. PRESENTATIONS & JURY REVIEW

Following the 10 weeks of design, the finalist teams will present their concepts to the public, including final presentation materials including models, drawings, etcetera which will be assembled and exhibited for the public.

FINAL DESIGN CONCEPT DELIVERABLES

Following the ten (10) week design concept development stage, teams are expected to provide representations of completed design concept plans in a range of formats. Examples include drawings to models that will be used in various formats including the City of Davenport website and publications. An exhibition that will coincide with the finalist team presentations. Teams are also required to submit a cost estimate for their design.

SELECTION CRITERIA

Design concept plans will be judged and scored by the Jury Selection Panel in part using guidelines to be determined and specified at the point of invitation to the design competition. The design concept plans will be ranked in order of scoring by the Jury Panel and delivered to leadership of the Destination Play Area Task Force and ultimate acceptance by City Council. The winning team will advance to contract negotiations with the City of Davenport for the purpose of bringing the concept into a schematic design and construction document phase.

All submittals will be evaluated using the same criteria. The City of Davenport will accept the qualifications and submittals that it believes best meets the goals of the project outlined in this document.

GENERAL INSTRUCTIONS

LEGAL OBLIGATIONS: This Request for Qualifications is not intended as, and does not constitute, a binding agreement, but is merely intended to specify some of the proposed terms and conditions of the transaction contemplated herein. Neither party may claim any legal right against the other party by reason of signing this Request for Qualifications nor by taking any action in reliance thereon. Each party here to fully understands that no party shall have any legal obligations to the other, or with respect to the proposed transaction, unless or until all of the terms and conditions of the proposed transaction have been negotiated, and agreed to by all parties. Ownership of materials and design concepts will become property of the Client.

NEWS RELEASES: Public disclosure regarding this RFQ and subsequent awards will be coordinated by the City of Davenport

INQUIRIES: All questions and communication regarding this RFQ should be submitted electronically via the City of Davenport ebid system to the Purchasing Division at purchasing@davenportiowa.com. Questions must be received by the date specified in this document. Questions received after the date specified will not be considered.

SIGNATURE REQUIREMENTS: Submittals to the RFQ must be signed by the Lead Designer.

DELIVERY: All submittals shall be electronic in PDF format and uploaded to the City of Davenport website.

RFQ ADDENDA: In the event that it becomes necessary to revise any part of this RFQ, or if additional information is necessary to enable the proposing teams to make an adequate interpretation of the provisions of this RFQ, an addendum(s) to this RFQ will be posted to the City website.

REJECTION RIGHTS: The City of Davenport, at any time, to modify, waive or otherwise vary the terms and conditions of this RFQ including, but not limited to, the deadlines for submission and submission requirements. City of Davenport further reserves the right to reject any or all submittals, and to cancel or withdraw this RFQ at anytime. Proceeding with the selected team is dependent upon the negotiation of a mutually acceptable A/E Agreement.

COST OF PREPARING RESPONSES: No reimbursement will be made by the City for any costs incurred in the preparation of submittals to this RFQ.

RFQS TO BE IN EFFECT: Each RFQ shall state it is valid for a period of not less than 90 days from submission due date.

PROHIBITED INTEREST: No consulting service contract will be awarded to any firm or corporation for a period of one (1) year after they have employed any exempt management employee directly from the City, provided, however, that this provision will not apply in the event the employee so hired is not involved in any way with work being performed by the firm or corporation for the City.

OWNERSHIP AND REUSE OF DOCUMENTS: All documents prepared and submitted in response to this RFQ project shall become the property of the City and the City shall own all ideas, documents and materials developed or prepared in response to this RFQ. All documents prepared are subject to reuse by the City in accordance with the provisions of Iowa statutes.

NONDISCRIMINATION: It is the policy of the City to provide workplaces free from discrimination, harassment and related inappropriate behavior. The City does not condone or tolerate any behavior that is discriminatory, harassing or otherwise inappropriate when such behavior is based on an individual's or group's race, color, national origin, religion, gender, marital status, age, disability, sexual orientation, genetic information or other protected category. Gender includes but is not limited to sex, pregnancy, childbirth or medical conditions related to childbirth, and gender-related self-identity which can be shown by evidence such as medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held. Teams are encouraged to adopt such policies and provide workplaces free of discrimination in terms of conditions of employment, including benefits.

PROHIBITED COMMUNICATION: All teams, their agents and representatives are prohibited from lobbying City Council, Mayor, appointed officials and their staff, City departments, selection committee members or city project consultants relative to this RFQ. Non-compliance with this provision will result in disqualification of offer or from consideration.

GENERAL INSTRUCTIONS

DEBARMENT AND SUSPENSION: By signing and submitting a response to the RFQ, the team certifies that no principal (which includes officers, directors, or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this project by any federal or state department or agency.

DISCREPANCIES, ERRORS AND OMISSIONS: Any discrepancies, errors, or ambiguities in this RFQ or addenda (if any) should be reported in writing to the City's contact person identified in this RFQ. Should it be found necessary, a written addendum to this RFQ will be issued. The City will not be responsible for any oral instructions, clarifications, or other communications.

DISQUALIFICATION: The City reserves the right to disqualify any team, firm(s) or individual(s) before or after opening of the RFQ/ Competition, upon evidence of violation of this RFQ or collusion with intent to defraud or other illegal practices on the part of the team, firm(s) or individuals.

PUBLIC ENTITY CRIMES: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit a bid on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

TRUTH IN NEGOTIATIONS CERTIFICATE: For a lump sum, salary multiplier or cost-plus-a-fixed-fee professional service contract over the threshold amount provided in Iowa statutes, the respondent shall, if selected, execute a Truth in Negotiations Certificate stating that the wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of contracting. If requested by the City of Davenport, partnership, financial statements including balance sheet, profit and loss and statement of changes in financial position for the latest annual report for each participating firm shall be submitted together with the name of banks and other financial institutions with which the respondent conducts business.

DISPUTE AND COMPLAINTS: All complaints or grievances should be first submitted or ally or in writing to the City. The City shall investigate the validity of the complaint and present the findings in writing to the firm or individual. If the firm is dissatisfied with the findings, firm may then make an appeal to the City. The firm's appeal will be heard by the City once recommended by the Selection Committee.

INFORMATION DESIGNATED A TRADE SECRET AND/OR CONFIDENTIAL AND/OR PROPRIETARY: All submittals (including all documentation and materials attached to the submittal or provided in connection with this RFQ) submitted to the City are subject to the State of Iowa's public records law, which require disclosure of public records, unless exempt, if a public records request is made. All submittal (including all documentation and materials attached to the submission or provided in connection with this RFQ (even if in a separate envelope) submitted to the City cannot be returned. THE CITY WILL NOT CONSIDER ANY RFQ IF THE ENTIRE RFQ IS LABELED A TRADE SECRET AND/OR CONFIDENTIAL AND/OR PROPRIETARY.

If a firm or individual believes that its submittal (including all documentation and materials attached to the RFQ or provided in connection with this RFQ) contains information that is a trade secret (as defined by Iowa law) and/or information that is confidential and/or proprietary and therefore exempt from disclosure then such information must be submitted in a separate envelope and comply with the following requirements. In addition to submitting the information in a separate envelope, the firm or individual must include a general description of the information designated as a trade secret and/or confidential and/or proprietary and provide reference to the State of Iowa statute or other law which exempts such designated information from disclosure in the event of a public records request.

The City does not warrant or guarantee that information designated by a firm or individual as a trade secret and/or confidential and/or proprietary is a trade secret and/or confidential and/or proprietary and exempt from disclosure. The City offers no opinion as to whether the reference to the Iowa statute or other law by a firm or individual is/are correct and and/or accurate. The City will only notify firm or individual of a public records request if such public records request asks for information that is designated by firm or individual as a trade secret and/or confidential and/or proprietary and firm or individual, at its own expense, will have forty-eight (48) hours after receipt of such notice (email notice is acceptable notice) to file the necessary court documents to obtain a protective order.

GENERAL INSTRUCTIONS

Please be aware that the designation of information as a trade secret and/or confidential and/or proprietary may be challenged in court by any person or entity. By designation of information as a trade secret and/or confidential and/or proprietary, firm or individual agrees to defend the City, its employees, agents and elected and appointed officials ("Indemnified Parties") against all claims and actions (whether or not a lawsuit is commenced) related to its designation of information as a trade secret and/or confidential and/or proprietary and to hold harmless the Indemnified Parties for any award to a plaintiff for damages, costs and attorneys' fees, and for costs and attorneys' fees (including those of the City) incurred by the City by reason of any claim or action arising out of or related to firm's or individual's designation of information as a trade secret and/or confidential and/or proprietary.

Failure to comply with the requirements above shall be deemed as a waiver by firm or individual to claim that all additional information in its response is a trade secret and/or confidential and/or proprietary regardless if such information is labeled trade secret and/or confidential and/or proprietary. Firm or individual acknowledges and agrees that all information in firm's or individual's RFQ (not including information submitted in a separate envelope) will be disclosed, without any notice to firm or individual, if a public records request is made for such information.

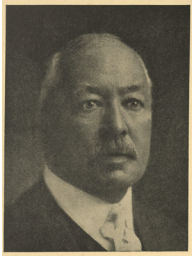
PLEASE BE ADVISED THAT FIRM'S OR INDIVIDUAL'S SUBMISSION, INCLUDING THE INFORMATION SUBMITTED IN A SEPARATE ENVELOPE IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH ABOVE, WILL BE DISTRIBUTED TO THE SELECTION COMMITTEE MEMBERS, CITY STAFF, AND CONSULTANTS TO ALLOW FIRM'S OR INDIVIDUAL'S ENTIRE SUBMISSION, TO BE EVALUATED AND CONSIDERED FOR AWARD OF THIS AGREEMENT.

THE ENTIRE CONTENTS OF FIRM'S OR INDIVIDUAL'S RFQ INCLUDING THE INFORMATION SUBMITTED IN A SEPARATE ENVELOPE, MAY BE DISCUSSED AT MEETINGS THAT ARE OPEN TO THE PUBLIC, SUBJECT TO THE REQUIREMENTS SET FORTH IN STATE OF IOWA STATUTES.



APPENDIX

REFERENCE DOCUMENTS



AVAILABLE FOR DOWNLOAD AT: www.davenportiowa.com/blah/blah/blah

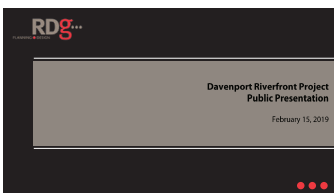
W. D. PETERSEN, "FATHER OF THE DAVENPORT LEVEE" (HUGH HARRISON, 1919)

RIVERVISION PLAN OF 2004 (HARGREAVES AND ASSOCIATES, 2004)

RIVERVISION PLAN OF 2014 (HARGREAVES AND ASSOCIATES, 2014)

RIVERFRONT DESIGN GUIDELINES (RDG, INC. 2017)

DAVENPORT RIVERFRONT PROJECT PUBLIC PRESENTAION (RDG, INC. 2019)



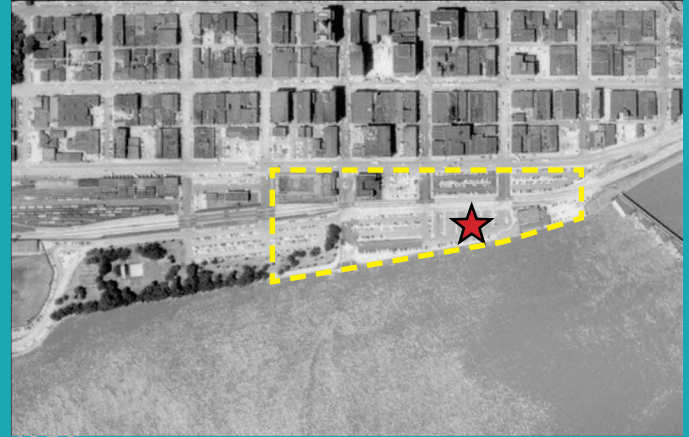
APPENDIX

SITE TIMELINE



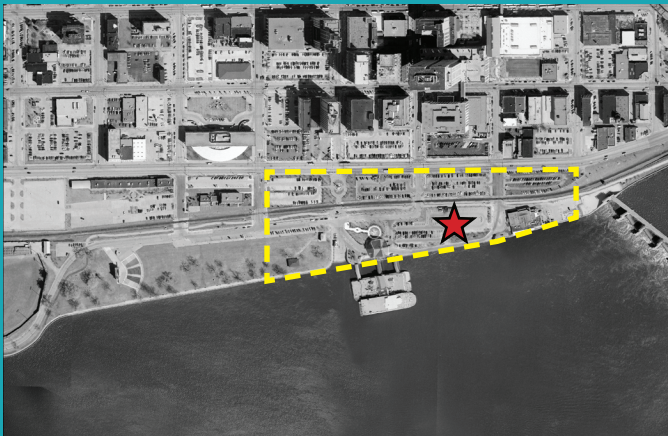
1930s

Original Configuration of the Davenport Levee. Included public park space (LeClaire Park) and other riverfront civic improvements constructed with funds recieved via a working steamboat landing and inter-modal frieght facility. The W.J. Quinlan Ferry transported passengers between Davenport, IA and Rock Island, IL.



1950s

As the automobile increased in affordability and popularity, parking was at a premium in Downtown Davenport. The original steamboat landing was replaced with a seawall and an expanded parking lot. In adjacent LeClaire Park, nearly one half of the public park space was replaced with a new parking lot to meet these new demands.



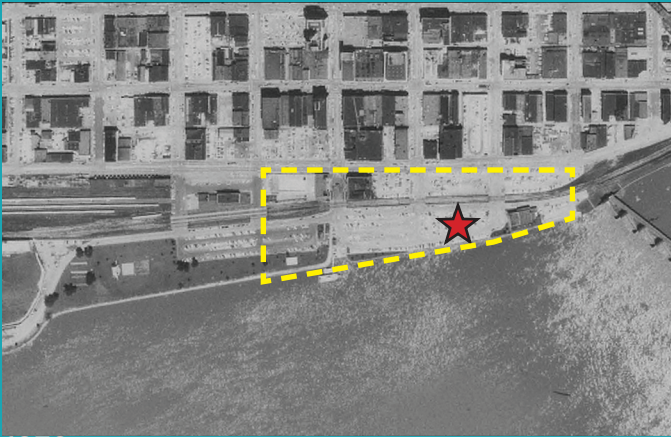
2000s

Significant transformative change took place over the course of the decade. In 2001, the passage of River Renaissance brought \$113.5M in new development including construction of the Figge Art Museum, River Music Experience, Redstone Building restoration, Class A office space, new parking ramps, and the Skybridge which provided a direct link from Downtown to the riverfront. Following this momentum, in 2004, the City partnered with Rock Island, IL to develop RiverVision as a comprehensive master plan for their combined riverfronts.



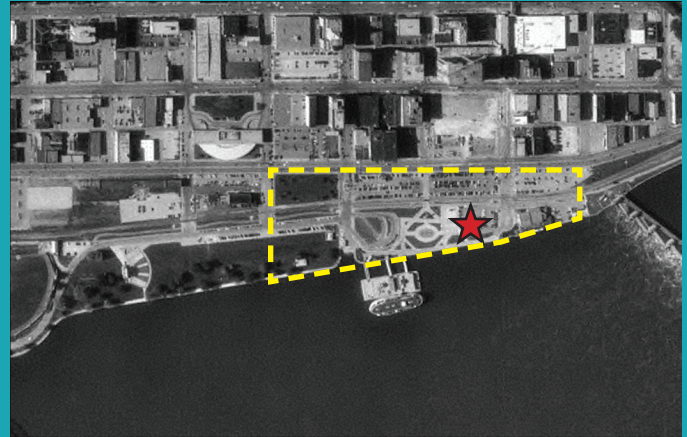
2010s

The construction of the "Front Porch Parkway" installed a series of decorative medians in the middle of River Drive for the purpose of providing an added aesthetic and more safely facilitate pedestrian circulation between Downtown Davenport and the Riverfront.



1970s

The insatiable demand for parking continued over the next several decades with a seemingly endless series of parking lot re-configurations intended to make parking more efficient and increase capacity. As the building stock of Downtown declined, pockets of once vibrant buildings were demolished to construct parking lots and ramps.



1990s

The 1990's saw riverboat gambling introduced to Downtown Davenport and a majority of the Main Street Landing project area was leased to the casino operation. In LeClaire Park, the previous decade brought the reclamation and conversion of parking spaces into park land in due to the popularity of outdoor music festivals.



2017

With the departure of the Rhythm City Casino to a land based operation, the development of Main Street Landing began in earnest. At this time, structures south of the CP Railroad tracks were demolished and replaced with an open lawn to set the stage for future development. In 2018, ground was broken for construction of the "Flexible Event Space" as the first official phase of the Main Street Landing development.

APPENDIX

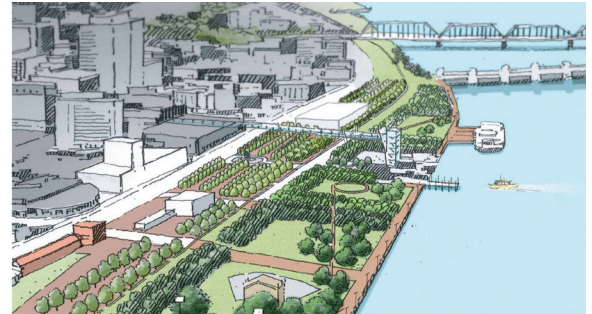
PREVIOUS PLAN INITIATIVES

RIVERVISION 2004 - A SERIES OF OUTDOOR ROOMS

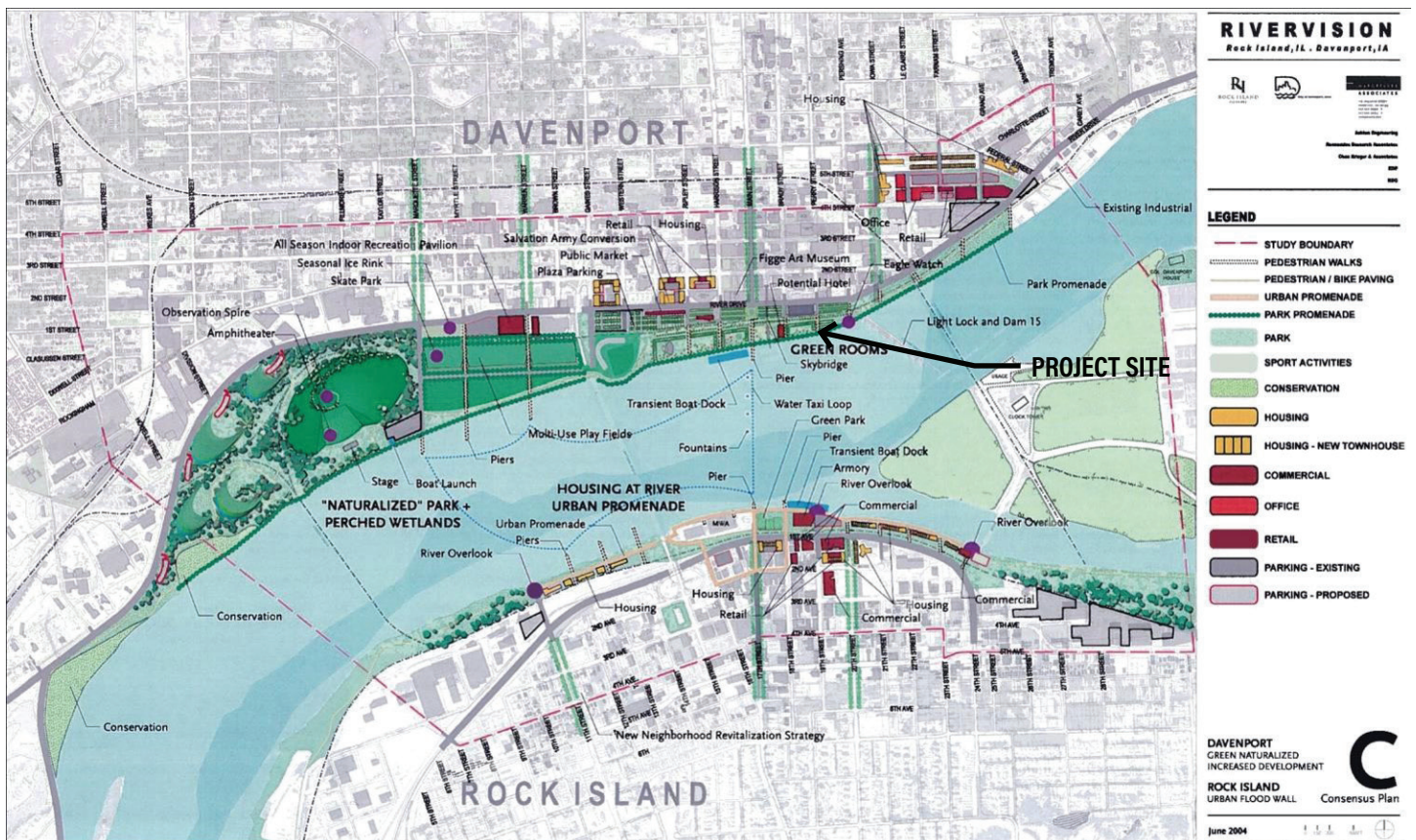
The RiverVision Plan of 2004 laid the organizational framework for site development upon which subsequent planning initiatives were based. It provided the initial concept for the Riverfront adjacent to Downtown to be developed into a sequence of outdoor rooms connected together by pedestrian plaza corridors which extended the urban grid and the preservation of their associated Mississippi River viewsheds.

RIVERVISION 2014 - DEVELOPING SITE PROGRAM

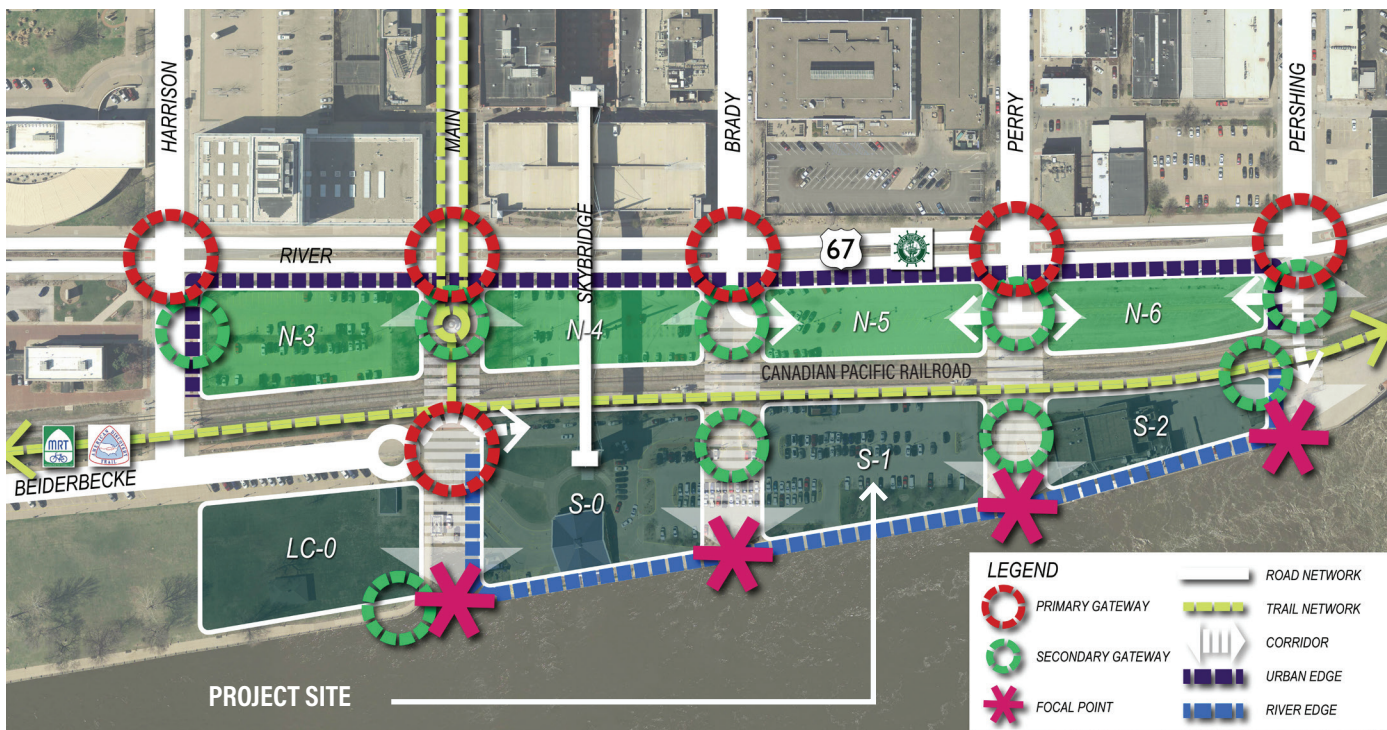
As a follow up to the original plan, a 10 year update was prepared to ensure that a potential riverfront public/private partnership mixed-use development (that was being considered at the time) fit within the context of the original plan. The 2014 plan provided a more in-depth focus of the site which became Main Street Landing and introduced the programmatic elements that make up the sequence of "Outdoor Rooms" from its predecessor. The playground site program was introduced at this time, complemented by overlook and sand beach features. An elevated "Belvidere" walkway feature connected the Skybridge with the proposed mixed-use building as means of making the site accessible during flood events.



RIVERVISION 2004 - CONSENSUS PLAN



MAIN STREET LANDING FRAMEWORK DIAGRAM



RIVERVISION 2014

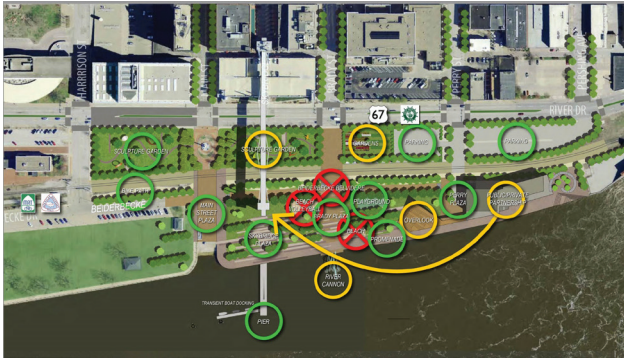


DAVENPORT RIVERVISION 2014 ILLUSTRATIVE PLAN

The Rivervision 2014 plan builds upon the 2004 recommendations for 'urban rooms': a framework of tree-lined rooms. The current plan recommends a mix of tree-lined rooms, balanced with larger river-focused expanses of lawn, with parallel bands of flood-tolerant shade trees.

APPENDIX

PLAN EVOLUTION



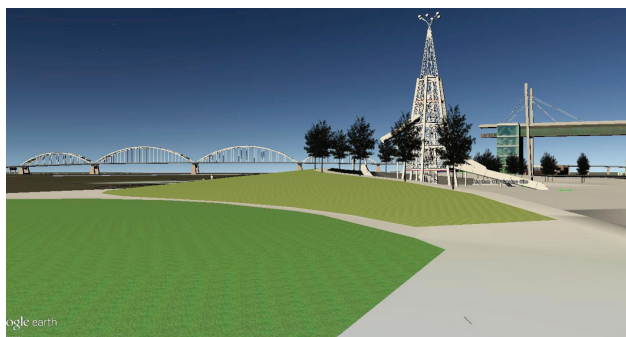
With the relocation of the Rhythm City Casino to a land based operation combined with the withdrawal of the public private partnership development application, the City made several programmatic shifts to the site plan in 2018.

As it relates to this RFQ, the most noticeable change to Block S-1 included the expansion of the playground footprint in order to create a "destination scale" playground amenity. As means of protecting the high level of finish associated with an amenity of this type, the "overlook" feature was re-envisioned as a passive sloped lawn feature amenity which would serve as a accent the 180 degree site views as well as serve as a strategic berm to protect the playground from a flood event.

Citing maintenance costs associated with frequent sand replacement after flooding events, the beach and beach volleyball amenities were abandoned.

Other changes included:

- Moving the public-private partnership building to the foot of the Skybridge,
- The separation of the sculpture park into two unique passive (traditional) and active (urban lounge) sub plazas.
- The combination of the garden feature and parking lot, turning it into a combination parking lot / flexible event space.



CITY UPDATE 2018



NEW PERSPECTIVES



In 2018 into 2019, The Figge Art Museum, in partnership with the Downtown Davenport Partnership, commissioned Dahlquist RDG, Inc. / Dahlquist Art Studio for the purpose of developing an overarching "art" theme to complement previous riverfront master plan initiatives. The study incorporated a unique theme that took the form of a series of "sculptural frames" which could be replicated throughout the combined riverfronts of the Quad Cities Region.

The RDG/Dahlquist Plan was able to build upon previous plans by visualizing the site improvement interpretations in the form of a 3D modeling which incorporated the elements of the Main Street Landing Design Design Guidelines for a detailed, near photorealistic representation.



The RDG / Dahlquist plan introduced the concept of reconstructing the existing seawall in order to make a more curvilinear riverwalk feature that allowed for more interaction opportunities with the river's edge.

The Davenport City Council accepted the Main Street Landing Master Plan as commissioned by DDP and Figge and presented at a joint public meeting of City, DDP, and Figge on February 15, 2019. The RDG/Dahlquist plan is intended to be used in conjunction and partnership with the 2014 and 2004 versions of the RiverVision Plan. All plans should be jointly utilized and considered in future planning of Main Street Landing.

RDG STUDY 2019





City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
2/26/2020

Subject:

Third Consideration: Ordinance for Case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 E 11th St from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

Recommendation:
Adopt the Ordinance.

Background:
Background:

Comprehensive Plan:

Within Existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

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

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

Zoning:

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

Technical Review:

Streets.

The property is located on the north side of East 11th Street just west of the railroad and the Village of East Davenport commercial district.

Storm Water.

No improvements to the building or property are proposed. Therefore, compliance with the storm water ordinance is not required.

Sanitary Sewer.

There is sanitary sewer adjacent to the property. However, no improvements to the building or property are proposed.

Other Utilities.

Other normal utility services are available.

Public Input:

Letters were be sent to property owners within 200 feet of the proposed request notifying them of the December 2, 2019 neighborhood meeting and the December 3, 2019 Plan and Zoning Commission Public Hearing.

One area resident appeared at the neighborhood meeting, but did not appear to object to the request. No one spoke in opposition at the December 3, 2019 Plan and Zoning Commission public hearing.

Discussion:

The petitioner is requesting a rezoning to C-T Commercial Transitional Zoning District to make the use of the property conforming to the Zoning Ordinance.

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

The property is currently configured as a non-conforming office. Aunt Rhodie's Nursery was formerly located at this property. Chapter 17.15, entitled "Nonconformities" would allow a professional office at this location. However, any other use (i.e. chiropractic office) would be considered a change of use, and therefore, not permitted.

The minimum lot size for a property in the C-T Commercial Transitional Zoning District is 10,000 square feet. The subject property contains 9,000 square feet of lot area. The petitioner was granted a 10% (1,000 square foot) administrative exception to the lot area requirement in order to request a zoning map amendment to the C-T Commercial Transitional Zoning District.

Off-street parking is not required in the C-T Commercial Transitional Zoning District.

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

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

E. Approval Standards

The Plan and Zoning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any

particular standard. However, in making their recommendation and decision, the Plan and Zoning Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. *Approval Standards for Map Amendments*

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

The Davenport 2035 Residential General (RG) Future Land Use designation reads: *Neighborhoods are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services, as well as other neighborhood uses like schools, churches, corner stores, etc. generally oriented along Urban Corridors (UC). Neighborhoods are typically designated as a whole. Existing neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, with the exception along edges and transition areas, where higher intensity may be considered.*

It is staff's opinion that the railroad is an edge where higher intensity may be considered. Additionally, the Village of East Davenport commercial district is to the east of the subject property. Higher intensity in the RG Future Land Use designation contemplates commercial development. If only residential development were contemplated along an edge, the language would read, "higher density may be considered".

It is staff's opinion that the C-T Zoning District would be compatible with the Comprehensive Plan.

b. *The compatibility with the zoning of nearby property.*

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

The scale of the existing building and uses permitted in the C-T Zoning District would allow it to be compatible with the zoning of the nearby property. It is staff opinion that the C-T Zoning District would be compatible with the zoning of nearby property.

c. *The compatibility with established neighborhood character.*

The scale of the existing building and uses permitted in the C-T Zoning District would allow it be compatible with the zoning of the nearby property.

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

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

Residential development is in close proximity to the subject property. The C-T Commercial Transitional Zoning District would allow for a limited number of commercial uses, which would be compatible with the surrounding area.

It is staff's opinion that the C-T Zoning District would promote the public health, safety, and welfare of the City.

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

The property is currently zoned R-4C Single-Family and Two-Family Residential Zoning District. It is staff's opinion that higher intensity use would be appropriate in this location because it is adjacent to the railroad and the Village of East Davenport commercial district is just to the east of the subject property. Additionally, the property is a legally established non-conforming use.

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

The property is currently a legally established non-conforming use. The rezoning would eliminate nonconformity.

Findings:

1. The C-T Commercial Transitional Zoning District would eliminate the non-conforming use of the property; and
2. The proposed zoning map amendment would achieve consistency with approval standards enumerated in Section 17.14.040E.1 (A-F) of the Davenport City Code.

Recommendation:

Staff recommends that the Plan and Zoning Commission accept the two listed findings and forward Case REZ19-13 to the City Council with a recommendation for approval.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Application
▣ Backup Material	Plan and Zoning Commission Pubic Hearing Notice
▣ Backup Material	Neighborhood meeting notice
▣ Backup Material	Zoning Use Matrix for C-T Zoning District
▣ Backup Material	Public Hearing Presentation
▣ Backup Material	P&Z Letter
▣ Backup Material	COW Public Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Flynn, Matt	Approved	1/14/2020 - 4:13 PM
Community Development Committee	Berger, Bruce	Approved	1/15/2020 - 9:02 AM
City Clerk	Admin, Default	Approved	1/15/2020 - 4:22 PM

ORDINANCE NO. 2020 -

ORDINANCE for case REZ19-13 being the request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District.

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-T, Commercial Transition District.

The property has the following legal description:

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot 2, and running thence West 40 feet, more or less, along the South Line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (Formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called the Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds page 180, records of the Recorder's Office of Scott County, Iowa.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend approval of the proposed rezoning.

Section 2. At its December 17, 2019 meeting, the Plan and Zoning Commission unanimously in favor of forwarding Case REZ19-13 to the City Council with a recommendation for denial with the following findings:

1. Rezoning the property would not be consistent with the Comprehensive Plan as it would allow for higher intensity development allowed in an area designated RG Residential General.
2. There is little demand for commercial development in this vicinity. More than 15 acres of vacant land zoned C-2 exists to the east of the site.
3. Additional commercially zoned land may have a negative impact on nearby neighborhoods and Ridgeview Park.

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:

Mike Matson, Mayor

Attest: _____
Brian Krup, Deputy City Clerk

Published in the *Quad City Times* on _____



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:

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal ☐
 Special Use ☐
 Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
 Landmark Nomination ☐
 Demolition Request ☐

Administrative

Administrative Exception ☐
 Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

****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.

Purpose of the Request:

I am applying for a rezoning of the Former Aunt Rhodies Landscape & Design office. The subject property has been utilized for the past 30 + years as a design office and retail nursery for plants (via a non-conforming use). The subject property is neighboring a C-V zoning district and I think a C-T zoning is a suitable low-impact zoning that fits the neighborhood. My house neighbors the subject property to the North and I own the property to the west. I will be very particular about the use to ensure it fits the area and the property layout. Thanks for your consideration.

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:

Planning staff

Date:

Date of the Public Hearing:

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



Doc ID: 021825020003 Type: LAN
Recorded: 11/14/2018 at 12:57:19 PM
Fee Amt: \$426.20 Page 1 of 3
Revenue Tax: \$399.20
Scott County Iowa
Rita A. Vargas Recorder

File **2018-00052151**

**WARRANTY DEED
Recorder's Cover Sheet**

Preparer Information:

Joseph C. Judge
Lane & Waterman LLP
220 N. Main Street, Suite 600
Davenport, IA 52801
Phone: (563) 324-3246

Taxpayer Information:

Pegasus 62 Iowa LLC
2019 E. 12th Street
Davenport, IA 52803

Return Document To:

Frank L. Nowinski
Katz Nowinski P.C.
1000 36th Avenue
Moline, IL 61265

Grantors:

Aunt Rhodie's Properties, LLC

Grantees:

Pegasus 62 Iowa, LLC

Legal Description: See Exhibit A on Page 3

Document or instrument number of previously recorded documents: N/A

EXHIBIT A

LEGAL DESCRIPTION OF REAL ESTATE

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot, and running thence West 40 feet, more or less, along the South line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds, page 180, records of the Recorder's Office of Scott County, Iowa.

[Back to Dashboard \(/\)](#)

Iowa Secretary of State

321 East 12th Street

Des Moines, IA 50319

sos.iowa.gov

FILED

Date:

10/15/2018 10:28 AM

Corp No:

584815

Cert No:

FT0008989

Certificate of Organization - LLC

Information

CODE 489 DOMESTIC LIMITED LIABILITY COMPANY

Chapter

Pegasus 62 Iowa, LLC

Entity Name

Effective Date and Time

Perpetual

Expiration Date

Certificate of Organization - signed.pdf (/Uploads/Filings/20181015/a303a8b2-81ca-4769-a15b-9cdbc4c28dba.pdf)

Upload PDF

Registered Agent and Registered Office Address

CERTIFICATE OF ORGANIZATION

of

PEGASUS 62 IOWA, LLC

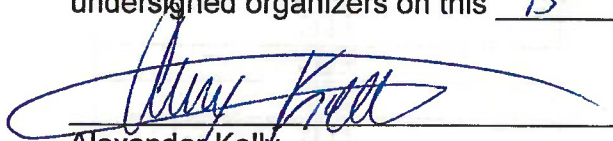
TO THE IOWA SECRETARY OF STATE:

Pursuant to Section 1201 of the Iowa Revised Uniform Limited Liability Company Act, the undersigned, acting as organizer of a limited liability company, adopts the following certificate of organization for the company.

1. **Name:** The name of the series limited liability company shall be **Pegasus 62 Iowa, LLC**.
2. **Principal Place of Business:** The location of the principal place of business of the limited liability company shall be **2019 E. 12th Street, Davenport, Iowa 52803**.
3. **Registered Office:** The registered office of the limited liability company shall be located at **256 E. 90th Street, Davenport, Iowa 52806**.
4. **Registered Agent:** The registered agent for the limited liability company upon whom process in any action or proceeding against the limited liability company may be served at the registered office shall be **Katz Nowinski P.C.**
5. **Business and Objectives:** The company, including any series created hereunder, shall be formed for any lawful purposes and shall have unlimited power to engage in and do any lawful act concerning any and all lawful businesses for which companies may be organized under the Iowa Limited Liability Company Act. In connection with the above-mentioned purposes, the company shall have the power to invest its funds in real property and securities, to acquire, own, and dispose of real and personal property, and to do all other acts incidental and necessary to the accomplishment of the foregoing purposes, to the extent permitted under the Iowa Limited Liability Company Act.
6. **Series LLC:** Pursuant to Section 489.1201, PEGASUS 62 IOWA, LLC is a series limited liability company. Each series shall be named as follows: Pegasus 62 Iowa, LLC [insert series number]. A list of series established with this Certificate of Organization is attached hereto and incorporated by this reference, but the company reserves the right to create additional series not included on the attached Exhibit A.

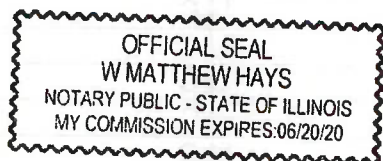
11. **Company Existence:** The existence of the limited liability company shall commence on the date on which the Secretary of State of the State of Iowa shall issue a Certificate of Organization for the limited liability company and shall thereafter be perpetual.
12. **Amendments:** The company reserves the right to amend, alter, change, or repeal any provision contained in this Certificate of Organization in the manner now or hereafter prescribed by statute and all rights conferred upon Members herein are granted subject to this reservation

This Certificate of Organization has been made, signed, and acknowledged by the undersigned organizers on this 15th day of October, 2018.


Alexander Kelly

STATE OF ILLINOIS)
)
COUNTY OF ROCK ISLAND) ss.

This instrument was acknowledged before me on this 15 day of October, 2018.




Notary Public

This instrument was prepared by:

W. Matthew Hays
Katz Nowinski P.C.
Attorneys at Law
1000 36th Avenue, Suite 100
Moline, IL 61265-7126
mhays@katzlawfirm.com

**OPERATING AGREEMENT
OF
PEGASUS 62 IOWA, LLC**

THIS LIMITED LIABILITY COMPANY OPERATING AGREEMENT ("Agreement") is made and entered into as of the 15th day of October, 2018, by Alexander Kelly of 2019 E. 12th Street, Davenport, Iowa, 52803, the sole member of PEGASUS 62 IOWA, LLC ("Company").

EXPLANATORY STATEMENTS

- A. The Company was formed as an Iowa limited liability company on the 15th day of October, 2018, by the filing of a Certificate of Organization with the Secretary of State of the State of Iowa.
- B. Alexander Kelly desires to provide for certain agreements governing the business and affairs of the Company.

AGREEMENTS

- 1. **Governing Law.** The Company has been formed under and is subject to the Iowa Revised Uniform Limited Liability Company Act ("Act"), Chapter 489 of the Code of Iowa, as amended.
- 2. **Name.** The name of the Company is Pegasus 62 Iowa, LLC; provided that the Manager may, from time to time, change the name of the Company to any name permitted by the Act.
- 3. **Registered Office and Registered Agent.** The Company's registered office in the State of Iowa is 256 E. 90th Street, Davenport, Iowa, 52806 The name of the Company's registered agent at such address is Katz Nowinski P.C. The Manager may, from time to time, change the registered office and the registered agent of the Company.
- 4. **Term.** The term of the Company shall be perpetual, unless the Company is earlier dissolved in accordance with the provisions of this Agreement.
- 5. **Business of the Company.** The business of the Company shall be to engage in any lawful businesses and activities for which limited liability companies may be organized under the laws of the State of Iowa.
- 6. **Ownership and Distributions.** As of the date hereof, Alexander Kelly is the sole Member of the Company and has 100% share of the Net Profits and Net Losses. All distributions will be made to the Members in proportion to their share of Net Profits and Net Losses. No Transferee shall be admitted as a Member of the

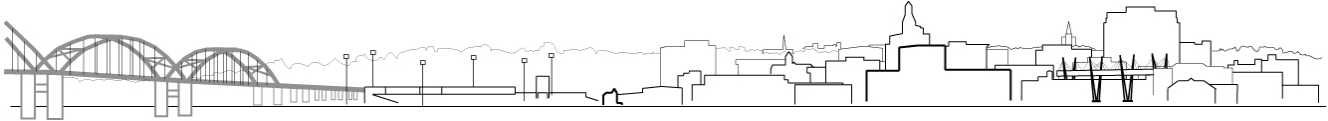
9. Indemnification. The Company (to the extent of all of its assets and without any obligation on the part of any Member to contribute funds to the Company, but subject to any lien or security interests held by any person) shall indemnify and hold harmless each Manager and each Member from any loss or damage incurred by it by reason of any act performed by it for and on behalf of the Company and in furtherance of the Company's interest, provided such act or acts were done in good faith and without malfeasance, gross negligence, or willful misconduct on the part of the Manager or Member. Except as otherwise expressly and specifically provided herein, a Member shall have no obligation or liability to any other Member or, except as otherwise expressly provided by the Act, to any other person or entity, in such Member's capacity as a Member.
10. Dissolution. The Company shall be dissolved pursuant to Section 489.701 of the Act.
11. Inconsistencies. In the event of any inconsistency between this Agreement and the Act, to the extent permitted by applicable law, the terms of this Agreement shall govern.
12. Applications of Iowa Law. This Agreement and its interpretation shall be governed exclusively by its terms and by the laws of the State of Iowa.
13. Amendments. This Agreement may not be amended except in writing by a majority in interest of the Members.
14. Heirs, Successors, and Assigns. This Agreement shall be binding on and inure to the benefit of the Members and their heirs, legal representatives, successors, and assigns.
15. Creditors. None of the provisions of this Agreement shall be for the benefit of or enforceable by any creditors of the Company.

IN WITNESS WHEREOF, the undersigned has executed this Agreement as of the date first written above.

MEMBER:


Alexander Kelly

**PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT**



Public Hearing Details:

Date: 12/3/2019
Time: 5:00 PM
Location of Public Hearing: 226 West 4th Street in City Hall Council Chambers.
Subject: Public hearing for a zoning map amendment.
Location of Property: 2012 East 11th Street
Case #: REZ19-13

Ward: 5th

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

What is this All About?

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

Request Description:

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

What are the Next Steps after the Public Hearing?

The 12/3/2019 public hearing is the first step in the review/approval process. The Plan and Zoning Commission will meet on 12/17/2019 to vote (provide its recommendation) on the request. The Commission's recommendation will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment or Protest?

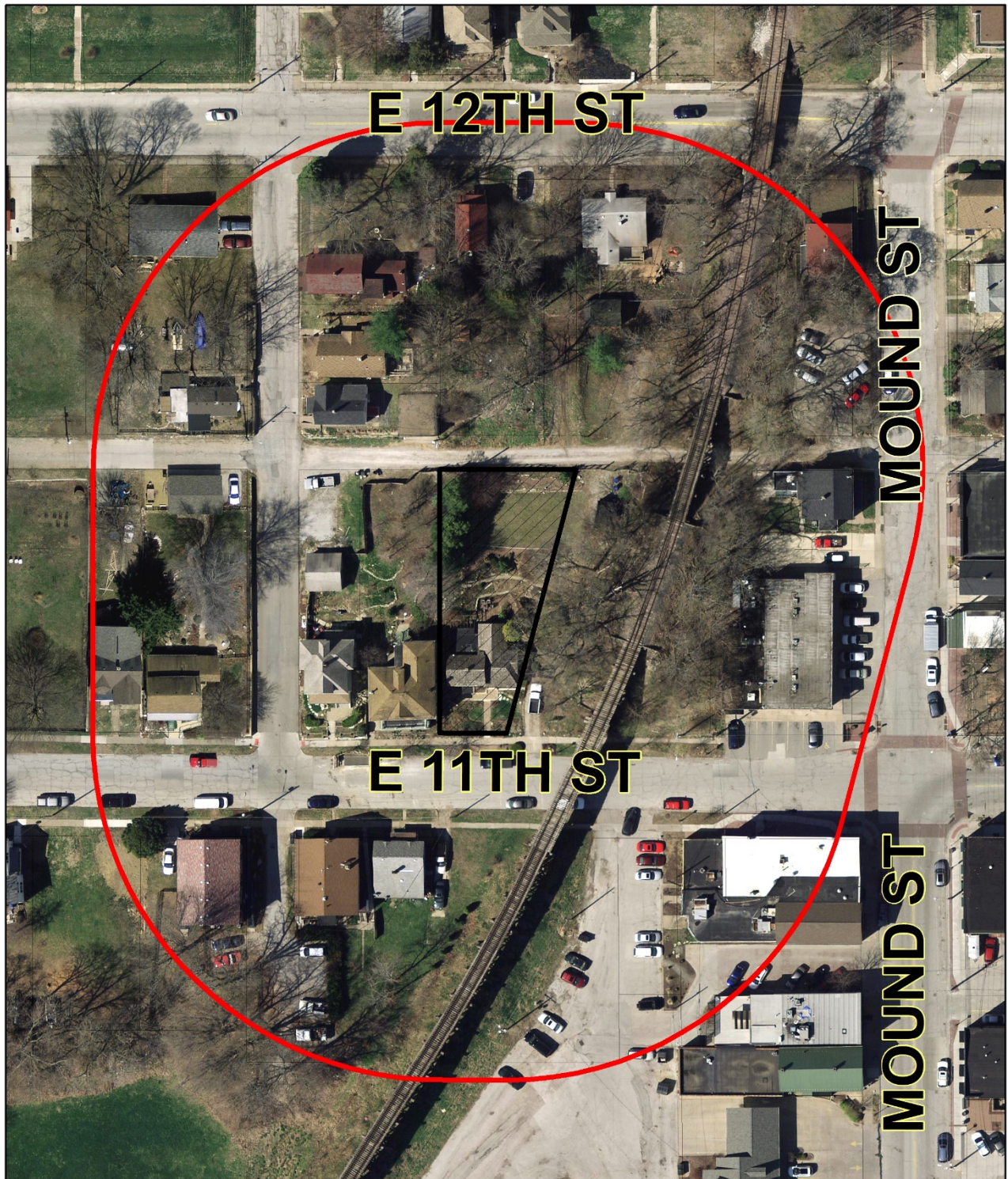
As a property owner within 200 feet of the subject property, you have the opportunity to officially comment or formally protest this request. These must be provided in writing.

If you intend to send in written comments, it is appreciated if those comments could be received by Community Planning no later than 12:00 PM *one day before* the City Council public hearing, which is anticipated to be held on 1/8/2020. Please note that for a protest to be official, it needs to be in writing. Send comments to planning@ci.davenport.ia.us or CPED, 226 W 4th St, Davenport IA 52801.

Do You Have Any Questions?

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

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



 Subject Property

 200 Foot Notification Radius





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

**NOTICE
NEIGHBORHOOD MEETING
MONDAY DECEMBER 2, 2020 – 5:30 P.M.
2012 EAST 11th STREET DAVENPORT, IOWA 52803**

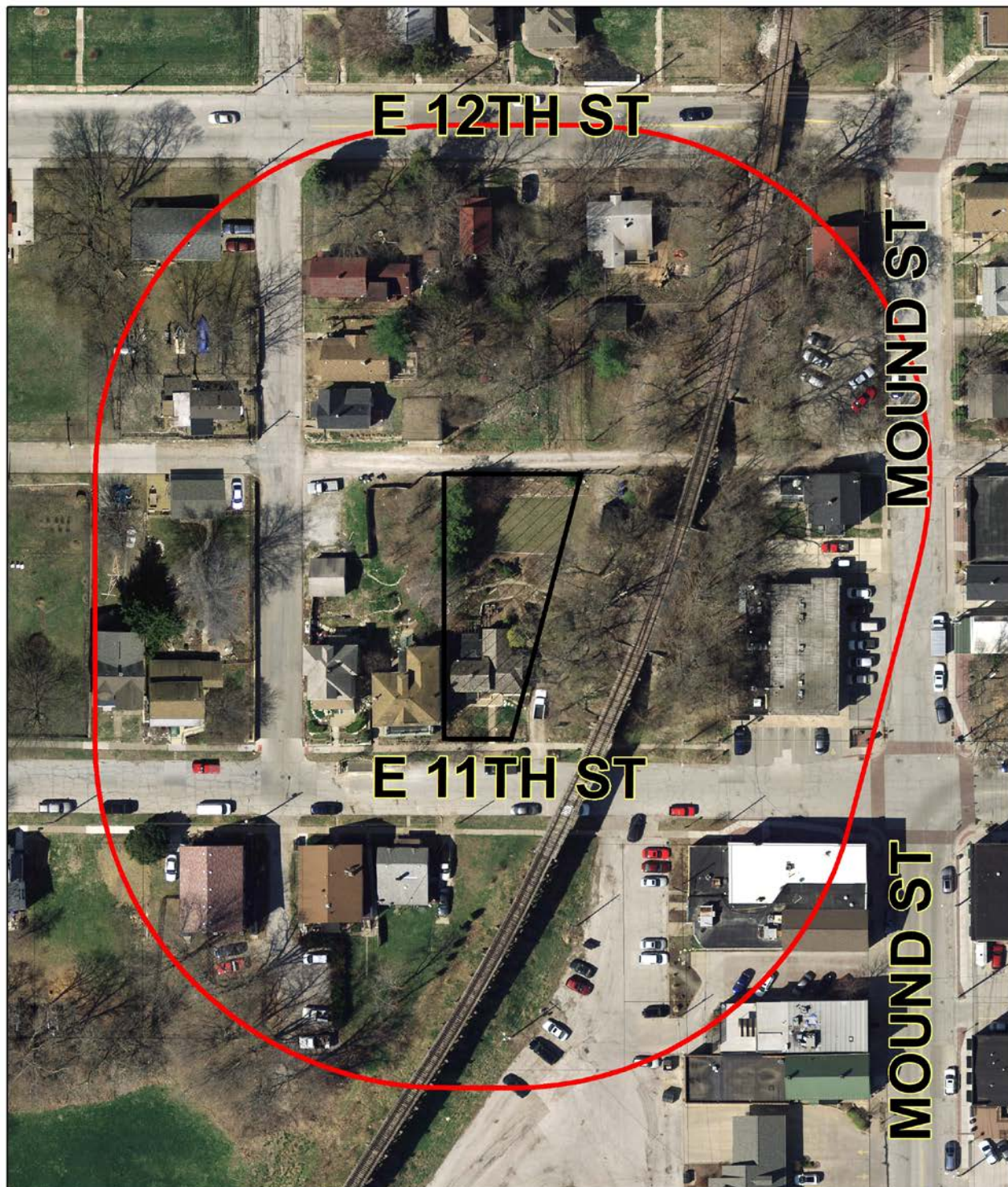
You are invited to a neighborhood meeting regarding the following request:

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

Please see map on the back for the property location.

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

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



Subject Property



200 Foot Notification Radius



TABLE 17.08-1: USE MATRIX																					
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD
Animal Care Facility – Small Animal							S	S	P	P		S	S	P	P		P	P			Sec. 17.08.030.B
Art Gallery							P	P	P	P		P	P	P			P				
Arts and Fitness Studio							P	P	P	P		P	P	P			P				
Community Center	P	P	P	P	P		P	P	P	P		P	P	P			P	P	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.H
Cultural Facility							P	P	P	P		P	P	P			P		P	P	
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.030.I
Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.O
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P	
Financial Institution							P	P	P	P	P	P	P	P			P				
Funeral Home							S	S	S	P				P			P				
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P		P	P	
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.T
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P	
Office							P	P	P	P	P	P	P	P	P	P	P			P	
Personal Service Establishment							P	P	P	P	P	P	P	P	P		P			P	
Place of Worship	P	P	P	P	P		S	S	P	P		P	P	P				P		P	
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P			P	
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE

REZ19-10

Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District.
[Ward 5]





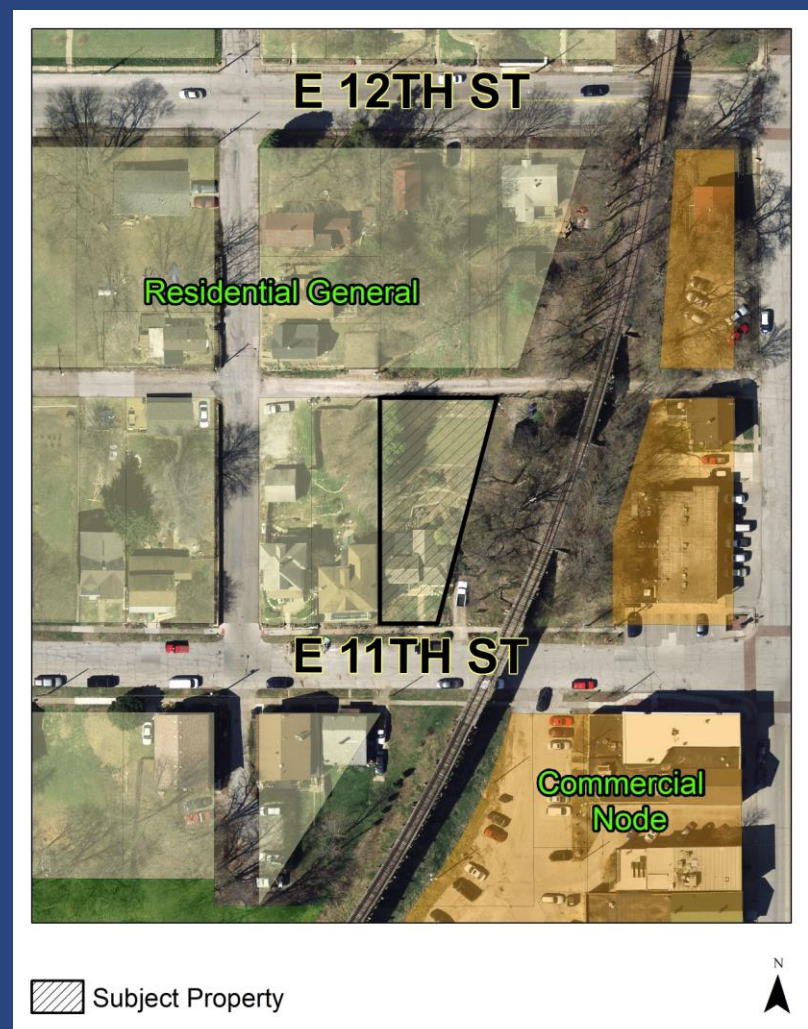
**Plan and Zoning Commission
December 3, 2019**



Zoning Map



Land Use Map



Plan and Zoning Commission
December 3, 2019



Zoning Ordinance Purpose Statement.

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



Allowable uses

TABLE 17.08-1: USE MATRIX																						
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-1	C-1	C-2	C-3	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	S-AG	S-OS	S-IC	USE STANDARD	
Animal Care Facility – Small Animal							S	S	P	P		S	S	P	P		P	P			Sec. 17.08.030.B	
Art Gallery							P	P	P	P		P	P	P			P					
Arts and Fitness Studio							P	P	P	P		P	P	P			P					
Community Center	P	P	P	P	P		P	P	P	P		P	P	P			P	P	P	P		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.H	
Cultural Facility							P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P			P			P	Sec. 17.08.030.I	
Dwelling - Multi-Family					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.N	
Dwelling - Townhouse					P		P	P	P	P		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Single-Family	P	P	P	P			P	P	P				P								Sec. 17.08.030.O	
Dwelling - Single-Family Semi-Detached		P	P	P	P		P	P	P				P								Sec. 17.08.030.O	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P				P								Sec. 17.08.030.O	
Dwelling - Two-Family (Conversion)			S	S	P		P	P	P				P								Sec. 17.08.030.O	
Educational Facility - Vocational							S	S	S	P	P	P	S	P	P	P	P			P		
Financial Institution							P	P	P	P	P	P	P	P			P					
Funeral Home							S	S	S	P				P			P					
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P		P	P		
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.T	
Medical/Dental Office							P	P	P	P	P	P	P	P			P			P		
Office							P	P	P	P	P	P	P	P	P	P	P			P		
Personal Service Establishment							P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P		P	P	P				P		P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P			P		
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE	
Wireless Telecommunications – Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE	
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.EE	
Wireless Telecommunications – DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.EE	

Public Input

- Notices were sent to property owners within 200 feet of the subject property.
- A neighborhood meeting was held on 12/2/2019. One area resident attended and did not appear to object to the request.



Recommendation

Recommendation will be provided at the 12/17/2019 Plan and Zoning Commission meeting.





January 10, 2020

To the Mayor and Council of the City of Davenport:

Please be informed of recent actions by the City of Davenport Plan and Zoning Commission:

Case REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8]

At its December 17, 2019 meeting, the Plan and Zoning Commission voted 3-2 to forward Case REZ19-11 to the City Council with a recommendation for denial.

Findings:

1. Rezoning the property would not be consistent with the Comprehensive Plan as it would allow for higher intensity development allowed in an area designated RG Residential General.
2. There is little demand for commercial development in this vicinity. More than 15 acres of vacant land zoned C-2 exists to the east of the site.
3. Additional commercially zoned land may have a negative impact on nearby neighborhoods and Ridgeview Park.

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

At its December 17, 2019 meeting, the Plan and Zoning Commission voted unanimously to forward Case No. REZ19-13 to the City Council with a recommendation for approval.

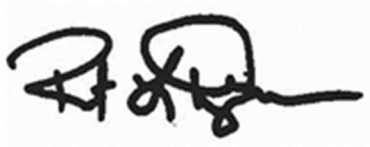
Findings:

1. The C-T Commercial Transitional Zoning District would eliminate the non-conforming use of the property;
2. The proposed zoning map amendment would achieve consistency with approval standards enumerated in Section 17.14.040E.1 (A-F) of the Davenport City Code.

Case REZ19-02: Request of Earle Glaus to vacate a portion of the original Division Street Right-of-Way located between Ridgeview Drive and W. 76th Street. [Ward 8].

At its January 7, 2020 meeting, the Plan and Zoning Commission voted unanimously to forward Case ROW 19-02 to the City Council with a recommendation to declare this Right-of-Way not needed for public purposes.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a long horizontal flourish extending to the right.

Robert Inghram, Chair
Davenport Plan and Zoning Commission

Friday, January 3, 2020

Please publish the following public notice in the earliest edition of the Quad City Times.

The PO number for this notice is: 2006732

Please provide proof of publication for our records. If you have any questions, please contact us at planning@ci.davenport.ia.us or 563-326-7765. Thank you!

**NOTICE
PUBLIC HEARING
WEDNESDAY, JANUARY 22, 2020 -5:30 P.M.
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA**

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

Case REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8]

The legal description is as follows:

Part of the Northeast Quarter of Section 3, Township 78 North Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows:

Beginning at the northwest quarter of said Northeast Quarter, thence North 88 degrees 44 minutes 15 seconds East 494.07 feet along the north line of said Northeast Quarter to the westerly right-of-way line of Division Street; thence South 01 degrees 15 minutes 45 seconds East 35.00 feet along said right-of-way line to the beginning of a curve, concave southwesterly having a radius of 25.00 feet, the chord of which bears South 45 degrees 37 minutes 10 seconds East for a distance of 35.75 feet; thence along the arc of said curve and said right-of-way line for a distance of 39.83 feet to the beginning of a curve, concave westerly having a radius of 779.00 feet, the chord of which bears South 20 degrees 00 minutes 42 seconds West for a distance of 532.57 feet; thence South 39 degrees 52 minutes 30 seconds West 309.55 feet along said right-of-way line; thence North 46 degrees 48 minutes 19 seconds West 191.59 feet to the west line of the Northeast Quarter of said Section 3; thence North 00 degrees 00 minutes 38 seconds East 655.95 feet along said line to the point of beginning. Said Parcel "C" contains 7.039 acres, more or less.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend denial of the proposed rezoning.

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

The legal description is as follows:

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot 2, and running thence West 40 feet, more or less, along the South Line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (Formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called the Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds page 180, records of the Recorder's Office of Scott County, Iowa.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend approval of the proposed rezoning.

Case ROW19-02: Request of Earle Glaus to vacate a portion of the original Division Street right-of-way located between Ridgeview Drive and W. 76th Street. [Ward 8]

The legal description of this property is as follows:

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing of the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest ¼ of Section 3 Township 78 North Range 3 East of the 5th P. M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43'03" to the North Right of Way Line of Ridgeview Drive, Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North Range 3 East of the 5th P. M. to a point; thence North 00 degrees, 00' – 38" East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing 0.4712 acres, more or less.

At its public hearing held on January 7, 2020, the Plan and Zoning Commission vote to recommend approval of the right-of-way vacation.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, January 22, 2020 in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No. 2006732

Department of Community Planning & Economic Development
E-MAIL: planning@davenportiowa.com PHONE: 563-326-7765

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
2/26/2020

Subject:

Third Consideration: Ordinance for Case ROW19-02 being the request to vacate a portion of the original Division St right-of-way located between Ridgeview Dr and W 76th St (Earle Glaus, petitioner). [Ward 8]

Recommendation:
Adopt the Ordinance.

Background:

Property owner to the west requests this right-of-way be vacated. Records indicate the right-of-way is 33 feet wide which suggested an additional 33 feet has been vacated in the past. Upon review with County Auditor officials, staff believes the additional 33 feet of right-of-way never existed.

A Public Hearing was held at the December 17, 2019 meeting. The petitioner spoke in favor of the request.

At the January 7, 2020 meeting, the Plan and Zoning Commission voted unanimously to forward Case ROW 19-02 to the City Council with a recommendation to declare this right-of-way not needed for public purposes.

Technical review found no reason to maintain this property as public right-of-way.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Application
▣ Backup Material	Legal Description
▣ Backup Material	Location Map
▣ Backup Material	Neighbor Letter
▣ Backup Material	P&Z Letter
▣ Backup Material	COW Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Flynn, Matt	Approved	1/9/2020 - 3:38 PM

ORDINANCE NO. _____

ORDINANCE for Case ROW19-02: Request of Earle Glaus to vacate a portion of the original Division Street right-of-way located between Ridgeview Drive and W. 76th Street.

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 vacated (abandoned).

The property has the following legal description:

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing of the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest ¼ of Section 3 Township 78 North Range 3 East of the 5th P. M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43'03" to the North Right of Way Line of Ridgeview Drive, Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North Range 3 East of the 5th P. M. to a point; thence North 00 degrees, 00' – 38" East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing 0.4712 acres, more or less.

At its public hearing held on January 7, 2020, the Plan and Zoning Commission voted to recommend approval of the right-of-way vacation.

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 _____

Mike Matson
Mayor

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____



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

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 ☐

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:

Planning staff

Date:

Date of the Public Hearing:

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

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

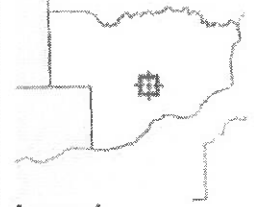
Commencing at the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest $\frac{1}{4}$ of Section 3 Township 78 North, Range 3 East of the 5th P.M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43' 03" to the point of beginning; thence continuing South 0 degrees 43' 03" to the North Right of Way Line of Ridgeview Drive; Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North, Range 3 East of the 5th P.M. to a point; thence North 00 degrees 00' - 38' East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing .4712 acres more or less.



Scott County / City of Davenport, Iowa



Overview



Legend

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

Parcel ID W0303-22B
Sec/Twp/Rng n/a
Property Address

Alternate ID W09045
Class R
Acreage n/a

Owner Address GLAUS ERLEW
6 MUSKET CT
LE CLAIRE IA 52753

Legal Description

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing of the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest $\frac{1}{4}$ of Section 3 Township 78 North Range 3 East of the 5th P. M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43'03" to the North Right of Way Line of Ridgeview Drive, Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North Range 3 East of the 5th P. M. to a point; thence North 00 degrees, 00' – 38" East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing 0.4712 acres, more or less.

ROW19-02 – Approximately 1930



2014





**PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT**



Public Hearing Details:

Date: December 17, 2019
Time: 5:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a rezoning before the Plan and Zoning Commission
Case #: ROW19-02

To: Adjacent owners of City-owned property (right-of-way) proposed to be vacated. This property was platted some time ago as Division Street. See map on reverse for specific location. [Ward 8]

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a proposed right-of-way vacation.

What are the Next Steps after the Public Hearing?

This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

Do You Have Any Questions?

If you have any questions on this request, or if you need accommodations for any reason, please contact Matthew Flynn, AICP, the case planner assigned to this project at matt.flynn@ci.davenport.ia.us or at 563-888-2286. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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



January 10, 2020

To the Mayor and Council of the City of Davenport:

Please be informed of recent actions by the City of Davenport Plan and Zoning Commission:

Case REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8]

At its December 17, 2019 meeting, the Plan and Zoning Commission voted 3-2 to forward Case REZ19-11 to the City Council with a recommendation for denial.

Findings:

1. Rezoning the property would not be consistent with the Comprehensive Plan as it would allow for higher intensity development allowed in an area designated RG Residential General.
2. There is little demand for commercial development in this vicinity. More than 15 acres of vacant land zoned C-2 exists to the east of the site.
3. Additional commercially zoned land may have a negative impact on nearby neighborhoods and Ridgeview Park.

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

At its December 17, 2019 meeting, the Plan and Zoning Commission voted unanimously to forward Case No. REZ19-13 to the City Council with a recommendation for approval.

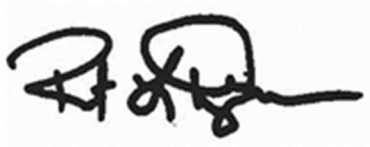
Findings:

1. The C-T Commercial Transitional Zoning District would eliminate the non-conforming use of the property;
2. The proposed zoning map amendment would achieve consistency with approval standards enumerated in Section 17.14.040E.1 (A-F) of the Davenport City Code.

Case REZ19-02: Request of Earle Glaus to vacate a portion of the original Division Street Right-of-Way located between Ridgeview Drive and W. 76th Street. [Ward 8].

At its January 7, 2020 meeting, the Plan and Zoning Commission voted unanimously to forward Case ROW 19-02 to the City Council with a recommendation to declare this Right-of-Way not needed for public purposes.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Inghram', with a long horizontal flourish extending to the right.

Robert Inghram, Chair
Davenport Plan and Zoning Commission

Friday, January 3, 2020

Please publish the following public notice in the earliest edition of the Quad City Times.

The PO number for this notice is: 2006732

Please provide proof of publication for our records. If you have any questions, please contact us at planning@ci.davenport.ia.us or 563-326-7765. Thank you!

**NOTICE
PUBLIC HEARING
WEDNESDAY, JANUARY 22, 2020 -5:30 P.M.
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA**

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

Case REZ19-11: Request of Raju Penmatcha to rezone 7.04 acres located at the southwest corner of N. Division Street and W. 76th Street from R-MF, Residential Multifamily District to C-2, Corridor Commercial District. [Ward 8]

The legal description is as follows:

Part of the Northeast Quarter of Section 3, Township 78 North Range 3 East of the 5th Principal Meridian, City of Davenport, Scott County, Iowa, more particularly described as follows:

Beginning at the northwest quarter of said Northeast Quarter, thence North 88 degrees 44 minutes 15 seconds East 494.07 feet along the north line of said Northeast Quarter to the westerly right-of-way line of Division Street; thence South 01 degrees 15 minutes 45 seconds East 35.00 feet along said right-of-way line to the beginning of a curve, concave southwesterly having a radius of 25.00 feet, the chord of which bears South 45 degrees 37 minutes 10 seconds East for a distance of 35.75 feet; thence along the arc of said curve and said right-of-way line for a distance of 39.83 feet to the beginning of a curve, concave westerly having a radius of 779.00 feet, the chord of which bears South 20 degrees 00 minutes 42 seconds West for a distance of 532.57 feet; thence South 39 degrees 52 minutes 30 seconds West 309.55 feet along said right-of-way line; thence North 46 degrees 48 minutes 19 seconds West 191.59 feet to the west line of the Northeast Quarter of said Section 3; thence North 00 degrees 00 minutes 38 seconds East 655.95 feet along said line to the point of beginning. Said Parcel "C" contains 7.039 acres, more or less.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend denial of the proposed rezoning.

Case REZ19-13: Request of Alex Kelly on behalf of Pegasus 62 LCC for a zoning map amendment on 9,000 square feet, more or less, of property located at 2012 East 11th Street from R-4C Single-Family and Two-Family Residential Zoning District to C-T Commercial Transitional Zoning District. [Ward 5]

The legal description is as follows:

The East 45 feet of Lot 1 in Block 10 in the Village of East Davenport, now a part of the City of Davenport, Iowa.

and

The West Half of Lot 2, and that part of the East Half of said Lot 2, particularly described as follows: Commencing at the Northeast corner of said Lot 2, and running thence West 40 feet, more or less, along the South Line of the alley to the center of said Lot 2; thence South 150 feet to the East 11th Street (Formerly Main Street); thence in a northeasterly direction to the place of beginning, all in Block 10 in the Plat of East Davenport Proper, also called the Village of East Davenport, and now in the City of Davenport, Scott County, Iowa.

and

The South 30 feet of Lot 8 in Block 10 in the Village of East Davenport (now within the corporate limits of the City of Davenport, Iowa), as shown by the Plat recorded in Book "I" Land Deeds page 180, records of the Recorder's Office of Scott County, Iowa.

At its December 17, 2019 meeting, the Davenport Plan and Zoning Commission voted to recommend approval of the proposed rezoning.

Case ROW19-02: Request of Earle Glaus to vacate a portion of the original Division Street right-of-way located between Ridgeview Drive and W. 76th Street. [Ward 8]

The legal description of this property is as follows:

Part of the Right of Way of the old Division Street adjacent to Lot 10, Ridgeview Park Addition, an official plat in the City of Davenport, Scott County, Iowa described as follows:

Commencing of the North Corner of said section 3; thence South 88 degrees 06' 05" West along the North line of the Northwest ¼ of Section 3 Township 78 North Range 3 East of the 5th P. M., a distance of 33' to the East Line of said Lot 10; thence South 0 degrees 43'03" to the North Right of Way Line of Ridgeview Drive, Thence East along the North ROW line of Ridgeview Drive a distance of approximately 33 feet to a point on the East line of Section 3 Township 78 North Range 3 East of the 5th P. M. to a point; thence North 00 degrees, 00' – 38" East to a point on the South Line of 76th Street, Thence Westerly along the South line of 76th Street along a curve with a radius of 802 feet a distance of approximately 33 feet to the point of beginning containing 0.4712 acres, more or less.

At its public hearing held on January 7, 2020, the Plan and Zoning Commission vote to recommend approval of the right-of-way vacation.

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, January 22, 2020 in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No. 2006732

Department of Community Planning & Economic Development
E-MAIL: planning@davenportiowa.com PHONE: 563-326-7765

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Tom Warner 563-326-7752
Wards:

Action / Date
3/11/2020

Subject:

Second Consideration: Ordinance amending Chapter 2.18 to add urban planning functions to the Neighborhood Services Department and rename it "Development and Neighborhood Services Department." [All Wards]

Recommendation:
Adopt the Ordinance.

Background:

This reorganization will place development and building services in the same department that enforces those codes. These lines of business already collaborate often and being within the same department will strengthen this interaction to the benefit of our residents and customers.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Ordinance Reorg Chapter 2.18
▢ Cover Memo	Redlined Version

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	1/30/2020 - 12:59 PM
Finance Committee	Wright, Brandon	Approved	1/30/2020 - 3:19 PM
City Clerk	Admin, Default	Approved	1/30/2020 - 5:18 PM

ORDINANCE NO. _____

Ordinance amending a Chapter 2.18 to add urban planning functions to the Neighborhood Services Department and rename it “Development and Neighborhood Services”

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

Section 1. That Chapter 2.18 re-titled “Development and Neighborhood Services” is hereby amended to read as follows:

Chapter 2.18 DEVELOPMENT AND NEIGHBORHOOD SERVICES

- 2.18.010 Created.**
- 2.18.020 Purposes.**
- 2.18.030 Director - Office created.**
- 2.18.040 Director - Salary.**
- 2.18.050 Director - Duties.**

2.18.010 Created.

There is created, in and for the city, the Development and Neighborhood Services Department (DNSD).

2.18.020 Purposes.

The development and neighborhood services department shall be responsible for and focus on developing, preserving and enhancing Davenport neighborhoods:

- by building community partnerships;
- coordinating efforts with all other city departments, and particularly with the police department, department of community and economic development, public works department, legal department, and administration;
- enforcing the city’s building, housing, rental, zoning, nuisance, noise, parking and solid waste laws and regulations and any other civil code provision designated by the City Administrator;
- administering development, planning and zoning functions other than long-range planning; and
- administering the applicable building codes.

2.18.030 Director - Office created.

There is created the position of Development and Neighborhood Services Director who shall be appointed by and removed by the City Administrator. The DNSD Director shall report to and be directed by the City Administrator or the Administrator's designee.

2.18.040 Director - Salary.

The DNSD Director shall receive as compensation such salary as the city administrator shall from time to time determine, subject to the budgetary approval of the City Council.

2.18.050 Director - Duties.

Subject to the policy directives of the city administrator or her designee, the DNSD Director:

- A. Supervises and directs all employees of the department;
- B. Participates in multi-departmental, community, and ward meetings related to the mission of the department;
- C. Meets with various city department heads and other employees to assist in the furtherance of city goals;
- D. Works to assemble information, technology hardware, software, and support needs for the department;
- E. Analyzes complex neighborhood issues and chronic problem properties to develop solutions;
- F. Ensures the consistent and effective enforcement;
- G. Compiles and reviews records to determine department productivity, quality of output and cost of service. Develops methods to continually improve results;
- H. Exercises all powers and duties set forth by statute or ordinance and such other authority as may be granted by the city council relating but not limited to the building and zoning codes and other codes assigned as a responsibility of the department;
- I. Advises on all matters affecting the physical growth and development of the city when requested or required to do so;
- J. Provides staff services for the city and for various boards, agencies and commissions on such matters relating to the purposes, responsibilities and duties of the department;
- K. Conducts civil enforcement of city code violations;
- L. Administers, enforces and collects the fees authorized by Division 6 of the State of Iowa Building Code, relating to factory-built structures, and as it may from time to time be amended, to the extent authorized by the state building code commissioner;
- M. Administers and enforces Division 7 of the State of Iowa Building Code, relating to handicapped rules and regulations, as it may from time to time be amended;
- N. Shall serve as or designate a chief building official and a development and planning administrator (a/k/a zoning administrator);
- O. Continues to stay abreast of the best practices for enhancing and preserving neighborhoods; and
- P. Perform such other duties as the city administrator or the administrator's designee may require.

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

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

First Consideration _____

Second Consideration _____

Approved _____

Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the Quad City Times on _____

Chapter 2.18 ~~DEVELOPMENT AND NEIGHBORHOOD SERVICES DEPARTMENT,~~

2.18.010 ~~Created.~~

2.18.020 ~~Purposes.~~

2.18.030 ~~Director- - Office created.~~

2.18.040 ~~Director- - Salary.~~

2.18.050 ~~Director- - Duties.~~

2.18.010 ~~Created.~~

There is created, in and for the city, the Development and Neighborhood Services Department-(DNSD).

2.18.020 ~~Purposes.~~

The development and neighborhood services department shall be responsible for and focus on developing, preserving and enhancing Davenport neighborhoods:

- by building community partnerships;
- coordinating efforts with all other city departments, and particularly with the police department, department of community planning and economic development, public works department, legal department, and administration;
- enforcing the city's building, housing, rental, zoning, nuisance, noise, parking and solid waste laws and regulations and any other civil code provision designated by the City Administrator;
- administering development, planning and zoning functions other than long-range planning; and
- administering the applicable building codes.

2.18.030 ~~Director- - Office created.~~

There is created the position of Development and Neighborhood Services Director who shall be appointed by and removed by the City Administrator. The Neighborhood ServicesDNSD Director shall report to and be directed by the City Administrator or the administrator's designee.

2.18.040 ~~Director- - Salary.~~

The Neighborhood ServicesDNSD Director shall receive as compensation such salary as the city administrator shall from time to time determine, subject to the budgetary approval of the City Council.

2.18.050 ~~Director- - Duties.~~

Subject to the policy directives of the city administrator or her designee, the Neighborhood ServicesDNSD Director:

- A.** Supervises and directs all employees of the department;
- B.** ParticipateParticipates in multi-departmental, community, and ward meetings related to the mission of the department;

Style Definition

Style Definition

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

Formatted

▲ C. Meets with various city department heads and other employees to assist in the furtherance of city goals;

Formatted: Font: 12 pt

▲ D. Works to assemble information, technology hardware, software, and support needs for the department;

Formatted: Font: 12 pt

▲ E. ~~Analyses~~ Analyzes complex neighborhood ~~issue~~ issues and chronic problem properties to develop solutions;

Formatted: Font: 12 pt

Formatted: Font: 12 pt

▲ F. Ensures the consistent and effective enforcement;

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

▲ G. ~~Compile~~ Compiles and ~~review~~ reviews records to determine department productivity, quality of output and cost of service. ~~Develop~~ Develops methods to continually improve results;

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

—~~H.~~ H. Exercises all powers and duties set forth by statute or ordinance and such other authority as may be granted by the city council relating but not limited to the building and zoning codes and other codes assigned as a responsibility of the department;

I. Advises on all matters affecting the physical growth and development of the city when requested or required to do so;

J. Provides staff services for the city and for various boards, agencies and commissions on such matters relating to the purposes, responsibilities and duties of the department;

K. Conducts civil enforcement of city code violations;

L. Administers, enforces and collects the fees authorized by Division 6 of the State of Iowa Building Code, relating to factory-built structures, and as it may from time to time be amended, to the extent authorized by the state building code commissioner;

M. Administers and enforces Division 7 of the State of Iowa Building Code, relating to handicapped rules and regulations, as it may from time to time be amended;

N. Shall serve as or designate a chief building official and a development and planning administrator (a/k/a zoning administrator);

▲ O. Continues to stay abreast of the best practices for enhancing and preserving neighborhoods; and

Formatted: Font: 12 pt

—~~I.~~ P. Perform such other duties as the city administrator or the administrator's designee may require.

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Tom Warner 563-326-7752
Wards:

Action / Date
3/11/2020

Subject:
Second Consideration: Ordinance amending Chapter 2.32 entitled "Department of Community Planning and Economic Development" to redefine duties and rename the department. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
The proposed ordinance is the companion Ordinance to the Development and Neighborhood Services Ordinance. Long-term planning is retained in Community and Economic Development, but the other elements of planning are transferred to Development and Neighborhood Services Department.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Ordinance 2.32 Reorg
▢ Cover Memo	Redlined Version

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	1/30/2020 - 12:58 PM
Finance Committee	Wright, Brandon	Approved	1/30/2020 - 3:19 PM
City Clerk	Admin, Default	Approved	1/30/2020 - 5:18 PM

ORDINANCE NO. _____

Ordinance amending Chapter 2.32 entitled “Department of Community Planning and Economic Development” to redefine duties and rename the department

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

Section 1. That Chapter 2.32 entitled “Department of Community Planning and Economic Department” is hereby renamed and amended to read as follows:

Chapter 2.32 DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT*

Sections:

- 2.32.010 Created.**
- 2.32.020 Purposes.**
- 2.32.030 Director-Office created.**
- 2.32.040 Director-Salary.**
- 2.32.050 Director-Duties.**
- 2.32.060 Citizens advisory committee -Created.**
- 2.32.070 Citizens advisory committee -Composition and appointment.**
- 2.32.080 Citizens advisory committee -Powers and duties.**

2.32.010 Created.

There is created, in and for the city, the department of community and economic development (“CED”).

2.32.020 Purposes.

The department of community and economic development shall be responsible for activities related to community and economic development including, but not limited to, improving and expanding housing, wealth and income opportunities.

2.32.030 Director-Office created.

There is created the position of community and economic development director who shall be appointed by and removed by the city administrator. The CED Director shall report to and be directed by the city administrator or her designee. There is created the office of director of community and economic development.

2.32.040 Director-Salary.

The director of community and economic development shall receive as compensation such salary as the city administrator shall from time to time determine, subject to the budgetary approval by the city council.

2.32.050 Director-Duties.

Subject to the policy directives of the city administrator, the director of community planning and economic development shall:

- A. Supervise and direct all employees of the department;
- B. Advise on all matters affecting the physical growth and development of the city when requested or required to do so;
- C. Establish liaison and close working relationships with the administrative offices of the city and other local government in order for plans and programs of the area to be coordinated;
- D. Promote the realization of the comprehensive plan;
- E. Participate in the pursuit, evaluation and negotiation of economic development projects;
- F. Provide staff services for the city and for various boards, agencies and commissions on such matters relating to the purposes, responsibilities and duties of the department;
- G. Explore, evaluate and develop innovative strategies for creating and sustaining a community that provides quality housing, education, wealth and income opportunities;
- H. Administer Community Development Block Grant (CDBG), HOME and other federally funded HUD programs while ensuring compliance;
- I. Build relationships and collaborate with chamber, business district, neighborhood development, social service and educational organizations;
- J. Keep a permanent, accurate account of all fees and other moneys collected and received under the codes being administered by the department, the names of the person upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate;
- K. Assist in identifying human resource and traditional and technological infrastructure challenges and opportunities that exist in the local economy;

L. Engage in long-range planning that assesses business and housing needs and develops plans, standards, projects and programs that revitalize and secure a strong future for our city;

M. Perform such other duties as the city administrator may require.

2.32.060 Citizens advisory committee - Created.

There is created a citizens advisory committee to assist the city in the development and operation of community development block grant programs.

2.32.070 Citizens advisory committee— Composition and appointment.

The citizens advisory committee (CAC) shall be composed of fifteen persons, five of whom shall be selected by the mayor, and one to be selected by each member of the council. All fifteen persons, on being selected by the appropriate official, shall be appointed by the mayor and confirmed by the council. The terms of the appointees shall be for two years starting at the first regular CAC meeting following the city council vote on CDBG allocations in the year following the regular city elections. The mayor is responsible for ensuring that at least one-third of the committee members reside in census tracts with at least fifty-one percent low- and moderate-income residents as defined by Community Development Block Grant regulations of the U.S. Department of Housing and Urban Development. This area shall be revised after each decennial census to conform with the requirements of this chapter.

2.32.080 Citizens advisory committee - Powers and duties.

The committee shall possess advisory powers only. Duties of the committee include:

A. Assisting and advising the mayor and council in developing the annual application for community development block grant funds;

B. Acting as a liaison between the city council, the mayor, community development organizations, and the citizens of the community relative to the community development block grant program;

C. Monitoring and evaluating the activities of community development block grant recipients; and

D. Conducting the process of soliciting and incorporating informed citizens' input into the community development block grant program. City personnel shall provide staff services which will enable the citizens advisory committee to perform the foregoing duties.

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

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed as are any motions or resolutions of council that purport to give authority to a council standing committee to make a determination as all such determinations shall henceforth be made by the city council.

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

First Consideration _____

Second Consideration _____

Approved _____

Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the Quad City Times on _____

Chapter 2.32 DEPARTMENT OF COMMUNITY ~~PLANNING~~ AND ECONOMIC DEVELOPMENT

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Sections:

- 2.32.010 Created.
- 2.32.020 Purposes.
- 2.32.030 Director-Office created.
- 2.32.040 Director-Salary.
- 2.32.050 Director-Duties.
- 2.32.060 ~~Enforcement authority~~Citizens advisory committee -Created.
- 2.32.070 ~~Factory built structures.~~
- ~~2.32.080 Handicapped rules and regulations.~~
- ~~2.32.090 Citizens advisory committee -Created.~~
- ~~2.32.100 Citizens advisory committee -Composition and appointment.~~
- 2.32.110 ~~080~~ Citizens advisory committee -Powers and duties.

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

2.32.010 Created.
There is created, in and for the city, the department of community ~~planning~~ and economic development: ~~("CED")~~.

2.32.020 Purposes.
The department of community ~~planning~~ and economic development shall be responsible for ~~code enforcement and other~~ activities related to community and economic development, land development, including, but not limited to, improving and expanding housing services and planning, wealth and programming income opportunities.

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

2.32.030 Director-Office created.
There is created the ~~office of director~~position of community ~~planning~~ and economic development. ~~The director who shall be appointed by and removed by the city administrator. The CED Director shall appoint a qualified individual report to and be directed by the city administrator or her designee. There is created the office of director of community planning and economic development.~~

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

2.32.040 Director-Salary.
The director of community ~~planning~~ and economic development shall receive as compensation such salary as the city administrator shall from time to time determine, subject to the budgetary approval by the city council.

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

2.32.050 Director-Duties.
Subject to the policy directives of the city administrator, the director of community planning and economic development shall:

- A. Supervise and direct all employees of the department;

B. Advise on all matters affecting the physical growth and development of the city when requested or required to do so;

C. Establish liaison and close working relationships with the administrative offices of the city and other local government ~~agencies and institutions and the general public~~ in order for plans and programs of the area to be coordinated;

D. Promote the realization of the comprehensive plan;

E. Participate in the pursuit, evaluation and negotiation of economic development projects;

~~F.~~ Provide staff services for the city and for various boards, agencies and commissions on such matters relating to the purposes, responsibilities and duties of the department;

~~F. Assist in developing and administering city capital improvement programs~~
G. Explore, evaluate and develop innovative strategies for creating and sustaining a community that provides quality housing, education, wealth and income opportunities;

~~H. Administer Community Development Block Grant (CDBG), HOME and other federally funded HUD programs while ensuring compliance;~~

~~I.~~
~~G. Assist in the application for funds from all sources for the physical improvement of the~~ Build relationships and collaborate with chamber, business district, neighborhood development, social service and educational organizations;

~~J. city;~~

~~H. Exercise all powers and duties set forth by statute or ordinance and such other authority as may be granted by the city council relating but not limited to the zoning code and other codes assigned as a responsibility of the department.~~

~~I.~~ Keep a permanent, accurate account of all fees and other moneys collected and received under the codes being administered by the department, the names of the person upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate;

~~J.—K.~~ Assist in identifying human resource and traditional and technological infrastructure challenges and opportunities that exist in the local economy; ~~Perform such other duties as the city administrator may require.~~

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

L. Engage in long-range planning that assesses business and housing needs and develops plans, standards, projects and programs that revitalize and secure a strong future for our city;

Formatted: Font: Microsoft Sans Serif

M. Perform such other duties as the city administrator may require.~~2.32.060~~
Enforcement authority.

Formatted: Font: Microsoft Sans Serif

~~—The director of community planning and economic development or the designated representatives of the director may issue citations charging violations of those provisions of this code which relate to matters within the scope of the department.~~

~~—A. The citation shall include the name and address of the person charged, the nature of the offense, the time and place at which the person is to appear in court, and the penalty for nonappearance.~~

~~—B. The cited person shall sign the citation as a written promise to appear in court at the time and place specified. A copy of the citation shall be given to the cited person.~~

~~—C. The person issuing the citation shall cause to be filed a complaint in the court in which the cited person is required to appear as soon as practicable, charging the offense stated in said notice.~~

~~2.32.070 Factory built structures.~~

~~—The director of community planning and economic development or the designated representatives shall administer, enforce and collect the fees authorized by Division 6 of the State of Iowa Building Code, relating to factory built structures, and as it may from time to time be amended, to the extent authorized by the state building code commissioner.~~

~~2.32.080 Handicapped rules and regulations.~~

~~—The director of community planning and economic development or the designated representatives shall administer and enforce Division 7 of the State of Iowa Building Code, relating to handicapped rules and regulations, as it may from time to time be amended.~~

~~2.32.090~~

2.32.060 Citizens advisory committee - Created.

Formatted: Font: Microsoft Sans Serif

There is created a citizens advisory committee to assist the city in the development and operation of community development block grant programs.

2.32.100—070 Citizens advisory committee— Composition and appointment.

Formatted: Font: Microsoft Sans Serif

The citizens advisory committee (CAC) shall be composed of fifteen persons, five of whom shall be selected by the mayor, and one to be selected by each member of the council. All fifteen persons, on being selected by the appropriate official, shall be appointed by the mayor and confirmed by the council. The terms of the appointees shall be for two years starting at the first regular CAC meeting following the city council vote on CDBG allocations in the year following the

regular city elections. The mayor is responsible for ensuring that at least one-third of the committee members reside in census tracts with at least fifty-one percent low- and moderate-income residents as defined by Community Development Block Grant regulations of the U.S. Department of Housing and Urban Development. This area shall be revised after each decennial census to conform with the requirements of this chapter.

2.32.110080 Citizens advisory committee - Powers and duties.

The committee shall possess advisory powers only. Duties of the committee include:

- A. Assisting and advising the mayor and council in developing the annual application for community development block grant funds;
- B. Acting as a liaison between the city council, the mayor, community development organizations, and the citizens of the community relative to the community development block grant program;
- C. Monitoring and evaluating the activities of community development block grant recipients; and
- D. Conducting the process of soliciting and incorporating informed citizens' input into the community development block grant program. City personnel shall provide staff services which will enable the citizens advisory committee to perform the foregoing duties.

Formatted: Font: Microsoft Sans Serif

Formatted: Font: Microsoft Sans Serif

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-888-2286
Wards:

Action / Date
3/25/2020

Subject:

First Consideration: Ordinance for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way located at N Elsie Ave extending north of W 3rd Pl. [Ward 1]

Recommendation:
Adopt the Ordinance.

Background:

This is another example of property platted as a street decades ago but will never be built. This right-of-way (ROW) extends north of the existing terminus of Elsie Avenue into Schuetzen Park. The terrain is heavily wooded and hilly.

Property owners within 200 feet have been notified as well as the City's Technical Review Team.

No objections have been made to the vacation. The ROW is not needed for public purposes.

At its February 4, 2020 meeting, the Plan and Zoning Commission voted unanimously recommending the City vacate this unneeded ROW.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Background Material
▣ Backup Material	Neighbor Public Hearing Notice for COW

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Flynn, Matt	Approved	2/12/2020 - 9:29 AM

ORDINANCE NO.

ORDINANCE for Case ROW20-01: Request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of Right-of-Way located at North Elsie Avenue extended north of W. 3rd Street Place.
[Ward 1]

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 vacated (abandoned).

The property has the following legal description:

A portion of the subdivision for J.B. Eads as recorded in Book N on page 535 in the office of the Scott County Recorder, more particularly the platted street lying between Lots 1 and 2 of said J.B. Eads and is located in the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 28 and in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 33 all of Township 78 North Range 3 East of the 5th P.M., City of Davenport, Iowa and is more particularly described as follows:

Beginning at the Northeast corner of Lot 2 of the subdivision for J.B. Eads as is recorded in Book N on page 535 in the office of the Scott County Recorder; thence N 88 degrees 10 minutes 21 seconds E along the North line of said J.B. Eads; a distance of 60.22 feet to the Northwest corner of Lot 1 of said J.B. Eads; thence S 00 degrees 27 minutes 38 seconds W along the W line of said Lot 1, a distance of 604.22 feet to the Southwest corner of said Lot 1; thence S 88 degrees, 45 minutes 3 seconds W along the Westerly extension of the South line of said Lot 1, a distance of 60.21 feet to a point on the West line of said Lot 2; thence N 00 degrees 27 minutes 38 seconds E along the East line of said Lot 2, a distance of 603.61 feet to the point of Beginning; containing 0.835 acre.

At its public hearing held on January 21, 2020, the Plan and Zoning Commission vote to recommend approval of the right-of-way vacation.

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 _____

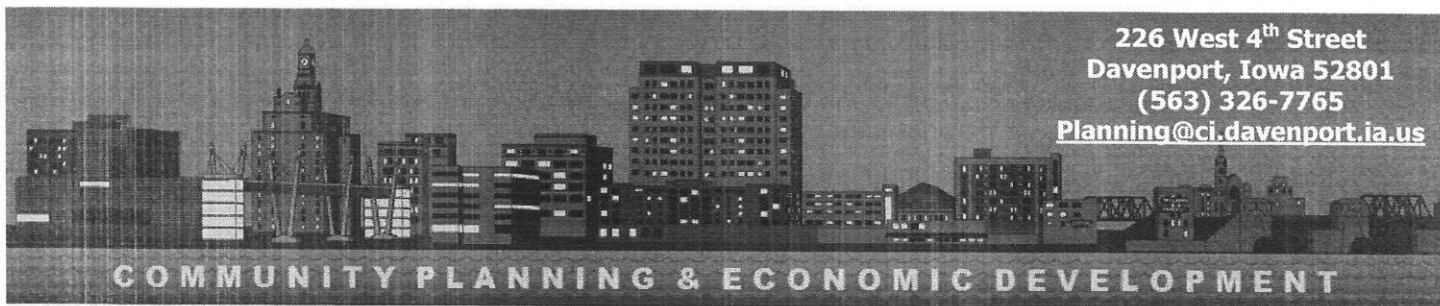
Approved _____

Mayor Mike Matson

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____



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

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

Property Address* See attached legal description.

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

Applicant (Primary Contact)

Name: Schuetzenpark Gilde
Company: dba Schuetzen Park Historic Site
Address: 3401 Schuetzen Ln. #224
City/State/Zip: Davenport, IA 52804-4353
Phone: 563-449-2358
Email: SchuetzenPark@yahoo.com

Application Form Type:

Plan and Zoning Commission

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

Owner (if different from Applicant)

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

Zoning Board of Adjustment

Zoning Appeal ☐
Special Use ☐
Hardship Variance ☐

Engineer (if applicable)

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

Design Review Board

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

Architect (if applicable)

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

Historic Preservation Commission

Certificate of Appropriateness ☐
Landmark Nomination ☐
Demolition Request ☐

Administrative

Administrative Exception ☐
Health Services and Congregate Living Permit ☐

Attorney (if applicable)

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

Request:

We request the vacation of this right-of-way for the sole uses as described in our organization's non-profit mission. The public will still have access to this land for recreational and educational purposes.

Total Land Area:

Submittal Requirements:

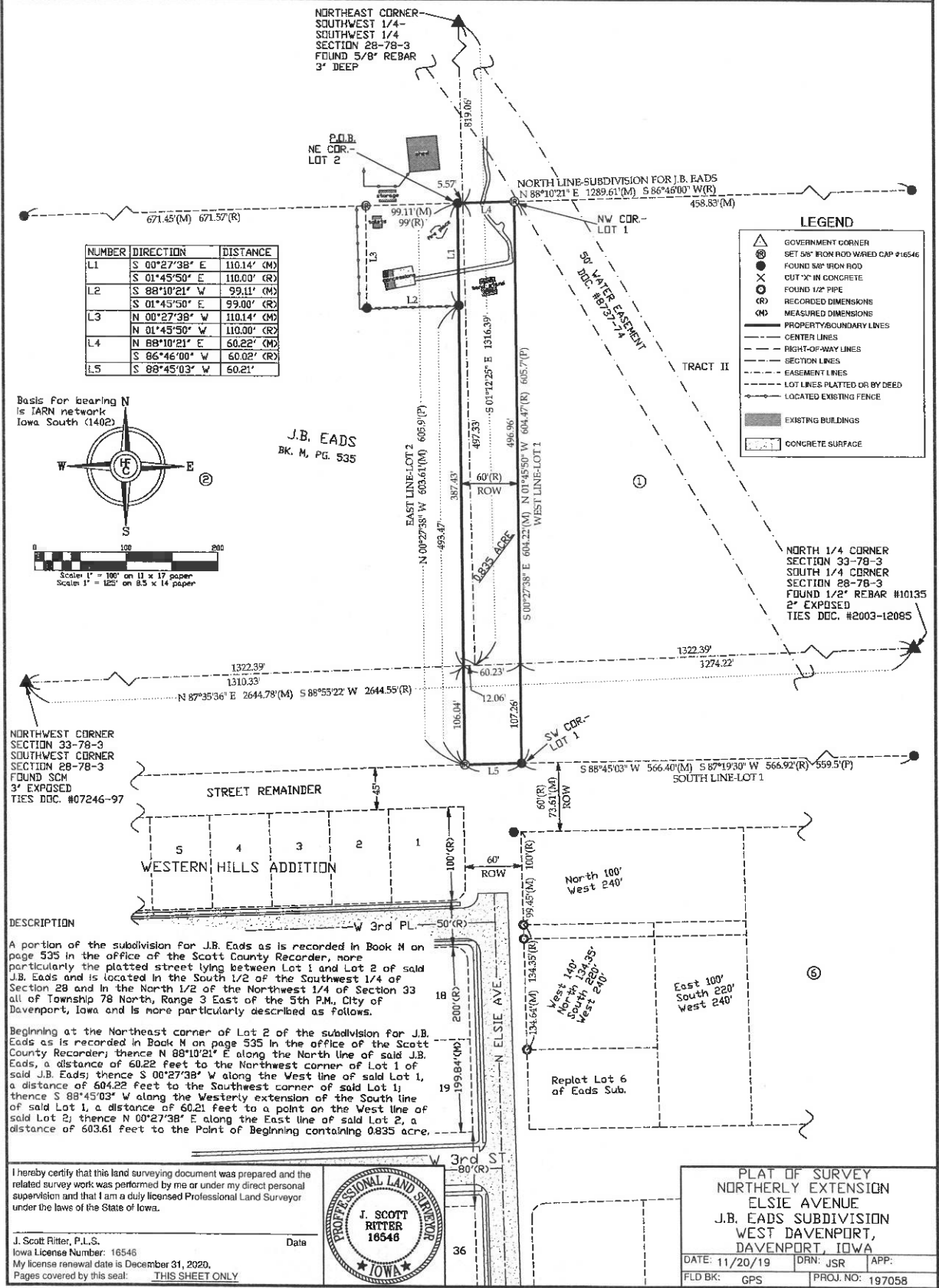
- The completed application form.
- Required fee: \$400.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

- (1) Application:
 - Prior to submission of the application for the right-of-way or easement vacation, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the right-of-way or easement vacation process.
 - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Public Notice for the Plan and Zoning Commission public hearing:
 - Planning staff will send a public hearing notice to surrounding property owners.
- (3) Plan and Zoning Commission's consideration of the right-of-way or easement vacation:
 - Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
 - The Plan and Zoning Commission will hold a public hearing on the request. Subsequently, the Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (4) City Council's consideration of the right-of-way or easement vacation:
 - Planning staff will send a public hearing notice to surrounding property owners.
 - The Committee of the Whole (COW) will hold a public hearing on the request. Subsequently, the City Council will vote on the request. For a right-of-way or easement vacation to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

INDEX LEGEND
 LOCATION: STREET BETWEEN LOT 1 & LOT 2
 J.B. EADS OF WEST DAVENPORT
 REQUESTOR: SCHUETZEN PARK
 PROPRIETOR: CITY OF DAVENPORT
 SURVEYOR: J. SCOTT RITTER, PLS #16546
 COMPANY: HART-FREDERICK CONSULTANTS P.C.
 510 STATE ST. PO BOX 560 TIFFIN, IA 52340
 RETURN TO: sritter@hart-frederick.com (319) 545-7215

HFC HART-FREDERICK CONSULTANTS P.C.
 510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 545-7215 www.hart-frederick.com



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **FEB 06 2001**

SCHUETZENPARK GILDE
701 N PINE ST
DAVENPORT, IA 52804

Employer Identification Number:
39-1899268

DLN:

17053013778031

Contact Person:

FRANK F THOMAS

ID# 31397

Contact Telephone Number:
(877) 829-5500

Our Letter, Dated:

December 1997

Addendum Applies:

No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

Articles of Incorporation of Schuetzenpark Gilde

To the Secretary of State
of the State of Iowa

We, the undersigned, acting as incorporators of a corporation under the Iowa Nonprofit Corporation Act under Chapter 504A, Code of Iowa adopt the following Articles of Incorporation for such corporation:

I) The name of the corporation is the Schuetzenpark Gilde.

II) The period of its duration is perpetual.

III) The purpose for which the Corporation is organized is exclusively charitable, educational and literary and shall at all times operate as a tax exempt organization within the meaning of Section 501 (c) (3) of the Internal Revenue Code or corresponding sections of future United States Revenue Codes.

IV) The address of the initial registered office in the State of Iowa is 625 West 7th Street, in the City of Davenport, County of Scott, and the initial agent at such address is Kory Darnall.

V) The number of directors constituting the initial board of the Corporation is 3. The names and addresses of these initial directors are:

1. Kory Darnall, 625 West 7th Street. Davenport, Iowa 52803
2. James Stelk, 236 Hillcrest Avenue, Davenport, Iowa 52803
3. Velma Flynn, 2246 West 3rd Street, Davenport, Iowa 52802

VI) The Date on which the corporate existence shall begin is June 12, 1996

VII) The names and addresses of the incorporators are:

1. Kory Darnall, 625 West 7th Street, Davenport, Iowa 52803
2. James Stelk, 236 Hillcrest Avenue, Davenport, Iowa 52803
3. Velma Flynn, 2246 West 3rd Street, Davenport, Iowa 52802
4. David Simpson, 2020 Grand Avenue, Davenport, Iowa 52803
5. Paul Sass, 2005 State Street, Bettendorf, Iowa, 52722

VIII) Nonprofit: No Beneficial Owner. The corporation shall not be operated for profit. It shall have no shares of stock, stockholder, beneficial owner, or person having rights similar to those of a stockholder or beneficial owner. No part of its income, profit, net earnings, receipts, or assets shall inure to the benefit of, be owned by, or be distributed to any Director, officer, donor or individual.

IX) No Director, Officer, donor or other individual shall receive any dividend, distribution, or compensation from the corporation, except reasonable reimbursement for expenses properly incurred.

X) The Directors, officers, employees or volunteers of the Corporation shall not, as such, be liable on the Corporation's debts or obligations. Directors, officers, employees or volunteers shall not be personally liable in that capacity, for any claim based upon an act or omission of any such person performed in the discharge of the person's duties related to the Corporation except for:

- a. A breach of the duty of loyalty to the Corporation;
- b. Acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law, or
- c. A transaction from which the person derives an improper personal benefit.

The bylaws of the Corporation may provide for the indemnification and advancement of expenses.

XI) Upon the dissolution of the Corporation, the Board of Directors, after paying or making provisions for payment of all liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purpose of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational or literary purposes, able to properly care for such assets, and shall at the time qualify as an exempt organization under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or corresponding provision of any subsequent United States Internal Revenue Code), as the Board of Directors shall determine. Any such assets not disposed of shall be disposed of by the District Court of the county in which the principle office of the Corporation is then located, exclusively for such purpose or to such organizations as said court shall determine are organized exclusively for that purpose.

XII) Amendments:

1. These Articles of Incorporation may be amended by the affirmative vote of two-thirds of the full number of directors
2. The by-laws shall be consistent with these Articles of Incorporation and applicable law. These Articles of Incorporation shall prevail over and limit any inconsistent provision of the bylaws.

Date: 23 April, 1996.

Velma A. Flynn

James A. Stettin

Henry A. Darmann

Incorporators

State of Iowa
County of Scott

On this 22 day of April, 1996, before me, the undersigned, a notary public in said County and State, personally appeared Kasey Darnall, known to me to be the person named in and who executed the foregoing Articles of Incorporation, and acknowledged that HE executed the same as HIS voluntary act and deed.



Toni M. Nichols

Notary Public

21. November, 2000

Chet Culver
Secretary of State
State of Iowa
Hoover Building
Des Moines, Iowa 50319

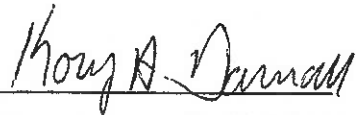
Re: Corp. Nr.: 000195422

On Saturday, November 18, 2000, a quorum having been present and by a unanimous vote of the Corporation's Board of Directors, this organization's mission statement was amended to read as follows:

The mission of this Gilde is to restore and preserve the cultural, historical and natural vestiges of Schuetzen Park (1870-1923), presently the Schuetzen Park Historic Site.

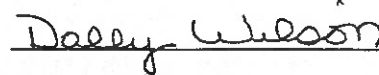
This new mission statement replaces the one set forth with the organization's original articles of incorporation which were filed May 1, 1996.

Date: 21. November 2000



Kory A. Darnall - President of the Board

On this 21st day of November, 2000, before me, the undersigned, a notary public in said County and State, personally appeared Kory A. Darnall, known to me to be the person named in and executing the foregoing amendment to the Schuetzenpark Gilde's Article of Incorporation, and acknowledged that Kory A. Darnall executed the same as a voluntary and deed.


Notary Public





Applicant: Kory A. Darnall, Board Pres.

Date: 12/30/2019

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: [Signature]

Planning staff

Date: 12/31/19

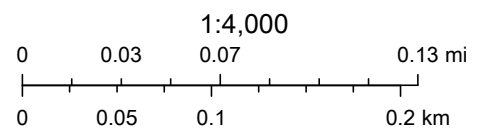
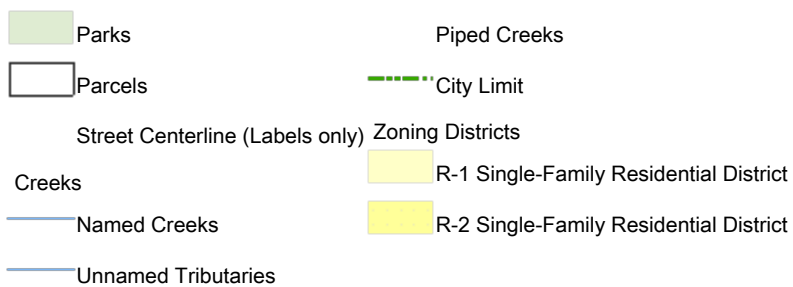
Date of the Public Hearing: 12/31

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

ROW20-01 Elsie Ave. Extended



1/6/2020, 9:26:09 AM



Scott County Iowa, Bi-State Regional Commission



PUBLIC HEARING NOTICE
PLAN AND ZONING COMMISSION
CITY OF DAVENPORT

Public Hearing Details:

Date: January 21, 2020
Time: 5:00 PM
Location: Council Chambers at City Hall, 226 West 4th Street Davenport, Iowa
Subject: Public hearing for a proposed Right-of-Way vacation before the Plan and Zoning Commission
Case #: ROW20-01

To: Adjacent owners of City-owned property (right-of-way) proposed to be vacated (sold or conveyed to a private property owner). This property was platted some time ago as an extension of Elsie Avenue. See map on reverse for specific location.

What is this All About?

This notice is being sent to property owners within 200 feet inform you that a public hearing will be held for a proposed right-of-way vacation.

What are the Next Steps after the Public Hearing?

This public hearing is the first step in the review/approval process. The Commission's recommendation from this public hearing will be forwarded to the City Council which will then hold its own public hearing. You will receive a notice of the City Council's public hearing as you received this notice. The City Council will ultimately decide if the property is no longer needed for City purposes, and is eligible for vacation. At that point, the City Attorney's office will negotiate with adjacent property owners to determine the appropriate way to convey the property, and possibly, purchase price. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

Do You Have Any Questions?

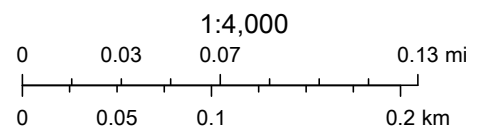
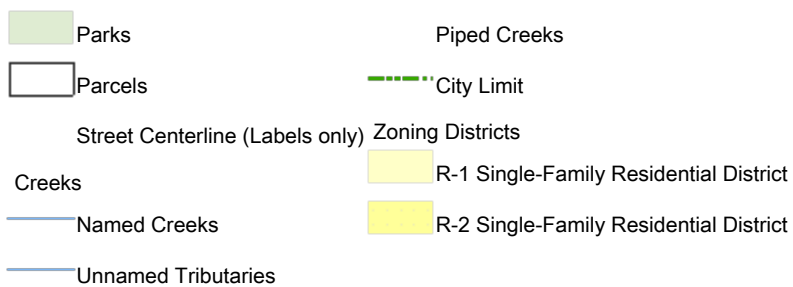
If you have any questions on this request, or if you need accommodations for any reason, please contact Matthew Flynn, AICP, the case planner assigned to this project at matt.flynn@ci.davenport.ia.us or at 563-888-2286. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

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

ROW20-01 Elsie Ave. Extended



1/6/2020, 9:26:09 AM



Scott County Iowa, Bi-State Regional Commission



014288-0030 Scharlet 12/31/2019 03:24PM

Paid by: SCHUETZEN PARK GILDE

[illegible]

CUSTOMER COPY
DUPLICATE RECEIPT

ROW20-20 Notice List

John Gainer
407 N. Michigan Ave.
Davenport, IA 52804

Evangelical Lutheran Good
700 Waverly Rd.
Davenport, IA 52804

Thomas Campbell
325 N. Rolff St.
Davenport, IA 52804

Perry Otten
330 N. Elsie Ave.
Davenport, IA 52804

Richard Geest
3112 W 3rd St PL
Davenport, IA 52804

Joanne Wagner
3118 W 3rd St. PL
Davenport, IA 52804

Susan Paulsen
2306 N Howell St
Davenport, IA 52804-2321

Jana Cushatt
327 N Elsie Ave.
Davenport, IA 52804

Karen Schulz
313 N. Elsie Ave.
Davenport, IA 52804

Christian Jump
3111 W 3rd St PL
Davenport, IA 52804

DESCRIPTION

A portion of the subdivision for J.B. Eads as is recorded in Book M on page 535 in the office of the Scott County Recorder, more particularly the platted street lying between Lot 1 and Lot 2 of said J.B. Eads and is located in the South 1/2 of the Southwest 1/4 of Section 28 and in the North 1/2 of the Northwest 1/4 of Section 33 all of Township 78 North, Range 3 East of the 5th P.M., City of Davenport, Iowa and is more particularly described as follows.

Beginning at the Northeast corner of Lot 2 of the subdivision for J.B. Eads as is recorded in Book M on page 535 in the office of the Scott County Recorder; thence N 88°10'21" E along the North line of said J.B. Eads, a distance of 60.22 feet to the Northwest corner of Lot 1 of said J.B. Eads; thence S 00°27'38" W along the West line of said Lot 1, a distance of 604.22 feet to the Southwest corner of said Lot 1; thence S 88°45'03" W along the Westerly extension of the South line of said Lot 1, a distance of 60.21 feet to a point on the West line of said Lot 2; thence N 00°27'38" E along the East line of said Lot 2, a distance of 603.61 feet to the Point of Beginning containing 0.835 acre.



Wednesday, February 12, 2020

Dear Property Owner:

You may recall receiving a notice regarding a public hearing before the Plan and Zoning Commission on this matter. Simply stated, the Schuetsenpark Gilde seeks to acquire City-owned right-of-way destined for an extension of Elsie Avenue. That extension will never happen and Gilde wants the property for additional park land. The Plan and Zoning Commission recommended approval of this vacation at its February 4, 2020 meeting.

This will now go to the City Council for final consideration. Another public hearing is required to be held. See information below; if you have questions, please don't hesitate to contact us.

NOTICE
PUBLIC HEARING
WEDNESDAY, FEBRUARY 19, 2020 -5:30 P.M.
CITY OF DAVENPORT COMMITTEE OF THE WHOLE
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4th STREET – DAVENPORT, IOWA

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

Case ROW20-01: Request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of Right-of-Way located at North Elsie Avenue extended north of W. 3rd Street Place. [Ward 1]

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, February 19, 2020 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa. You may submit written comments on the above item(s) or to attend the public hearing to express your views, or both. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

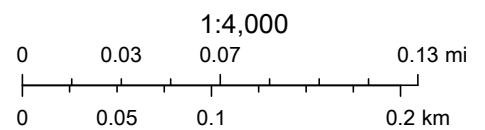
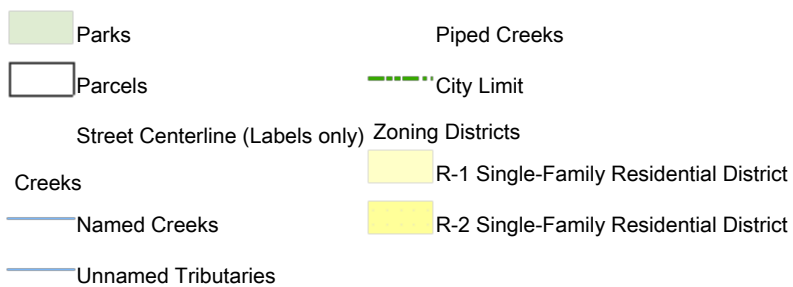
Any written comments to be reported at the public hearing should be received in the Department of Community Planning & Economic Development, at the above address, no later than 12:00 noon on the day of the public hearing(s). PO No. 2008049

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

ROW20-01 Elsie Ave. Extended



1/6/2020, 9:26:09 AM



Scott County Iowa, Bi-State Regional Commission

City of Davenport

Agenda Group:

Department: Community Planning & Economic Development

Contact Info: Brandon Melton 563-888-2221

Wards:

Action / Date

2/19/2020

Subject:

Resolution authorizing the Mayor to sign the 2019 Certified Local Government Annual Report. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The Iowa Certified Local Government 2019 Annual Report is submitted to the State Historic Preservation Office. The report is to ensure that the Historic Preservation Commission has achieved consistency with program requirements and to provide an update on historic resources, Commission members, and Ordinance changes.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Annual Report Cert
▣ Backup Material	CLG Annual Report

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Flynn, Matt	Approved	2/13/2020 - 9:55 AM

Resolution No. _____

Resolution offered by Chairperson Gripp

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing the Mayor to execute the Iowa Certified Local Government 2019 Annual Report.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor is authorized to execute the Iowa Certified Local Government 2019 Annual Report;

and the Mayor and Deputy City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

Certified Local Government Annual Report

Name of Certified Local Government: Davenport Historic Preservation Commission

Signature of person who completed this report

Date

I certify that a representative of the historic preservation commission has attended a public meeting and presented the details of this report to the city council (city CLG) or the Board of Supervisors (county CLG).

February 26, 2020

Date of public meeting

Signature of Mayor or Chairman of the Board of Supervisors

Date

Mike Matson, Mayor

Printed Name of Elected Official

Please upload this completed form with your annual report on SlideRoom.

Thank you.

Certified Local Government Annual Report

* indicates a required field

Under the CLG Agreement with the State, local governments and their historic preservation commissions are responsible for submitting an annual report documenting the commission's preservation work and that they have met the requirements of the CLG program.

This annual report is also an important tool for your commission to evaluate its own performance and to plan for the coming year.

1. Name of the city, county, or land use district: *

Please choose the name from the drop down table.

Davenport Historic Preservation Commission ▼

2. Did your commission undertake any projects for historic identification/survey, evaluation and or registration/nomination projects in this calendar year? *

CLG Standards are in your local government's Certified Local Government (CLG) Agreement and the National Historic Preservation Act:

1) The CLG shall maintain a system for the survey and inventory of historic and prehistoric properties in a manner consistent with and approved by the STATE.

2) The CLG will review National Register nominations on any property that lies in the jurisdiction of its historic preservation commission. Please upload any Iowa Site Inventory Forms or other survey materials produced during the year. Please do not upload any projects that were funded with a CLG or HRDP grant, mandated by the Section 106 review and compliance process, or National Register nominations as we already have these documents in our files.

yes ▼

3. Were any National Register of Historic Places (NRHP) properties in your City, County, or LUD were altered, moved, or demolished in this calendar year? *

yes ▼

3.1.

Please identify the property (historic name and address) and the action (altered, moved, demolished).

1. Demolish the building at 1121 Mound Street. The Barney Petersen Cottage was located in the Village of the East Davenport National Register Historic District.
2. Demolish the residence at 415 East 10th Street. The Joseph Mallet House is individually listed on the National Register of Historic Places.
3. Demolish the residence at 421 East 10th Street. The Joseph Motie House is individually listed on the National Register of Historic Places.

454 of 8000 characters

4. Does your local government designate local landmarks or local districts? *

IMPORTANT: Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact Paula Mohr before you complete this section.

Yes ▼

4. Does your local government designate local landmarks or local districts? *

IMPORTANT: Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact Paula Mohr before you complete this section.

Yes

5. If you answered yes to the previous question, in this calendar year, what properties did your city place on its list of locally designated historic landmarks and/or historic districts? Please provide the historic name and address of each property

IMPORTANT: Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact Paula Mohr before you complete this section.

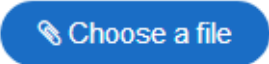
REMINDER: Before local districts are designated by your city council, you must send the local nomination to the SHPO for review and comment. Please allow at least 45 days for review before the nomination is scheduled for city council review. The SHPO review takes place after your commission has approved the local district nomination and BEFORE it is placed on the city council's agenda.

No properties were added in CY 2019.

36 of 8000 characters

5.1.

Please attach a copy of the final designation nomination(s) and ordinances(s) for these properties

 Choose a file

6. In this calendar year, what were the actions to revise, amend, change, or de-list a locally designated property? Please provide the name and address of the property(ies) and the action. If no action was taken, enter N/A *

N/A

3 of 8000 characters

7. Has your city or county passed other ordinances that directly or indirectly affect historic preservation? *

no

8. Did your city, county, LUD or its historic preservation commission undertake any of the following activities in this calendar year? Please think broadly about this question and include any activity (small or large) that facilitated historic preservation in your community. This is your opportunity to boast about your accomplishments and get credit for the great work you do!

CLG Standards found in CLG Agreement and National Historic Preservation Act:

1) The CLG will enforce all appropriate state and local ordinances for designating and protecting historic properties.

2) The CLG shall provide for adequate public participation in the local historic preservation programs.

☐ a. Historic preservation planning. Examples include the development or revision of an preservation plan, development of a work plan for your commission, etc.

☒ b. Provided technical assistance on historic preservation issues or projects. Examples include working with individual property owners, business owners, institutions to identify appropriate treatments and find appropriate materials, research advice, etc.

☐ c. Sponsored public educational programming in historic preservation. Examples include training sessions offered to the public, walking tours, open houses, lectures, Preservation Month activities, etc.

☐ d. Design guidelines/standards

8.1.

Describe the city, county, LUD, and/or historic preservation commission's assistance on preservation issues or projects in this calendar year. Please be specific (address(es) of property(ies), what was the issue(s), what technical assistance was provided?. *

Former City staff member Ryan Rusnak was the day to day resource for historic properties in the City. He worked with all homeowners, business owners and institutions on formal and informal requests for appropriate treatments and finding appropriate materials, research, advice, etc.

9. Are there any particular issues, challenges, and/or successes your preservation commission has encountered or accomplished this year? *

One challenge continues to be people do work without a permit. There were a handful of instances of work without a permit in the Historic Hamburg District.

155 of 8000 characters

10. What partnerships did your commission form or continue with other entities? (examples include local main street office, historical society, library, museum, service club, etc.) If none, enter N/A *

N/A

3 of 8000 characters

11. Did your historic preservation commission receive any grants (other than CLG or HRDP) this year? If so, please describe. If none, enter N/A. *

N/A

3 of 8000 characters

12. Does your commission have a website? *

- ☒ Yes
☐ No

12.1. What is the website address? *

https://davenportiowa.com/government/boards_commissions

The City has mapped all of its historic resources:

<https://davenportiowa.maps.arcgis.com/apps/webappviewer/index.html?id=8ee7347728184fa1999dd5d7cf8819b1>

212 of 6000 characters

13. Does your commission have a Facebook page? *

- ☐ Yes
☒ No

14.

List dates of public commission meetings held (please note these are meetings actually held with a quorum, not just those that were scheduled). *

CLG Standards found in CLG Agreement and National Historic Preservation Act:

- 1) The CLG will organize and maintain a historic preservation commission, which must meet at least three (3) times per year.
- 2) The commission will be composed of community members with a demonstrated positive interest in historic preservation, or closely related fields, to the extent available in the community.
- 3) The commission will comply with Iowa Code Chapter 21 (open meetings) in its operations.
- 4) Commission members will participate in state-sponsored or state-approved historic preservation training activities.

January 8, 2019 Regular Meeting
March 12, 2019 Regular Meeting
April 9, 2019 Work Session
May 7, 2019 Work Session and Regular Meeting
June 11, 2019 Regular Meeting
July 9, 2019 Work Session and Regular Meeting
August 13, 2019 Regular Meeting
September 10, 2019 Regular Meeting
October 8, 2019 Regular Meeting
November 12, 2019 Regular Meeting
December 10, 2019 Regular Meeting

387 of 8000 characters

15.

We recommend that the local government provide the commission a budget with a minimum of \$750 to pay for training and other commission expenses. In this calendar year, what was the dollar amount for the historic preservation commission's annual budget? *

No specific budget was created. However, the City of Davenport paid for former staff member's Ryan Rusnak to attend the 2019 National American Planning Association Conference in San Francisco. Ryan Rusnak toured Alcatraz Island, which is a National Historic Landmark and participated in a guided "Victorian Home Walk", which provided a great history of the city and the infamous painted ladies. The approximate cost of those tours were \$170.

443 of 6000 characters

16. Where are your official CLG files located? *

Certified Local Government files must be stored at city hall (for city commissions) or the county courthouse (for county commissions).

City of Davenport
Community Planning and Economic Development Department
226 West 4th Street
Davenport, Iowa 52803
Planning@ci.davenport.ia.us
(563) 326-7765

162 of 6000 characters

17.

Please list the names of the Historic Preservation Commissioners who served during this calendar year. *

David Cordes, Lyn Cochran, Diane Franken, John Frueh, Alyssa Kuehl, Joseph Wonio

80 of 6000 characters

18.

Each CLG was asked to provide a work plan last year. Please provide a self-assessment of your progress on the initiatives and programs you identified last year. Were you able to accomplish much of what you set out to do? If not, what would help you fulfill this next year's work plan? *

The Commission improved public outreach by utilizing City of Davenport's Facebook page to post relevant local historic information.

19.

Each commission should develop a work plan for the coming year. This work plan should include the project(s), initiatives and programs you plan to begin or complete. Also discuss your plan for obtaining historic preservation training in 2020. Please attach your work plan to your annual report. *

 Davenport Historic Preservation Commission Work Plan 2020-2021.pdf (102KB) 



20. Please update contact information about your 2020 Chief Elected Official. *

Note: This is beginning January 2020. Please provide the information for the Mayor, Chairman of the Board of Supervisors, or President of LUD Trustees.

First and Last Name	Mailing Address	Phone Number	Email Address	
Mike Matson	226 W 4th St., D	563-326-7701	Mike.Matson@d	
+ Add a row				

21.

Please update contact information about your Staff Person for the Historic Preservation Commission. *

This is a local government staff member and is required.

First and Last Name	Job Title	Mailing Address	Phone Number	Email Address	
Brandon M	Planner II	226 W 4th St	563-888-222	brandon.mel	
+ Add a row					

22.

Please complete the following and provide contact information about your 2020 Chairperson/Commissioner. *

Note: Electronic and mailed communication will be sent to the staff person for the commission and the chair who will forward the information to the rest of the commission members.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
John Frueh	625 Warren	563-333-856		jlfдав02@gn

+ Add a row

22.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A. *

Historic Hamburg District

25 of 200 characters

22.2. Specify the month, day, and year that the commissioner's term will end. *

06/30/2022

22.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission? *

- ☒ Yes
☐ No

23.

Please complete the following and provide information about your 2020 Vice Chairperson/Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address	
Bob McGiv	416 W Colur	563-355-857		bob@mcgivr	
+ Add a row					

23.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact Paula Mohr before you complete this section.

N/A

3 of 6000 characters

23.2. Specify the month, day, and year that the commissioner's term will end.

06/30/2021

23.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission? *

☐ Yes

☒ No

24.

Please complete the following and provide information about your 2020 Secretary/Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
Brandon M	226 W 4th S		563-888-226	brandon.mel 
+ Add a row				

24.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

N/A

3 of 6000 characters

24.2. Specify the month, day, and year that the commissioner's term will end.

mm/dd/yyyy

24.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?

- ☒ Yes
☐ No

25.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
Joe Wonio	526 W 2nd St	563-370-8095		woniojoseph 
+ Add a row				

25.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

0 of 6000 characters

25.2. Specify the month, day, and year that the commissioner's term will end.

25.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?

- ☐ Yes
☒ No

26.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
David Cord	816 20th Str	(563) 676-46		davidlcordes 

+ Add a row

26.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

Historic Hamburg District

25 of 6000 characters

26.2. Specify the month, day, and year that the commissioner's term will end.

06/30/2020

26.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?

- ☐ Yes
☒ No

27.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
Alyssa Kue	712 West 8th	563-210-128		alyssaarlene 
+ Add a row				

27.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

Historic Hamburg District

25 of 6000 characters

27.2. Specify the month, day, and year that the commissioner's term will end.

06/30/2020

27.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?

- ☐ Yes
☒ No

28.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
Lyn Cochran	2315 East 4th	218-838-4361		lacochedran@i
+ Add a row				

28.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.

N/A

3 of 6000 characters

28.2. Specify the month, day, and year that the commissioner's term will end.

06/30/2021

28.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?

- ☐ Yes
☒ No

29.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address	
Diane Fran	1610 Prospe	563-271-457		defranken@	
+ Add a row					

29.1.

If the commissioner represents a locally designated district, provide the name of the district (Representative, Name of Local Historic District). If the commissioner does not represent a local historic district, enter N/A.*

N/A

29.2. Specify the month, day, and year that the commissioner's term will end.*

mm/dd/yyyy

06/30/2022

29.3.

Does this person serve as the Contact with the State Historic Preservation Office for the Commission?*

- ☐ yes
☒ no

30.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
------------------------	--------------------	----------------------	----------------------	------------------

+ Add a row

31.

Please complete the following and provide information about your 2020 Commissioner.

Note: Electronic and mailed communication will be sent to the staff person for the commission and the contact.

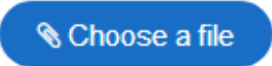
First and Last Name	Mailing Address	Home Phone Number	Work Phone Number	Email Address
------------------------	--------------------	----------------------	----------------------	------------------

+ Add a row

32.

Please attach biographical sketches for commissioners who were newly appointed in 2020.

Please be sure newly appointed commissioners sign and date their statement.

 Choose a file

33.

Does your commission have any vacancies? If so, how many? If you have no vacancies, enter N/A. *

N/A

3 of 6000 characters

34. Please complete the Commission Training Table. *

An important requirement of the Certified Local Government program is annual state-sponsored (such as the Preserve Iowa Summit) or state-approved training undertaken by at least one member of the historic preservation commission and/or staff liaison. In this table, provide information about the commissioners' involvement in historic preservation training, listing the name of the conference, workshop or meeting (including online training opportunities); the sponsoring organization; the location and date when the training occurred. Be sure to provide the names of commissioners, staff, and elected officials who attended.

Name of Event	Sponsor Organization	Location	Date	Names of Attendees	
NAPC FOI	National Allian	Des Moines	July 18-22	Diane Frank	

+ Add a row

35.

Who of your commission members, staff, and/or elected officials attended the Preserve Iowa Summit? If so, please provide their names. *

Please note this must be completed. If no one attended, enter none.

None.

36. Signature page *



This question is required.

 Choose a file

Davenport Historic Preservation Commission Work Plan

CY2020 & CY2022

Projects, Plans, and Initiatives

CY 2020

- Work toward updating the Historic Preservation Ordinance to better address current challenges such as unpermitted and non-approved work in historic districts and landmarks
- Seek local funding and grant opportunities to fund National Register Studies if the
- Continue to improve online resources

CY 2021

- Work toward updating the Historic Preservation Ordinance to better address current challenges such as unpermitted and non-approved work in historic districts and landmarks
- Seek local funding and grant opportunities to fund National Register Studies if the
- Continue to improve online resources
- Acquire space at local farmers market to educate public on local historic preservation

Historic Preservation Training Plan

CY 2020

- Iowa Department of Cultural Affairs Grant Information Session, March 6, Davenport
- 2020 Preserve Iowa Summit, June 4-6, Dubuque
- Hamburg Historic District Home Tour, September 19 & 20, Davenport (Locally Sponsored)

CY 2021

- CY 2021 Preserve Iowa Summit, TBD

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
2/26/2020

Subject:
Resolution supporting a Workforce Housing Tax Credit (WHTC) application to the State for the Roosevelt Building project located at 307 W 6th St and approving an Urban Revitalization Tax Exemption (URTE) application for the same (Andrew Wold Investments, LLC, petitioner). [Ward 3]

Recommendation:
Adopt the Resolution.

Background:
Recently, to help provide assistance in counties impacted by flooding in 2019, the State of Iowa allocated \$10 million in tax credit authority for the WHTC Program. The WHTC can assist developers to rehabilitate or build new housing units by reducing tax liabilities and/or raising equity to complete the project. The State intends to obligate these credits on a first come, first served basis.

Projects must include a Resolution of Support from the local government and show a local match commitment of at least \$1,000 per housing unit. This proposed project is located within the City's URTE area and the developer has applied for this assistance. The project is eligible and, if approved, the amount of tax exemption over 10 years would meet the State-required match.

This project is proposed by Andrew Wold who owns and leases a number of properties in Davenport. The historic building was built around 1906-07 as the Roosevelt Apartments. In the early 1990s, the Salvation Army acquired the building and used it for transitional housing. Retaining the original use, Mr. Wold proposes an \$800,000 rehab to the existing 32 apartment units, with primarily two-bedroom units.

In addition to WHTCs, URTE savings, State and Federal Historic Tax Credits, and private financing, Wold is proposing potential funding from Main Street Iowa and Downtown Davenport Partnership Façade or Streetscape programs to help complete the project. Approval of this Resolution will authorize the execution of the Resolution of Support for the project and approval of the URTE application.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution
□ Cover Memo	Photo

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	2/11/2020 - 11:25 AM
City Clerk	Admin, Default	Approved	2/11/2020 - 2:16 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION supporting a Workforce Housing Tax Credit (WHTC) application to the State for the Roosevelt Building project located at 307 W 6th Street and approving an Urban Revitalization Tax Exemption (URTE) application for the same (Andrew Wold Investments, LLC, petitioner).

WHEREAS, recent flooding occurred across parts of Iowa, causing the President to declare several counties (including Scott County) a disaster area with unprecedented Mississippi River levels and duration in Davenport, negatively impacting properties with over 700 housing units in Davenport; and

WHEREAS, the Iowa Economic Development Authority (IEDA) is offering State tax incentives under the recent announcement of Disaster Assistance through the WHTC Program; and

WHEREAS, local developer, Andrew Wold Investments, LLC, has requested City support for its WHTC application to the State for a \$2 million, 32-unit apartment rehab project located at 307 W 6th Street; and

WHEREAS, the application requirements for the WHTC program include a requirement for the submission of a Resolution in support of the housing project by the community where the project will be located and documentation of local matching funds pledged for the project in an amount not less than \$1,000 per dwelling unit; and

WHEREAS, the project is located within the City's URTE area, the developer has applied for benefits through this program, and is eligible for the 10 year, 100% exemption; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Roosevelt Building project is supported in applying for the Iowa Workforce Housing Tax Credit Program and the Urban Revitalization Tax Exemption application for the project is hereby approved.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk



Proposed Roosevelt Building Project
307 W. 6th Street

City of Davenport

Agenda Group:
Department: Community Planning & Economic Development
Contact Info: Bruce Berger 563-326-7769
Wards:

Action / Date
2/19/2020

Subject:
Resolution approving 2020 Urban Revitalization Tax Exemption (URTE) Projects. [All Wards]

Recommendation:
Adopted the Resolution.

Background:

The objective of the Urban Revitalization Tax Exemption (URTE) program is to encourage private investment by providing an exemption on the increase in property taxes resulting from improvements. The City presently has two Urban Revitalization areas: Central City and North.

The attached list provides the following information for each property: whether the property is residential, commercial, or industrial; the petitioner's name; the property address; the schedule of exemption chosen; and the cost of the improvements reported by the petitioner on the application form. (The exemption percentage is applied to the actual value of the improvements as determined by the City Assessor. The new assessed value is rarely equal to the cost of the improvements.) The term of the exemption varies according to the schedule selected by the petitioner. In all cases when the exemption period expires, the property will rise to the full taxable value. This year's applications represent a total private investment of over \$94 million spread among 67 projects. The attached map shows the location of the completed URTE projects. This is in addition to 7 previously approved URTE projects associated with Workforce Housing Tax Credits.

The URTE program continues to be one of the City's best economic development tools. This program directly helps the city's taxpayers by lessening the burden of higher property taxes that often come with improvements.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution Approving URTE projects for 2020
▣ Backup Material	List of URTE Projects 2020
▣ Backup Material	Map of Completed 2020 URTE projects

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	2/13/2020 - 3:31 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION for approval of 2020 Urban Revitalization Tax Exemption Projects [All Wards].

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

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

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

WHEREAS the tax exemption programs, together with the other economic development programs of the City, have been used to increase assistance for projects which otherwise would not occur.

NOW, THEREFORE, with the approval of the resolution, the following properties will be approved for the Urban Revitalization Tax Exemption program for 2020.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

Urban Revitalization Tax Exemption Final Applications

Type	Petitioner	Address	Parcel	Schedule	Improvement Cost
C	XL Development LLC	7620 Louis Rich Ct	T2435-03	N1	\$ 825,000
C	GVT MT LLC	736 Federal Street Ste 2203	F0061A02	C1	\$ 2,700,000
C	Gray Media Group Inc	805 Brady Street	G0041-24	C1	\$ 1,485,430
C	XL Development LLC	7620 Louis Rich Ct	T2435-03	N1	\$ 885,000
C	Premier Commercial Condos	3694 W 83rd Street	V3223-04A	C2	\$ 576,400
C	Ry Holdings	221 E. 2nd Street	L0016A18	C1	\$ 200,000
C	Taste of Ethiopia, LLC	102 S Harrison Street, Ste 300	L0022-02	C2	\$ 80,000
C	Hariom Development LLC	2604 W Locust Street	O2114-03	N1	\$ 60,000
C	DFE LLC	4004 W. Kimberly Road Lot 001	U1723-01B	N1	\$ 29,500
C	Republic Electric Co	716 Charlotte Street	F0062-14A	C1	\$ 4,314
DC-C	Midwest Property Holdings, LLC	1226 Brady Street	G0025-37	C2	\$ 45,000
DC-R	Midwest Property Holdings, LLC	103 W 13th Street Apt 1 & 2	G0025-37	C3	\$ 30,000
I	Cobham Mission Systems, Davenport	2734 Hickory Grove Rd	O2105-03	N1	\$ 2,702,777
I	Cobham Mission Systems, Davenport	2734 Hickory Grove Rd	O2105-03	N1	\$ 1,714,373
I	Research Parkway Industries LLC	3223 Research Parkway	W3319-01C	N2	\$ 930,000
MR	GVT Lofts LLC	736 Federal Street	F0061A01	C3	\$ 20,000,000
MR	Naval Station LLC	2104 W 6th Street	H0049-06	C3	\$ 9,000,000
MR	1606 Brady Associates LP	1606 Brady Street	G0010-51B	C3	\$ 4,058,925
MR	GVT Lofts LLC	800 Isabel Bloom Way	F0061A03	C3	\$ 3,500,000
MR	Y & J Properties LLC	425-427 Brady Street	G0057-05	C3	\$ 2,200,000
MR	Y & J Properties LLC	421-423 Brady Street	G0057-06	C3	\$ 2,100,000
R	Richard and Linda Stone	510 W 6th Street	G0053-04	C3	\$ 438,000
R	Addicted2Rehab LLC	1715 Washington Lane	H0006-35	C3	\$ 65,000
R	S&K Ventures LLC	611 Perry Street	G0056-24A	C3	\$ 60,000
R	FFG Partners LLC 254	415 S Lincoln	J0025-46	C3	\$ 55,000
R	Susan and Christopher Kretz	2110 N Main Street	B0055-26	C3	\$ 46,430
R	First Financial Group LC	2107 W 2nd Street	K0016-29	C3	\$ 40,000
R	Urban Rehab LLC	1308 LeClaire Street	F0018-13	C3	\$ 35,000
R	Kelly Shadden	510 Oak Street	H0064-35	C3	\$ 26,094

R	Andrew T. Reimers	116 N Pine Street	K0016-06	C3	\$	21,217
R	B&V Partners LLC 35	1315 W 15th Street	H0024-47	C3	\$	20,146
R	Bruce Scherler	1517 Arlington Avenue	F0012-14	C3	\$	19,755
R	First Financial Group LC	3204 Rockingham Rd	J0062-14	C3	\$	17,071
R	Joseph Bain	2126 Jefferson Ave	C0051-18	C3	\$	15,800
R	First Financial Group LC	1512 Washington St	H0011-11	C3	\$	15,502
R	First Financial Group LC	1613 N Division St	H0012-01	C3	\$	15,000
R	Urban Rehab LLC	410 E. 15th Street	F0015-24	C3	\$	15,000
R	Urban Rehab LLC	1304 LeClaire Street	F0018-12	C3	\$	15,000
R	Jack Coleman and Laura Brewer	155 N. Thornwood Avenue	J0011-32	C3	\$	14,859
R	Adam Hoelter	722 W. 16th Street	G0013-16	C3	\$	13,000
R	Elmer and Mary Kenney	3603 Keota Avenue	R0432-04	C3	\$	11,692
R	Linda Plymale	1925 W. 4th Street	K0002-02	C3	\$	7,866
R	Michael A. Garlisch Trust	123 W 14th Street	G0023-15	C3	\$	7,500

C=Commercial, I=Industrial, MR=Multi-Residential, R=Residential DC=Dual Class

Urban Revitalization Tax Exemption Prior Applications

Type	Petitioner	Address	Parcel	Schedule	Improvement Cost
C	VZ Properties LLC	508 Brady Street	G0055-17	C2	\$ 275,000
C	Great Southern Bank	2020 E Kimberly Rd	N1809-04A	N2	\$ 99,085
C	New Kahl LLC	321 Ripley Street/ Parking Lot	L0006-16A	C2	\$ 250,000
C	New Kahl LLC	Parking Lot	L0006-06	C2	\$ 250,000
C	New Kahl LLC	326 W. 3rd Street	L0006-17D	C1	\$ 30,000,000
C	Redband Properties LLC	1304 Brady Street	G0024-22B	C1	\$ 188,300
I	Cobham Mission Systems, Davenport	2915 Hickory Grove Rd	O2103-08D	N1	\$ 1,213,721
MR	St Katherines LLC/ Davenport Housing LP	1021 E 10th Street	F0044-01B	C3	\$ 5,000,000
MR	James Licandro	515 Ripley Street	G0054-36	C3	\$ 100,000
MR	Andrew Wold Investments/307 Harrison St Coop.	307 Harrison Street	L0007-18H	C3	\$ 115,000
MR	Andrew Wold Investments/ Purchase Agreement	307 W. 6th Street	G0054-17A	C3	\$ 1,800,000
R	VZ Properties LLC	508 Brady Street	G0055-17	C3	\$ 420,000
R	Edwin and Sanrda Winborn	529 W 14th Street	G0021-13	C3	\$ 40,000
R	Mark Easter	917 W. Locust Street	G0003-01	C3	\$ 50,000
R	City of Davenport	1412 W. 14th Street	H0023-33	C3	\$ 250,000
R	City of Davenport	1619 W. Pleasant Street	A0060-21	C3	\$ 250,000
R	Virgil and Alaie Tyson	416 W. 16th Street	G0011-40	C3	\$ 50,000
R	David Leiva	506 W. 8th Street	G0044-15	C3	\$ 50,000
R	Jack Haberman	707 Gaines Street	G0045-02A	C3	\$ 85,000
R	S&H Rental Properties LLC	1426 Brady Street	G0024-30	C3	\$ 60,000
R	Andrew and Kimberly Varner	1115 W. 17th Street	G0001-29	C3	\$ 60,000
R	Urban Rehab LLC	930 E. 13th Street	F0021-07	C3	\$ 45,000
R	Georgia Mapes	306 E 8 1/2 Street	F0048-27	C3	\$ 30,000
R	Mhisho and Thomas Lynch	526 S Clark Street	J0045-31-B	C3	\$ 125,000

C=Commercial, I=Industrial, MR=Multi-Residential, R=Residential

Legend

2020 URTE Applications

- Commercial/ Industrial
- Multi-Residential
- Residential
- Workforce Housing Tax Credit Projects

- Commercial/ Industrial
- Multi-Residential
- Residential
- ★ Workforce Housing Tax Credit Projects

Community Planning & Economic Development
February 2020

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
2/26/2020

Subject:
Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events.

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300 W 3rd St; Saturday, March 14, 2020 after parade – 11:30 p.m.; **Closures:** parking lane and west travel lane on Harrison St adjacent to Kilkenny's (beginning Friday, March 13, 2020 at 5:00 p.m.) and W 3rd St between Ripley St and Harrison St. [Ward 3]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; **Closure:** parking lane and two north travel lanes on W 3rd St in front of establishment. [Ward 3]

Stickman Racing Group; Easter Egg Scramble 5K; Saturday, April 11, 2020 6:30 a.m. – 11:30 a.m.; **Closures:** Christie St from E 11th to E 12th; E 11th St from Christie to Jersey Ridge; Jersey Ridge from 11th to Middle; Middle from Jersey Ridge to Eastmere to Bettendorf City Limits; Wood Ln from Bettendorf City Limits to Forest Rd; Forest Rd between Wood Ln; Wood Ln from Forest Rd to McClellan Blvd; McClellan Blvd from Wood Ln to River St (alternate route: McClellan Blvd from Wood Ln to Edgehill Ter; Edgehill Ter from McClellan Blvd to River St); River St from McClellan Blvd to the finish at 2132 E 11th St. [Wards 5 & 6]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; **Closure:** northbound Marquette St from Kimberly Rd to 3923 Marquette St. [Ward 7]

St. Paul Lutheran Church; Mayfest; 2136 Brady St; Sunday, May 17, 2020 8:00 a.m. - 3:00 p.m.; **Closure:** Lombard St from Main St to Brady St. [Ward 5]

City of Davenport Parks and Recreation; Youthfest; Fejervary Park; Wednesday, July 8, 2020 7:00 a.m. - 3:00 p.m.; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to just north of the Fejervary Family Aquatic Center parking lot. [Ward 4]

Recommendation:
Adopt the Resolution.

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

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Carriage Haus/Kilkenny's St. Patrick's Day Map

- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material
- ▣ Backup Material

The Office St. Patrick's Day Map
 Easter Egg Scramble 5K Map
 Easter Egg Scramble Flyer
 Ganzo's Cinco de Mayo Fiesta Layout
 St. Paul Lutheran Mayfest Map
 Youthfest Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/11/2020 - 8:47 AM

Resolution No. _____

Resolution offered by Alderman Ambrose

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

RESOLVED by the City Council of the City of Davenport.

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

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

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

*Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300 W 3rd St; Saturday, March 14, 2020 after parade – 11:30 p.m.; **Closures:** parking lane and west travel lane on Harrison St adjacent to Kilkenny's (beginning Friday, March 13, 2020 at 5:00 p.m.) and W 3^d St between Ripley St and Harrison St. [Ward 3]*

*The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; **Closure:** parking lane and two north travel lanes on W 3^d St in front of establishment. [Ward 3]*

*Stickman Racing Group; Easter Egg Scramble 5K; Saturday, April 11, 2020 6:30 a.m. – 11:30 a.m.; **Closures:** Christie St from E 11th to E 12th; E 11th St from Christie to Jersey Ridge; Jersey Ridge from 11th to Middle; Middle from Jersey Ridge to Eastmere to Bettendorf City Limits; Wood Ln from Bettendorf City Limits to Forest Rd; Forest Rd between Wood Ln; Wood Ln from Forest Rd to McClellan Blvd; McClellan Blvd from Wood Ln to River St (alternate route: McClellan Blvd from Wood Ln to Edgehill Ter; Edgehill Ter from McClellan Blvd to River St); River St from McClellan Blvd to the finish at 2132 E 11th St. [Wards 5 & 6]*

*Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 Marquette St; Saturday, May 2, 2020 12:00 p.m. – 12:00 a.m.; **Closure:** northbound Marquette St from Kimberly Rd to 3923 Marquette St. [Ward 7]*

*St. Paul Lutheran Church; Mayfest; 2136 Brady St; Sunday, May 17, 2020 8:00 a.m. - 3:00 p.m.; **Closure:** Lombard St from Main St to Brady St. [Ward 5]*

*City of Davenport Parks and Recreation; Youthfest; Wednesday, July 8, 2020 7:00 a.m. - 3:00 p.m.; **Closure:** W 12th St from Wilkes Ave through Fejervary Park to just north of the Fejervary Family Aquatic Center parking lot. [Ward 4]*

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

461

TENT

FOOD
TRUCKS

N Harrison St

Kilkenny's Pub

Carriage Haus

Affordable & Cheap
Car Insurance

ATM

Mac's Tavern

GAME AREA

W 3rd St

W 3rd St

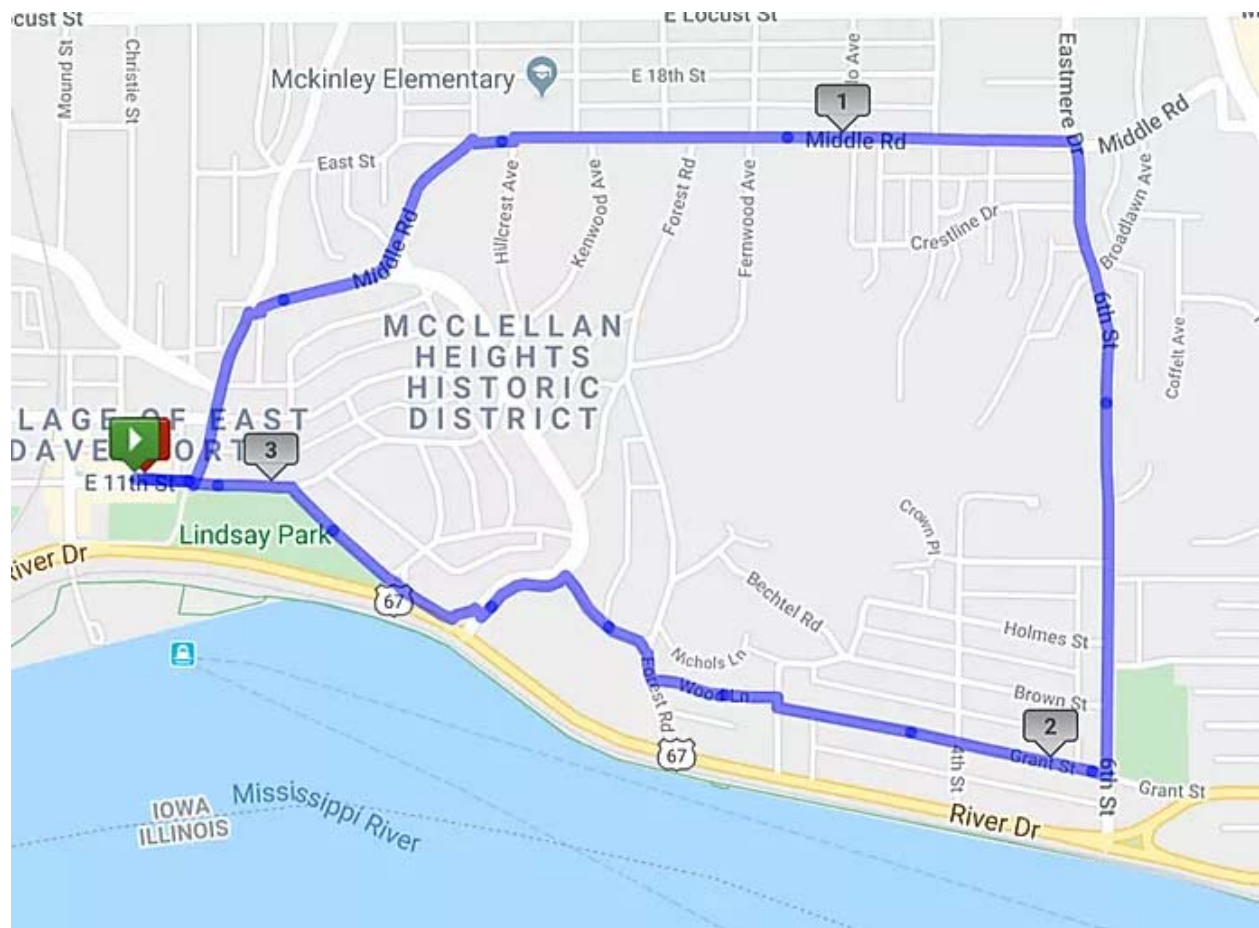
W 3rd St

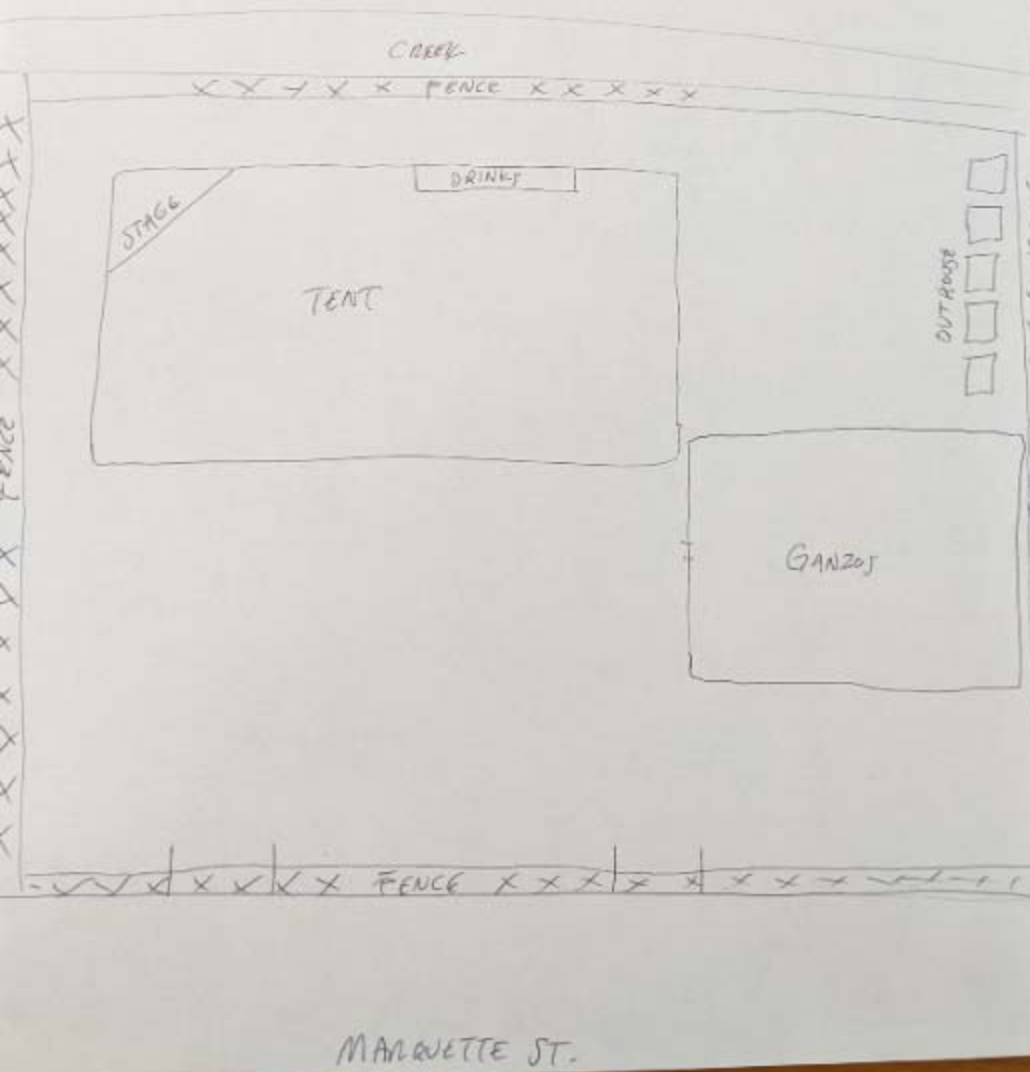
W 3rd

trnak Law Firm









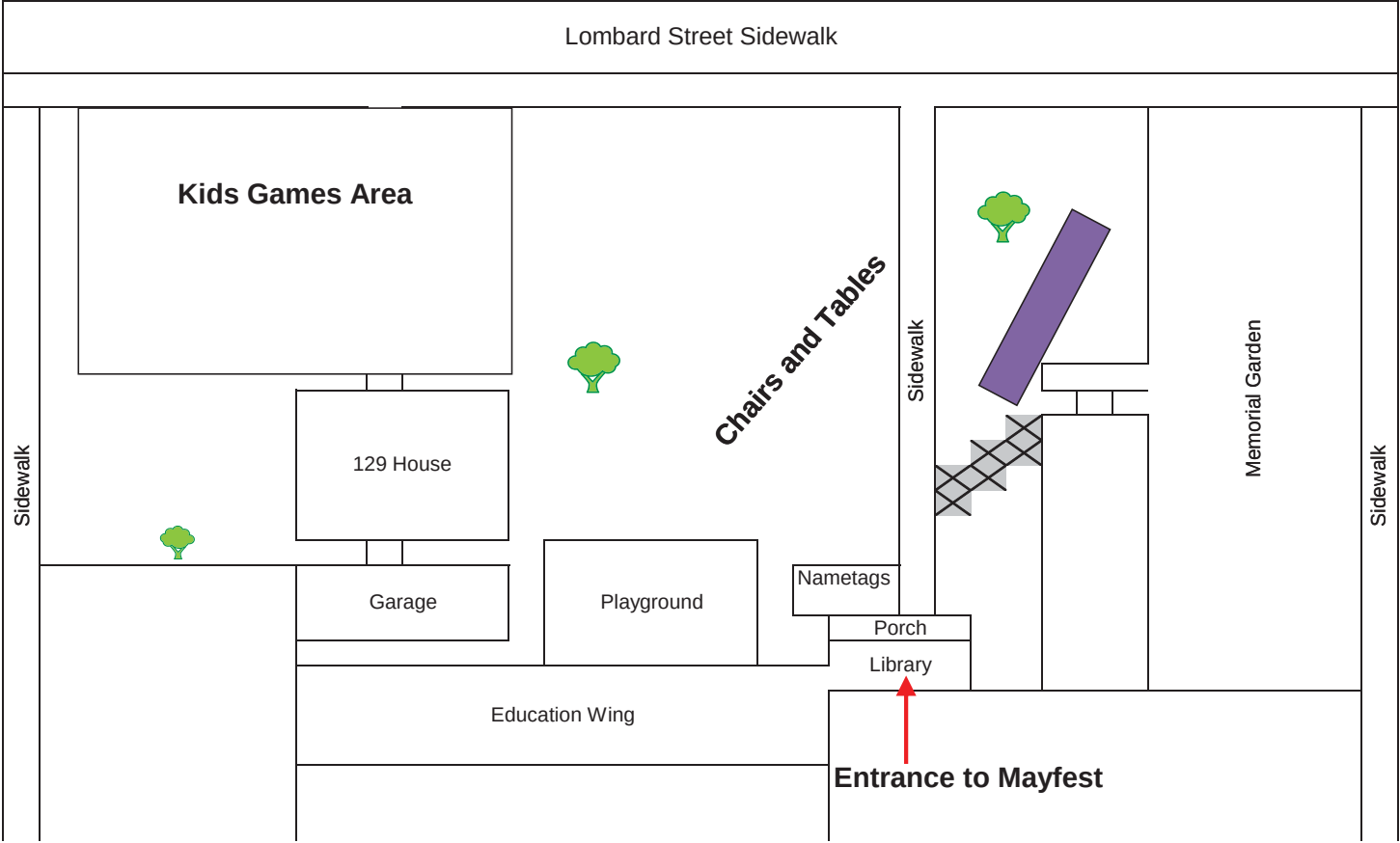


Food Area (see Tent map)



Face

Clowns



Entrance to Mayfest



2019

YOUTHFEST PARKING

Street Closed

Vendor/
Handicap
Parking

Fejervary
Park

No Parking On Street

1800

Street Closed

Street Closed

Overflow
Parking

Overflow
Parking

Overflow
Parking
(Putnam)

N DIVISION ST

W 13TH ST

DAVIE ST

W 12TH ST

WILKES AVE



City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Jen Walker 563-326-6168
Wards:

Action / Date
2/26/2020

Subject:
Resolution accepting work completed under the Green Alley Project, CIP #33031. The total contract with Hawkeye Paving Corp of Bettendorf, IA was \$143,043. [Ward 4]

Recommendation:
Adopt the Resolution.

Background:

The alley from Lombard St to High St between Myrtle St and Vine St was removed and replaced with a permeable paver system to mitigate a flash flooding issue in the neighborhood. This system features a three foot deep storage basin beneath the concrete pavers. The basin is connected to an existing storm sewer main via a six-inch diameter drain pipe located at the bottom of the basin, thereby releasing the captured stormwater slowly. The project was funded by clean water funds.

Work has been satisfactorily completed by Hawkeye Paving Corporation of Bettendorf, IA. The total project cost was \$143,043.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	map of project limits

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 10:12 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 10:12 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:29 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting the Green Alley Project, CIP #33031.

WHEREAS, the City entered into a contract with Hawkeye Paving Corporation of Bettendorf, IA; and

WHEREAS, the project location was the alley from Lombard St to High St between Myrtle St and Vine St; and

WHEREAS, the scope included pavement replacement using permeable pavers underlain by a rock storage basin and subdrain connected to the existing storm sewer system; and

WHEREAS, the final cost of the contract was \$143,043; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport; that the Green Alley project is hereby formally accepted.

Passed and approved this 26th day of February, 2020.

Approved:

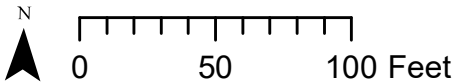
Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

Green Alley Project

W HIGH ST to W LOMBARD ST -
Between MYRTLE ST & VINE ST



City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Eric Gravert 563-327-5125
Wards:

Action / Date
2/19/2020

Subject:
Resolution accepting the Underground Storage Tank Removal project at the Davenport Municipal Airport completed by Impact7G, Inc of Clive, IA. The project was completed with a final contract amount of \$135,740.37, CIP #20011. [Ward 8]

Recommendation:
Adopt the Resolution.

Background:
The Davenport Municipal Airport had four non-operational 10,000 gallon underground fuel storage tanks needing to be removed per Iowa DNR mandates. Only licensed underground storage tank removal professionals could be hired for this project.

The project was completed in accordance with the City of Davenport and Iowa DNR requirements with a final amount of \$135,740.37 from account #20011 .

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution Letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 9:57 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:57 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:31 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn

RESOLUTION of acceptance for the Underground Storage Tank Removal project at the Davenport Municipal Airport completed by Impact7G, Inc of Clive, IA.

WHEREAS, City of Davenport, Iowa entered into a contract with Impact7G, Inc for the Underground Storage Tank Removal project; and

WHEREAS, work on the project has been satisfactorily completed

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, Iowa, that the Underground Storage Tank Removal project is hereby accepted.

Passed and approved this 26th day of February, 2020

Approved:

Attest:

Mayor Mike Matson

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Sandy Doran 563-326-7756
Wards:

Action / Date
2/26/2020

Subject:
Resolution approving contract amendment #1 for the Sanitary Sewer Condition Assessment within Canadian Pacific and Iowa Interstate Railroad right-of-ways to Veenstra & Kimm, Inc, in an amount not-to-exceed \$201,843.21 budgeted in CIP #30047. [All Wards]

Recommendation:
Adopt the Resolution.

Background:

This scope of work is a conditions assessment for the sanitary sewers within the railroad right-of-way (ROW) that were identified in the initial conditions assessment. The amendment #1 assessment is to review the structural condition of the railroad ROW sanitary sewers, illicit pipes, and other inflow and infiltration (I&I) sources which were not able to be assessed due to heavy debris in pipes, discovered point repairs, and manhole conditions. Upon completion of the amendment #1 field investigations, the assessment report will include aerial mapping, tables identifying sewer sections, conditions rating, recommended improvements, and preliminary cost estimate for improvements for future CIPP lining/sewer repair programs for the entirety of the Canadian Pacific and Iowa Interstate Railroad ROW. This study will provide information to update the City's GIS database.

This Resolution is the approval of the contract award and is within the budget.

This scope of work addresses recommendations from the initial conditions assessment report completed by Veenstra & Kimm.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution Letter- Contract Amendment #1 Sanitary Sewers Condition Assessment within Railroad ROW
▣ Backup Material	Contract Amendment #1- Scope of Services with map and original contract - Sanitary Sewers Condition Assessment within Railroad ROW

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 9:30 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:30 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:33 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a Contract Amendment #1 for the Sanitary Sewer Condition Assessment within Canadian Pacific and Iowa Interstate Railroad Right-of-way to Veenstra & Kimm, Inc., in an amount not-to-exceed \$201,843.21 budgeted in CIP# 30047.

WHEREAS, the City previously completed a conditions assessment report; and

WHEREAS, as a result of the initial study, recommendations were made for the assessment of the sanitary sewers that were not able to be assessed within the railroad R.O.W. due to heavy debris in pipes, discovered point repairs and manhole conditions; and

WHEREAS, the work is to be performed at agreed upon prices; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa; that said Contract Amendment #1 for the Sanitary Sewer Condition Assessment within Canadian Pacific and Iowa Interstate Railroad Right-of-way to Veenstra & Kimm, Inc., is hereby approved.

Passed and approved this 26th day of February, 2020.

Approved:

Attest:

Mayor Mike Matson

Brian Krup, Deputy City Clerk



January 30, 2020

City of Davenport
Attn: Sandy Doran
Engineering Division
1200 E. 46th St.
Davenport, IA 52807

DAVENPORT, IOWA
CANADIAN PACIFIC AND IOWA INTERSTATE RAILROAD
RIGHT-OF-WAY SEWER CONDITION ASSESSMENT
CONTRACT AMENDMENT NO. 1 - REVISED

Attached are two copies of Contract Amendment No. 1 – Revised for the subject project along with the necessary attachments. Amendment No. 1 is a Phase II to the original engineering contract signed on April 27, 2018, a copy of which is enclosed. This revised amendment reflects the inclusion of 8,137 linear feet of heavy cleaning and televising along with plans and special conditions for 397 linear feet of point repairs to the previously evaluated sewers. The Veenstra & Kimm, Inc. team will prepare plans that will be subcontracting to Visu-Sewer for the heavy cleaning and televising contract. Coordination with the railroads and flagger costs are included.

Also included is a credit for \$11,219.09 that was not used for the initial investigation. Veenstra & Kimm, Inc.'s team will work with the City staff to find and unearth the manholes not found (approximately 17 out of roughly 156 manholes). There was an additional 500 linear feet of televising estimated to televise the sewers that were not accessible with the original contract work.

If you find this agreement in order, please have the amendment signed and return one copy to this office.

Please feel free to contact the undersigned at 309-786-7590 if you have any questions regarding this project.

VEENSTRA & KIMM, INC.

Leo F. Foley, P.E.
Vice President

LFF:gfd
22299
Enclosures

January 30, 2020

CONTRACT AMENDMENT NO. 1 - REVISED

CANADIAN PACIFIC AND IOWA INTERSTATE RAILROAD
RIGHT-OF-WAY SEWER CONDITION ASSESSMENT
DAVENPORT, IOWA

Supplemental Scope of Work

This scope is to follow up on the original contract to televise and assess 24, 228 linear feet of sewer. Attachment 1 shows a cost estimate to heavy clean, truck material to the Water Pollution Control Plant pad, televise and assess the remaining 8,137 linear feet of sewer varying in diameter from 8-inches to 30-inches. There was also 500 linear feet of additional televising included assuming the City finds the 17 manholes not found with the original contract. This agreement includes traffic control, City permits and support for railroad safety. Initiate Find and Fix program on the riverfront interceptor if determined viable.

Estimated Cost

Amendment No. 1 will be billed as a not-to-exceed fee of \$202,042.30 for supplemental engineering services to the original engineering contract signed on April 27, 2018 (Attachment 2). The work tasks are broken down as follows:

• Heavy Clean by Visu-Sewer, 8,137' (8" to 30" Dia.)	\$139,125.00
• Televising Sewer, 8,637' (8" to 30" Dia.)	25,047.30
• Traffic Control/City Permit/Support	15,000.00
• Report and Recommendations	7,500.00
• Plans and Special Conditions Spot Repairs (397')	8,240.00
• Flagger Allowance for Railroad Flaggers	<u>18,150.00</u>
Subtotal	\$213,062.30
Funding available from original contract	<u>11,219.09</u>
TOTAL AMENDMENT 1 COSTS (NOT TO EXCEED)	\$201,843.21

Deliverables

Attachment 1 shows a cost estimate for each work task as well as detailed cost proposal conditions.

Schedule

This work can be initiated in spring 2020 and completed by the end of 2020. A final report will include sewer condition and recommendations for rehabilitation with associated costs.

Contract Amendment No. 1 - Revised increases contract price by \$201,843.21. Costs will be segregated from previous agreements.

VEENSTRA & KIMM, INC.

By LFK

Title Project Manager

Date 1/30/2020

DAVENPORT, IOWA

By _____

Title Public Works Director

Date _____

CITY OF DAVENPORT, IOWA
CANADIAN PACIFIC & IOWA INTERSTATE RAILROAD
HEAVY CLEANING AND ASSOCIATED WORK
COST ESTIMATE - REVISED

Attachment 1

	Unit	Estimated Quantity	Unit Price	Extended Price
A. Compensation				
1. Heavy Clean by Visu-Sewer 8,137 ' (8" to 30" Dia)	Hr	265	\$ 525.00	\$ 139,125.00
2. Televising Sewer (8" to 30" Dia)	LF	8,637	\$ 2.90	\$ 25,047.30
3. Traffic Control/City Permit/Support	LS	1	\$ 15,000.00	\$ 15,000.00
4. Report and Recommendations	LS	1	\$ 7,500.00	\$ 7,500.00
5. Plans and Special Conditions Spot Repairs (397')	LS	1	\$ 8,240.00	\$ 8,240.00
6. Flagger Allowance for Railroad Flaggers \$121/day x 15 days (10 hrs/day)	LS	1	18,150.00	<u>\$ 18,150.00</u>
TOTAL ESTIMATED COST				\$ 213,062.30

B. Cost Proposal Conditions (prices include the following)

- Labor, equipment, material and associated traffic control
All associated/requested meetings with the City and/or Engineer
TV inspection includes (2-3 person crew depending on site conditions):
- Inspection per NASSCO specifications using PACP codes
 - Pan & tilt color cameras with zoom lens
 - Professional narrative on inspection videos
 - Inspection DVD's wit associated color reports
 - One portable hard drive with .pdf reports

Price assumes the following:

- Equipment can be staged and left overnight at a location within the City
- Portable televising equipment can be driven on the paths/gravel near the sewer sections
- All manholes are exposed prior to the start of work

AGREEMENT FOR PROFESSIONAL SERVICES

CITY OF DAVENPORT, IOWA
CANADIAN PACIFIC AND IOWA INTERSTATE RAILROAD
RIGHT-OF-WAY SANITARY SEWER CONDITION ASSESSMENT

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 Canadian Pacific and Iowa Interstate Railroad Right-of-Way (ROW) Sanitary Sewer Condition Assessment, hereinafter referred to as the "Project," and

WHEREAS, the CITY of Davenport has determined that it would be desirous to perform the above mentioned assessment, 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 Canadian Pacific and Iowa Interstate Railroad ROW Sanitary Sewer Condition Assessment 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, "Professional Services Insurance".

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 titled "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 except for the use of Visu-Sewer, Inc. to provide sewer televising inspection. 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

**CANADIAN PACIFIC AND IOWA INTERSTATE RAILROAD ROW SANITARY SEWER
CONDITION ASSESSMENT**

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:

Task 1 - Project Coordination/Background Review/Mapping - This task includes reviewing aerial maps in the area. Preparing a sanitary system evaluation survey access plan and coordinating with City, Canadian Pacific and Iowa Interstate staff for all the sewers located in Canadian Pacific and Iowa Interstate ROW and shown on Figure 1.

Task 2 - Television Analysis - In this work task, selected reaches of sanitary sewer between 8" and 60" will be televised. All reaches to be televised will be selected by the CONSULTANT and approved by the CITY. Televising under this work task will be coordinated with available televising records from the CITY. The results of the televising work will be provided to the CITY for its permanent televising records.

Task 3 – Sanitary Sewer – TV Inspection (no cleaning) – Sewer sections to be inspected "as is" without cleaning or dewatering. Setup per MH-MH pipe section (156 sections). CCTV inspection of each pipe section (24,228 LF).

Task 4 – Conclusions and Recommendations with Preliminary Cost Estimates – The work will include aerial mapping and tables with the sewer sections, conditions rating, recommended improvement and preliminary cost estimate for the recommended improvements.

It is understood by the CITY and CONSULTANT that sewer system evaluation surveys must be flexible during the course of the Project 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 in the study areas, including clearing easements as necessary to provide access for T.V. trucks and cleaning equipment.
5. Provide easement to all sewers in the study areas.
6. Attend all Public Informational Meetings with the CONSULTANT.

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:

- 1 copy of all field data sheets
- 1 copy of sewer line televising
- 1 copy of all written correspondence to and from residents and land owners
- 1 copy of all calculations
- 4 copies of the preliminary conditions assessment with recommendations

SECTION 3 - COMPENSATION AND PAYMENT

A. COMPENSATION

1. \$180,561.20 maximum based on unit prices as presented on Figure 2.

SECTION 4 - COMPLETION OF WORK

The CONSULTANT shall complete all services outlined in this Agreement on or before October 31, 2018, providing no unforeseen delays are experienced beyond the control of the CONSULTANT.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of this
27th day of April, 2018.

CITY OF DAVENPORT, IOWA

By *Frank Lepish*
Title Mayor

VEENSTRA & KIMM, INC.

By *ZFF*
Leo F. Foley, Office Manager

ATTEST:

By *Jackie C. Holecsek*
Title Deputy City Clerk

By *Gayle Davis*
Title Admin 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.

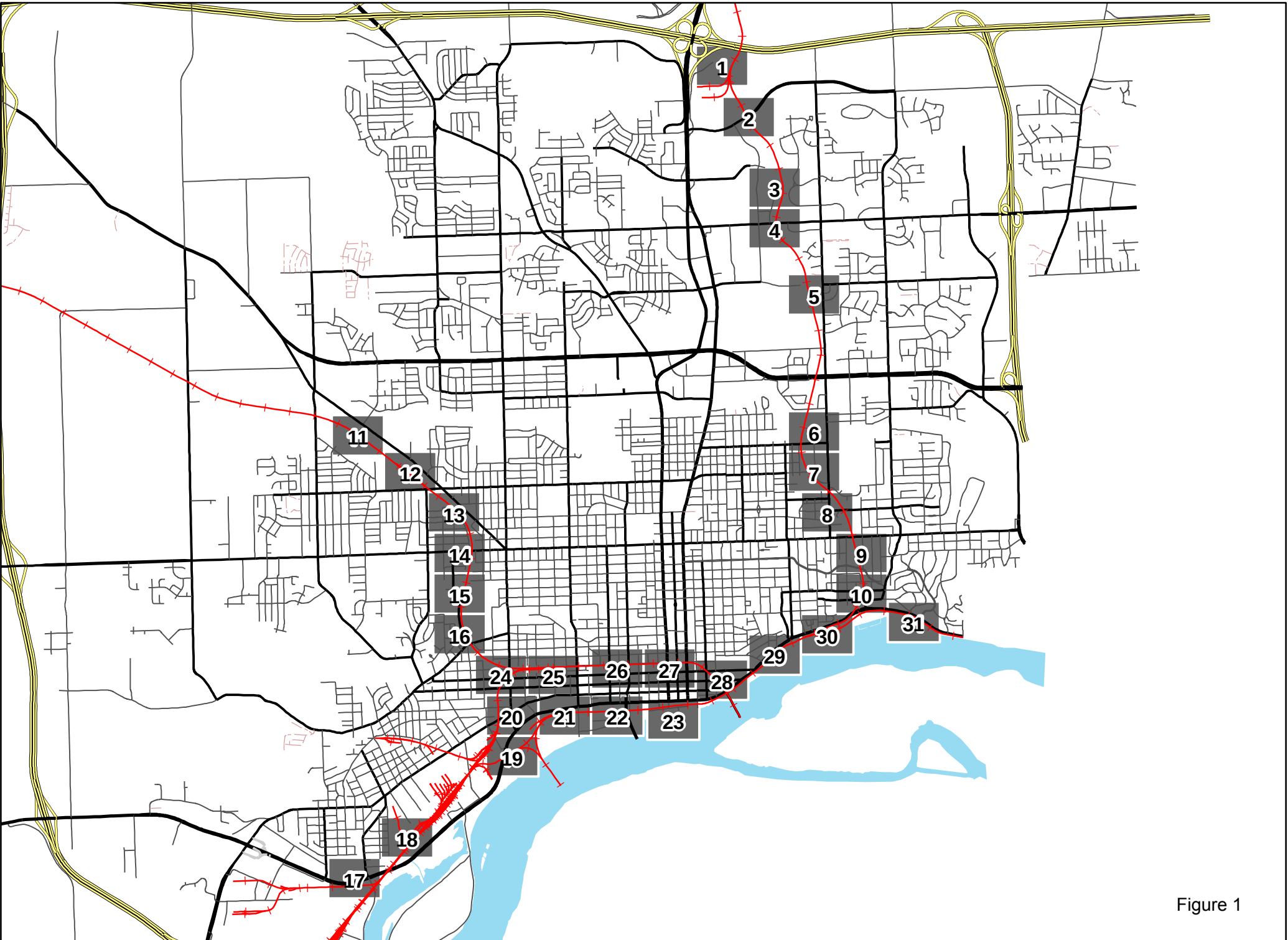


Figure 1

RIGHT-OF-WAY SEWERS



Railroad
—+—+—+—

**CITY OF DAVENPORT, IOWA
CANADIAN PACIFIC RAILROAD RIGHT-OF-WAY
SANITARY SEWER CONDITION ASSESSMENT
COMPENSATION ESTIMATE**

Figure 2

	Unit	Estimated Quantity	Unit Price	Extended Price
A. Compensation				
TV Inspection with no cleaning or light cleaning	LF	24,228	\$ 2.90	\$ 70,261.20
Setup at manholes	Sections	156	\$ 275.00	\$ 42,900.00
Heavy cleaning allowance	Hrs	80	\$ 405.00	\$ 32,400.00
Support with traffic control and access	LS	1	\$ 15,000.00	\$ 15,000.00
Cost estimating	LS	1	\$ 5,000.00	\$ 5,000.00
Report with conclusions and recommendations	LS	1	\$ 10,000.00	\$ 10,000.00
Project management	LS	1	\$ 5,000.00	\$ 5,000.00
				<u>\$ 180,561.20</u>

B. Cost Proposal Conditions (prices include the following)

- Labor, equipment, material and associated traffic control
 All associated/requested meetings with the City and/or Engineer
 TV inspection includes (2-3 person crew depending on site conditions):
- Inspection per NASSCO specifications using PACP codes
 - Pan & tilt color cameras with zoom lens
 - Professional narrative on inspection videos
 - Inspection DVD's with associated color reports
 - One portable hard drive with .pdf reports

Price assumes the following:

- Equipment can be staged and left overnight at a location within the City
- City will assist the engineer to secure permission to access manholes in railroad ROW/easement areas
- Portable televising equipment can be driven on the paths/gravel near the sewer sections
- All manholes are exposed prior to the start of work
- No restoration is included for ruts related to driving in easement areas
- Grubbing of access points, if required, to be completed by others

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
2/26/2020

Subject:
Resolution awarding the contract for E 39th St and Forest Rd Intersection Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL in the amount of \$137,987.90, CIP #35040. [Ward 6]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued and sent to contractors on January 10, 2020. On February 4, 2020, the Purchasing Division opened and read six bids. CDMI Concrete Contractors Inc of Port Byron, IL was the lowest responsible bid. See bid tab attached.

This work includes approximately 916 square yards of pavement 8" thick, 972 square yards of subbase 6" thick, sidewalk modifications for ADA compliance, and other related construction.

Funding for this project is from CIP #35040 Neighborhood Street Repair Program. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW_RES_E 39th St and Forest Rd Intersection Reconstruction
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	2/13/2020 - 9:33 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:33 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:44 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the E 39th St and Forest Rd Intersection Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the E 39th St and Forest Rd Intersection Reconstruction project; and

WHEREAS, CDMI Concrete Contractors Inc of Port Byron, IL was the lowest responsive and responsible bidder;

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

1. Approving the contract for the E 39th St and Forest Rd Intersection Reconstruction project to CDMI Concrete Contractors Inc of Port Byron, IL; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: E 39th ST & FOREST RD INTERSECTION RECONSTRUCTION

BID NUMBER: #20-82

OPENING DATE: FEBRUARY 4, 2020

GL ACCOUNT NUMBER: CIP 35040 NEIGHBORHOOD ST REPAIR PROGRAM

RECOMMENDATION: AWARD THE CONTRACT TO CDMI CONCRETE
CONTRACTORS INC OF PORT BYRON IL

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
CDMI Concrete Contractors Inc of Port Byron IL	\$137,987.90
Hawkeye Paving Corporation of Bettendorf IA	\$162,567.20
Centennial Contractors of the Quad Cities of Moline IL	\$163,465.10
N J Miller Inc of Bettendorf IA	\$169,036.25
McCarthy Improvement Company of Davenport IA	\$199,199.99
Langman Construction Inc. of Rock Island IL	\$208,236.71

Approved By Kristi Keller 2-5-2020
Purchasing Date

Approved By Nicole Gleason 2-5-2020
Dept. Director Date

Approved By Brandi Coz 2-5-20
Budget/CIP Date

Approved By [Signature] 2-5-2020
Chief Financial Officer Date

City of Davenport

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

Action / Date
2/26/2020

Subject:
Resolution awarding the contract for the W 29th St Pavement Reconstruction project to Centennial Contractors of the Quad Cities of Moline, IL in the amount of \$154,092.05, CIP #35040. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on January 13, 2020 and was sent to 458 vendors. On February 6, 2020 the Purchasing Division received and opened seven responsive and responsible bids.

The pavement reconstruction will occur on W 29th St from Washington Ln to Washington St.

Funding for this project is from CIP #35040, the neighborhood street repair program.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW_RES_W 29th Resolution Letter
▢ Backup Material	PW_RES_W 29th St Signed Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	2/13/2020 - 10:02 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 10:02 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:47 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the W 29th St Pavement Reconstruction project to Centennial Contractors of the Quad Cities of Moline, IL, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the W 29th St Pavement Reconstruction project; and

WHEREAS, Centennial Contractors of the Quad Cities of Moline, IL was the lowest responsive and responsible bidder;

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

1. Approving the contract for the W 29th St Pavement Reconstruction project to Centennial Contractors of the Quad Cities of Moline, IL; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: W. 29TH ST. PAVEMENT RECONSTRUCTION

BID NUMBER: 20-81

OPENING DATE: JANUARY 13, 2020

GL ACCOUNT NUMBER: 70064680 530350 35040

RECOMMENDATION: AWARD THE CONTRACT TO CENTENNIAL
CONTRACTORS OF THE QUAD CITIES OF MOLINE, IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Centennial Contractors of the QC of Moline, IL	\$154,092.05
N.J. Miller, Inc. of Bettendorf, IA	\$161,721.55
CDMI Concrete Contractors, Inc. of Port Byron, IL	\$165,058.40
Hawkeye Paving Corporation of Bettendorf, IA	\$167,861.90
McCarthy Improvement Company of Davenport, IA	\$185,688.88
Brandt Construction Co. of Milan, IL	\$192,054.60
Langman Construction, Inc. of Rock Island, IL	\$197,852.00

Approved By Caitlyn James 2-7-2020
Purchasing Date

Approved By Joelle Gleason 2-10-2020
PW Director Date

Approved By Breli Cox 2-10-20
Budget/CIP Date

Approved By [Signature] 2/10/2020
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Eric Gravert 563-327-5125
Wards:

Action / Date
2/26/2020

Subject:
Resolution accepting the Forest Grove Rd Paving project from Utica Ridge Rd to the east corporate limits completed by McCarthy Improvement Company of Davenport, IA. The project was completed with a final contract amount of \$6,422,584.92, CIP #01145. [Ward 6]

Recommendation:
Adopt the Resolution.

Background:
This was a joint project with the City of Bettendorf, Davenport being the lead agency. The project was partially funded by a Federal Surface Transportation Program grant. Federal aid did reimburse the City for up to 80% of the eligible costs. Per the agreement previously approved by Council, Bettendorf did reimburse Davenport for approximately thirty percent of the non-federal aid construction costs.

The project was completed in accordance with the City of Davenport and Iowa Department of Transportation requirements with a final amount of \$6,422,584.92 from account #01145.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution letter

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 9:35 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:35 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:48 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn

RESOLUTION of acceptance for the Forest Grove Rd Paving project from Utica Ridge Rd to the east corporate limits completed by McCarthy Improvement Company of Davenport, IA.

WHEREAS, the City of Davenport, IA entered into a contract with McCarthy Improvement Company for the Forest Grove Rd Paving project; and

WHEREAS, work on the project has been satisfactorily completed

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Davenport, IA that the Forest Grove Rd Paving project is hereby accepted.

Passed and approved this 26th day of February, 2020

Approved:

Attest:

Mayor Mike Matson

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:

Department: Public Works - Admin

Contact Info: Nick Schmuecker 563-327-5162

Wards:

Action / Date

2/26/2020

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the CY20 Crack and Seat Program, CIP #35042. [Wards 2 & 7]

Recommendation:

Adopt the Resolution.

Background:

This program is intended to rehabilitate aging concrete streets as part of the City-wide pavement management program. Crack and seat is a cost effective rehabilitation method that utilizes the existing concrete pavement as the base for a new asphalt surface.

The program is scheduled to be bid late winter into early spring with construction to start early summer. Funding for the CY20 Crack and Seat Program is established within CIP #35042. The current estimate is \$1,650,000.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 9:29 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:29 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:51 AM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLUTION approving the plans, specifications, forms of contract, and estimate of cost for the CY2020 Crack and Seat Program, CIP #35042.

WHEREAS, on the 7th day of February, CY2020, plans, specifications, form of contract, and an estimate of cost were filed with the City Clerk of Davenport, IA, for the CY2020 Crack and Seat Program, CIP #35042.

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 2020 Crack and Seat Program.

Passed and approved this 26th day of February, 2020.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

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

Action / Date
2/26/2020

Subject:
Resolution awarding the contract to Manatt's Inc of Brooklyn, IA for the E 53rd St Pavement Reconstruction Project Phase I in the amount of \$6,274,672.69, CIP #35031. [Wards 7 & 8]

Recommendation:
Adopt the Resolution.

Background:
Six bids were received by the Iowa Department of Transportation on January 22, 2020. The lowest bid from Manatt's Inc is \$6,274,672.69.

Utility relocation is currently underway. Road work is expected to begin this spring as weather permits with completion by the spring of 2021.

The award is subject to Iowa Department of Transportation concurrence.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 10:00 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 10:00 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:54 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding the contract to Manatt's Inc. of Brooklyn, Iowa for the E. 53rd Street Pavement Reconstruction (Phase I) Project in the amount of \$6,274,672.69, CIP #35031.

WHEREAS, the E. 53rd Street Pavement Reconstruction (Phase I) Project was duly advertised and published according to state law, and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa: that subject to Iowa Department of Transportation and Federal Highway Administration concurrence, the contract for the above-said work be awarded to Manatt's Inc., they being the low bidder.

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

Passed and approved this 26th day of February, 2020.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Mike Kramer 563-327-5141
Wards:

Action / Date
2/26/2020

Subject:
Resolution accepting the Lincoln Ave Reconstruction (W Locust St to W Central Park Ave)
Project, CIP #35035. [Ward 4]

Recommendation:
Adopt the Resolution.

Background:

Lincoln Ave pavement, from W Locust St to W Central Park Ave was in a state of deterioration that required replacement. Recent work by Iowa American Water Company had replaced watermain crossings at the intersections along this stretch of Lincoln Ave and subsequently replaced intersection pavement with new concrete pavement. The remainder of paving along this length of Lincoln Ave was replaced by this project. The project removed all old pavement and replaced it with concrete curb and gutter, along with eight inches of asphalt pavement on six inches of rock. There was additional cost to the project when poor soil conditions were encountered during the pavement removal process. These areas were fortified with an additional eighteen inches of rock to ensure longevity for the pavement installed.

The contractor, McCarthy Improvement Company, completed the project for \$1,033,404.45.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 9:55 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 9:55 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 11:55 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLUTION of acceptance for the reconstruction of N Lincoln Ave (W Locust St to W Central Park Ave), CIP #35035, completed by McCarthy Improvement Company of Davenport, IA.

WHEREAS, the City of Davenport entered into a contract with McCarthy Improvement Company of Davenport, IA for construction work; and

WHEREAS, work on the project has been satisfactorily completed

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, IA: that the N Lincoln Ave Reconstruction (W Locust St to W Central Park Ave) Project, CIP #35035, is hereby accepted.

Passed and approved this 26th day of February, 2020.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

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

Action / Date
2/26/2020

Subject:
Resolution approving the contract for the Elmwood Avenue 61st St to 62nd St Reconstruction to Manatts, Inc of Camanche, IA in the amount of \$225,492.03, CIP #35040. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued on January 23, 2020 and sent to contractors. On February 11, 2020, the Purchasing Division opened and read seven (7) responsive and responsible bids. See attached bid tab.

This project includes the labor, materials, equipment, and services necessary for removing the existing PCC pavement and reconstruction of the street with full depth HMA paving including but not limited to survey, subdrain, HMA pavement, driveway approaches, sidewalk, ADA ramp improvements, and seeding.

Manatts Inc was the lowest responsive and responsible bidder.

Funding for this project is from the CIP 70064680 330350 35040 Neighborhood Street Repair Program. Funding for this program is 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	Lechvar, Gina	Approved	2/14/2020 - 10:30 AM
Public Works Committee	Lechvar, Gina	Approved	2/14/2020 - 10:33 AM
City Clerk	Admin, Default	Approved	2/14/2020 - 11:05 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Elmwood Ave 61st St to 62nd St Reconstruction project to Manatts Inc of Camanche, IA and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Elmwood Ave 61st St to 62nd St Reconstruction project; and

WHEREAS, Manatts Inc of Camanche, IA submitted the lowest responsive and responsible bid;

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

1. Approving the contract for the Elmwood Ave 61st St to 62nd St Reconstruction project to Manatts Inc of Camanche, IA; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: ELMWOOD AVENUE 61ST ST TO 62ND ST RECONSTRUCTION

BID NUMBER: BID #20-86

OPENING DATE: FEBRUARY 11, 2020

GL ACCOUNT NUMBER: CIP 35040

RECOMMENDATION: AWARD THE CONTRACT TO MANATTS INC OF
CAMANCHE IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Manatts, Inc of Camanche IA	\$225,492.03
Hawkeye Paving Corporation of Bettendorf IA	\$242,626.53
Tri City Blacktop Inc. of Bettendorf IA	\$358,604.43
Valley Construction Company of Rock Island IL	\$248,873.03
Emery Construction Group Inc. of Moline IL	\$257,157.33
Brandt Construction Co. of Milan IL	\$291,089.63
McCarthy Improvement Company of Davenport IA	\$305,335.48

Approved By Kristi Keller 2-13-2020
Purchasing Date

Approved By Nicole McLean 2-13-2020
Director Date

Approved By Brauli Coy 2-13-2020
Budget/CIP Date

Approved By BW 2-13-2020
Chief Financial Officer Date

City of Davenport

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

Action / Date
2/26/2020

Subject:
Resolution setting a Public Hearing on Wednesday, March 4, 2020 at 5:30 p.m. to convey the following property to Hawkeye Paving Corporation, LLC: 4241 W 83rd Street, Tax Parcel ID No V3237-02, City of Davenport, County of Scott, State of Iowa. [Ward 2]

Recommendation:
Adopt the Resolution.

Background:
This Resolution sets a Public Hearing on Wednesday, March 4, 2020 at Davenport City Hall at 5:30 p.m. for the purpose of conveying the City's Fire Training Center property to Hawkeye Paving Corporation, LLC.

In the Fall of 2018, the Eastern Iowa Community College District ("EICCD") sold their property at 8228 N Fairmount St, formerly known as the Wacky Waters site, to Hawkeye Paving Corporation, LLC ("Hawkeye"). Prior to the sale, this site contained certain training structures utilized by the Davenport Fire Department in partnership with the EICCD. That partnership led to the City of Davenport constructing a Fire Training Center next to that property located at 4241 W 83rd St. Since the sale of the EICCD property, Hawkeye Paving has indicated that they intend to repurpose the property to a new corporate headquarters necessitating the relocation of the fire training structures.

With the relocation of the fire training structures, the City's existing property at 4241 W 83rd Street is no longer ideally suited to meet the needs of the Davenport Fire Department and the community. Hawkeye approached the City of Davenport with a request to purchase the Fire Training Center property to utilize as their new corporate headquarters building. Their offer to purchase the property was \$600,000 and other valuable consideration.

The City of Davenport will utilize the sale proceeds to relocate critical training structures to the Davenport Public Works Facility. This location in central Davenport will allow sworn firefighters to respond to emergencies during training exercises.

Per the previously approved real estate contract, the City and Hawkeye must close on the property no later than October 21, 2020. The City Council must hold a Public Hearing and approve a Resolution to convey the property prior to the parties closing on the property.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	Resolution
☐ Backup Material	Real Estate Contract

REVIEWERS:

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

Finance	Wright, Brandon	Approved	2/13/2020 - 3:34 PM
Finance Committee	Wright, Brandon	Approved	2/13/2020 - 3:34 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 3:58 PM

Resolution No. _____

Resolution offered by Alderman Condon

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting a Public Hearing on Wednesday, March 4, 2020 at 5:30 p.m. to convey the following property to Hawkeye Paving Corporation, LLC: 4241 W 83rd Street, Tax Parcel ID No. V3237-02, City of Davenport, County of Scott, State of Iowa.

WHEREAS, In the Fall of 2018, the Eastern Iowa Community College District ("EICCD") sold their property at 8228 N Fairmount Street, formerly known as the Wacky Waters site, to Hawkeye Paving Corporation, LLC ("Hawkeye"); and

WHEREAS, prior to the sale, this site contained certain training structures utilized by the Davenport Fire Department in partnership with the EICCD; and

WHEREAS, Hawkeye Paving intends to repurpose the property to a new corporate headquarters necessitating the relocation of the fire training structures; and

WHEREAS, the City's existing property at 4241 W 83rd Street is no longer ideally suited to meet the needs of the Davenport Fire Department and the community; and

WHEREAS, the City has approved a land sale agreement with Hawkeye for \$600,000 and other valuable consideration, which includes the parties closing on the property prior to October 21, 2020.

NOW, THEREFORE, BE IT RESOLVED, that this resolution setting a Public Hearing on Wednesday, March 4, 2020 at 5:30 p.m. to convey the following property to Hawkeye Paving Corporation, LLC: 4241 W 83rd Street, Tax Parcel ID No. V3237-02, City of Davenport, County of Scott, State of Iowa is hereby approved by the City Council.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

REAL ESTATE CONTRACT

THIS REAL ESTATE CONTRACT (the "Contract") is made this 25 day of January, 2019, by and between **City of Davenport**, a municipality located in the state of Iowa, whose address is 226 West 4th Street, Davenport, IA 52801 (hereinafter referred to as "Seller"), and **B.T. Bridge, L.C.** an Iowa corporation, whose address is 3308 Harbor Drive East, Bettendorf, IA 52722 (hereinafter referred to as "Buyer");

For valuable monetary and other consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree that Seller shall sell, and Buyer shall buy, the hereinafter described Property, on the following terms and conditions:

1. Property. The property, which is the subject matter of this Contract, is a that property at 4241 W 83rd Street with a tax parcel ID number of V3237-02 in the County of Scott, City of Davenport, State of Iowa, (the "Property"). The legal description of the Property is attached as Exhibit A.

2. Valuable Consideration. The full amount of consideration for this Contract shall include monetary and other valuable considerations as outlined in Section 4 and Section 5 of the Contract.

3. Utilities. To the extent necessary to provide electricity, gas, water or similar utility services to the Property, Seller shall grant any utility company an easement across any Seller property contiguous to or in reasonable proximity to the Property for purposes of allowing the utility company to construct, operate and maintain any lines, wires, circuits, or conduits, associated equipment and such appurtenances thereto, required by any such utility company may from time-to-time require in order to provide such utility services to the Property. Upon the request of Buyer or a utility company, Seller shall execute a separate recordable legal instrument evidencing such utility grant, at no cost to Seller.

4. Purchase Price. Buyer shall pay to Seller Six-Hundred Thousand Dollars and 00/100 (\$600,000) for the Property and Easements ("Purchase Price"). The Purchase Price shall be paid in full at Closing as defined in Section 11.

5. Other Valuable Consideration. After execution of this Contract, Buyer hereby grants Seller the right to use portions (approximately 61,000 square feet) of Buyer's neighboring property at 8228 N Fairmount Street in the County of Scott, City of Davenport, State of Iowa (the "Training Property"), which approximate boundary is detailed in Exhibit B, for the following government purposes: To conduct training for public safety emergency response personnel. This purpose includes the right to sub-lease use of the Training Property to other municipal and state public safety agencies and the right to charge, at its discretion, fees to recapture Seller's costs to coordinate such use. Buyer agrees that this right to use shall be provided without compensation from Seller through October 31, 2020. Seller shall be responsible to maintain in good repair and working order all training structures within the Training Property, but shall have no obligation or responsibility for repairs and maintenance of underground utilities contained, whether known or unknown,

within area of the Training Property. Seller is responsible for mowing and snow removal within the Training Property.

Additionally, Buyer shall sell the fire department burn building vertical structure (the "Burn Building") located on the Training Property (photo provide in Exhibit C), which Burn Building and related equipment are considered personalty and not fixtures, to Seller. Buyer agrees to provide a bill of sale to Seller for the Burn Building for one dollar and 0/100 (\$1.00) when demanded by Seller, which demand shall occur at Closing if not previously demanded. Seller shall be responsible for all costs to dismantle and relocate the Burn Building, but shall bear no responsibility for removing or repairing the foundation or any utilities extending into the Burn Building from the foundation or the ground.

Additionally, Seller shall have the option to purchase from Buyer the fire department OSHA simulator vertical structure (the "OSHA Simulator") located on the Training Property (photo provided in Exhibit D), which OSHA Simulator and related equipment are considered personalty and not fixtures. If Seller exercises the right to purchase the OSHA Simulator, Buyer agrees to provide a bill of sale to Seller for one dollar and 0/100 (\$1.00). If purchased by Seller, Seller shall be responsible for all costs to dismantle and relocate the OSHA Simulator, but shall bear no responsibility for removing or repairing the foundation or any utilities extending into the OSHA Simulator from the foundation or the ground.

6. Training Property Right to Use Insurance Requirement. For the purposes of Seller's governmental use of Buyer's Training Property outlined in Section 5, Seller shall secure and maintain such primary insurance policies as will protect itself and Buyer from claims for bodily injuries, death or property damage that may arise from operations under this contract whether such operations be its own or by any vendor or anyone employed by them directly or indirectly.

The following insurance policies are required unless other limits are specified. The Buyer shall be identified as a certificate holder and specifically named as an additional insured under Seller's General Liability, umbrella and automobile policies.

- (a) Statutory Worker's Compensation with waiver of subrogation in favor of the Buyer.
- (b) General Liability with a waiver of subrogation in favor of Buyer with the following requirements:

General Aggregate	\$2,000,000
Each Occurrence	\$1,000,000
- (c) Excess Liability Umbrella Form \$20,000,000
- (d) Business automobile liability covering all owned, non-owned hired autos and autos owned or borrowed by workers or contractors while in the course of their employment with \$1,000,000 limits of liability for bodily injury and property damage arising out of any one incident.

All deductibles are the sole responsibility of Seller.

All liability insurance requirements shall remain in effect for 2 years after the Closing Date.

CONTRACTUAL LIABILITY

The insurance required above under Seller's insurance shall:

- (a) be Primary insurance and non-contributory.
- (b) include contractual liability insurance coverage for the Seller's obligations under the INDEMNIFICATION paragraph below.

CERTIFICATES OF INSURANCE

Certificates of Insurance, acceptable to the Buyer indicating insurance required by the Contract is in force, shall be filed with the Buyer prior to approval of the Contract by the Buyer. The Seller 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 Buyer. The Seller will accept responsibility for damages and the Buyer's defense in the event no insurance is in place and the Buyer has not been notified.

Seller shall require similar insurance for all of Seller's agents, contractors, subcontractors, or sub lessors of the Property. Seller shall maintain on file certificates of insurance from any of contractors, subcontractors or sub lessors.

The insurance obligations imposed by this section are separate and distinct from any indemnification obligations imposed by this Agreement. Seller agrees that carrying insurance as required in this Agreement shall in no way be interpreted as relieving it of any indemnification obligation in this Agreement.

INDEMNIFICATION

To the fullest extent permitted by the law, the Seller shall defend, indemnify, and hold harmless the Buyer, its officials and Buyer's agents, employees, contractors, and subcontractors from and against all claims, damages, losses, liabilities, causes of action and expenses, including but not limited to, all attorneys' fees and expenses arising out of, resulting from or relating to: the Seller's use of the Property after the Closing Date, including use of the Property by Seller's employees, agents, contractors, subcontractors, and/or sub lessees or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable; and/or the willful or negligent acts or omissions on the part of Seller, Seller's employees, agents, contractors, subcontractors, and/or sub lessees or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable (collectively "Indemnity Obligations"). Seller's Indemnity Obligations include, but are not limited to, bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom.

In any and all claims against the Buyer, Buyer's officials or any of Buyer's agents or employees or contractors or subcontractors by the Seller or any employee of the Seller, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, Seller's Indemnity Obligations shall not be limited in anyway by any limitation on the amount or type of damages, compensation or benefits payable by or for the Seller or any subcontractor under workers' or workmen's compensation acts, disability benefit acts, or other employee benefit acts.

7. Title. Title shall be provided to Buyer as follows:

(a) Quit Claim Deed. Seller will convey to Buyer, an unencumbered, marketable title to said Property to be conveyed by Quit Claim Deed (the "Deed"), subject only to covenants, restrictions, easements and rights-of-way of record such as any nationally recognized title company will insure and excluding all standard exceptions.

(b) Abstract and Title. Seller, at Seller's expense, shall promptly obtain an abstract of title to the Real Estate continued within 30 days of the date of closing, and deliver it to Purchasers for examination. It shall show merchantable title in Seller in conformity with this agreement, Iowa law and Title Standards of the Iowa State Bar Association. The abstract shall become the property of the Purchaser when the purchase price is paid in full. Seller shall pay the costs of any additional abstracting and title work due to any act or omission of Seller, including transfers by Seller or its assignees.

(c) Clearing of Objections. If Buyer disapproves of any exceptions to title in the Title Commitment or Title opinion, other than the Permitted Exceptions, Buyer shall notify Seller of such disapproval and Seller, at Seller's option, within 48 hours from the date of receipt of such notice to Seller, shall either: (i) use its reasonable efforts to have such exceptions removed from the Title Commitment or Title opinion; or (ii) inform Buyer that such defect is not capable of cure or that cure would not be practicable at a cost acceptable to Seller. If Seller fails to have such exceptions removed or insured over, Buyer may elect, on or before the Closing Date, to either: (i) terminate this Agreement, in which event neither party shall have any further liability hereunder and this Agreement shall become null and void and of no further force or effect; or (ii) accept title to the Real Estate subject to such exceptions. If Buyer fails to terminate this Agreement under clause (i) above, then such exceptions shall be deemed to be "Permitted Exceptions" hereunder.

8. Buyer's Contingencies. Buyer shall be under no obligation to close this transaction unless the following conditions shall have been waived by Buyer, in writing, or satisfied at or prior to the time of Closing.

(a) Title. Buyer's attorney has had an opportunity to review the abstract to be provided by Seller and all title exceptions have either been removed or are acceptable to Buyer in Buyer's sole discretion as permitted Exceptions as more specifically described in this Agreement.

(b) Survey. Prior to Closing, Buyer may, at its sole discretion and expense, obtain a current survey of the Property, containing such matters and certifications as are required by Buyer. If the survey discloses matters that are objectionable to Buyer, Buyer will notify Seller of Buyer's objections to the survey. Seller will remedy any matters to which Buyer objects and will deliver to Buyer evidence that such remedy has been effected prior to Closing. If Seller is unable to deliver the evidence as required by this Section, Buyer will have the option to (i) accept the Property subject to such survey matters as Seller is able to deliver; or (ii) terminate this Contract.

(c) Governmental Approvals. Prior to Closing, Buyer shall, at Buyer's sole cost and expense, determine any approvals from county, municipal, state or other governmental organizations are necessary for Buyer's intended use of the Property ("Approvals"). In the event Buyer reasonably believes that it will be unable to obtain such Approvals, upon notice to Seller, Buyer may terminate this Contract. Seller shall reasonably cooperate with Buyer in any procedures required to obtain said Approvals after the Closing.

(d) Acceptable Location. Buyer having determined prior to Closing, in its sole discretion, that the Property is an acceptable location for its intended use.

9. Environmental Matters.

(a) Laws and Hazardous Substances. For purposes of this Contract, the term "Environmental Law(s)" shall mean any federal, state or local statute, law, ordinance, code, rule, regulation, order or decree regulating, relating to or imposing liability or standards of conduct concerning any Hazardous Substance, as now or at any time hereafter in effect. For purposes of this Contract, the term "Hazardous Substance(s)" shall have the meaning ascribed in any Environmental Law to any hazardous, toxic or dangerous waste, substance, pollutant or material, whether liquid, solid or gaseous.

(b) Compliance with Environmental Laws. Seller represents and warrants that Seller has not violated any Environmental Laws in connection with the use, ownership, lease, maintenance or operation of the Property and the conduct of the business related thereto. Any and all environmental permits, licenses or approvals required by any Environmental Law pertaining to the Property are attached hereto as **Exhibit E**.

(c) Absence of Hazardous Substances. Seller certifies and represents, based upon reasonable investigation, that neither Seller nor any other person within Seller's knowledge and/or control, including any lessees of the Property, has caused or permitted any Hazardous Substance to be placed, held, located or disposed of on, under or at the Property nor any part thereof and neither the Property nor any part thereof has ever been used by Seller or by any other person as a dump site or storage site, whether permanent or temporary, for any Hazardous Substance.

(d) Absence of Litigation. Seller represents and warrants that, with respect to the Property, Seller is not a party to any litigation or administrative proceeding, nor, so far as is known by Seller after reasonable investigation, is any litigation or

administrative proceeding threatened against the Property, which in either case asserts or alleges that: (i) Seller violated any Environmental Law; (ii) Seller is required to clean up or take other response action due to the release or threatened release or transportation of any Hazardous Substance; or (iii) Seller is required to pay all or a portion of the cost of any past, present or future cleanup, removal or remedial or other response action which arises out of or is related release or threatened release or transportation of any Hazardous Substance.

(e) Tanks. There are not now, nor to Seller's knowledge after reasonable investigation have there ever been, tanks or other facilities on, under, or at the Property which contained materials which, if known to be present in soils or groundwater, would require cleanup, removal or some other remedial action. If there are such tanks or other facilities, Seller represents after reasonable investigation that nothing contained therein has ever been spilled, leaked or released into the environment, soil or groundwater and that such tanks or other facilities are in compliance with all Environmental Laws.

(f) Indemnification. Seller hereby agrees to and does hereby indemnify Buyer and hold Buyer harmless from and against any and all losses, liabilities, including strict liability, damages, injuries, expenses, including reasonable attorneys' fees, claims for damage to the environment, claims for fines or civil penalties, costs of any settlement or judgment and claims of any and every kind whatsoever paid, incurred or suffered by, or asserted against Buyer by any person or entity or governmental agency for, with respect to or as a direct or indirect result of the presence on or under the Property of, or the release or threatened release or transportation of any Hazardous Substance or arising under any Environmental Law, solely related to any Hazardous Substances placed on the Property by Seller. This indemnification shall survive Closing.

10. Prorations. All applicable taxes, rents, interest and assessments shall be prorated and paid by Seller to the date of Closing.

11. Representations and Warranties.

(a) In order to induce Buyer to enter into this Contract, as of the execution of this Contract by Seller and again at the Closing Seller represents, warrants, covenants and agrees with Buyer as follows:

(i) Seller has and, at the Closing, Seller will have and will convey to Buyer, good and marketable fee simple title to the Property, free and clear of all mortgages, liens, defects, encumbrances, conditions, exceptions, restrictions or other matters affecting title;

(ii) Seller has no knowledge of any pending or threatened condemnation actions or special assessments of any nature with respect to the Property or any part thereof;

(iii) Seller has received no notice of, and has no other knowledge or information of, any pending or contemplated change in any regulation or private restriction applicable to the Property or any part thereof, any pending or threatened judicial

or administrative action, any action pending or threatened by adjacent landowners or other persons, or of any natural or artificial condition adversely affecting the Property, or any part thereof;

(iv) There are no attachments, executions, assignments for the benefit of creditors or voluntary or involuntary proceedings in bankruptcy or under any other debtor relief laws contemplated by a pending or threatened action or suit against Seller or the Property; and

(b) In order to induce Seller to enter into this Contract, as of the execution of this Contract by Buyer and again at the Closing, Buyer represents, warrants, covenants and agrees with Seller as follows:

(i) Buyer is a corporation, validly existing under the laws of the State of Iowa and is legally authorized and permitted to enter into this Contract and to carry out and perform all covenants to be performed by it hereunder; and

(ii) The persons signing this Contract on behalf of Buyer have been duly authorized by Buyer to do so.

12. Closing. The consummation and final purchase and sale of the Property (the "Closing") shall take place on or before October 31, 2020, which date shall be mutually agreeable to the parties.

13. Items to be delivered at Closing. At the Closing, Seller shall deliver or cause to be delivered to Buyer, at Seller's sole cost and expense, each of the following items:

(a) A Quit Claim Deed duly executed and acknowledged by Seller, and in form acceptable to Buyer, satisfying the requirements of Section 6 above;

(b) Any and all deeds and assignments, duly executed and acknowledged, reasonably deemed necessary by Buyer to cause any and all mineral interests, leases, warranties, contract rights and any and all other rights, title and interests constituting a part of the Property, to be conveyed to Buyer, free and clear of all liens, encumbrances, easements and other matters other than the Permitted Exceptions, containing such general warranties of Title as Buyer may require;

(c) An affidavit of Seller regarding its ownership of the Property, as may reasonably be required by the Title Company or closing agent.

14. Possession. Possession of the Property shall be delivered to Buyer on the date of Closing with delivery of Deed.

15. Risk of Loss or Condemnation Prior to Closing. The risk of condemnation and the risk of loss, damage or destruction of or to the improvements on the Property by fire, casualty or otherwise, until the Closing is and shall remain upon Seller. If any part of the Property shall have been condemned, or if any notice or an indication of condemnation

shall be given at any time after the date hereof and prior to the Closing, or if any part of the improvements shall be damaged or destroyed in whole or in part after the date hereof and prior to the Closing, then Seller shall immediately give written notice to Buyer specifying the same, and Buyer may, at its sole election: (i) terminate this Contract, or (ii) proceed with the Closing and have Seller assign, transfer and set over to Buyer all of Seller's right, title and interest in and to any awards that may be made for such condemnation or insurance proceeds owed by any insurance companies for such damage or destruction.

16. Default and Remedies. In the event of any default hereunder, the parties shall have the following remedies:

(a) In the event of default by Buyer, Seller shall have the right to terminate this Contract as its sole and exclusive remedy.

(b) In the event of a default by Seller, Buyer shall have the right to obtain a decree of specific performance to require conveyance of the Property to Buyer in accordance with the terms of this Contract, or to terminate this Contract.

17. Time of the Essence. Time is of the essence in this Contract.

18. Contract Binding. This Contract shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors and assigns of the parties hereto.

19. Acceptance. This offer shall be void if not accepted by Buyer before fourteen calendar days following Seller's City Council approval.

20. Survival. Upon Closing, any portion of this Agreement that by its nature should survive this Agreement will survive the Closing and continue in effect and be binding upon the parties, including, but not limited to: the covenants, representations, and warranties of Buyer and Seller, any and all insurance requirements, any and all indemnification obligations and environmental matters

21. Notice. All notices hereunder shall be in writing and shall be personally delivered or sent by United States certified mail, postage fully paid, return receipt requested, or by overnight nationwide commercial courier addressed to the parties as follows:

Buyer: BT Bridge, L.C.
801 42nd Street
Bettendorf, IA 52722
Attn: Owner(s)

Seller: City of Davenport
226 West 4th Street
Davenport, IA 52801

Attn: Finance Director

or at such other address as any of the parties may from time to time designate by written notice given as herein required. Mailed notices shall not be deemed given or served until three business days after the date of mailing thereof or if delivery is by nationwide commercial courier service of notice shall be deemed given one business day after the date of delivery thereof to said courier. Rejection or refusal to accept, or inability to deliver because of changed addresses or because no notice of changed address was given, shall be deemed a receipt of such notice.

To indicate their understanding of and consent to the provisions hereof, the parties have executed this Contract on the date first above written.

"SELLER"

City of Davenport

BY:

DATE:

Frank Lipsch
January 25, 2019

"BUYER"

BT Bridge, L.C.

BY:

TITLE:

DATE:

Dean R. Li
V.P. Sec Treas
1/25/19

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in part of the Southeast Quarter of Section 32, Township 79 North, Range 3 East of the 5th Principal Meridian in the City of Davenport, County of Scott, State of Iowa, and being more particularly described as follows:

Commencing , as a point of reference, at the northeast corner of the Southeast Quarter of said Section 32; thence South 89°-57'-15" West (assumed bearing for this survey) along the north line of the Southeast Quarter of said section 32, 825.24 feet to a point on the west line of Fairmount Street as now established in the City of Davenport, Iowa, said point being the POINT OF BEGINNING of the tract of land hereinafter described; thence, continuing, South 89°-57'-15" West 1827.68 feet along the north line of the Southeast Quarter of said Section 32 to the northwest corner of the Southeast Quarter of said section 32; thence South 00°-21'-11" East 934.22 feet along the west line of the Southeast Quarter of said section 32 to the north line of Interstate 80 as now established; thence South 82°-07'-19" East 914.67 feet along the north line of said Interstate 80 to a point of curvature; thence southeasterly 377.53 feet along the north line of said Interstate 80 being a curve concave northeasterly having a radius of 11248.50 feet and a chord bearing and dimension of South 83°- 07'-50" East 377.51 feet to the southwest corner of lot 3 of Frye's Addition to the City of Davenport, Iowa; thence North 00°-25'-39" West along the west line of said Frye's Addition 1055.41 feet to the northwest corner of lot 1 of said Frye's Addition; thence North 89°-55'-00" East along the north line of said Frye's Addition 548.91 feet to the west line of said Fairmount Street; thence North 00°-03'-30" East along said west line 50.00 feet to the point of beginning. Containing 30.66 acres, more or less.

EXHIBIT B



EXHIBIT C



EXHIBIT D



EXHIBIT E

City of Davenport

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

Action / Date
2/26/2020

Subject:
Resolution setting a Public Hearing for the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Program for March 18, 2020. [All Wards]

Recommendation:
Pass the Motion.

Background:
Under the laws of the State of Iowa, the City of Davenport is required to hold a Public Hearing prior to adoption of its annual Operating and Capital Budgets.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	2/13/2020 - 3:22 PM
Finance Committee	Wright, Brandon	Approved	2/13/2020 - 3:22 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 3:59 PM

Resolution No. _____

Resolution offered by Alderman Condon

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting a Public Hearing for the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 – FY26 Capital Improvement Program for March 18, 2020.

WHEREAS, the State of Iowa requires that the City of Davenport hold a Public Hearing prior to the adoption of its annual budget; and

WHEREAS, the City of Davenport will hold a Public Hearing on Wednesday, March 18, 2020 at 5:30 pm.

NOW, THEREFORE, BE IT RESOLVED, that this resolution setting a Public Hearing for the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 – FY26 Capital Improvement Program for March 18, 2020 is hereby approved by the City Council.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
2/26/2020

Subject:
Motion approving noise variance requests for various events on the listed dates and times.

Carriage Haus/Kilkenny's; St. Patrick's Day Event; 300-312 W 3rd St; Friday, March 13, 2020 6:00 p.m. - 11:00 p.m. and Saturday, March 14, 2020 6:00 a.m. - 11:30 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Dam View Inn; St. Patrick's Day Event; 410 E 2nd St; Saturday, March 14, 2020 7:00 a.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 3]

Circle Tap; St. Patrick's Day Party on the Patio; 1345 W Locust St; Saturday, March 14, 2020 2:00 p.m. - 12:00 a.m.; Outdoor music/band, over 50 dBa. [Ward 4]

The Office; St. Patrick's Day Event; 116 W 3rd St; Saturday, March 14, 2020 after parade - 10:00 p.m.; Outdoor music, over 50 dBa. [Ward 3]

Ganzo's Mexican Restaurant; Cinco de Mayo Fiesta; 3923 N Marquette St; Saturday, May 2, 2020 12:00 p.m. - 12:00 a.m.; Outdoor music, over 50 dBa. [Ward 7]

Recommendation:
Pass the Motion.

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

ATTACHMENTS:

Type	Description
□ Backup Material	Circle Tap Flyer to Neighbors

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/11/2020 - 8:48 AM



The Circle Tap will be having Live Music on the patio

From

Per the City of Davenport, we have granted a Noise Variance
for the hours

If you are opposed to this request, please submit it in writing to
Brian Krup, Deputy City Clerk, at bkrup@ci.davenport.ia.us

Circle Tap



1345 West Locust Street



563-322-9276



City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sherry Eastman 563-326-7795
Wards:

Action / Date
2/26/2020

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - Temporary Outdoor Area March 14, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Carriage Haus (Carriage Haus, Inc) - 312 W 3rd St - Temporary Outdoor Area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Mac's Tavern (Failte, Inc) - 316 W 3rd St - Temporary Outdoor Area March 14-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Dam View Inn (VanDamQC LLLC) - 410 E 2nd St - Outdoor area March 13-15, 2020 "St. Patrick's Day Event" - License Type: C Liquor

Ward 4

Eddy's Snack Bar (Qiurong Chen) - 1132 W Locust St - Outdoor Area - License Type: C Liquor

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

Ward 1

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 817 S Farragut St - License Type: B Beer

Ward 3

The Office (Local 563 Cocktail Lounge, LLC) - 116 W 3rd St - License Type: C Liquor

Super Saver Liquor (MNE, Inc) - 1610 Rockingham Rd - License Type: E Liquor

Ward 4

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 1616 W Locust St - Outdoor Area - License Type: C Liquor

Ward 5

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

Eleven 17 (Big Dill, Inc) - 1117 Mound St - Outdoor Area - License Type: C Liquor

EZ Stop (Shivco Inc) - 2923 Brady St. - License Type: E Liquor

Ward 6

Big 10 Mart (Molo Oil Company) - 5310 Corporate Park Dr - License Type: C Beer

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: E Liquor

Ward 8

Davenport Chapter Izaak Walton League of America (Davenport Chapter IWLA) - 8402 N Harrison St - Outdoor Area - License Type: C Liquor

Happy Joe's Pizza (Dynamic Restaurant Acquisitions, Inc) - 201 W 50th St - License Type: Beer / Wine

Recommendation:

Pass the Motion.

Background:

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	2/13/2020 - 3:35 PM
Finance Committee	Wright, Brandon	Approved	2/13/2020 - 3:35 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 3:53 PM

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
2/26/2020

Subject:
Motion determining property values for the east-west alley between E River Dr and Wood Ln from Forest Rd for the FY20 Alley Resurfacing Program. [Ward 6]

Recommendation:
Pass the Motion.

Background:
Within the City of Davenport, alleys are considered secondary roads. A resident or business owner petitions the City to have their alley reconstructed with full depth concrete or hot mix asphalt (HMA) or resurfaced with HMA through the Alley Reconstruction and Resurfacing Program. This program is an assessment program where half of the total cost to reconstruct or resurface the alley is paid for by the City and the other half is paid for by the abutting property owners based on the size of their lot. The resident or business that requests to have their alley reconstructed or resurfaced must obtain the necessary signatures on a petition prepared by the City of over 50% of the owner occupied property abutting the alley.

The City has received a petition for the east-west alley between E River Dr and Wood Ln from Forest Rd. The estimated cost of these improvements is \$78,000. This Motion is a continuation of the assessment process.

The Preliminary Alley Assessment Schedule is attached.

ATTACHMENTS:

Type	Description
□ Backup Material	Preliminary Schedule
□ Backup Material	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	2/13/2020 - 10:59 AM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 11:00 AM
City Clerk	Admin, Default	Approved	2/13/2020 - 12:09 PM

FY20 Alley Resurfacing Part 1

Parcel	Address	Deed1_Name	Deed1_Addr	Deed1_CSZ	Assessed Value	Property Value Limit	Parcel Area (SF)	Assessed Area (SF)	Allocated Proportion	Assessment Amount	Deficiency
E0041-10A	2745 WOOD LN	JANE L SCHNEIDER TRUST	2745 WOOD LN	DAVENPORT IA 52803-3628	\$ 247,160.00	\$61,790.00	14,342	14,342	\$ 4,753.85	\$ 4,753.85	\$ -
E0041-11	2737 WOOD LN	RONALD L RIMRODT	2737 WOOD LN	DAVENPORT IA 52803	\$ 231,300.00	\$57,825.00	14,500	14,500	\$ 5,423.08	\$ 5,423.08	\$ -
E0041-12	2727 WOOD LN	JEFFREY M WRIGHT	2727 WOOD LN	DAVENPORT IA 52803-3628	\$ 551,490.00	\$137,872.50	13,923	13,923	\$ 6,646.15	\$ 6,646.15	\$ -
E0041-13	2711 WOOD LN	RODNEY B DENSE	2711 WOOD LN	DAVENPORT IA 52803	\$ 381,950.00	\$95,487.50	20,558	20,558	\$ -	\$ -	\$ -
E0041-15	5 FOREST RD	LINDA CLINE CHANDLER LIVING TRUST	3502 COVENTRY GARDENS DR	LAS VEGAS NV 89135	\$ 975,330.00	\$243,832.50	38,665	38,665	\$ 10,153.85	\$ 10,153.85	\$ -
E0041-17	2726 E RIVER DR	ELOISE A SMIT	2726 E RIVER DR	DAVENPORT IA 52803	\$ 415,020.00	\$103,755.00	24,510	24,510	\$ 6,000.00	\$ 6,000.00	\$ -
E0041-18	2736 E RIVER DR	DAVID M FREUND	2736 E RIVER DR	DAVENPORT IA 52803-3623	\$ 307,740.00	\$76,935.00	12,920	12,920	\$ 6,023.08	\$ 6,023.08	\$ -

Location Map



8/9/2019, 1:15:01 PM

- Parks
- Parcels
- Street Centerline (Labels only)
- Creeks
- Named Creeks
- Unnamed Tributaries
- Piped Creeks
- City Limit
- Address Points

Scott County Iowa, BI-State Regional Commission

Web AppBuilder for ArcGIS
Copyright (c) 2014 Esri | Scott County Iowa, BI-State Regional Commission |

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Betsy Tubbs 563-888-2220
Wards:

Action / Date
2/26/2020

Subject:
Motion awarding the contract for replacement of the HVAC system at the Credit Island Lodge to Schebler Company of Bettendorf, IA in the amount of \$77,200, CIP #23040. [Ward 1]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on January 22, 2020 and was sent to 82 vendors. On February 12, 2020, the Purchasing Division received and opened four responsive and responsible bids.

The HVAC system at the Credit Island Lodge has struggled operating since the fire occurred in 2013. Recently, carbon monoxide has been leaking from the unit while operating. This project will replace the entire system and improve efficiency overall.

Funding for this project is from CIP #23040.

ATTACHMENTS:

Type	Description
Backup Material	PW_MOT_Credit Island HVAC Signed Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	2/13/2020 - 3:05 PM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 3:05 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 3:53 PM

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: CREDIT ISLAND LODGE HVAC REPLACEMENT

BID NUMBER: 20-83

OPENING DATE: FEBRUARY 12, 2020

GL ACCOUNT NUMBER: 77059697 530350 23040
77059698 530350 23040
77059699 530350 23040

RECOMMENDATION: AWARD THE CONTRACT TO SCHEBLER COMPANY OF BETTENDORF, IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Schebler Company of Bettendorf, IA	\$77,200.00
Ragan Mechanical, Inc. of Davenport, IA	\$85,659.00
Hometown Plumbing & Heating of Davenport, IA	\$91,592.00
Modern Piping of the Quad Cities LLC of Moline, IL	\$127,245.00

Approved By Caitlyn James 2-13-2020
Purchasing Date

Approved By Nicole Gleason 2-13-2020
PW Director Date

Approved By Brandi Coz 2-13-2020
Budget/CIP Date

Approved By BN 2-13-2020
Chief Financial Officer Date

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-326-7734
Wards:

Action / Date
2/26/2020

Subject:
Motion approving change order #1 for the First Floor Elevation Structural Inventory project with Townsend Engineering in the amount of \$40,000, CIP #60022. [Ward 1]

Recommendation:
Pass the Motion.

Background:
The City of Davenport is collecting data about flood prone areas. Data collected will support flood risk modeling being conducted by the City of Davenport in collaboration with the Army Corps of Engineers' Silver Jackets. Topographical survey will allow staff to create an inventory of all structures within the 0.2% (River Level 24) annual floodplain.

This change order will add the Blackhawk Creek section of the first floor elevation survey to Townsend Engineering's contract.

CONTRACT SUMMARY:

Original Contract Amount	\$45,000
Change Order #1	<u>\$40,000</u>
Total Amended Contract	\$85,000

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	2/13/2020 - 1:02 PM
Public Works Committee	Lechvar, Gina	Approved	2/13/2020 - 1:02 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 2:28 PM

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Larry Keller 563-326-7908
Wards:

Action / Date
2/19/2020

Subject:
Motion awarding a five-year contract for mechanical and plumbing services to Crawford Company of Rock Island, IL. [All Wards]

Recommendation:
Pass the Motion.

Background:
A Request for Proposals was issued on December 13, 2019 and was sent to 53 contractors. On January 21, 2020 the Purchasing Division received and opened four proposals. Based on scores from the evaluation team, Crawford Company was the highest ranking contractor.

Proposals were evaluated based on the following criteria: pricing (30%), qualified personnel and years with company (30%), history or workmanship (20%), responsiveness and responsibility of vendor (10%), licensing (5%), and safety records (5%).

This contract will be used City-wide on maintenance and repair jobs on an as-needed basis. Expected cost based on historical figures equates to approximately \$80,000 per year.

Funding for this service comes from various department maintenance accounts.

ATTACHMENTS:

Type	Description
▣ Backup Material	FIN_MOT_Mechanical Services Signed Bid Tab

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Wright, Brandon	Approved	2/13/2020 - 3:21 PM
Finance Committee	Wright, Brandon	Approved	2/13/2020 - 3:21 PM
City Clerk	Admin, Default	Approved	2/13/2020 - 3:59 PM

**CITY OF DAVENPORT, IOWA
PROPOSAL TABULATION**

DESCRIPTION: MECHANICAL AND PLUMBING SERVICES CONTRACT

BID NUMBER: 20-72

OPENING DATE: JANUARY 21, 2020

GL ACCOUNT NUMBER: VARIOUS ACCOUNTS DEPENDING ON WHERE
WORK IS BEING PERFORMED

RECOMMENDATION: AWARD THE CONTRACT TO CRAWFORD COMPANY
OF ROCK ISLAND, IL

<u>VENDOR NAME</u>	<u>LOCATION</u>
Crawford Company	Rock Island, IL

Ryan & Associates, Inc.
Modern Piping of the Quad Cities
J.L. Brady Co.

Davenport, IA
Moline, IL
Moline, IL

Approved By Caitlyn Jarmer 2-7-2020
Purchasing Date

Approved By Nicole Meason 2-10-2020
Department Director Date

Approved By Madeline Mung 2/10/2020
Budget/CIP Date

Approved By [Signature] 2/10/2020
Chief Financial Officer Date

City of Davenport

Agenda Group:

Department: Administration

Contact Info: Sarah Ott 563-326-6163

Wards:

Action / Date

2/26/2020

Subject:

Motion for suspension of the rules to add and vote on the item below:

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	2/21/2020 - 8:31 AM

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Sarah Ott 563-326-6167
Wards:

Action / Date
2/26/2020

Subject:
Resolution opposing Iowa Senate Study Bill 3180 which removes the ability of cities to place certain restrictions on pet stores or implement protections for companion animals in their care. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The Iowa Senate has introduced a bill that would remove the ability of cities and counties to place certain restrictions on pet stores or implement protections for companion animals in their care. The City of Davenport encourages the State to recognize local control over the regulation of these businesses so that all animals within our community receive humane and ethical treatment.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/21/2020 - 8:29 AM

Resolution No. _____

Resolution offered by Alderman Condon

RESOLVED by the City Council of the City of Davenport.

RESOLUTION opposing Iowa Senate SB3180 which removes the ability of cities to place certain restrictions on pet stores or implement protections for the companion animals in their care.

WHEREAS, the City of Davenport, Iowa, values a safe community for all residents and recognizes that a safe and vibrant community includes the humane and ethical treatment of animals; and

WHEREAS, SSB3180 removes the ability of cities and counties to regulate pet stores or implement protections for the companion animals in their care, and reverses local ordinances already in effect relating to the regulation of pet stores; and

WHEREAS, the City of Davenport, Iowa, opposes any legislation that limits local control and the City's ability to regulate business within its jurisdiction;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City of Davenport, Iowa opposes SSB3180 and any other legislation that removes the ability of cities to place certain restrictions on pet stores or implement protections for the companion animals in their care.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk