

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, January 13, 2021; 5:30 PM

City Hall | 226 W 4th St | Council Chambers

A partially electronic meeting is being held because a fully “in-person” meeting is impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor’s proclamation and the Mayor’s executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for December 9, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for January 6, 2021.

VIII. Appointments, Proclamations, Etc.

A. Appointments

1. Historic Preservation Commission
- Alexander Wilga (New Appointment)

B. Proclamations

1. Slavery and Human Trafficking Prevention and Awareness Month | January 2021
2. National Mentor Month | January 2021

IX. Presentations

A. Railroad Task Force Recognition

- Alderman At-Large Kyle Gripp
- Alderman At-Large JJ Condon
- Alderman Rick Dunn (1st Ward)
- Alderwoman Marion Meginnis (3rd Ward)

- Kelli Grubbs (Riverfront Improvement Commissioner)
- Dee Bruemmer (Riverfront Improvement Commissioner)
- Bill Ashton (Riverfront Improvement Commissioner)
- Pat Walton (Riverfront Improvement Commissioner)
- Nicole Gleason (Public Works Director)
- Brian Schadt (City Engineer)
- Zach Peterson (Landscape Design Architect)
- Steve Ahrens (Riverfront Improvement Commission Executive Officer)
- Brandon Wright (Former Finance Director)

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by adding Kirkwood Boulevard at Eastern Avenue. [Ward 5]

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

i. Motion for suspension of the rules

ii. Passage of third consideration.

2. Resolution placing a moratorium upon the issuance of special use permits for bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and two-family conversions in R-3, R-3C, R-4 and R-4C Single- and Two-Family Residential Zoning Districts until July 13, 2021. [All Wards]

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. Resolution accepting work completed under the CY 2020 Crack and Seat contract, CIP #35042. The total contract with Hawkeye Paving Corporation was \$960,021.17. [Wards 2 & 7]
2. Resolution accepting work completed under the Roosevelt Community Center Window Replacement project, CIP #23037. [Ward 1]
3. Resolution accepting work completed under the North Elmwood Reconstruction project, 61st Street to 62nd Street, by Manatts, Inc of Brooklyn, Iowa with a final cost of \$217,053.03, CIP #35040. [Ward 2]
4. Resolution accepting work completed under the Division Street Bridge Over Duck Creek Deck Replacement project by Helm Group Inc D/B/A Civil Constructors, Inc of Freeport, Illinois. The project was completed with a final contract amount of \$842,507.42, CIP #21004. [Ward 2 & 7]
5. Resolution accepting work completed under the 100 block of E 3rd Street

Streetscaping project, CIP #35022. The total contract with Emery Construction Group, Inc is \$198,970.09. [Ward 3]

6. Resolution accepting work completed under the City Hall North Wall Dewatering project, CIP #23047. The total contract with Emery Construction Group was \$182,533.64. [Ward 3]
7. Resolution accepting work under the Kimberly and Division Intersection Improvements project completed by Valley Construction Company of Rock Island, Illinois in the amount of \$1,578,211.44, CIP #01793. [Wards 2 & 7]
8. Resolution accepting work performed under the FY 2020 Contract Sewer Repair Program by Hometown Plumbing and Heating Co of Davenport, Iowa, CIP #30044 and #33001. [All Wards]
9. Resolution approving the contract for the Blackhawk Creek Stabilization to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$619,792.50, CIP #33038. [Ward 1]
10. Resolution awarding a contract for the Aeration Compressor Controls Replacement project at Water Pollution Control Plant to Tri City Electric Co of Davenport, Iowa in the amount of \$132,105. [All Wards]
11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Fire Training Center at Public Works, CIP #23048. [Ward 7]
12. Resolution setting a Public Hearing to convey City-owned property adjacent to the Brady Street Bridge over Duck Creek, Iowa Department of Transportation Number NHSN-461-1(10)--2R-82. [Ward 7]
13. Resolution setting a Public Hearing for the FY 2022 proposed maximum property tax levy rate and amount. [All Wards]
14. Resolution approving the purchase and installation of the new county-wide alerting system for all Davenport Fire Stations from RACOM of Marshalltown, Iowa in the amount of \$298,680.72, CIP #23051. [All Wards]
15. Resolution adopting the City of Davenport's 2021 State Legislative Program. [All Wards]
16. Motion approving the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs. [All Wards]
17. Motion authorizing the Mayor or City Administrator to sign a subordination agreement with Great Southern Bank in conjunction with the Merge (Urbane 210) apartment project. [Ward 3]
18. Motion approving the following noise variance request for various events on the listed dates and times.

Dane Moulton; Renwick Mansion events; 901 Tremont Avenue; Every Friday, Saturday, and Sunday through June 30, 2021 no later than 10:00 p.m.; Outdoor music/band, over 50 dBa. [Ward 3]

19. Motion approving beer and liquor license applications.

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

Ward 3

The Diner (The Diner Llc) - 421 W River Dr, Suite 6- Outdoor Area License
Type: Class C Liquor/T

Ward 5

Ez Stop (Shivco Inc) - 2923 Brady St - License Type: Class E Liquor - Carry
Out/BC/WB

Ward 6

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

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: Class E Liquor -
Carry Out/BC/WB

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 E Kimberly Rd - License
Type: Class E Liquor - Carry Out/BC/WB

20. Motion accepting work completed under the Ridgeview Park ADA Access Improvements project, CIP #64071. The total contract with Collins Concrete LTD was \$79,040.63. [Ward 8]
21. Motion accepting work completed under the Fill & Support of a Subsurface Vault: Union Arcade Building project, CIP #60029. The total contract with Emery Construction Group, Inc of East Moline, Illinois was \$93,939.50. [Ward 3]
22. Motion accepting work completed under the West 51st Street Culvert Reconstruction project by McClintock Trucking & Excavating of Silvis, Illinois in the amount of \$31,164.70, CIP #33046. [Ward 8]
23. Motion approving the renewal of cyber insurance for CY 2021 with Underwriters at Lloyd's of London in the amount of \$63,428. [All Wards]
24. Motion approving a four-year collective bargaining agreement between the City of Davenport and the American Federation of State, County and Municipal Employees, Local Union No. 887 for the term beginning on July 1, 2021 and ending on June 30, 2025. [All Wards]
25. Motion approving a four-year collective bargaining agreement between the Davenport Public Library and the American Federation of State, County and Municipal Employees, Local Union No. 887 for the term beginning on July 1, 2021 and ending on June 30, 2025. [All Wards]

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any

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

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

XV. Reports of City Officials

XVI. Adjourn

City of Davenport

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

Action / Date
1/13/2021

Subject:
Approval of the City Council Meeting minutes for December 9, 2020.

ATTACHMENTS:

Type	Description
Backup Material	CC Min 120920

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/8/2021 - 10:38 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, December 9, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, December 9, 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 (*In person:* Alderman Dunn, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, and Alderman Ambrose; *Via telephone:* Alderman Dohrmann, Alderwoman Lee, Alderman Peacock, Alderwoman Dickmann, and Alderman Jobgen). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Meginnis

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for November 24, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for December 2, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, December 2, 2020 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Condon. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (In person: Alderman Dunn, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, and Alderman Ambrose; Via telephone: Alderman Dohrmann, Alderwoman Lee, Alderman Peacock, Alderwoman Dickmann, and Alderman Jobgen). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities is limited to 10 persons.

The following Public Hearings were held: Community Development: 1) on the Consolidated Plan Annual Performance Evaluation Report for the year ending June 30, 2020.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: No items on the agenda. Public Safety: Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Gripp item #1, Third Consideration: Ordinance amending section 10.74.050 entitled "Mufflers, prevention of noise," and section 9.20.030 entitled "Trespass" of the Municipal Code of the City of Davenport, moved to the Discussion Agenda

and all other items moved to the Consent Agenda. Public Works: Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Ambrose item #6, Motion approving a waiver (temporary deferral) of sidewalk installation for the proposed Speedway Store #101100 to be built at the intersection of Northwest Blvd and Hillandale Rd, moved to the Discussion Agenda with a recommendation for denial by staff and all other items moved to the Consent Agenda. Finance: Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Ambrose all items moved to the Consent Agenda.

Council adjourned at **6:46 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2020-492

1. Design Review Board

- Greg Lundgren (Re-Appointment)
- PJ Slobojan (Re-Appointment)
- Dana Wilkinson (Re-Appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. A motion was moved by Alderman Dunn to amend the Ordinance to change the distance from 50 feet to 100 feet, seconded by Alderman Gripp. Upon the roll being called with all Aldermen present voting aye except Alderman Condon and Alderman Peacock, the Ordinance was amended.

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

Third Consideration: Ordinance amending section 10.74.050 entitled "Mufflers, prevention of noise," and section 9.20.030 entitled "Trespass" of the Municipal Code of the City of Davenport. [All Wards]

ADOPTED 2020-493

ORDINANCE NO. **2020-493**

AN ORDINANCE AMENDING SECTION 10.74.050 ENTITLED "MUFFLERS, PREVENTION OF NOISE" AND SECTION 9.20.030 ENTITLED "TRESPASS" OF THE MUNICIPAL CODE OF THE CITY OF DAVENPORT.

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

Section 1. That Section 10.74.050 entitled "Mufflers, Prevention of Noise" be and the same is hereby amended to read as follows:

10.74.050 Mufflers, Prevention of Noise

Every motor vehicle shall at all times be equipped with manifold pipes and a muffler in good working order so as to prevent excessive, unusual, or loud noise from being emitted by said vehicle such that it can be heard at a distance of one hundred feet or more from said vehicle, or so as to prevent the emission of excessive, unusual, or oily exhaust from said vehicle. No person shall operate a motor vehicle equipped with a muffler cutout, by-pass, or similar device upon a street, alley, or highway within the city.

Section 2. That Section 9.20.030 entitled "Trespass – simple misdemeanor" be and the same is hereby amended to read as follows:

9.20.030 Trespass – simple misdemeanor.

Any person who knowingly trespasses upon the property of another commits a simple misdemeanor punishable as provided by the applicable provision of the Iowa Code.

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 12/9/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. A motion was moved by Alderman Gripp to grant the sidewalk portion of the waiver but require sidewalk grade be established, seconded by Alderwoman Meginnis. Upon the roll being called with all Aldermen present voting aye except Alderman Ambrose, the amendment was approved.

On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye, the following Motion was passed as amended:

Motion approving a waiver (temporary deferral) of sidewalk installation for the proposed Speedway Store #101100 to be built at the intersection of Northwest Blvd and Hillandale Rd.
[Ward 8] **PASSED 2020-494**

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye except Alderwoman Lee abstaining from item #14, Motion approving the plans, specifications, form of contract, and estimate of cost for the Kelling Subdrain Installation project (4600 block of Kelling St), CIP #33028, due to a conflict of interest, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending section 15.08.215 entitled "Combined code board of appeals - Powers and duty" by amending subsection "A." [All Wards]

ADOPTED 2020-495

ORDINANCE NO. **2020-495**

Ordinance amending Section 15.08.215 entitled "Combined code board of appeals – Powers and duty" by amending subsection "A" thereof to read as follows:

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

Section 1. That Subsection 15.08.215(A) is hereby amended to read as follows:

15.08.215 Combined code board of appeals – Powers and duty.

A. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the technical codes, there shall be, and is created, a combined construction code board of appeals and review, consisting of seven members. The Mayor shall strive to appoint one member who is a: State of Iowa electrical contractor or journeyman, State of Iowa licensed plumbing contractor or journeyman, State of Iowa licensed mechanical (HARV) contractor or journeyman, City of Davenport licensed Class A commercial building contractor, City of Davenport licensed Class B residential new construction contractor, architect, and a resident of Davenport. The board shall be appointed to staggered three year terms by the Mayor with the concurrence of the City Council. The board may adopt reasonable rules and regulations for conducting their meetings, investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. A simple majority of the board shall constitute a quorum to transact the business of the board. A simple majority of the members present by voice vote shall be required on action by the board.

Section 2. The transition rule to start the staggered terms is as follows:

<u>Board member</u>	<u>Name</u>	<u>Term Expires</u>
1	Horace Peeples	10/31/2021
2	Frank Ehrecke	10/31/2021
3	Steve Duncan	10/31/2022
4	Gary Tomlinson	10/31/2022
5	Darrin Guffy	10/31/2023
6	Andrew Dasso	10/31/2023
7	Tim Koehler	10/31/2023

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

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

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

Approved 12/9/2020: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled “Four-Way Stop Intersections” by adding Kirkwood Boulevard at Eastern Avenue. [Ward 5]

MOVED TO SECOND CONSIDERATION

3. Resolution accepting work completed under the CY20 Microsurfacing contract. The total contract with Lionmark Corporation (dba Missouri Petroleum) was \$202,000.45, CIP #35042. [Wards 4, 5, & 8]

ADOPTED 2020-496

4. Resolution accepting work completed under the FY21 DOT Full Depth Patching project. The total contract with Langman Construction, Inc was \$149,519.60, CIP #35045. [Wards 1 & 2]

ADOPTED 2020-497

5. Resolution accepting work completed under the 2019 Tree & Debris Clearing on Streams Project, CIP #33035. The total contract with Cornerstone Demolition & Clearing of Bettendorf, IA was \$108,714. [Wards 1, 2, & 8]

ADOPTED 2020-498

6. Resolution awarding the contract for digester #1 and #2 cleanout at the Water Pollution Control Plant to Synagro Central, LLC of Baltimore, MD in the amount of \$184,000. [All Wards] **ADOPTED 2020-499**
7. Resolution approving the purchase of five dump truck bodies with options in the amount of \$314,120 from TriState Truck Equipment of Dubuque, IA and five dump truck chassis with trades in the amount of \$395,025 to Truck Country of Davenport, IA. [All Wards] **ADOPTED 2020-500**
8. Resolution approving the purchase of an end loader from Martin Equipment for \$168,700 using the Sourcewell contract #032119-JDC. [All Wards] **ADOPTED 2020-501**
9. Resolution approving the purchase of three solid waste truck bodies to Kilburg Equipment, LLC of Sabula, IA in the amount of \$132,582. CIP #10503. [All Wards] **ADOPTED 2020-502**
10. Resolution approving the purchase of three solid waste truck chassis from Elliott Equipment of Davenport, IA in the amount of \$464,444, CIP #10503. [All Wards] **ADOPTED 2020-503**
11. Resolution approving the purchase of a body-worn camera package from Axon Enterprises in the amount of \$362,572. [All Wards] **ADOPTED 2020-504**
12. Resolution providing for reduction of interest rate on Taxable Sewer Revenue Bond, Series 2010 (Build America Bond – Direct Payment). [All Wards] **ADOPTED 2020-505**
13. Motion approving beer and liquor license applications. **PASSED 2020-506**

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

Ward 3

Gilly's Corner Tap (Gilly's Corner Tap LLC) - 2148 W 3rd St - New license/owner - Outdoor Area - License Type: C Liquor

Raccoon Motel (Raccoon Motel LLC) - 315 E 2nd St - New license – License Type: C Liquor

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

Ward 2

Wal-Mart Supercenter #5115 (Wal-Mart Stores, Inc) - 3101 W Kimberly Rd - License Type: E Liquor

Ward 4

Kwik Star #123 (Kwik Trip, Inc) - 2850 W Locust St - License Type: C Beer

Ward 5

Bleyart's Tap (Bleyart's Tap, Inc) - 2218 E 11th St - Outdoor Area – License Type: C Liquor

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

14. Motion approving the plans, specifications, form of contract, and estimate of cost for the Kelling Subdrain Installation project (4600 block of Kelling St), CIP #33028. [Ward 8]

PASSED 2020-507

15. Motion approving the payment for the annual renewal of the VMWare licensing using the NASPO (National Association of State Procurement Officers) contract #AR2493 with CDW-G of Vernon Hills, IL in the amount of \$90,551.74. [All Wards]

PASSED 2020-508

16. Motion awarding the contract to relocate the burn tower training structure to the new training location to Goodwin House Moving Inc of Washington, Iowa in the amount of \$79,000, CIP #23048. [All Wards]

PASSED 2020-509

17. Motion approving a four-year collective bargaining agreement between the City of Davenport and the Amalgamated Transit Unit, Local Union No. 312 for the term beginning on July 1, 2021 and ending on June 30, 2025. [All Wards]

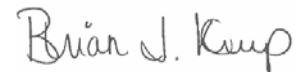
PASSED 2020-510

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:26 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

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

Action / Date
1/13/2021

Subject:
Approval of the Report on Committee of the Whole for January 6, 2021.

ATTACHMENTS:

Type	Description
▣ Backup Material	COW Report 010621

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/8/2021 - 10:36 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, January 6, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderwoman Lee. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (*In person*: Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Jobgen, and Alderman Ambrose; *Via telephone*: Alderman Peacock and Alderwoman Dickmann). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

The following Public Hearings were held: **Community Development:** 1) on the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs. **Public Works:** 1) on the plans, specifications, form of contract, and estimate of cost for the Fire Training Center at Public Works, CIP #23048.

The following presentation was held: Davenport Police Department swearing-in ceremony for seven new officers (Cory Allen Friemann, Marcus James Kelley, James William Allison, Michael Artur Skocinski, Louis Adrian Castillo Mallillin, Dakota William Paul Snyder, and Daniel Steven Brody).

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Ambrose item #1, Resolution placing a moratorium upon the issuance of special use permits for bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and Two-Family Conversions in R-3, R-3C, R-4 and R-4C Single and Two-Family Residential Zoning Districts until July 13, 2021, was moved to the Discussion Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Gripp item #1, Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by adding Kirkwood Boulevard at Eastern Avenue, was moved to the Discussion Agenda with a recommendation for suspension of the rules and passage of third consideration and all other items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Ambrose all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Ambrose all items moved to the Consent Agenda.

Council adjourned at **6:40 p.m.**

City of Davenport

Department: Office of the Mayor
Contact Info: Tiffany Thorndike 563-888-2066

Action / Date
1/13/2021

Subject:
Historic Preservation Commission
- Alexander Wilga (New Appointment)

Background:

Alexander Wilga is a new appointment to the Historic Preservation Commission. His appointment fills a vacancy due to a previous commissioner not being re-appointed. Alexander's term date is 1/14/2021 - 6/30/2023.

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Thorndike, Tiffany	Approved	1/4/2021 - 4:38 PM

City of Davenport

Department: Office of the Mayor

Contact Info: Samantha Torres | 563-327-5128

Action / Date

1/13/2021

Subject:

Slavery and Human Trafficking Prevention and Awareness Month | January 2021

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	1/4/2021 - 12:24 PM

City of Davenport

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

Action / Date
1/13/2021

Subject:
National Mentor Month | January 2021

REVIEWERS:

Department	Reviewer	Action	Date
Office of the Mayor	Admin, Default	Approved	1/8/2021 - 3:28 PM

City of Davenport

Department: Public Safety
Contact Info: Gary Statz | 563-326-7754

Action / Date
1/13/2021

Subject:

Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by adding Kirkwood Boulevard at Eastern Avenue. [Ward 5]

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

i. Motion for suspension of the rules

ii. Passage of third consideration.

Recommendation:
Adopt the Ordinance.

Background:

Traffic engineering is recommending adding a four-way stop to the intersection of Kirkwood Blvd and Eastern Ave. There have been an increased volume of crashes due to changing traffic patterns related to the Elm Street Bridge closure. This intersection will be re-evaluated after Elm St has re-opened.

ATTACHMENTS:

Type	Description
▣ Ordinance	PS_ORD_Kirkwood at Eastern 4-Way Stop

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	11/23/2020 - 2:57 PM
Public Works Committee	Lechvar, Gina	Approved	11/23/2020 - 2:58 PM
City Clerk	Admin, Default	Approved	11/23/2020 - 5:28 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY AMENDING SCHEDULE V "FOUR-WAY STOP INTERSECTIONS" THERETO BY ADDING KIRKWOOD BOULEVARD AT EASTERN AVENUE.

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

Section 1. That Schedule V Four-Way Stop Intersections of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by adding the following:

Kirkwood Boulevard at Eastern Avenue

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* _____

Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Alderwoman Meginnis and Alderman Dunn | 563-888-2066

Action / Date
1/13/2021

Subject:

Resolution placing a moratorium upon the issuance of special use permits for bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and two-family conversions in R-3, R-3C, R-4 and R-4C Single- and Two-Family Residential Zoning Districts until July 13, 2021. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The City continues to experience nuisances related to bars and vehicle repairs in commercial districts that are in close proximity to residential neighborhoods. These commercial districts are to serve the needs of these nearby residential areas. In addition, there are concerns for the stability of vulnerable neighborhoods that cannot withstand the negative impacts of bars, vehicle repairs or the conversion of single-family homes into two-family homes.

It is important to recognize that land uses have impacts on neighborhoods and zoning districts throughout the city that need to be evaluated to ensure they are the right fit for the area. For this reason, staff is being requested to evaluate the prudence of its special uses associated with bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and two-family conversions in R-3, R-3C, R-4 and R-4C Single and Two-Family Residential Zoning Districts and develop regulations that will fulfill the purpose of the City's Zoning Code including to protect the character and maintain the stability of the City's residential and non-residential areas and preserve and enhance the value of structures, communities, and neighborhoods that constitute the distinct places within the City. This moratorium preserves the status quo while the districts are studied and regulations are developed.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	12/29/2020 - 4:47 PM
Community Development Committee	Berger, Bruce	Approved	12/29/2020 - 4:48 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:22 PM

Resolution No. _____

Resolution offered by Alderman Gripp.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION placing a moratorium upon the issuance of special use permits for bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and Two-Family Conversions in R-3, R-3C, R-4 and R-4C Single- and Two-Family Residential Zoning Districts until July 13, 2021. [All Wards]

WHEREAS, the City of Davenport regulates the uses and special uses of its zoning districts; and

WHEREAS, the City of Davenport wishes to study the prudence of its special uses of bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and the two-family conversions regulations in R-3 R-3C, R-4 and R-4C Single- and Two-Family Residential Zoning Districts; and

WHEREAS, the City of Davenport desires to preserve the status quo of the districts under review while it examines the issues and develops new regulations specific to bars, minor vehicle repair/service, and two-family conversions.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that a moratorium is imposed upon the issuance of special uses for bars and minor vehicle repair/service in C-1 Neighborhood Commercial Zoning District and the two-family conversions regulations in R-3 R-3C, R-4, and R-4C Single- and Two-Family Residential Zoning Districts until July 13, 2021.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Jen Walker | 563-326-6168

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the CY 2020 Crack and Seat contract, CIP #35042.
The total contract with Hawkeye Paving Corporation was \$960,021.17. [Wards 2 & 7]

Recommendation:

Adopt the Resolution.

Background:

This program rehabilitated the following aging concrete streets as part of the City-wide pavement management program:

- East 46th Street between Brady Street and Welcome Way
- West 46th Street between Welcome Way and Scott Street
- West 60th Street between Pine Street and Hillandale Road
- Marquette Street between West 46th Street and Royal Oaks Drive

Crack and seat is a cost effective rehabilitation method that utilizes the existing concrete pavement as the base for a new asphalt surface. The total project cost was \$960,021.17. Work was completed by Hawkeye Paving Corp.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:27 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:28 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:49 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting work completed under the CY 2020 Crack and Seat contract, CIP #35042.

WHEREAS, the City entered into contract with Hawkeye Paving Corporation of Bettendorf, Iowa; and

WHEREAS, the project rehabilitated existing concrete pavement by cracking and rolling (seating) it as the base for a new asphalt surface; and

WHEREAS, the final cost of the contract was \$960,021.17; 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 CY 2020 Crack and Seat project be formally accepted.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Clay Merritt | 563-888-3055

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the Roosevelt Community Center Window Replacement project, CIP #23037. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

This project was for the replacement of existing windows and window coverings at the Roosevelt Community Center. The windows were nearing the end of their useful life and scheduled to be replaced.

Work has been satisfactorily completed by Precision Builders, Inc of Bettendorf, Iowa. The final cost for the project was \$246,665.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/30/2020 - 5:11 PM
Public Works Committee	Moses, Trish	Approved	12/30/2020 - 5:12 PM
City Clerk	Admin, Default	Approved	12/31/2020 - 9:14 AM

Resolution No. _____

RESOLUTION offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting work completed under the Roosevelt Community Center Window Replacement project, CIP #23037.

WHEREAS, the City of Davenport entered into a contract with Precision Builders, Inc of Bettendorf, Iowa; and

WHEREAS, work on the project has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa that the Roosevelt Community Center Window Replacement Project is hereby accepted.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the North Elmwood Reconstruction project, 61st Street to 62nd Street, by Manatts, Inc of Brooklyn, Iowa with a final cost of \$217,053.03, CIP #35040. [Ward 2]

Recommendation:

Adopt the Resolution.

Background:

The existing concrete roadway was in bad repair. The concrete roadway had been built without a rock base and without underdrains. Several areas of the roadway had undermined over time.

The new roadway work installed underdrains, concrete curb and gutter, and a 6 inch asphalt driving surface on a 6 inch rock base. Improvements were also made to driveways and the sidewalk.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:29 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:30 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:58 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the North Elmwood Avenue Reconstruction project, 61st Street to 62nd Street, by Manatts, Inc Brooklyn, Iowa, CIP #35040.

WHEREAS, the City of Davenport entered into a contract with Manatts Inc, of Brooklyn, Iowa 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, Iowa that the North Elmwood Avenue Reconstruction project, 61st Street to 62nd Street, is hereby accepted.

Passed and approved this 13th day of January, 2021.

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Eric Gravert | 563-327-5125

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the Division Street Bridge Over Duck Creek Deck Replacement project by Helm Group Inc D/B/A Civil Constructors, Inc of Freeport, Illinois. The project was completed with a final contract amount of \$842,507.42, CIP #21004. [Ward 2 & 7]

Recommendation:

Adopt the Resolution.

Background:

Based on bridge inspections, completed biennially, a deck replacement or major rehabilitation was recommended. The project was funded through the Federal-aid Swap City Highway Bridge Program. Federal aid reimbursed the City for up to 80% of the eligible costs.

The project consisted of bridge deck replacement and structural steel and structural concrete repairs along with other miscellaneous minor repairs.

The project was completed in accordance with the City of Davenport and Iowa DOT requirements with a final amount of \$842,507.42 from account #21004.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:28 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:28 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 10:00 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting work completed under the Division Street Bridge Over Duck Creek Deck Replacement project by Helm Group Inc, D/B/A Civil Constructors, Inc of Freeport, Illinois.

WHEREAS, City of Davenport, Iowa entered into a contract with Helm Group Inc, D/B/A Civil Constructors, Inc. for the Division Street Bridge over Duck Creek Deck Replacement; 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 Division Street Bridge Over Duck Creek Deck Replacement project is hereby accepted.

Passed and approved this 13th day of January, 2021

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Jen Walker | 563-326-6168

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the 100 block of E 3rd Street Streetscaping project, CIP #35022. The total contract with Emery Construction Group, Inc is \$198,970.09. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

The project location was the south side of 3rd St between Brady St and the River Center Parking Ramp driveway. The scope of this streetscaping work was for concrete sidewalk and curb removal, new concrete curb and gutter, new concrete sidewalk providing ADA-compliant access to each building, brick pavers, tree wells, concrete planters, and ornamental street lights. Work has been satisfactorily completed by Emery Construction Group, Inc. (East Moline, IL).

Total project cost was \$198,970.09, which was funded primarily by Local Option Sales Tax proceeds. A portion of this cost is reimbursable by the Downtown Davenport Partnership and by adjacent property owners (Resolution 2020-277).

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:28 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:28 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:52 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

Resolved by the City Council of the City of Davenport.

RESOLUTION accepting work completed under the 100 block of E 3rd Street Streetscaping Project, CIP #35022.

WHEREAS, the City entered into contract with Emery Construction Group, Inc of East Moline, IL; and

WHEREAS, the project location was the south side of 3rd St between Brady St and the River Center Parking Ramp driveway; and

WHEREAS, the scope included concrete sidewalk and curb removal, new concrete curb and gutter, new concrete sidewalk providing ADA-compliant access to each building, brick pavers, tree wells, concrete planters, and ornamental street lights; and

WHEREAS, the final cost of the contract was \$198,970.09; 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 100 block of E 3rd Street Streetscaping Project is hereby formally accepted.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works - Admin
Contact Info: Jen Walker | 563-326-6168

Action / Date
1/13/2021

Subject:

Resolution accepting work completed under the City Hall North Wall Dewatering project, CIP #23047. The total contract with Emery Construction Group was \$182,533.64. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

This project mitigated a water infiltration problem in the northern portion of City Hall's basement. A drain tile placed below the elevation of the building's footing and backfilled with clean aggregate discharges to a new sump pit and is pumped into the nearby storm water system. The total project cost was \$182,533.64, which was funded by Government Bond proceeds.

ATTACHMENTS:

Type	Description
 Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:27 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:27 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:51 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting work completed under the City Hall North Wall Dewatering project, CIP #23047.

WHEREAS, the City entered into contract with Emery Construction Group of Moline, Illinois; and

WHEREAS, the project constructed an exterior drainage and pump system along the north wall of City Hall to alleviate infiltration of stormwater and groundwater; and

WHEREAS, the final cost of the contract was \$182,533.64; 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 City Hall North Wall Dewatering project be formally accepted.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
1/13/2021

Subject:

Resolution accepting work under the Kimberly and Division Intersection Improvements project completed by Valley Construction Company of Rock Island, Illinois in the amount of \$1,578,211.44, CIP #01793. [Wards 2 & 7]

Recommendation:

Adopt the Resolution.

Background:

The Kimberly and Division intersection was upgraded with a new storm water system, along with 10" of concrete pavement and additional and improved turn lanes on a new rock base with sub-drains.

ATTACHMENTS:

Type	Description
▯ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:29 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:29 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:54 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

Resolved by the City Council of the City of Davenport.

RESOLUTION accepting work performed under the Kimberly and Division Intersection Improvements project, completed by Valley Construction Company, Rock Island, Illinois, in the amount of \$1,578,211.44, CIP #01793.

WHEREAS, the City of Davenport entered into a contract with Valley Construction Company of Rock Island, Illinois 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, Iowa that the Kimberly and Division Intersection Improvements project is hereby accepted.

Passed and approved this 13th day of January, 2021.

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
1/13/2021

Subject:

Resolution accepting work performed under the FY 2020 Contract Sewer Repair Program by Hometown Plumbing and Heating Co of Davenport, Iowa, CIP #30044 and #33001. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This program repairs damages to sewer infrastructure by contract. All work has been satisfactorily completed. The total cost was \$675,335.46 paid from CIP #30044 and #33001.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/30/2020 - 5:11 PM
Public Works Committee	Moses, Trish	Approved	12/30/2020 - 5:11 PM
City Clerk	Admin, Default	Approved	12/31/2020 - 9:18 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION accepting work performed under the FY 2020 Contract Sewer Repair Program by Hometown Plumbing and Heating Co of Davenport, Iowa, CIP #30044 and #33001.

WHEREAS, the FY 2020 Contract Sewer Repair Program has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport that the work performed by Hometown Plumbing and Heating Co of Davenport, Iowa for the FY 2020 Contract Sewer Repair Program, having been satisfactorily completed, be and the same is hereby formally accepted with a final cost of \$675,335.46.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
1/13/2021

Subject:

Resolution approving the contract for the Blackhawk Creek Stabilization to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$619,792.50, CIP #33038. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on November 3, 2020 and sent to contractors. On November 20, the Purchasing Division opened and read eight (8) bids. See bid tab attached.

Five Cities Construction Company of Coal Valley, Illinois was the lowest responsive and responsible bidder. They have successfully performed work for the City in the past.

The proposed primary improvements for the Blackhawk Creek Stabilization Project consist of stabilizing the creek banks to prevent future erosion using various measures including grading, rip rap, fabric encapsulated soil lifts, modular block retaining wall, and vegetation establishment. Storm sewer improvements and erosion control are also included as part of the project.

We are awarding the Base Bid plus Alternate A. This work will be performed on the creek bank of Blackhawk Creek adjacent to (the eastern edge of) Indian Rd from Boies Ave to Eads St.

Funding for this project is from CIP #33038 funded by Clean Water.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution
▢ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/30/2020 - 5:10 PM
Public Works Committee	Moses, Trish	Approved	12/30/2020 - 5:11 PM
City Clerk	Admin, Default	Approved	12/31/2020 - 9:03 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Blackhawk Creek Stabilization project to Five Cities Construction Company of Coal Valley, Illinois in the amount of \$619,792.50 and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Blackhawk Creek Stabilization project; and

WHEREAS, Five Cities Construction Company of Coal Valley, Illinois 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. the contract for the Blackhawk Creek Stabilization project to Five Cities Construction Company of Coal Valley, Illinois is approved; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: BLACKHAWK CREEK STABILIZATION

BID NUMBER: 21-50

OPENING DATE: NOVEMBER 20, 2020

GL ACCOUNT NUMBER: 71043675 530350 33038

RECOMMENDATION: AWARD THE CONTRACT TO FIVE CITIES
CONSTRUCTION COMPANY OF COAL VALLEY IL

<u>VENDOR NAME</u>	<u>PRICE</u>
Five Cities Construction Company of Coal Valley IL	\$619,792.50
Brandt Construction Company of Milan IL	\$1,020,606.25
Haggerty Earthworks LLC of Muscatine IA	\$823,597.75
Langman Construction Inc of Rock Island IL	\$885,133.04
McClintock Trucking & Excavating of Silvis IL	\$775,045.25
McCarthy Improvement Company of Davenport IA	\$1,176,622.25
Miller Trucking & Excavating of Silvis, IL	\$995,705.00
SulzCO LLC of Muscatine IA	\$712,297.00

Approved By *Trish Keller* 12/7/2020
Purchasing Date

Approved By *Nicole Gleason* 12-7-2020
Dept. Director Date

Approved By *Brandi Coyle* 12-7-2020
Budget/CIP Date

Approved By *Mallory J. Merritt* 12/7/2020
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin
Contact Info: Jeff Holle | 563-888-2115

Action / Date
1/13/2021

Subject:

Resolution awarding a contract for the Aeration Compressor Controls Replacement project at Water Pollution Control Plant to Tri City Electric Co of Davenport, Iowa in the amount of \$132,105. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

A request for proposals was issued on October 6, 2020, and sent to contractors. On November 5, 2020, the Purchasing Division opened and read three proposals. See Tabulation.

This request for proposals (RFP) is to provide a new control system for the City of Davenport WPCP 600 HP centrifugal aeration compressors. RFP shall include engineering a new system, hardware, software, new PC touch screen PC for HMI (human machine interface), HMI screen development including minimum of 12 new screens, installation, startup, training, and incidentals to complete a full replacement of the aeration compressor controls system at the Water Pollution Control Plant (WPCP).

Three responsive and responsible proposals were submitted. The proposals were scored on the following criteria: 1) Proposed pricing - 34%, 2) Qualifications, Experience on similar equipment - 33%, and 3) Quality and thoroughness of proposal - 33%. Tri City Electric Co scored the highest overall.

Funding for this project is from account #51151975 520226 WPCP Maintenance - Machinery & Equipment. This is from the WPCP Sewer Fees.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	12/30/2020 - 5:08 PM
Public Works Committee	Moses, Trish	Approved	12/30/2020 - 5:10 PM
City Clerk	Admin, Default	Approved	12/31/2020 - 9:10 AM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Aeration Compressor Controls Replacement at the Water Pollution Control Plant (WPCP) to Tri City Electric Co of Davenport, Iowa in the amount of \$132,105, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Aeration Compressor Controls Replacement at WPCP project; and

WHEREAS, Tri City Electric Co of Davenport, Iowa scored the highest on their evaluation.

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

1. the contract for the the Aeration Compressor Controls Replacement at the WPCP to Tri City Electric Co of Davenport, Iowa is approved; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: AERATION COMPRESSOR CONTROLS REPLACEMENT AT
WPCP

BID NUMBER: 21-38

OPENING DATE: NOVEMBER 15, 2020

GL ACCOUNT NUMBER: 51151975 520226

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

<u>VENDOR NAME</u>	<u>LOCATION</u>
Tri City Electric Co.	Davenport IA
Baker Group	Davenport IA
Energy Control Technologies	Urbandale IA

Approved By Krista Keller 12-30-2020
Purchasing Date

Approved By Nicole Gleason 12-30-2020
Dept. Director Date

Approved By Maureen J. Murray 12-30-2020
Budget/CIP Date

Approved By Maureen J. Murray 12/30/2020
Chief Financial Officer Date

City of Davenport

Department: Public Works - Admin

Contact Info: Robb Macdougall | 563-326-7909

Action / Date

1/13/2021

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Fire Training Center at Public Works, CIP #23048. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

Previous sale of the former Wacky Waters property prompted the need to establish a new Fire training site within the City limits. After extensive site research, it was decided to utilize existing property at the Davenport Public Works Facility, 1200 East 46th Street. Contracts related to site preparation (clearing, grading, utility extension, and constructing two foundations) and moving two existing training structures have previously been approved.

The proposed Fire Training Center Classroom Facility constructs a new 1,825 square foot building with an adjoining 738 square foot shelter. This building will be used for classroom training by the Davenport Fire Department. The current project estimate is \$280,000.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Exhibit	Location Map

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:29 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:29 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 9:56 AM

Resolution No. _____

Resolution offered by Alderman Dunn

Resolved by the City Council of the City of Davenport.

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Fire Training Center at Public Works, CIP #23048.

WHEREAS, the City of Davenport previously completed site clearing, grading, utility work, and foundation work at the Davenport Public Works rear yard in preparation for said Fire Training Center; and

WHEREAS, the City of Davenport currently has an approved contract to move two existing training structures from the former Wacky Waters site to the Davenport Public Works yard; and

WHEREAS, on the 23rd day of December, 2020, plans, specifications, form of contract, and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the City of Davenport Fire Training Center; and

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, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for said City of Davenport Fire Training Center.

Passed and approved this 13th day of January, 2021.

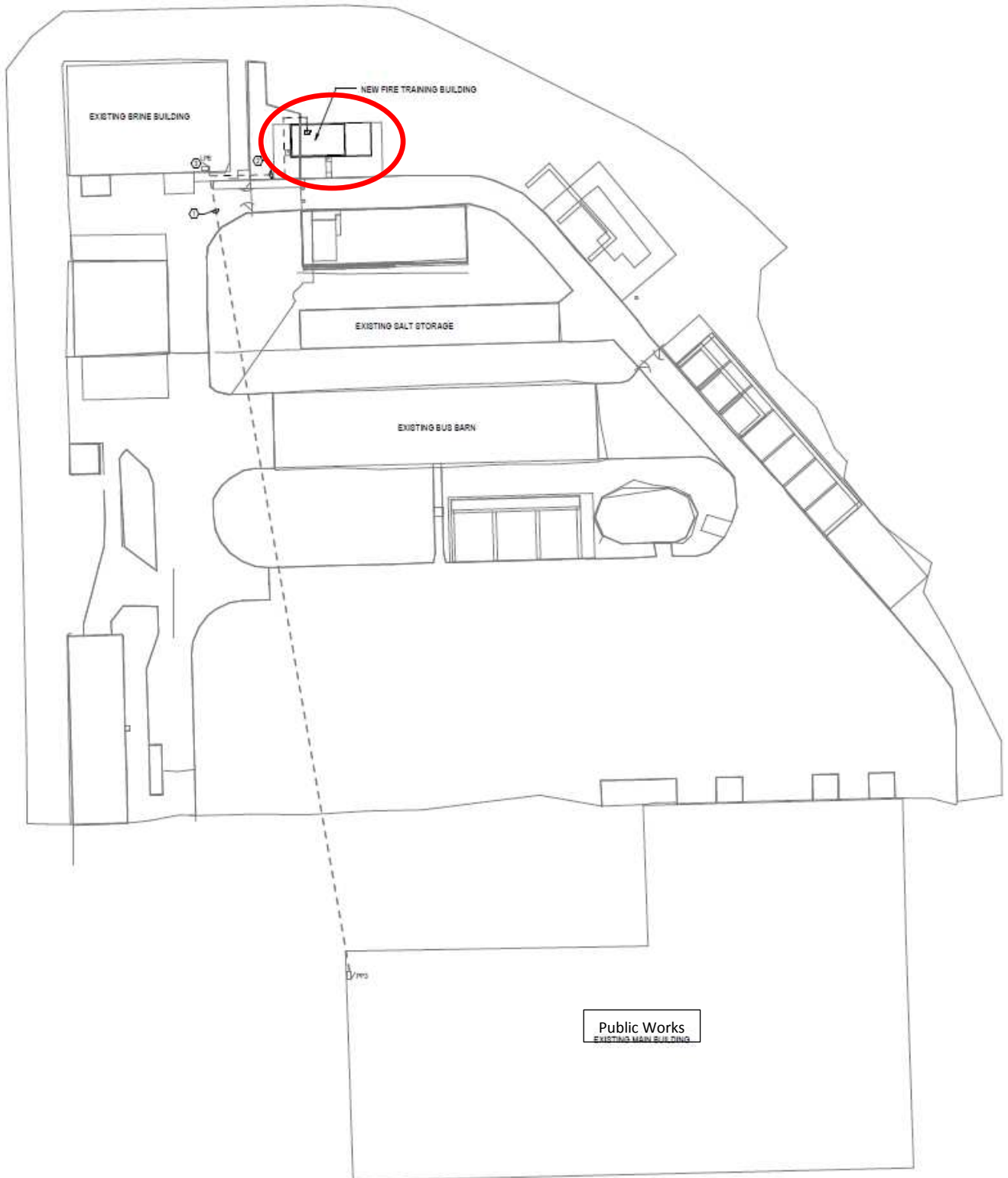
Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Location of Proposed New Fire Training Building at Public Works



City of Davenport

Department: Finance
Contact Info: Mike Atchley | 563-327-5149

Action / Date
1/13/2021

Subject:

Resolution setting a Public Hearing to convey City-owned property adjacent to the Brady Street Bridge over Duck Creek, Iowa Department of Transportation Number NHSN-461-1(10)--2R-82. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

In 2023 the Iowa Department of Transportation will be replacing the Brady Street Bridge over Duck Creek with a continuous concrete slab bridge. There will be a new 5 foot sidewalk on the east side and a new 11' 8" sidewalk on the west side. The multi-use recreational path will be closed east and west of the bridge and rerouted along George Washington Blvd. during construction. The IDOT is asking to convert the existing 10,571 square feet of bridge easement to fee title right-of-way, an additional 586 square feet of land along the west side of the bridge to be acquired by Fee Title and 35,271 square feet of temporary construction easement. The appraisal for the 586 square feet of fee title taking and the 35,271 square feet of temporary construction easement, came in at \$1,800. No value was given to the existing bridge easement to be converted to fee title right-of-way. Staff recommends that the takings be granted at no cost because of the mutual benefit of a new, safer bridge and a portion of the multi-use recreational path within the temporary construction easement will be removed and replaced with concrete and the access path from Brady Street to the existing bike path will be shifted slightly to the south and replaced with concrete.

The Public Hearing will be held on Wednesday, January 20, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Public Hearing Notice
▣ Cover Memo	Aerial-East Side Taking
▣ Cover Memo	Aerial-West Side Taking

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/29/2020 - 2:44 PM
Finance Committee	Merritt, Mallory	Approved	12/29/2020 - 2:45 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 10:56 AM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting the date to hold a Public Hearing to convey City-owned property adjacent to the Brady Street Bridge over Duck Creek.

WHEREAS, the City of Davenport owns property adjacent to the Brady Street Bridge over Duck Creek described as follows:

A part of a parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, described in Book 213, Page 142 in the office of the Scott County Recorder, as shown on the Acquisition Plat Exhibit "A-1 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southwest Corner of said Section 13; thence N 00° 28' 40" E, 253.44 feet along the west line of the Southwest Quarter of the Southwest Quarter of said Section 13 to the northerly line of the presently established East George Washington Boulevard and the southerly line of a certain parcel of land described in Book 213, Page 142 in the office of the Scott County Recorder; thence N 89° 37' 41" E, 627.31 feet along said southerly line to the presently established westerly Right-of-Way line of Primary Road No IA. 461 (Brady Street) to the Point of Beginning; thence N 10° 29' 02" E, 120.30 feet along said westerly Right-of-Way line; thence N 79° 32' 41" W, 6.49 feet; thence N 10° 27' 19" E, 90.00 feet; thence S 79° 32' 41" E, 6.53 feet to the presently established westerly Right-of-Way line of Primary Road No IA. 461 (Brady Street); thence N 10° 29' 02" E, 25.41 feet along said westerly Right-of-Way line to the northerly line of a certain parcel of land described in Book 213, Page 142 and the southerly line of a certain parcel of land described in Document No. 18560-80 in the office of the Scott County Recorder; thence S 79° 27' 36" E, 42.22 feet along said northerly line to the easterly line of said parcel of land described in Book 213, Page 142; thence southwesterly

228.47 feet along said easterly line along a 3790.00 foot radius curve concave westerly having a long chord of 228.44 feet bearing S 11° 33' 34" W to the northerly line of the presently established East George Washington Boulevard and the southerly line of a certain parcel of land described in Book 213, Page 142 in the office of the Scott County Recorder; thence S 89° 37' 41" W, 38.62 feet along the said southerly line to the Point of Beginning, containing 10,140 square feet, more or less, including 9,553.85 square feet, more or less within the presently established Right-of-Way.

Note: The west line of the Southwest Quarter of the Southwest Quarter of said Section 13 is assumed to bear N 00° 28' 40" E.

AND

A parcel of land located in Outlot "A" of Fisher and Fisher Fourth Addition to the City of Davenport, Iowa, a part of the Southwest Quarter of Section 13, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, described in Miscellaneous Book 115, Page 528 in the office of the Scott County Recorder, as shown on Acquisition Plat Exhibit "A-2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at a found half inch ($\frac{1}{2}$ ") pipe located on the southerly line of said Outlot "A" and the Northeast Corner of a certain parcel of land as described in Document No. 2015-3394, in the office of the Scott County Recorder; thence S 87° 45' 37" W, 303.66 feet along the southerly line of said Outlot "A" to the presently established easterly Right-of-Way line of Primary Road No. IA. 461 (Brady St) to the Point of Beginning; thence S 87° 45' 37" W, 7.74 feet along said southerly line of Outlot "A" to the westerly line of said Outlot "A"; thence northeasterly 142.69 feet along said westerly line of Outlot "A" along a 3850.00 foot radius curve concave westerly having a long chord of 142.68 feet bearing N 10° 53' 17" E to the northerly line of said Outlot "A"; thence N 89° 46' 30" E, 7.62 feet along said northerly line of Outlot "A" to the presently established easterly Right-of-Way line of Primary Road No. IA. 461 (Brady St); thence 142.40 feet along said easterly Right-of-Way line along a 3303.03 foot radius curve concave westerly having a long chord of 142.39 feet bearing S 10° 51' 51" W to the southerly line of said Outlot "A" to the Point of Beginning, containing 1,017 square feet, more or less within the presently established Right-of-Way.

Note: The southerly line of Outlot "A" is assumed to bear S 87° 45' 37"

W. AND THE RIGHTS, TITLE, CLAIM, INTEREST, IF ANY, GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

All rights of direct access between Primary Road No. IA 461 and grantor's property abutting thereon in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T78N, R3E, Scott County, Iowa, from Sta. 2004+04± (Property Line) to Sta. 2005+48± (Property Line), on the east side and from Sta. 2003+31± (Property Line) to Sta. 2005+55± (Property Line), on the west side; and

WHEREAS, this property is necessary for the replacing of the Brady Street Bridge over Duck Creek in 2023; and

WHEREAS, this is a mutual benefit for the City of Davenport.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport to hold a Public Hearing for Wednesday, January 20, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall to convey the above City-owned property adjacent to the Brady Street Bridge over Duck Creek to the State of Iowa.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that there is now on file in the office of the Clerk of the City of Davenport, Iowa, Sale of Real Property and Delivery of Conveyance Resolution No. _____, under and by virtue of which it is proposed to convey the following described real estate:

THE RIGHTS, TITLE, CLAIM, INTEREST, IF ANY, GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

A part of a parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 13, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, described in Book 213, Page 142 in the office of the Scott County Recorder, as shown on the Acquisition Plat Exhibit "A-1 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southwest Corner of said Section 13; thence N 00° 28' 40" E, 253.44 feet along the west line of the Southwest Quarter of the Southwest Quarter of said Section 13 to the northerly line of the presently established East George Washington Boulevard and the southerly line of a certain parcel of land described in Book 213, Page 142 in the office of the Scott County Recorder; thence N 89° 37' 41" E, 627.31 feet along said southerly line to the presently established westerly Right-of-Way line of Primary Road No IA. 461 (Brady Street) to the Point of Beginning; thence N 10° 29' 02" E, 120.30 feet along said westerly Right-of-Way line; thence N 79° 32' 41" W, 6.49 feet; thence N 10° 27' 19" E, 90.00 feet; thence S 79° 32' 41" E, 6.53 feet to the presently established westerly Right-of-Way line of Primary Road No IA. 461 (Brady Street); thence N 10° 29' 02" E, 25.41 feet along said westerly Right-of-Way line to the northerly line of a certain parcel of land described in Book 213, Page 142 and the southerly line of a certain parcel of land described in Document No. 18560-80 in the office of the Scott County Recorder; thence S 79° 27' 36" E, 42.22 feet along said northerly line to the easterly line of said parcel of land described in Book 213, Page 142; thence southwesterly 228.47 feet along said easterly line along a 3790.00 foot radius curve concave westerly having a long chord of 228.44 feet bearing S 11° 33' 34" W to the northerly line of the presently established East George Washington Boulevard and the southerly line of a certain parcel of land described in Book 213, Page 142 in the office of the Scott County Recorder; thence S 89° 37' 41" W, 38.62 feet along the said southerly line to the Point of Beginning, containing 10,140 square feet, more or less, including 9,553.85 square feet, more or less within the presently established Right-of-Way.

Note: The west line of the Southwest Quarter of the Southwest Quarter of said Section 13 is assumed to bear N 00° 28' 40" E.

AND

A parcel of land located in Outlot "A" of Fisher and Fisher Fourth Addition to the City of Davenport, Iowa, a part of the Southwest Quarter of Section 13, Township 78 North, Range 3 East of the 5th P.M., Scott County, Iowa, described in Miscellaneous Book 115, Page 528 in the office of the Scott County Recorder, as shown on Acquisition Plat Exhibit "A-2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at a found half inch (½") pipe located on the southerly line of said Outlot "A" and the Northeast Corner of a certain parcel of land as described in Document No. 2015-3394, in the office of the Scott County Recorder; thence S 87° 45' 37" W, 303.66 feet along the southerly line of said Outlot "A" to the presently established easterly Right-of-Way line of Primary Road No. IA. 461 (Brady St) to the Point of Beginning; thence S 87° 45' 37" W, 7.74 feet along said southerly line of Outlot "A" to the westerly line of said Outlot "A"; thence northeasterly 142.69 feet along said westerly line of Outlot "A" along a 3850.00 foot radius curve concave westerly having a long chord of 142.68 feet bearing N 10° 53' 17" E to the northerly line of said Outlot "A"; thence N 89° 46' 30" E, 7.62 feet along said northerly line of Outlot "A" to the presently established easterly Right-of-Way line of Primary Road No. IA. 461 (Brady St); thence 142.40 feet along said easterly Right-of-Way line along a 3303.03 foot radius curve concave westerly

having a long chord of 142.39 feet bearing S 10° 51' 51" W to the southerly line of said Outlot "A" to the Point of Beginning, containing 1,017 square feet, more or less within the presently established Right-of-Way.

Note: The southerly line of Outlot "A" is assumed to bear S 87° 45' 37" W.

AND

THE RIGHTS, TITLE, CLAIM, INTEREST, IF ANY, GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

All rights of direct access between Primary Road No. IA 461 and grantor's property abutting thereon in the SW¼ SW¼ , Sec. 13, T78N, R3E, Scott County, Iowa, from Sta. 2004+04± (Property Line) to Sta. 2005+48± (Property Line), on the east side and from Sta. 2003+31± (Property Line) to Sta. 2005+55± (Property Line), on the west side.

to the STATE OF IOWA for MUTUAL BENEFIT and Other Valuable Considerations in connection with its improvement of Primary Road No. IA 461.

Said Resolution and proposal to sell and convey said real estate will come up for public hearing before the Council of the City of Davenport, Iowa, on the 20th day of January, 2021, commencing at 5:30 P.M., Local Time, or as soon thereafter as the matter can be considered. Said Resolution, proposed Purchase Agreement and Quitclaim Deed are now on file in the office of the Clerk of the City of Davenport, Iowa.

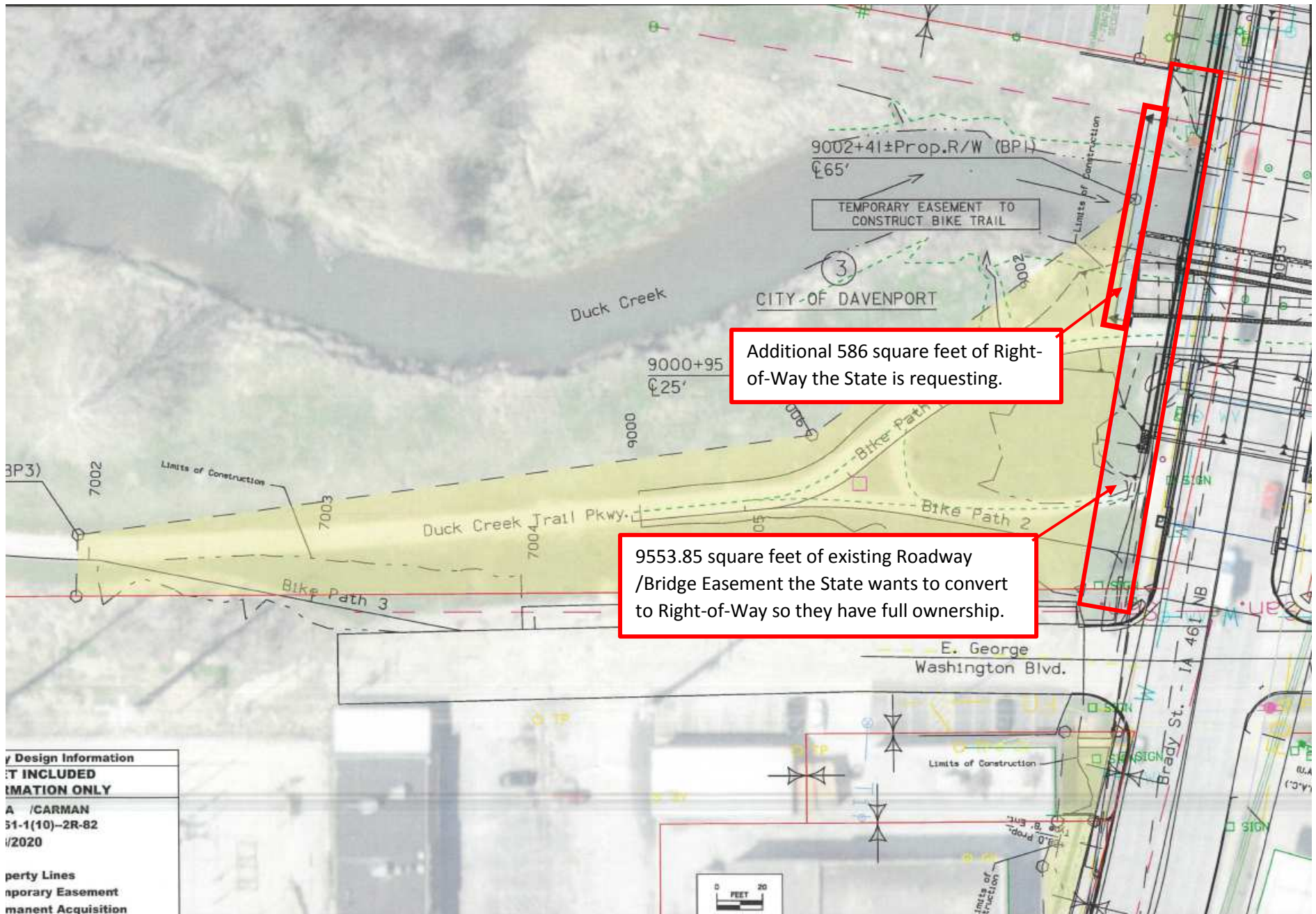
For further particulars, see said Resolution, and proposed Purchase Agreement and Quitclaim Deed now on file.

CITY OF DAVENPORT, IOWA

Brian J. Krup,
Deputy City Clerk

Davenport, Iowa
January 14, 2021

Publish once January 14, 2021
QUAD-CITY TIMES



City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
1/13/2021

Subject:

Resolution setting a Public Hearing for the FY 2022 proposed maximum property tax levy rate and amount. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

This resolution sets a Public Hearing for Wednesday, February 3, 2021 at 5:30 p.m. at the Committee of the Whole meeting for the purpose of receiving public comment on the City of Davenport's proposed maximum property tax levy rate and amount for the FY 2022 Budget. The public is invited to attend the Public Hearing.

ATTACHMENTS:

Type	Description
▯ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/30/2020 - 11:30 AM
Finance Committee	Merritt, Mallory	Approved	12/30/2020 - 11:30 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:10 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 FY 2022 proposed maximum property tax levy rate and amount.

WHEREAS, a Public Hearing is required for the purpose of receiving public comment on the City of Davenport's proposed maximum property tax levy rate and amount for the FY 2022 Budget.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Davenport that the Public Hearing for the FY 2022 proposed maximum property tax levy rate and amount will be Wednesday, February 3, 2021 at 5:30 p.m. at the Committee of the Whole meeting.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Chief Carlsten | 563-326-7942

Action / Date
1/13/2021

Subject:

Resolution approving the purchase and installation of the new county-wide alerting system for all Davenport Fire Stations from RACOM of Marshalltown, Iowa in the amount of \$298,680.72, CIP #23051. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The first part of this project was installing data cabling and electrical. That work is being completed by Tri-City Electric and was approved by Council on October 28, 2020. The next phase of this project is purchasing the alerting equipment from RACOM. Scott County is upgrading the entire County radio system from EDACS to P25. The upgrade will render our current fire station alerting system obsolete and inoperable.

This purchase will have several benefits for the Fire Department. The most important aspect is the new alerting system will be compatible with the new radio system. Additionally, the new alerting system will feature an automated voice for pre-dispatching purposes. The pre-dispatch helps get Fire personnel enroute to an emergency call before all the dispatch information is available. The automated feature allows the dispatcher to stay on the phone with the complainant, and provides a clear consistent voice for the responders. The system also provides additional information on a television screen for the responders, including mapping to assist in rapid response. The system has improved acoustics in the station and more modern alert tone equipment.

Funding for this project is from CIP #23051 Fire Stations Alerting Upgrade. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/29/2020 - 2:44 PM
Finance Committee	Merritt, Mallory	Approved	12/29/2020 - 2:44 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:10 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase and installation of the new County-wide alerting system for all Davenport Fire Stations from RACOM of Marshalltown, Iowa and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City of Davenport needs to purchase and have installed the new County-wide alerting system for all Fire Stations; and

WHEREAS, RACOM of Marshalltown, Iowa has the contract through the Scott County Emergency Communications Center.

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

1. the purchase and installation of the new County-wide alerting system for all Davenport Fire Stations from RACOM of Marshalltown, Iowa is approved, and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance
Contact Info: Sarah Ott | 563-326-6167

Action / Date
1/13/2021

Subject:
Resolution adopting the City of Davenport's 2021 State Legislative Program. [All Wards]

Recommendation:
Adopt the Resolution.

Background:

For the 2021 state legislative session, the City of Davenport has prepared a legislative packet in which the City will take formal positions on issues as directed by the City Council through the adoption of this packet. Staff has prepared formal position papers on eight areas that are of importance to the City, including: SF295 and the commercial backfill, automatic traffic enforcement cameras, tax increment financing, landbanks, WPCP flood protection funding, juvenile assessment center creation, public safety nuisances, and a public safety levy. In addition, the City of Davenport supports the preservation of local control by the State on all matters that impact the City.

As part of the 2021 legislative strategy, staff has coordinated delegation meetings to discuss the City's legislative priorities. Legislative updates will be distributed as needed to the City Council throughout the legislative session to keep the City Council abreast of current and upcoming issues that may need further discussion. Additionally, Management and Mayor/Council Discussion meetings may be used as a further forum to ask clarifying questions or request more information on a given topic. The proposed platform serves as only a base, and the City will stay engaged as new topics arise during the session.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	2021 Legislative Packet

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Merritt, Mallory	Approved	12/29/2020 - 2:42 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:21 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting the City of Davenport's 2021 State Legislative Program.

WHEREAS, the City of Davenport has identified several legislative issues as priorities in advance of the 2021 state legislative session in Des Moines; and

WHEREAS, the City of Davenport intends to encourage state legislators to introduce and adopt legislation in accord with said identified legislative priorities; and

WHEREAS, the City of Davenport supports the preservation of local control by the State on all matters that impact the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City of Davenport, through its elected officials, staff, and lobbyists are authorized to conduct, engage in, and carry on actions with Iowa state legislators in order to put into effect the City of Davenport's 2021 legislative priorities.

Passed and approved this 13th day of January, 2021.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



ISSUE PAPER 21-01 | Tax Increment Financing

December 1, 2020 (S. Knutsen & N. Lemke)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport utilizes Tax Increment Financing (TIF) to incent businesses that are making a large capital investment and creating new jobs in Davenport and/or reversing blight in areas needing redevelopment. TIF has been consistently targeted by the state legislature in past sessions for modification. The City of Davenport, and the developers and businesses that invest in our City, would be directly impacted by any legislation that seeks to further regulate the use of TIF.

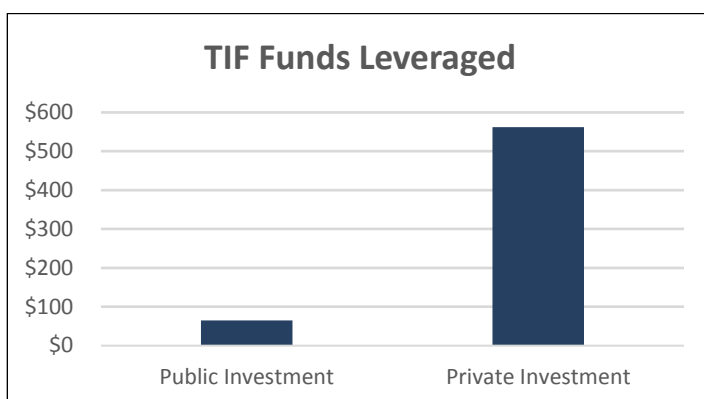
Iowa Code 403 allows for municipalities to use Tax Increment Financing (TIF) for a variety of economic development purposes. Davenport utilizes TIF for projects with significant job creation and capital investment. Davenport's standard TIF agreement provides companies with a 60% rebate over 15 years. Since 2009, every dollar spent in TIF has leveraged \$8.60 in private investment, resulting in over \$562M in development in Davenport. In addition, over 1,558 jobs have been created through projects supported with TIF.

In a globally competitive world, TIF helps position the City of Davenport and the State of Iowa as a business-friendly place to do business. Davenport uses economic development agreements to help existing businesses expand and thrive in Iowa. Over the past 10 years, 10 out of 11 projects were used to assist existing business expansions.

The City of Davenport consults with local taxing jurisdictions as required by Iowa Code before utilizing TIF for a new project or expanding an Urban Renewal Area. Davenport actively engages in this process and provides taxing jurisdictions information about all projects being considered for TIF. The City does not support any legislation that would give the State or other taxing jurisdictions authority over how the City utilizes TIF.

RELEVANT DATA

Exhibit 1: Private investment leveraged as a result of public TIF investment since 2009.



OPERATIONAL/FISCAL IMPACTS

Over the past 10 years the City has seen over 1,558 jobs created and \$562M in capital investment in projects assisted by TIF. This capital investment has a direct effect on increasing the City's tax base and has led to an increase in assessed value of over \$176M. This will result in over \$5.9M in annual property taxes once the TIF payment schedules are complete. All other taxing jurisdictions benefit from development incented with TIF as the City only rebates a portion of the increment back to projects, meaning that all taxing jurisdictions see a net gain in property tax revenue.

Any legislation that seeks to limit municipalities' use of TIF would have substantial impacts on cities and potential economic development. The dexterity to rebate a portion of a growing company's property taxes or to utilize some of the property tax revenue stream to create infrastructure improvements is a critical tool in the race for business growth. The City of Davenport partners with the State of Iowa Economic Development Authority for the creation of new high-quality jobs within primary job sectors. A part of the requirement for the State's High Quality Jobs program is to match a portion of the State's award. The TIF program is one manner in which cities can meet this requirement.

REQUESTED ACTIONS

Oppose any legislation that may arise that seeks to limit the City's ability to use Tax Increment Financing, allowing it to be a flexible and powerful tool for business retention and attraction.



ISSUE PAPER 21-02 | WPCP FLOOD PROTECTION MEASURES

December 1, 2020 (C. Merritt & B. Schadt)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport's Water Pollution Control Plant (WPCP) is one of the largest regional wastewater treatment facilities in the State of Iowa, serving the cities of Davenport, Bettendorf, Riverdale, and Panorama Park. The plant treats domestic, commercial, and industrial wastewater through primary and secondary treatments with composting of bio-solids produced at an adjacent compost facility. On average, the plant treats 39.7 million gallons per day.

Located in the far west end of Davenport, the facility was constructed on high ground adjacent to the Mississippi River, just above the 100-year flood level. However, accessing the facility becomes a challenge as the nearby roadways become inundated with floodwaters within three feet of a 100-year flood. Depending on river levels, staff have to be safely transported in and out of the facility with large-scale vehicles or boats. In addition, flooding events along the Mississippi River have become more frequent in duration and size, with five of the top ten registered crests occurring since 2011.

In 2020, the City completed an engineering study that identified solutions that would protect this critical regional asset up to a 500-year flood event, plus an additional three feet. This will protect the plant to a 28.5 foot flood stage; this is in line with Federal Emergency Management's best practices for the protection of critical facilities. These solutions include the construction of a berm system and raising adjoining roadways to create a physical barrier around the plant, along with the installation of two pumping stations to handle interior drainage and assist with peak flows/disinfection of influent treatment during high water events. Listed below is the phased buildout of the mitigation plan and their respected approximate cost.

Phase I - Southern Flood Protection & Interior/Bypass Pumping Stations | \$12,460,035

Phase II – Northern Flood Protection | \$2,053,429

Phase III – Access Road Improvements to Reach Facilities | \$5,522,328

Total Project Cost | \$20,035,792

OPERATIONAL/FISCAL IMPACTS

In 2019, the Mississippi River reached a record high level of 22.7 feet; at 23.5 feet, the City would have had to evacuate staff as parts of the facility becomes inundated with floodwaters at 24.0 feet. In this event, infrastructure would become damaged and the operational capabilities of the plant, during and after the flood event, are compromised. The treatment facility serves an estimated total

population of 139,216 which includes 47,455 homes; 6,105 commercial properties; and 48 industrial sites.

The Quad Cities Chamber of Commerce recently performed an economic impact summary on the top 11 industrial users served by this facility. Those 11 businesses employ 9,272 individuals with an annual personal income totaling \$688 million. The value of the industrial output of these 11 companies annually is \$5.8 billion. The analysis states that a one week full-shutdown would have a \$126 million impact on direct personal income and industrial output. A one month full shutdown rises to an impact of \$547 million on direct personal income and industrial output. In order to ensure business continuity throughout the area, these critical public assets must be protected to a higher level against flooding from North America's largest waterway.

In July 2020, the City of Davenport submitted a grant request to the Economic Development Administration (EDA) for their 2019 Disaster Program to assist with funding the engineering and construction cost for the Phase I portion of the project. This phase has been identified as the highest need due to its close proximity to the Mississippi River. If the City is successful with the application, it will be awarded \$9,968,028 in federal funding and match that with \$2,492,007 of local funds.

RELEVANT IMAGERY

EXHIBIT 1 & 2: The images listed below were taken on May, 2, 2019 by the Iowa Civil Air Patrol. It was on this day that the Mississippi River reached its highest recorded crest at the Rock Island Arsenal gauge. The photos illustrate the close proximity between the wastewater treatment facility and the expanded Mississippi River.





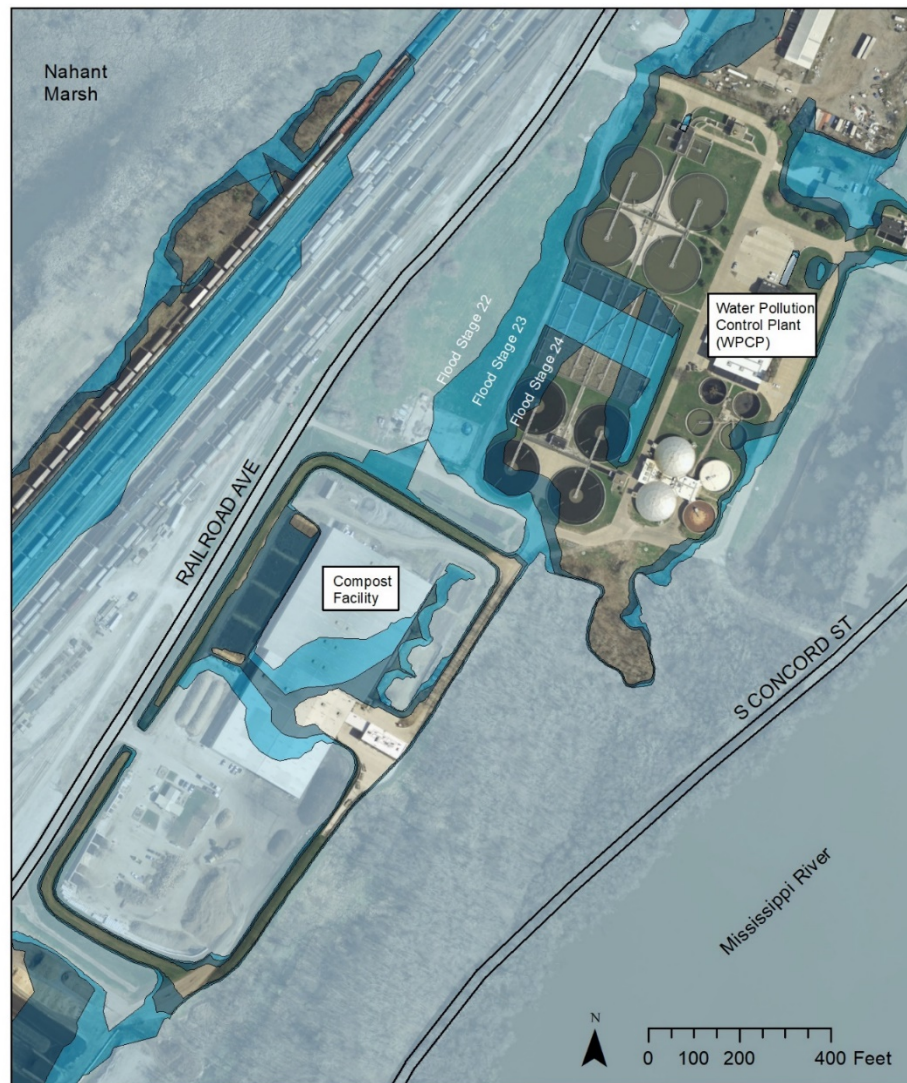
EXHIBIT 3: This map indicates the flood inundation levels surrounding the City's wastewater and composting facilities. Flood stages 22, 23, and 24 are shown to illustrate how flood waters would impact and affect these buildings without any protection measures. As shown in Exhibit #2, the composting facility, located in the bottom right hand portion of the photograph, is protected by an earthen berm; this berm protects the buildings up to river level 24.0. Meanwhile, the inundation modeling provided in Exhibit 3 portrays an accurate reflection of river level 22 shown in Exhibit 1. If river levels rise to 23 feet or higher, the integrity of the facility is threatened.

City of Davenport

Water Pollution Control Plant & Compost Facility
Flood Stage 22', 23', and 24'

Aproximate Flood Inundation

- Flood Stage 22
- Flood Stage 23
- Flood Stage 24



REQUESTED ACTIONS

Support funding opportunities at the federal and state levels to assist the cities of Davenport, Bettendorf, Riverdale, and Panorama Park in protecting critical public assets against natural disasters. This infrastructure plays a key role in the preservation and growth of the region. Pending a successful EDA grant application, the City seeks assistance for the funding of Phase II and III.



ISSUE PAPER 21-03 | Automated Traffic Enforcement Cameras

December 1, 2020 (S. Ott)

STATEMENT OF ISSUE & BACKGROUND

In past legislative sessions, there have been several bills proposed in the Iowa Senate aiming to prohibit or regulate the placement and use of all automated traffic enforcement (ATE) systems throughout the State. It is expected that these legislative proposals will continue to be made during the 2021 legislative session.

The City of Davenport would be directly affected by ATE prohibition legislation as the City utilizes this technology along its primary highway system for both red-light enforcement at three signalized intersections and speed enforcement along two urban arterials. Red-light citations are issued to drivers who are completely behind the stop bar when the signal turns red and still proceed through the intersection. Speed violation citations are issued to drivers who exceed the speed limit by 12 mph or more. All infractions are reviewed by a Davenport Police Department sworn officer or by a trained Community Services Specialist prior to the issuance of a citation. Additionally, it should be noted that all camera placement locations are clearly marked with signage, and all cameras are calibrated once per month to ensure measurement accuracy. The City's use of ATE cameras has shown to reduce the annual number of crashes where these cameras are located.

In 2018, the Iowa Supreme Court issued multiple rulings in regards to ATE cameras. First, the court ruled that the Iowa DOT lacked authority to turn off or remove cameras, which opened the door for cities to operate ATE programs under their own rules. Then, the court ruled that cities could not impose liability for ATE camera violation without filing a municipal infraction. Davenport and other Iowa ATE communities do not use the municipal infraction process for ATE violations because of the significant impact that tens of thousands of tickets would have on county courts. Iowa Code already carves out an exception for a comparable ticket type: parking tickets. Iowa Code 321.236 permits liability to be imposed on parking violations outside of the municipal infraction process. The City of Davenport asserts that it is in the best interest of efficient police departments, city governments, county governments, and ATE violators to have similar language authorizing the collection of uncontested ATE fines by city clerks.

Rather than banning the use of ATE cameras, or undermining the financial penalty or deterrent with the municipal infraction process, the City of Davenport supports legislation that will create uniformity in the use of ATE cameras and the collection of fines across the State. The City supports enabling legislation that includes the following:

- A prohibition of placement of ATEs on interstates
- Uniform threshold requirements, including a minimum speed in excess of 12 MPH over the posted speed limit and uniform seconds delay after a light change
- A uniform violation process that includes the ability for ATE violations to be handled outside the municipal infraction process

RELEVANT DATA

EXHIBIT 1: Exhibit 1 illustrates the average annual crashes for ATE camera intersections.

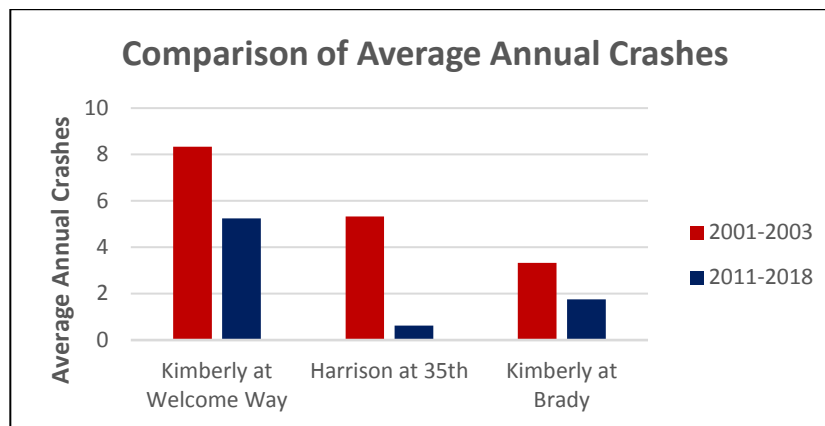


EXHIBIT 2: Exhibit 2 illustrates the average speed at ATE camera locations.

Speed Camera Location	Speed Limit	Median Speed
Brady Street (Near Columbia)	35 mph	35.1 mph
River Drive (Near College)	40 mph	38.8 mph
Kimberly & Brady	35 mph	38.2 mph
Kimberly & Welcome Way	35 mph	34.6 mph
Harrison & 35th	35 mph	36.2 mph

OPERATIONAL/FISCAL IMPACTS

If ATEs are prohibited, it would have substantial operational and fiscal impacts. Operationally, enforcement in the current ATE areas would need to be substantially increased, and fewer resources would be available to increase the enforcement. Statistically, crashes would increase and require an increased response and investigation by other public safety entities such as Davenport Fire and MEDIC EMS.

Additionally, the City of Davenport budgets an estimated revenue amount of \$600K in the General Fund from the collection of automated traffic enforcement citations, a decrease from last year's budget of \$1.1M as a result of the municipal infraction ruling. Approximately 65% of the City's General Fund revenue supports public safety. Related thereto, this revenue budgeted from ATE revenue directly supports the Police Department's operations and is equivalent to approximately 16 Police Officer salaries within the Department.

REQUESTED ACTIONS

Support legislation that creates uniformity in the use of ATE cameras.

Support legislation that enables a change to impose liability for failure to contest citations within a specified window.

Oppose any bills that are presented as complete bans on all automated traffic enforcement systems due to their connection with reducing crashes and speeds.



ISSUE PAPER 21-04 | SF 295 Commercial Backfill

December 1, 2020 (M. Murray)

STATEMENT OF ISSUE & BACKGROUND

In 2013, the State of Iowa adopted Senate File (SF) 295 which reformed the property tax structure in Iowa. The legislation reduced the commercial rollback from 100% to 90% and created a new multi-residential category that reduced multi-residential properties from 100% to a phased in rollback equal to the residential rollback. The State pledged to make cities whole through FY 2017 and would appropriate backfill monies each year after that.

RELEVANT DATA

EXHIBIT 1: This exhibit highlights three locations within the City of Davenport where calls for police and fire services are the most concentrated from January 1, 2020 through October 31, 2020.

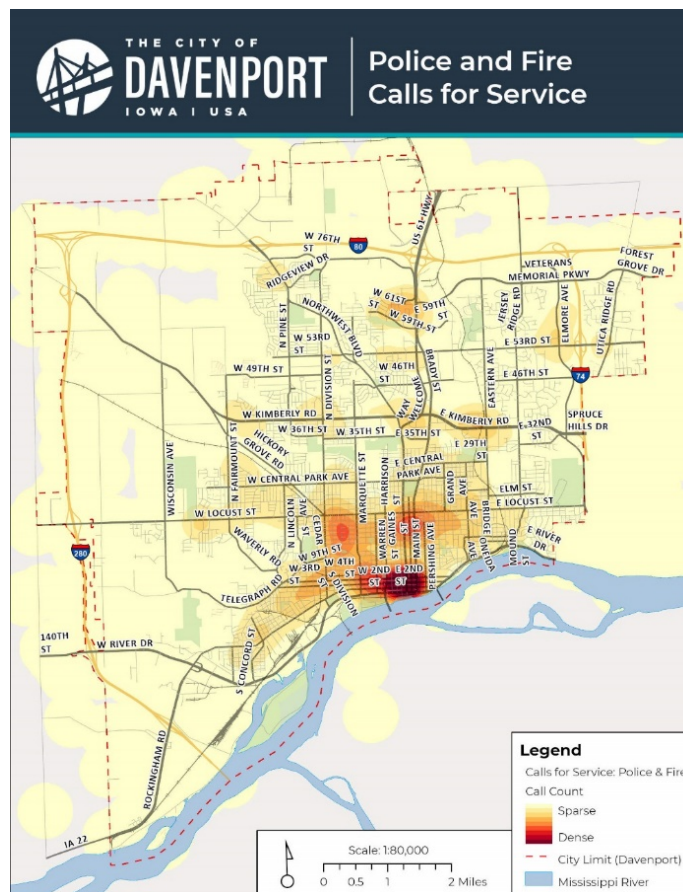
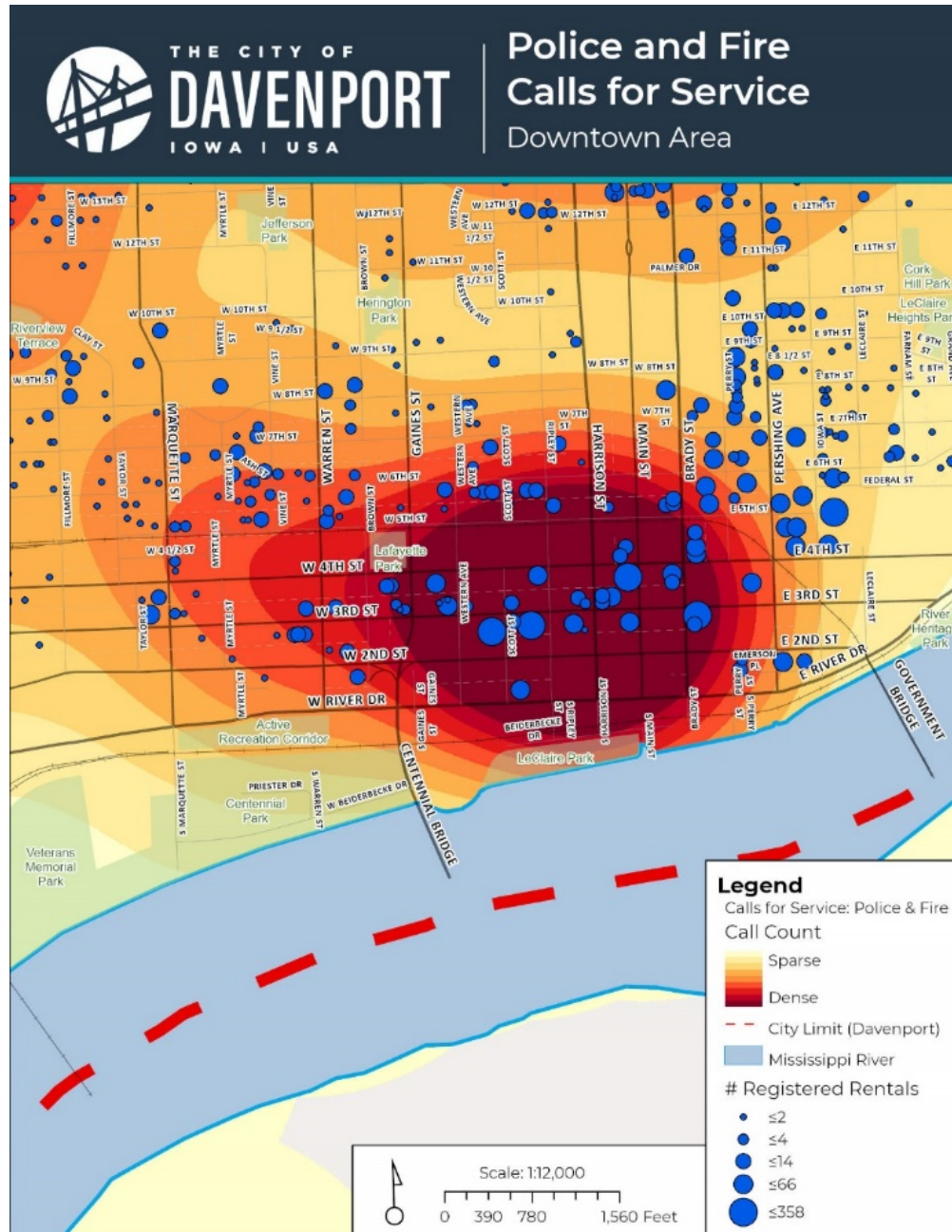


EXHIBIT 2: This exhibit highlights the multi-residential properties (blue circles) in the three locations selected in Exhibit 1. The identifying markers for multi-residential properties increase in size dependent upon the number of units at the property. **Neighborhoods with higher concentrations of multi-residential properties experience an increased number of police and fire calls for service.**



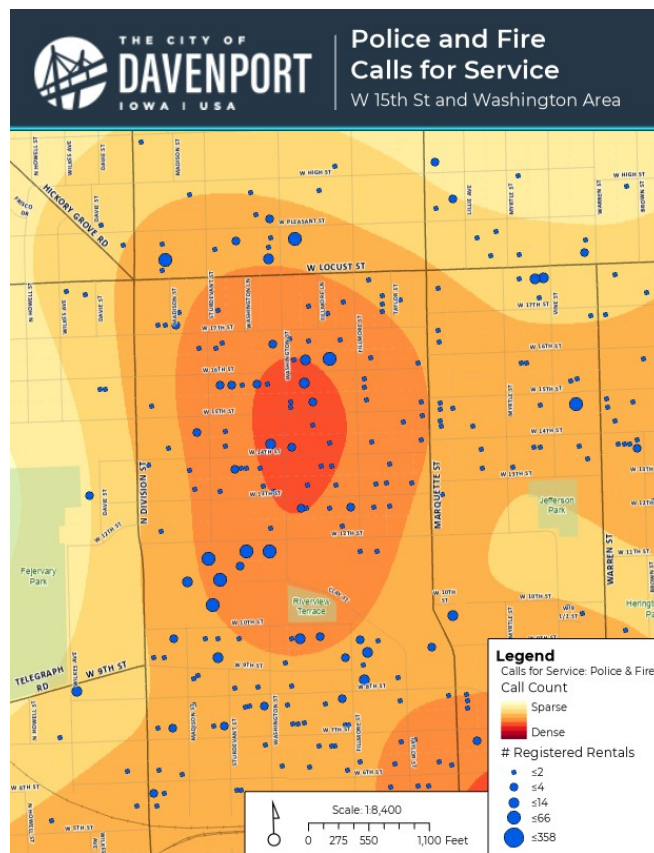
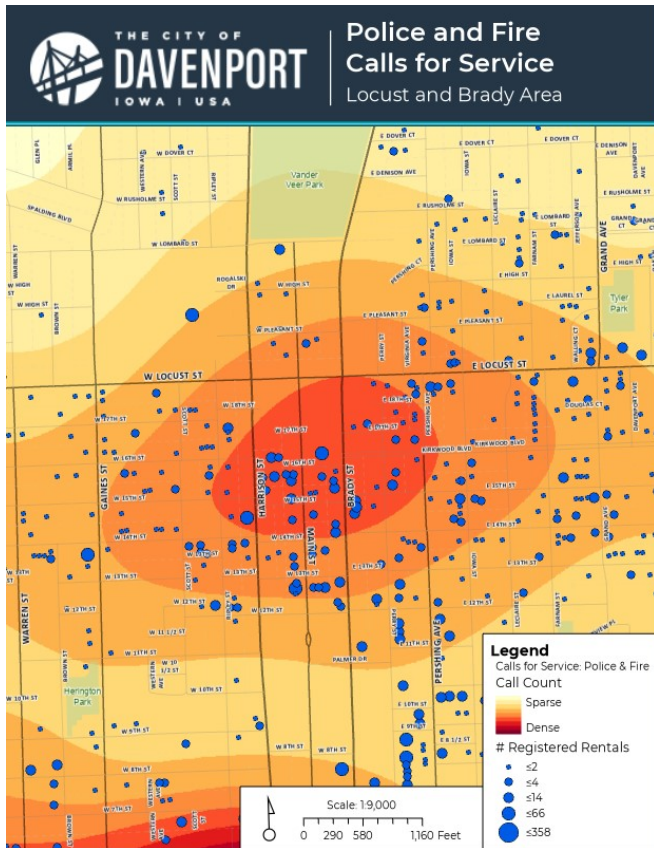


EXHIBIT 3: Exhibit 3 depicts the multi-residential tax implications based on the residence of the property owner. As of 2019, all Davenport multi-residential properties have a total assessed value of \$235M. In 2015, multi-residential properties paid over \$9.2M in taxes and will pay slightly less than \$5.1M after the rollback becomes equal to the residential level representing a \$5.1M tax payment reduction to these property owners. **The annual loss to the City of Davenport is estimated to be \$986,592 after the full effect of the new multi-residential tax scale.**

Property Owner Residence	2019 Multi-Res Assessed Value	Taxes Prior to Rollback	Estimated Taxes Final Rollback	Owner Tax Savings	Annual Loss to the City
Davenport	\$121,059,750	\$4,775,425	\$2,632,542	\$2,142,883	\$507,846
Iowa	\$52,281,530	\$2,062,341	\$1,136,904	\$925,437	\$219,321
Outside Iowa	\$61,841,570	\$2,439,455	\$1,344,795	\$1,094,660	\$259,425
Total	\$235,182,850	\$9,277,220	\$5,114,241	\$4,162,980	\$986,592

EXHIBIT 4: Exhibit 4 illustrates the commercial taxable valuation over the last ten years. **FY 2021 commercial taxable values in Davenport have only just recovered to their FY 2012 high prior to the implementation of SF 295.**

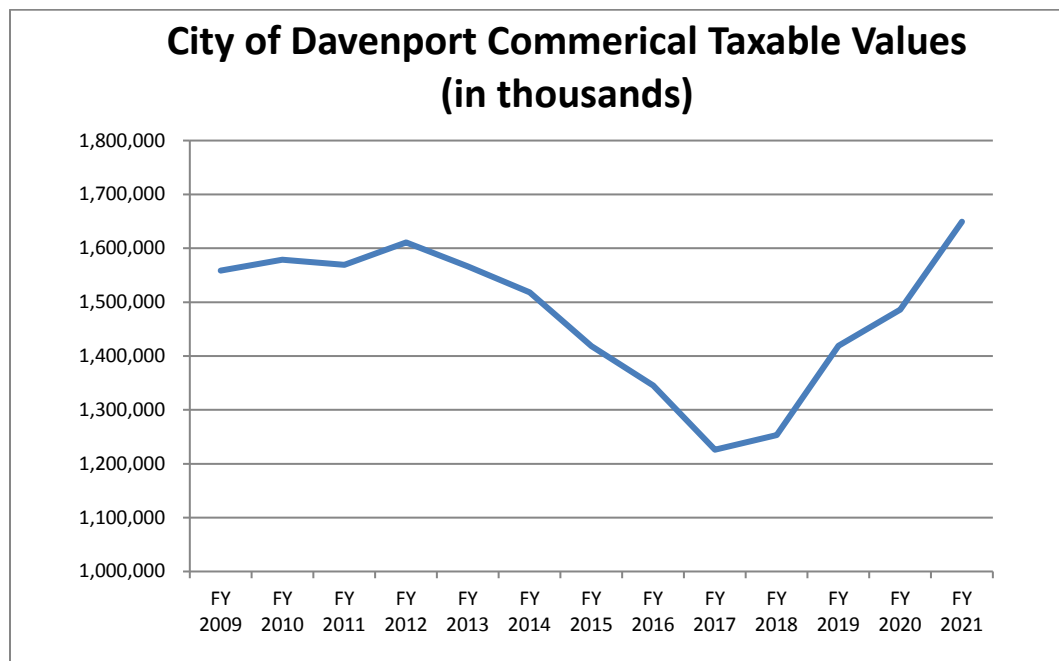
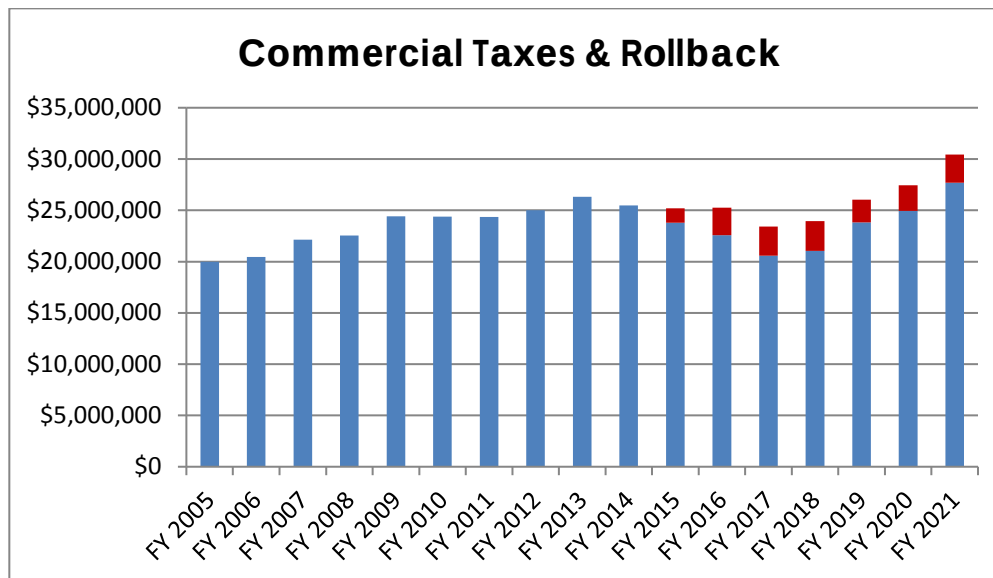


EXHIBIT 5: Exhibit 5 illustrates the amount of property taxes actually paid with the red bars illustrating the backfill payment to the City. **Without the property tax backfill payment, the City would be receiving only slightly more than the amount of commercial property taxes received in FY 2013.**



OPERATIONAL/FISCAL IMPACTS

The elimination of the backfill for municipalities would be devastating for the City of Davenport, especially as cities focus on financial recovery during the pandemic. A chart is listed below outlining the amount of backfill received in prior years and the anticipated amount for FY 2021 (represented by an asterisk).

Fiscal Year	Backfill Received (All Funds)
FY 2021*	\$3,082,000
FY 2020	\$3,082,045
FY 2019	\$3,007,049
FY 2018	\$2,930,164

Additionally, the majority of public safety personnel, including both police and fire, are supported primarily through property taxes. If the City of Davenport were to preserve public safety levels and make reductions in other core service areas, other departments would need to be reduced by 10.8%. This level of reduction is not a feasible option and does not allow the City to continue to provide core services to the community.

REQUESTED ACTIONS

The City of Davenport recognizes and appreciates the Governor's commitment to fund the backfill to cities during the 2019 and 2020 legislative sessions. Davenport is hopeful that the cities and the State can continue to be partners to ensure that cities remain whole and do not have to significantly reduce services, particularly public safety services, for Iowa residents. The City of Davenport requests the following:

1. Continue to fully fund and appropriate the necessary backfill funding for Iowa cities.
2. Continue to fulfill the promise to local communities by Governor Branstad and Governor Reynolds that they would not be harmed by this legislation that resulted in the largest tax decrease Iowa has ever seen.
3. If fully funding the backfill becomes impossible, the State should work with municipalities to phase in reductions in such a way that they do not harm communities, or engage in a conversation regarding other funding tools such as the creation of a public safety fund, removing growth caps, etc.
4. Stop the phased in rollback with multi-residential properties at the FY 2021 level.



ISSUE PAPER 21-05 | Landbanks

December 1, 2020 (N. Lemke and S. Ott)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport recognizes the need for investment in its urban core neighborhoods. Over the past two years, the City has made significant investment in these neighborhoods through the Davenport DREAM Project, Urban Homestead program, and by utilizing 657A to acquire vacant and abandoned properties.

Davenport currently has 375 presumed vacant properties on record. These properties are often a blight on the neighborhood and are delinquent in paying their taxes. In addition, these properties also bear a significant cost to the City with over \$615,000 spent on maintenance by the City's Neighborhood Services Division and necessitate the use of already stressed resources as public safety personnel respond to calls for service to these properties.

Last year, Iowa Senate File was introduced to enable municipalities be allowed to create land banks to facilitate the return of dilapidated, abandoned, blighted, and tax-delinquent properties to productive use. Land banks are an effective system to prepare these properties for new private investment. Land banks would hold, stabilize, and package properties to sell them for new private investment.

As the City of Davenport continues to work on the revitalization of its urban core neighborhoods, enabling land banks in the State of Iowa will give the City another tool to assist in the redevelopment of vacant and abandoned properties within these neighborhoods.

REQUESTED ACTIONS

Support legislation that may arise to allow for the City of Davenport to create and utilize a land bank to address the rising number of vacant properties and return these dilapidated, abandoned, blighted, and tax-delinquent properties to productive use.



ISSUE PAPER 21-06 | Juvenile Assessment Center

December 1, 2020 (S.Ott and P. Sikorski)

STATEMENT OF ISSUE & BACKGROUND

Since 2018, the City of Davenport and the Davenport Police Department have collaborated with law enforcement, judicial, social service, and community partners for the purpose of establishing a Juvenile Assessment Center (JAC) in Scott County. The Juvenile Assessment Center will provide a coordinated, multi-agency, single entry site that will contribute to the safety of youth, families, and the community through early identification, intervention, comprehensive assessment, improved access, and navigation to appropriate services. The JAC will consist of a two-tiered approach that includes:

Community-Based: Facilitates easy access to resources and services without the requirement of system-involvement to youth and families as an early intervention/preventative strategy. Youth and families are provided holistic needs assessments, case planning, and ongoing coordination for youth and families in Scott County. Youth and families may be referred by schools, agency partners, or self-referred.

Crisis-Based (Law Enforcement): Provides quick, holistic assessment of youth following contact with law enforcement (arrest). This will both reduce the burden on law enforcement personnel (time savings), while also ensuring that needed services are identified early for the youth and family as well as assisting the judicial system by providing critical and appropriate information by the assessments. This will help judges and case workers make more informed decisions and move youth through the justice system both expeditiously and effectively.

The City of Davenport and the Davenport Police Department are proponents of the JAC as a way to connect youth and families to services they need so that issues do not manifest themselves into youth crime. Each year, Scott County Kids in conjunction with the Davenport Community School district, have students complete an social and emotional health screener. In 2019, nearly 20% of the students screened were identified as “high” or “very high” risk of having social or emotional health issues. Of these students, only 55% of them were currently receiving any social or emotional health services prior to being screen. By connecting youth and families with the appropriate services and resources early in their lives, and before they have become involved with the juvenile justice system, Davenport can make a positive change in youth crime in the City.

In addition to a positive impact on youth crime, the JAC will also help address gaps in current state systems. Currently, ongoing caseworkers at the Department of Human Services are assigned between 28-35 cases at a time. This means that caseworkers often aren’t afforded the time to adequately assess families and provide case coordination for them. The JAC will be able to fill this gap and perform both assessments and

case coordination for youth and families. This preventative work is crucial for keeping youth out of the juvenile justice system.

The JAC working group, led by Scott County Kids, has finished the planning phase of the JAC project, and is now ready to move to implementation. In January 2021, Scott County Kids will release a request for proposals (RFP) to solicit plans from local service providers to implement the JAC concept.

OPERATIONAL/FISCAL IMPACTS

The creation of a Juvenile Assessment Center will streamline the process of providing resources and services to youth and families. For youths, it is estimated that for every five minutes spent transferring custody to the Juvenile Assessment Center, law enforcement saves four hours assessing needs and coordinating release plans (Source: Arapahoe Juvenile Assessment Center). With 348 youths admitted to the Scott County Juvenile Detention Center in FY19, this would save law enforcement an estimated 1400 hours of staff time annually.

The Juvenile Assessment Center will also work with youth who are at risk of offending by providing a cohesive continuum of care to prevent them from entering the criminal justice system. With a core focus on prevention, congestion in the juvenile court system will be minimized as fewer youths enter the system. With the creation of a service that provides a cohesive continuum of care, the recidivism rate for youthful offenders may decrease by up to 22% (Source: Justice Policy Institute). In addition, community based programs for youth, such as the Juvenile Assessment Center, are “more cost effective than incarceration, with some programs yielding up to thirteen dollars in benefits to public safety for every dollar spent” (Source: Justice Policy Institute).

REQUESTED ACTIONS

In 2019, the State budgeted \$140,000 in its budget for funding of youth programming similar to the JAC. The City requests that this funding be continued and increased to allow Davenport to utilize a portion of the funding for the implementation of the JAC in 2021.



ISSUE PAPER 21-07 | Public Safety Nuisance Bill

December 1, 2020 (S.Ott & T. Warner)

STATEMENT OF ISSUE & BACKGROUND

The City of Davenport places a high priority on public safety. The Davenport Police Department often provides extra patrols in areas that have a history of higher levels of crime, including Downtown Davenport during bar close time on the weekends. However, from 2017-2019, one particular alcohol establishment in Downtown Davenport was causing clear public safety nuisance issues, such as large fights and shots fired incidents, that were harming the safety of the businesses in the immediate vicinity of the establishment. These public safety nuisance issues also put a strain on public safety resources. Due to the constraints of current state law, the City of Davenport had little recourse for closing an alcohol establishment for public safety nuisance reasons.

Current Iowa Code states that alcohol establishments can have their liquor license suspended or revoked if they “knowingly permit or engage in any criminal activity on the premises covered by the license or permit.” This often leads to the owner or employees of alcohol establishments pushing the criminal behavior out the door and onto the sidewalk or in the street or parking lots. In recent years, the Iowa Code was amended to include parking lots and areas adjacent to the licensed premise if they are used by patrons of the liquor licensee.

Due to the high level of criminal activity and strain on police resources, the City of Davenport City Council twice voted to deny the annual renewal of the liquor license to the alcohol establishment that was causing the public safety nuisance issues. However, despite denial of their annual renewal by the City Council, the ABD still renewed their license. In December 2019, after a shooting occurred between two patrons of the alcohol establishment that hit a nearby business and narrowly missed a patron of that business, the establishment was closed not because ABD suspended their license, but because the landlord ceased their lease.

The Iowa Alcohol and Beverage Division (ABD) is responsible for the regulation of alcohol establishments and investigating complaints filed about a licensee. The City of Davenport is advocating for an amendment to Iowa Code 123 that would allow municipalities to bring a case before the local district court to abate a public safety nuisance if they believe one exists. Nuisances are typically handled by the local court system in all other capacities and this will bring parity to the process when a public safety nuisance occurs at an alcohol establishment. This change would also provide the local court system the ability to affect the license and how the establishment is run in order to abate the nuisance.

OPERATIONAL/FISCAL IMPACTS

Exhibit 1 details calls for service and extra patrols for both the local alcohol establishment and the parking ramp located at 202 Harrison Street. This particular establishment required over 2,000 calls for service over a three year period and put a strain on public safety resources prior to it shutting down in December 2019.

Call Type	2017	2018	2019
Accident Property Damage	4	6	10
Assault	6	4	9
Extra Patrol	621	491	542
Disturbance/Nuisance	33	45	59
Theft	7	7	4
Traffic Hazard	6	8	11
Trespassing	3	9	7
Wanted Check	24	45	60
Weapons/Fire Arms	1	3	6
Other Calls for Service	20	31	49
Total	725	649	757

REQUESTED ACTIONS

The City requests the consideration of a bill that would give the ability for municipalities to file suit in the local district court seeking abatement of public safety nuisances arising from a licensed premise under Iowa Code Chapter 123.

NEW SECTION:

123.60A Nuisances – public safety

1. When the county attorney or city attorney believes a serious threat to the public safety exists, the county attorney, city attorney or attorney acting at their direction may file a suit in equity in the local district court without bond seeking abatement of a public safety nuisance arising from a premises licensed under this chapter.

2. A public safety nuisance exists when it is established by clear and convincing evidence that an owner, manager, employee, contemporaneous patron or guest of an establishment licensed under this chapter commits any of the following acts either on the premises or within 1500 feet of the premises:

a. unlawfully discharges a firearm or uses an offensive weapon, as defined in §724.1, regardless of whether it inflicts injury or death.

b. assaults another person with a dangerous weapon as defined in §702.7 resulting in injury or death.

c. engages in a riot as defined in §723.1 on three or more dates within a 12-month period to which the police respond and disperse a crowd. The participants need not be the same persons for each incident.

3. Any matter filed under this section shall be tried in equity and given priority over other business pending before the district court; the trial shall begin within 45 days after the filing of the action. The petitioner may seek a temporary injunction prior to trial.

4. The judge upon finding a public safety nuisance exists may enter judgment declaring the existence of the nuisance and ordering such remedial action as the judge determines reasonable to abate the nuisance. The abatement order may take the form of an injunction. The duration of such abatement order may be up to two years. Remedial action may include, but is not limited to, temporary closure, revocation of the license consistent with the parameters in §123.40, change in business practice or operations, or posting of a bond. If a bond is ordered and posted it shall be subject to forfeiture, in whole or in part, for any further actions contrary to the abatement order.

5. Evidence of other current violations of this chapter may be received by the court and considered in determining the remedial provisions of the abatement order. Evidence of prior sanctions, violations of law, nuisance behavior, or general reputation of the licensee, managers, employees, patrons and guests may be taken if the court determines it helpful in determining the reasonableness of remedial provisions of the abatement order. The Administrator may submit a report on behalf of the Division regarding the compliance history of the Licensee or its manager for consideration of the court.

6. A prior conviction may be presented as evidence, but is not necessary to proceed or procure an abatement order under this section.

RENUMBERED EXISTING SECTION:

123.60B Nuisances – unlawful manufacture, sale, keeping or distribution.

The premises where the unlawful manufacture or sale, or keeping with intent to sell, use or give away, of alcoholic liquors, wine, or beer is carried on, and any vehicle or other means of conveyance used in transporting liquor, wine, or beer in violation of law, and the furniture, fixtures, vessels and contents, kept or used in connection with such activities are nuisances and shall be abated as provided in this chapter.



ISSUE PAPER 21-08 | Public Safety Levy

December 1, 2020 (S.Ott & M. Murray)

STATEMENT OF ISSUE & BACKGROUND

Iowa urban metro areas such as Davenport have seen a 30% increase in violent crime rates (including homicide, rape, robbery, and aggravated assaults) through the first three quarters of 2020 (540 instances) as compared to 2019 (414) during the same period, and more specifically increases in incidents related to gun violence. In particular, Davenport has seen a 48% increase in shots fired calls (from 165 to 244) and a 75% increase in non-fatal shootings (from 24 to 42). In addition, Davenport has had 10 homicides to date in 2020, 8 of which were a direct result of gun violence.

The Davenport Police Department has made many internal changes to respond to this increase in violent crime including the creation of a Gun Crime Unit and the purchase of a NIBIN system in 2018. Additionally, in 2019, the Davenport Police Department was accepted into the Department of Justice's Public Safety Partnership program. This program is designed to provide support to communities dealing with precipitous increases in crime through training and technical assistance. While the Davenport Police Department has, and will continue, to make internal changes to respond to the increase in crime in our community, they are doing so with little additional resources.

As Davenport, and other urban metro areas, respond to an increase in gun crime throughout their community, the City is fiscally constrained in its ability to add more public safety resources. Public safety resources are paid for through the City's General Fund. The General Fund levy is currently capped at \$8.10 per \$1,000 in valuation and has been set at this rate since the 1980's. As urban metro areas have grown and need to provide more public safety resources to protect their community, the cap on the General Fund levy has made it increasingly difficult to do so.

Public safety costs account for approximately 61% of the City of Davenport's annual budget. The remaining portion of the budget accounts for all other municipal services provided by the City. As a result, the City is not able to add more public safety resources to deal with the sharp increase in crime unless cuts are made to other core municipal services provided to its citizens such as garbage collection, street repair, and sanitary water treatment.

The City is requesting a legislative change that would allow Iowa urban cities to levy a supplemental levy for the specific purpose funding public safety personnel. The levy would be subject to a reverse referendum and be used only expressly for public safety needs.

OPERATIONAL/FISCAL IMPACTS

Exhibit 1 shows the Public Safety budget as a percentage of the City of Davenport's annual General Fund budget.

FY 2021 General Fund Budget	\$53,177,029
FY 2021 Public Safety Budget	\$32,509,015
Public Safety % of GF Budget	61.1%

Exhibit 2 shows the revenue that would be generated through a public safety levy for the Davenport Police Department.

Current Total Levy Rate	\$16.78
Public Safety Levy	\$1.00
Total Property Taxes Levied- Current Rate	\$78,286,848
Total Property Taxes Levied- Public Safety	\$82,869,361
Public Safety Proposal	\$4,582,513
Levy Rate as % of PD Budget	16%
# of Additional Officers with Public Safety Levy	40

Based on current assessed values, if the City of Davenport were able to levy an additional one dollar public safety levy, it would generate approximately \$4.6M, which would increase the budget of the Police Department by 16%. This is equivalent to approximately 40 new officers.

REQUESTED ACTIONS

The City requests the consideration of a bill that would give the ability for municipalities to issue a levy for the express purpose of increasing public safety personnel. City staff have drafted a proposed bill that is attached to this issue paper.

A new subsection under Iowa Code §384.12 that reads as follows:

22. A tax not to exceed four dollars per thousand dollars of assessed value for support of public safety personnel and related equipment by resolution upon a three-fourths vote of all the members of the council; said passage occurring after a public hearing and notice published pursuant to §362.3. If a council imposes or increases the levy in an amount greater than \$1 per thousand of assessed value for any fiscal year, said action shall be subject to a reverse referendum at the next available city election date – special or regular - as determined by the county auditor upon the petition of eligible voters equal or greater in number to 25 percent of the eligible voters who cast a vote for Mayor in the last regular city election. Said petition must be filed with the county auditor within 30 calendar days of the council's passage of the levy. If a valid petition is not submitted by said deadline the levy shall become effective as of the immediately subsequent July 1. If a valid petition is submitted and the measure passes by simple majority of the voters, the levy shall become effective as of the immediately subsequent July 1.

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Bruce Berger | 563-326-7769

Action / Date
1/13/2021

Subject:

Motion approving the amended Annual Action Plan for Year 46 (July 1, 2020 - June 30, 2021) for the CDBG and HOME Programs. [All Wards]

Recommendation:

Pass the Motion.

Background:

Each year, the City must submit an Annual Action Plan (AAP) to the Department of Housing and Urban Development (HUD). This plan is required to receive Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds. The plan for Program Year 46 (Federal Fiscal Year 2020/city fiscal year 2021) covers the period from July 1, 2020 through June 30, 2021. The plan was submitted to HUD, and was approved on July 8, 2020.

The AAP identifies the goals and needs for the CDBG and HOME programs, including the objectives to be addressed, which were approved by Council at the November 13, 2019 meeting; and the allocations of the federal entitlement funds which were approved by Council at the March 25, 2020 meeting.

In light of the unprecedented impacts of COVID-19, HUD has instructed communities receiving the CDBG and HOME grants to amend their current Annual Action Plans to incorporate COVID-19 response funding and activities. HUD published suspensions, waivers, and guidance that included the public comment period being reduced from 30 days to 5 days along with a virtual public hearing. Notice of the public comment period was published in the Quad City Times on December 31, 2020 and the required 5-day comment period will run from January 2, 2021 to January 6, 2021.

This substantial amendment to the 2020 Annual Action Plan will enable the City to do the following:

- Formulation, coordination, and implementation of local economic development strategies to prepare, prevent, and respond to COVID-19. Provide economic development assistance including loans, loan guarantees, grants, microenterprise assistance, and infrastructure development to businesses impacted by COVID-19 and in need of assistance to stabilize, create and/or retain jobs in Davenport. Loans and grants provided could be made available for operating capital, acquisition, rehabilitation, demolition, slum blight prevention/removal. At least 51% of the jobs created or retained by the assisted small businesses must be made available to low/moderate income people, except in the case of a microenterprise owned by low/moderate income people, in which case the business qualifies on the basis of the owner(s) income. A percentage of staff costs will be covered by the City's CDBG-CV1 grant.
- Correct the CDBG and HOME grant awards due to a miscalculation from HUD: CDBG will be reduced by \$277.00 to \$1,597,290.00 and HOME will be reduced by \$76.00 to \$440,880.00.

In addition, the City may utilize FY 2019-2020 and FY 2020-2021 CDBG and HOME funding currently on hand as needed to respond to COVID-19. Specific proposed activities to respond to COVID-19 utilizing CDBG-CV include the assistance of small businesses and microenterprises in preparing for, preventing, and responding to COVID-19. Additional proposed activities, if any, will be made available through future public notices which will provide the public 5-days to comment on the proposed activities. These notices will be printed in the local newspapers and posted online on the City of Davenport's website at www.davenportiowa.com

Approval of this motion will approve the amended Year 46 Annual Action Plan, subject to completion of the required 5 day comment period. Approval also authorizes the City Administrator or her designees to submit the amendment to HUD and to sign necessary documents and agreements.

ATTACHMENTS:

Type	Description
▢ Backup Material	Public Hearing Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	12/29/2020 - 4:48 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:23 PM

PUBLIC NOTICE

In accordance with 24 CFR 91.05(c)(2) and subpart B of the federal regulations relative to citizen participation for Community Planning and Development Programs and applicable waivers made available to those requirements through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the City of Davenport is making an amendment to the 2020 Annual Action Plan for Community Development Block Grant available to the public through this notice.

Public Comment Period and Process:

This amendment is available for a 5-day public review and comment period from January 2, 2021 to January 6, 2021. Citizens wishing to submit written comments during the public review and comment period may mail them, postmarked no later than January 6, 2021, to the following:

City of Davenport
Community & Economic Development Department
Attention: CDBG Administration
226 W. 4th Street
Davenport, IA 52801

You may also email comments no later than January 6, 2021 to ced.info@davenportiowa.com

Notice is hereby given that at 5:30 p.m. on January 6, 2021 in the City Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a virtual public hearing on the 2020 Annual Action Plan and Citizen Participation Plan Amendments.

In accordance with social distancing guidelines in place as a result of COVID-19, an in person public hearing is not required by HUD. In order to provide alternatives during this crisis, individuals wishing to comment can do so by providing written comments to the physical or email addresses listed above by noon on the day of the public hearing or by attending the public hearing, acknowledging accommodations and social distancing protocol during the meeting. All comments will be addressed in a timely fashion after the date of the public hearing.

Amendment:

This is an amendment to the 2020 Annual Action Plan for Community Development Block Grant to enable the City of Davenport to do the following:

- Formulation, coordination, and implementation of local economic development strategies to prepare, prevent, and respond to COVID-19. Provide economic development assistance including loans, loan guarantees, grants, microenterprise assistance, and infrastructure development to businesses impacted by COVID-19 and in need of assistance to stabilize, create and/or retain jobs in Davenport. Loans and grants provided could be made available for operating capital, acquisition, rehabilitation, demolition, slum blight prevention/removal. At least 51% of the jobs created or retained by the assisted small

businesses must be made available to low/moderate income people, except in the case of a microenterprise owned by low/moderate income people, in which case the business qualifies on the basis of the owner(s) income. A percentage of staff costs will be covered by the City's CDBG-CV1 grant.

- Correct the CDBG and HOME grant awards due to a miscalculation from HUD: CDBG will be reduced by \$277.00 to \$1,597,290.00 and HOME will be reduced by \$76.00 to \$440,880.00.

If additional CDBG funding is made available to the City by HUD through the CARES Act, it will be used for the same purpose of the initial allocations indicated above which is to prepare, prevent and respond to the spread of coronavirus 19 (COVID-19) and facilitate assistance to eligible households and persons economically impacted by COVID-19. In addition, the City may utilize FY 2019-2020 and FY 2020-2021 CDBG and HOME funding currently on hand as needed to respond to COVID-19. Specific proposed activities to respond to COVID-19 utilizing CDBG-CV include the assistance of small businesses and microenterprises in preparing for, preventing, and responding to COVID-19. Additional proposed activities, if any, will be made available through future public notices which will provide the public 5-days to comment on the proposed activities. These notices will be printed in the local newspapers and posted online on the City of Davenport's website at www.davenportiowa.com

Further, eligible CDBG costs incurred as of January 21, 2020, which is the date identified in HUD's CARES Act Federal Register Notice, and paid for with nonfederal funds, may be repaid with CDBG and ESG funding, including those made available under the CARES Act, contingent upon satisfactory completion of all applicable federal requirements. These pre-award costs will, if needed, will meet all HUD requirements applicable to CDBG including those under the CARES Act.

Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. If you need accommodations for any reason, or for further information, please contact our office at Community and Economic Development Department, City Hall, 226 West 4th Street, Davenport, IA, 52801 or (563) 326-7765 or TTY (563) 326-6145.

City of Davenport

Department: Community Planning & Economic Development
Contact Info: Tom Warner | 563-326-7752

Action / Date
1/13/2021

Subject:

Motion authorizing the Mayor or City Administrator to sign a subordination agreement with Great Southern Bank in conjunction with the Merge (Urbane 210) apartment project. [Ward 3]

Recommendation:

Pass the Motion.

Background:

Merge (Urbane 210 LLC) purchased property from the City of Davenport in order to construct a new apartment building on East Second Street just south of the RiverCenter. The deed from the City of Davenport contains a reversion clause. If the project is not completed by March 1, 2023, the property reverts to the ownership of the City of Davenport. The project is well underway. The first tranche of construction funding was self-funded by Merge (Urbane 210). Great Southern Bank is slated to provide the remaining construction financing. As a condition of providing that financing, Great Southern Bank requires the City subordinate its reversionary interest in the property to the bank's mortgage and to provide flexibility to the completion date so long as commercially reasonable efforts are being made to conclude the project. The construction is projected to be completed well before March 1, 2023.

ATTACHMENTS:

Type	Description
▣ Backup Material	Merge/Great Southern Subordination Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	12/30/2020 - 1:20 PM
Finance Committee	Admin, Default	Approved	12/30/2020 - 5:01 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 5:01 PM

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT (this "Agreement"), made as of _____, 2021 by and between the CITY OF DAVENPORT, IOWA (the "City") and GREAT SOUTHERN BANK, a Missouri state chartered trust company ("Great Southern").

WITNESSETH:

WHEREAS, the City, as Seller, and Merge, LLC, an Iowa limited liability company d/b/a Merge Urban Development Group, as Purchaser ("Merge"), entered into an Offer to Purchase Real Estate dated September 25, 2019, concerning the real property more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property") and the matters specified therein (the "Purchase and Sale Agreement"), said Purchase and Sale Agreement having been assigned on February 17, 2020 by Merge to Urbane 210 LLC, a Delaware limited liability company ("Borrower");

WHEREAS, Section (c)(4) of the Purchase and Sale Agreement states: "(c) The execution of the Agreement between the parties includes the following terms/conditions: (4) If Purchaser fails to begin construction (i.e., excavation/foundation work underway and permits pulled) or complete the project per the timelines above, the Property shall revert to the City for the sale price (\$250,000.00), minus the non-refundable earnest deposit (\$10,000.00)" (hereinafter, the "City Reversion");

WHEREAS, at closing of the Purchase and Sale Agreement, the City has executed a deed to Urbane 210 LLC (the "Deed"), as the owner in fee simple of the Property, which Deed sets forth the City Reversion and is recorded in the office of the Scott County Recorder on September 4, 2020, as Document No. 2020-026914;

WHEREAS, Borrower executed a certain Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Financing Statement as recorded in the Office of the Scott County Recorder on September 4, 2020 as Document No. 2020-026916, in favor of Great Southern (the "Mortgage") and relating to the Property;

WHEREAS, Borrower and Great Southern entered into a Construction Loan Agreement and other loan documents dated August 28, 2020, for the financing of the completion of the Improvements as part of the Project according to the Plans (collectively, the "Loan Documents"; and,

WHEREAS, subject to the terms and conditions of this Agreement, it is the intention of the City and Great Southern that the City Reversion as set forth shall be subordinated to Great Southern, the Mortgage and the Loan Documents except as otherwise provided herein.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

1. Subordination of City Reversion. Subject to the City's rights under Paragraph 4 hereof, all right, title and interest of the City in and to the Property including the City Reversion, and all of the right, title and interest of the City thereunder, shall be, and are hereby declared to be, and at all times hereafter shall be and remain, subject to, subordinate, junior and inferior in all respects to the Mortgage, the Loan Documents and any other right, title or interest now owned or hereafter acquired by Great Southern. Great Southern shall have a first priority lien on the Property, and all proceeds thereof, to secure the indebtedness owed by the Borrower under the Loan Documents. City will not object to, oppose or challenge any claim by Great Southern against the Property or with regard to the validity, priority or perfection of its Mortgage on the Property.

2. Notice of Default. In the event the City determines that Borrower is in default under the Purchase and Sale Agreement or the City Reversion for failing to timely complete the project, the City will provide Great Southern, promptly upon the occurrence of such event, a notice of the event of default (the "Notice of Default").

3. Completion of Project. Upon receipt of the Notice of Default, Great Southern agrees, it will seek to obtain title to the Property by foreclosure, deed in lieu of foreclosure or otherwise, and upon obtaining title to the property will undertake to complete the project. Great Southern shall proceed in a commercially reasonable manner to complete the project as soon as reasonably practicable, subject to any Force Majeure Event (as defined below). Great Southern may elect to undertake completion of the project by engaging third parties or may delegate the completion of the project to a successor in interest who acquires the Loan Documents and/or the Property from Great Southern.

For the purpose of this Agreement, a "Force Majeure Event" shall mean a failure or delay by Great Southern in the performance of its obligations hereunder to complete the project arising out of or caused by, directly or indirectly, forces beyond its control, including, without limitation, strikes, work stoppages, accidents, acts of God, including epidemics and pandemics, power failures, governmental actions, or the inability to obtain labor, materials, equipment or transportation; *provided, however*, Great Southern shall use commercially reasonable efforts to ameliorate the effects of any such failure or delay.

4. City Forbearance. So long as the Great Southern Mortgage, Loan Documents or Borrower's indebtedness to Great Southern remain outstanding, the City will refrain from enforcing or attempting to enforce its rights under the City Reversion in any fashion or manner that is contrary to this Agreement. In the event of a default by Borrower under the Purchase and Sale Agreement or the City Reversion for failing to timely complete the project, provided Great Southern is proceeding in accordance with Paragraph 3 hereof, the City shall not take any Enforcement Action (defined below) with respect to the Property in connection with the exercise of any right or remedy under the Purchase and Sale Agreement or pursuant to the City Reversion. "Enforcement Action" as used in this Agreement shall mean, with respect to the Property, (i) to execute, levy, take possession or control of, acquire or other realize upon (judicially or non-judicially) all or any part of the Property; (ii) to receive a transfer of any part of the Property in full or partial satisfaction of any obligation; (iii) to commence any action or proceeding to facilitate any of the foregoing actions or to pursue any judicial or other proceeding or legal action of any

kind seeking injunctive or equitable relief. Further if Great Southern is not proceeding in accordance with Paragraph 3, Great Southern acknowledges that the City may bring an Enforcement Action against Great Southern and/or, its successors or assigns, for specific performance to complete the project as provided in Paragraph 3.

5. Amendment to Loan Documents. Great Southern may at any time and from time to time enter into amendments, modifications, renewals or extensions of its Mortgage and/or Loan Documents with Borrower, or may increase or decrease the credit and indebtedness made available thereunder without in any way affecting the rights and obligations under this Agreement with respect to the City and the City Reversion and the subordination of the City Reversion.

6. City Reversion Termination Upon Title Transfer. In the event Great Southern, or its successor or assign, obtains title to the Property or any part thereof, by foreclosure, deed in lieu of foreclosure or otherwise, the City Reversion shall terminate upon completion of the project and be released without any further action by the City, and Great Southern and its successors and assigns shall then hold fee simple absolute title to the Property, free and clear of the City Reversion. The City's corporation counsel is authorized and shall provide appropriate estoppel certificates to Great Southern or its successor or assign upon request as soon as practicable.

7. Governing Law. This Agreement will be governed by and construed in accordance with the laws of the State of Iowa.

8. Successors and Assigns. This Agreement will be binding upon and inure to the benefit of each of the parties and their respective heirs, administrators, successors and assigns.

9. Entire Agreement. This Agreement represents the entire agreement of the parties with respect to the subject matter hereof and may not be amended, altered or modified except by a writing signed by all of the parties hereto.

10. Headings. The section headings used in this Agreement are for the convenience of the parties and shall not constitute a part of this Agreement.

11. Execution in Counterparts. This Agreement may be executed in any number of counterparts (including electronic counterparts) and shall be deemed to be an original taken together and shall constitute one Agreement. Delivery of an executed counterpart of this Agreement by electronic means (including email) shall be effective as delivery.

[The remainder of this page is intentionally blank. The signature pages follow.]

CITY OF DAVENPORT, IOWA

Attest:

[City Seal]

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

Notary Public

Page 5 of 7
Subordination Agreement

GREAT SOUTHERN BANK

By: _____

Name: Brian Crowley

Title: Assistant Vice President

STATE OF IOWA)
) ss.
COUNTY OF SCOTT)

The foregoing instrument was acknowledged before me on _____, 2021 by Brian Crowley as Assistant Vice President of Great Southern Bank.

Notary Public

EXHIBIT A

Legal Description

Lots 1, 2 and 3, excepting the Northern 28 feet thereof, of Block 60 of LeClaire's 2nd Addition to the City of Davenport, Scott County, Iowa.

City of Davenport

Department: Public Safety
Contact Info: Brian Krup | 563-326-6163

Action / Date
1/13/2021

Subject:

Motion approving the following noise variance request for various events on the listed dates and times.

Dane Moulton; Renwick Mansion events; 901 Tremont Avenue; Every Friday, Saturday, and Sunday through June 30, 2021 no later than 10:00 p.m.; Outdoor music/band, over 50 dBa. [Ward 3]

Recommendation:

Pass the Motion.

Background:

The following request for a noise variance has been received pursuant to the Davenport Municipal Code Chapter 8.19 Noise Abatement, Section 8.19.090 Special Variances.

Attached is the flyer that was previously distributed to the neighbors. If any written complaints are received, they will be distributed to the Council.

ATTACHMENTS:

Type	Description
▢ Backup Material	Flyer to Neighbors

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	9/14/2020 - 8:31 AM



The Renwick mansion has been a proud part of Davenport history as a home, a boarding school and since 2007 a wedding and event venue. We are fortunate to be a part of Davenport history and to bring in people from across the country for special occasions to celebrate with us.

COVID 19 has affected all of us in different ways, and one of those is the need to social distance. This has been an extremely difficult year for many small businesses, especially wedding and event venues like The Renwick Mansion, who are dependent on large gatherings. This has pushed more events outdoors, so as our neighbor we wanted to inform you that we are working hard with the city and the police department to make sure we can carry on the tradition and the business and be a good neighbor.

We are in business year round but during the months of March-November we will generally have events outdoors Friday, Saturday and/or Sunday. These events will be over or brought indoors by 10:00 pm to follow the City of Davenport's Nighttime hours sound ordinance between 10 pm-7 am.

We hope you appreciate the hard work and effort put into maintaining a historic part of Davenport history, the positive community events, and the lifelong memories made at The Renwick Mansion.

Thank You!

Dane and Sarah Moulton
The Renwick Mansion, LLC
www.renwickmansion.net

For questions about upcoming events contact The Renwick Mansion at:
sarah@renwickmansion.net

To file a written complaint contact Brian Krup
Davenport Deputy City Clerk
Brian.Krup@davenportiowa.com

City of Davenport

Department: Public Safety
Contact Info: Jim Odean | 563-326-7739

Action / Date
1/13/2021

Subject:
Motion approving beer and liquor license applications.

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

Ward 3

The Diner (The Diner LLC) - 421 W River Dr, Suite 6- Outdoor Area License Type: Class C Liquor/T

Ward 5

Ez Stop (Shivco Inc) - 2923 Brady St - License Type: Class E Liquor - Carry Out/BC/WB

Ward 6

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

Hy-Vee #4 (Hy-Vee, Inc) - 4064 E 53rd St - License Type: Class E Liquor - Carry Out/BC/WB

Hy-Vee Food & Drugstore #3 (Hy-Vee, Inc) - 1823 E Kimberly Rd - License Type: Class E Liquor - Carry Out/BC/WB

Recommendation:
Pass the Motion.

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

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Admin, Default	Approved	12/30/2020 - 3:53 PM

City of Davenport

Department: Public Works - Admin
Contact Info: Jen Walker | 563-326-6168

Action / Date
1/13/2021

Subject:

Motion accepting work completed under the Ridgeview Park ADA Access Improvements project, CIP #64071. The total contract with Collins Concrete LTD was \$79,040.63. [Ward 8]

Recommendation:

Pass the Motion.

Background:

New ADA-accessible sidewalks were constructed throughout Ridgeview Park, located off Division St north of 76th St. The project provides wheelchair access between the concession stand and dugouts, spectator viewing areas, batting cages, basketball court, and playground.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:24 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:24 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 10:01 AM

City of Davenport

Department: Public Works - Admin
Contact Info: Jen Walker | 563-326-6168

Action / Date
1/13/2021

Subject:

Motion accepting work completed under the Fill & Support of a Subsurface Vault: Union Arcade Building project, CIP #60029. The total contract with Emery Construction Group, Inc of East Moline, Illinois was \$93,939.50. [Ward 3]

Recommendation:

Pass the Motion

Background:

The project location was the south side of 3rd Street east of Brady Street under the sidewalk adjacent to the Union Arcade Building. Due to concerns of structural integrity of the ceiling of the basement vault that existed below the city sidewalk, and to make a sidewalk project feasible, the vault was largely abandoned in place. An active mechanical room was not abandoned but instead structurally supported from within the room.

The scope of work included relocating or abandoning building utilities in this space, then constructing a new basement wall that aligns with the building's façade and existing structural piers, waterproofing this new wall, then filling the void with controlled low strength material, also commonly known as flowable fill. Work has been satisfactorily completed by Emery Construction Group, Inc of East Moline, Illinois).

The total project cost was \$93,939.50, which was funded primarily by Local Option Sales Tax proceeds. A portion of this cost is reimbursable by the private property owner (Resolution 2020-277).

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:25 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:25 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 10:02 AM

City of Davenport

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

Action / Date
1/13/2021

Subject:

Motion accepting work completed under the West 51st Street Culvert Reconstruction project by McClintock Trucking & Excavating of Silvis, Illinois in the amount of \$31,164.70, CIP #33046. [Ward 8]

Recommendation:

Pass the Motion.

Background:

The existing Corrugated Metal Pipe beneath 51st Street, between Division Street and Pine Street, had deteriorated to a point that hindered flow through the pipe and diminished the strength necessary to provide to the roadway above it. The corrugated metal pipe was replaced with reinforced concrete pipe. The ditch line either side of the new pipe was dredged, then fortified with erosion stone.

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/29/2020 - 11:25 AM
Public Works Committee	Moses, Trish	Approved	12/29/2020 - 11:26 AM
City Clerk	Admin, Default	Approved	12/30/2020 - 10:03 AM

City of Davenport

Department: Finance
Contact Info: Kelley Shook | 563-888-3379

Action / Date
1/13/2021

Subject:

Motion approving the renewal of cyber insurance for CY 2021 with Underwriters at Lloyd's of London in the amount of \$63,428. [All Wards]

Recommendation:

Pass the Motion.

Background:

The City has established a Risk Management Fund to account for various insurance premiums, claims, and administrative costs for the Risk Management program. One type of insurance included in this fund is for cyber liability protection.

It has been the practice of the City to contract with Arthur J Gallagher & Company to serve as the agent/broker for this insurance policy. The agent/broker is paid by a combination of policy commissions. The role of the agent/broker is to make recommendations for policy enhancements and to negotiate with the various insurance markets on the City's behalf. The goal is to find the most cost-effective coverages to minimize overall risk exposure with stable insurance firms capable of handling the specialized needs of a municipal government.

The overall premium increase for the City's cyber liability insurance this year increased from \$42,258 to \$63,428, or 50.1% compared to last year. The sharp increase is due to a combination of things. Cyber insurance is relatively new to the market and insurance companies are struggling to price their product correctly, leading to fluctuating premiums, as they work to find their stride in the market. Additionally, there has been a dramatic increase in cybercrime, and although the City of Davenport has not been directly affected, other entities have endured losses, driving the costs up dramatically across the board.

Attached are documents labeled "Cyber Invoice" which shows the breakdown of the invoiced amount and "Confirmation of Coverage" which shows the coverage schedule and endorsements for this policy.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Cyber Invoice
▣ Cover Memo	Confirmation of Coverage

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/29/2020 - 2:41 PM
Finance Committee	Merritt, Mallory	Approved	12/29/2020 - 2:41 PM
City Clerk	Admin, Default	Approved	12/30/2020 - 12:22 PM

Arthur J. Gallagher Risk Management Services, Inc.
220 Emerson Place, Suite 200
Davenport, IA 52801

Phone: (563)322-3521

Fax: (563)322-1046

City of Davenport
226 West Fourth Street
Davenport, IA 52801

VANCA1

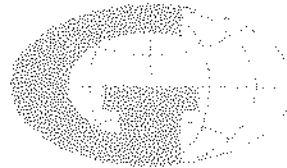
Invoice #	3671107	1 of 1
ACCOUNT NUMBER	DAVENPO-01	DATE
		12/2/2020
BALANCE DUE ON	12/2/2020	AMOUNT DUE
		\$63,428.00



Insurance | Risk Management | Consulting

Interested in convenient installment payments for your premium?
Contact your client service manager today for premium financing options.

Cyber Liability	Policy Number:	W25630200301	Company:	Underwriters at Lloyd's, London	Effective:	11/29/2020 to 11/29/2021
Item #	Trans Eff Date	Due Date	Trans	Description	Amount	
22347924	11/29/2020	12/2/2020	RENB	20-21 Cyber Liability Premium	\$62,500.00	
22347928	11/29/2020	12/2/2020	CFEE	Broker Fee - RPS	\$300.00	
22347932	11/29/2020	12/2/2020	SLTX	IA - Surplus Lines Taxes	\$628.00	
Total Invoice Balance:					\$63,428.00	



Please return this portion with your payment. Include your invoice number on your remittance to expedite processing.

VANCA1

City of Davenport
226 West Fourth Street
Davenport, IA 52801

Please send your remittance to:

Arthur J. Gallagher Risk Management Services, Inc.
39735 Treasury Center
Chicago, IL 60694-9700

Invoice #	3671107
ACCOUNT NUMBER	DAVENPO-01
DATE	12/2/2020
BALANCE DUE ON	12/2/2020
AMOUNT DUE	\$63,428.00
AMOUNT PAID	



Insurance | Risk Management | Consulting

*** SAVE TIME AND MONEY! PAY THIS INVOICE ONLINE AT WWW.AJG.COM/EZPAY. ***



Risk Placement Services
525 West Van Buren
Suite 1325
Chicago, IL 60607
Ph: 312-803-6324
Fax: 312-803-6309

CONFIRMATION OF COVERAGE

DATE ISSUED: November 30, 2020

RETAIL PRODUCER: AJG - Davenport - Risk Mgmt
220 Emerson Place, Ste 200
Davenport, IA 52801

Jeff Young

INSURED: City Of Davenport, ,
226 W. 4th Street
Davenport, IA 52801

INSURER: Underwriters at Lloyd's, London
Non-Admitted AM Best Rating: A XV

POLICY NO: W25630200301

EXPIRING POLICY NO: W25630190201

COVERAGE: Cyber Liability

POLICY PERIOD: 11/29/2020 TO 11/29/2021

PREMIUM: \$62,500.00

FEES:
Broker Fee - RPS \$300.00

TAXES: \$628.00 Surplus Lines Tax

TOTAL: \$63,428.00

RETAIL PRODUCER COMMISSION: 13.3% Gross Commission: 20%

LIMITS / DEDUCTIBLE / TERMS / CONDITIONS / SUBJECTIVITIES:
\$5,000,000 Aggregate
\$50,000 Each Claim

Terms & Conditions are per attached carrier binder.

PAYMENT TERMS:

PREMIUM PAYMENT IS DUE WITHIN TWENTY (20) DAYS FROM EFFECTIVE DATE UNLESS OTHERWISE STIPULATED.

The coverage outlined above may not conform to the terms and conditions you requested. Please check carefully. This document is intended for use as evidence that the insurance, as described herein, has been effected and shall be subject to all terms and conditions of policy(ies) which will be issued and that, in the event of any inconsistency herewith, the terms and provisions of such policy(ies) shall prevail.

If this policy is issued on a Non-Admitted basis, all applicable taxes & fees must be added to the bound premium. Your office is responsible for collecting Surplus Lines taxes & fees (if applicable) from the Insured in addition to completing any required Surplus Lines forms. RPS will remit the applicable taxes and forms to the State. This Policy is subject to the Surplus Lines Laws in your State, therefore you should make every effort to comply with any special provisions and regulations of your State.

- ***When requesting a policy change, addition, cancellation, endorsement, etc., you must provide every policy number/coverage to which the request applies.***

Dillon Behr, Underwriter
AUTHORIZED REPRESENTATIVE

INSURED: City Of Davenport
DATE ISSUED: November 30, 2020

Reference #:BK1301638B



POLICY INFORMATION

Policy Number: W25630200301

Authority Reference Number: B6012BUSANMSL2001

Policy Period: From: 29-Nov-2020 To: 29-Nov-2021
Both at 12:01 a.m. Local Time at the Named Insured Address

Premium: \$62,500
Taxes & Surcharges (if applicable)

Policy Form: Beazley Breach Response (F00653 112017 ed.) with
BBR Information Pack

Optional Extension Period: 12 Months

Optional Extension Premium: 100% of the Annual Policy Premium

Notified Individuals Threshold: 100 Notified Individuals

Waiting Period: 10 Hours

Continuity Date: 29-Nov-2018

This policy is issued, pursuant to Iowa Code section 515I,
by an eligible surplus lines insurer in Iowa and as such is not
covered by the Iowa Insurance Guaranty Association.

Joel D. Cavaness

COVERAGE SCHEDULE (Currency in USD)

	Limit	Retention
Breach Response		
Notified Individuals:	500,000	
Legal, Forensic & Public Relations/Crisis Management:	\$1,000,000	\$10,000; but \$5,000 for Legal
THE BREACH RESPONSE LIMITS ABOVE ARE IN ADDITION TO THE POLICY AGGREGATE LIMIT OF LIABILITY		
Policy Aggregate Limit of Liability:	\$5,000,000	
Additional Breach Response Limit		
Additional Breach Response Limit:	\$5,000,000	
First Party Loss		
Business Interruption Loss:		
<i>Resulting from Security Breach:</i>	\$5,000,000	each incident \$50,000
<i>Resulting from System Failure:</i>	\$5,000,000	each incident \$50,000
Dependent Business Loss:		
<i>Resulting from Dependent Security Breach:</i>	\$1,000,000	each incident \$50,000
<i>Resulting from Dependent System Failure:</i>	\$1,000,000	each incident \$50,000
Cyber Extortion Loss:	\$5,000,000	each incident \$50,000
Data Recovery Costs:	\$5,000,000	each incident \$50,000
Liability		
Data & Network Liability:	\$5,000,000	each Claim \$50,000
Regulatory Defense & Penalties:	\$5,000,000	each Claim \$50,000
Payment Card Liabilities & Costs:	\$5,000,000	each Claim \$50,000
Media Liability:	\$5,000,000	each Claim \$50,000
eCrime		
Fraudulent Instruction:	\$250,000	each loss \$50,000
Funds Transfer Fraud:	\$250,000	each loss \$50,000
Telephone Fraud:	\$250,000	each loss \$50,000
Criminal Reward		
Criminal Reward:	\$50,000	

ENDORSEMENTS EFFECTIVE AT INCEPTION

- | | | |
|-----|-------------------|--|
| 1. | BSLMUNMA2868 | Lloyd's Certificate - No policy language |
| 2. | E10596 122019 ed. | Choice of Law and Service of Suit |
| 3. | E02804 032011 ed. | Sanction Limitation and Exclusion Clause |
| 4. | NMA1256 | Nuclear Incident Exclusion Clause-Liability-Direct (Broad) (U.S.A.) |
| 5. | NMA1477 | Radioactive Contamination Exclusion Clause-Liability-Direct (U.S.A.) |
| 6. | SCHEDULE2020 | Lloyd's Security Schedule 2020 |
| 7. | E06928 042015 ed. | Policyholder Disclosure Notice of Terrorism Insurance Coverage |
| 8. | E10595 112017 ed. | Asbestos, Pollution, and Contamination Exclusion Endorsement |
| 9. | E10602 112017 ed. | War and Civil War Exclusion |
| 10. | E11122 012018 ed. | Cap on Losses Arising Out of Certified Acts of Terrorism |
| 11. | E06799 112017 ed. | Amend Definition of Fraudulent Instruction |
| 12. | E11848 072018 ed. | Invoice Manipulation Coverage |
| 13. | E13038 062019 ed. | Reputation Loss |
| 14. | E10944 032019 ed. | Post Breach Remedial Services Endorsement |
| 15. | E11294 032018 ed. | Amend Data Recovery Costs |
| 16. | E11290 032018 ed. | GDPR Cyber Endorsement |
| 17. | E11783 072018 ed. | Computer Hardware Replacement Cost |
| 18. | E12604 012019 ed. | Amend Definition of Data |
| 19. | E10675 012019 ed. | Contingent Bodily Injury With Sublimit Endorsement |
| 20. | E12967 052019 ed. | Voluntary Shutdown Coverage |
| 21. | E12968 052019 ed. | CryptoJacking Endorsement |

Dated: 30-Nov-2020

At: 30 Batterson Park Road
Farmington
Connecticut 06032
(the office of the Correspondent)

by 
Beazley USA Services, Inc. (Correspondent)

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
1/13/2021

Subject:

Motion approving a four-year collective bargaining agreement between the City of Davenport and the American Federation of State, County and Municipal Employees, Local Union No. 887 for the term beginning on July 1, 2021 and ending on June 30, 2025. [All Wards]

Recommendation:

Pass the Motion.

Background:

Pursuant to Chapter 20 of the Iowa Code, both parties exchanged initial proposals and tentatively agreed on a new collective bargaining agreement on December 15, 2020, to cover the period of July 1, 2021 - June 30, 2025. The general wage increases (GWIs) will be: 1.75% (7/1/2021), 1.75% (7/1/2022), 2.0% (7/1/2023), and 2.0% (7/1/2024). A summary of the tentative agreement can be found in the attachments.

ATTACHMENTS:

Type	Description
▢ Backup Material	AFSCME Tentative Collective Bargaining Agreement

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	12/30/2020 - 3:56 PM

**CITY OF DAVENPORT
AND
AFSCME LOCAL 887**

**12/14/2020 Tentative Agreement for Contract
Covering the Period of July 1, 2021 through June 30, 2025**

1. REMOVAL OF EXCLUDED/ILLEGAL SUBJECTS OF BARGAINING

All provisions of the existing collective bargaining agreement which pertain to any of the following excluded/illegal subjects of bargaining under Iowa Code chapter 20 will be deleted from the agreement:

- Dues checkoff
 - Article 2, Section 9
 - Article 6
- Insurance
 - Article 16, Section 10
 - Article 19 (Entire Article except for the first five sentences related to cost containment committee)
 - Appendix E
 - Appendix H
 - Appendix I
 - Appendix K
 - Appendix M
 - Appendix N
 - Appendix R
 - Appendix S
- Leaves of absence for political activities
 - Article 16, Section 7
- Supplemental pay
 - Article 8, Section 5 (only the following language: “The Employer shall reimburse the employee the cost of the meal, not to exceed six dollars (\$6.00). Employees shall supply a meal receipt.”)
 - Article 9, Section 5
 - Article 9, Section 7
 - Article 13, Section 1
 - Article 13, Section 3
 - Article 15, Section 2
 - Appendix C
 - Appendix D
 - Appendix J (fifth paragraph relating to uniform allowance)
- Transfer procedures
 - Article 12 (entire Article except for Section 4 and Section 7)
- Evaluation procedures
 - Article 2, Section 7

- Appendix G (first paragraph)
- Procedures for staff reduction
 - Article 11, Section 3
 - Appendix Q (first paragraph).

2. ARTICLE 8, SECTION 5 – MEAL PERIODS

Amend the language of this Section as follows:

Employees will be provided an unpaid lunch period of at least one-half (1/2) hour to be scheduled with the approval of the supervisor. Employees required to work four (4) hours or more overtime will be permitted an additional meal period. ~~The Employer shall reimburse the employee the cost of the meal, not to exceed six dollars (\$6.00). Employees shall supply a meal receipt.~~

~~Effective 07/01/12, Meter Violations Checkers will cease being provided a thirty minute paid lunch period during their regularly scheduled work day, and the City agrees to not contact these employees during their unpaid lunch.~~

3. ARTICLE 8, SECTION 9 – ON-CALL STATUS

Amend the language of this Section as follows:

On-Call/Standby Status

Lead Crime Scene Technicians and Civilian Crime Scene Technicians who are placed on an "on-call" status and required to carry a beeper or phone, shall be credited with six (6) hours of compensatory time for each week of "on-call" duty. This supplement shall be pro-rated for periods of "on-call" time which are less than one week in duration and shall be in addition to any other compensation provided in this Agreement. If utilized by the City, on-call duty shall be assigned on a rotating basis in intervals of no more than seven (7) consecutive calendar days.

Public Works and Neighborhood Services AFSMCE employees engaged in emergency response and required to be on "standby" shall be compensated at the greater of the following rates:

- 1. Sixty dollars (\$60.00) per day to be pro-rated if an employee is required to be on standby for less than twenty-four (24) consecutive hours;**
- 2. For actual hours worked at his applicable rate; or**
- 3. For three (3) hours of pay at his straight time hourly rate for each time he is required to return to duty.**

This standby provision shall only apply to those employees required to be available for work on a regularly scheduled time off. No employee will be required to be on standby during his approved vacation leave.

4. ARTICLE 9, SECTION 9

Amend the language of this Section as follows:

Police Services Generalists ~~Clerks~~ Training Personnel

Police Services Generalists ~~Clerks~~ assigned as Police Services Generalists ~~Clerks~~ Training Personnel will be paid an additional 5% above their regular rate of pay for the period of such training assignments.

5. ARTICLE 9, SECTION 10

Delete the following language that violates the Chapter 20 interest arbitration provisions:

“In the event these parties cannot mutually agree, the matter shall be submitted to an interest arbitrator pursuant to Chapter 20.22 of the Iowa Code.”

6. ARTICLE 10, SECTION 1 – OVERTIME PAY

Amend the language of this Section as follows:

Employees shall be paid one and one-half (1 1/2) times their regular straight time hourly rate of pay for all hours worked in excess of eight (8) hours per day and forty (40) hours per week or receive compensatory time for such hours as stated in Section 2. Unless otherwise specified by the terms of this Agreement, employees shall be eligible for overtime only on the basis of actual hours worked for the Employer. Sick leave will not be treated as time worked for overtime purposes. All paid time except sick leave will be counted as hours worked for the purpose of computing overtime. Employees shall receive prior approval from their supervisor before working overtime.

7. ARTICLE 10, SECTION 3 – OVERTIME DISTRIBUTION

Amend the language of this Section as follows:

Overtime opportunities will be distributed equally within departments to employees working within the job classifications that normally perform the work involved.

On each occasion the opportunity to work overtime shall be offered to the employee within the job classification who has the least number of overtime hours to their credit at that time. If this employee does not accept the assignment, the employee with the next fewest number of overtime hours to their credit shall be offered the assignment. The procedure shall be followed until the required qualified employees have been selected for the overtime work.

If not enough employees are obtained to work overtime, the qualified employees with the least seniority shall be required to work. **However, nothing in this Article prohibits the City from assigning overtime work contrary to seniority.**

A record of overtime hours worked or offered to each employee shall be available for inspection upon request by either the employee or the union representative.

8. ARTICLE 13, SECTION 2 – EDUCATIONAL INCENTIVE

Delete the language in this Section.

9. ARTICLE 15, SECTION 4 – NOTIFICATION

Amend the language of this Section as follows:

Employees who are absent or who anticipate an absence, must notify their department prior to the start of the normal workday whenever possible. **In addition, Employees are required to notify their supervisor if they are leaving their shift early prior to their departure.**

10. ARTICLE 18, SECTION 3 – VACATION SCHEDULING

The City proposes to DELETE the following language in this Section:

“With approval of the Employer, vacations may be granted in increments of one hour.”

11. ARTICLE 20, SECTION 2 – PROTECTIVE CLOTHING

Amend the language of this Section as follows:

The Employer shall furnish protective clothing and equipment in accordance with applicable State and Federal regulations. In those operations or departments that employees are required by the Employer **—as determined by the Department Director—**to wear safety shoes, the employee will receive a safety shoe allowance of \$100 per calendar year to be paid on the first pay check in August for the purchase of safety shoes.

12. APPENDIX F – METER VIOLATIONS CHECKERS

Delete Appendix F.

13. APPENDIX J – LETTER OF AGREEMENT/CRIME SCENE TECHNICIANS

Amend the language of this Appendix as follows:

The City of Davenport added four additional positions to the Police Department in

May 2001. It is agreed by both parties that these positions, Lead Civilian Crime Scene Technician (1) and Civilian Crime Scene Technician ~~(3)~~ **(4)** would be members of the AFSCME collective bargaining unit. It is further agreed that due to the unique duties of these positions that the collective bargaining agreement would need to be modified as follows:

Section 8.2 Hours of Work: ~~The Civilian Crime Scene technicians will work up to three distinct shifts (days/afternoons/evenings) on a schedule similar to police department personnel (i.e. six consecutive days and two days off). When the days off coincide with weekends, the employee will receive three days off. The shift hours will be consecutive and be set by management between the hours of 6am and 4am. The Civilian Crime Technicians will bid shifts every six (6) months.~~ **The Civilian Crime Scene Technicians will work 2 distinct shifts (days/afternoon) The five work days shall consist of two (2) work days of eight and one half (8 ½) hours, then one (1) work day of nine (9) hours, and finally two (2) work days of eight and one half (8 ½) hours, on a repeating cycle of five (5) days on and two (2) days off, then five (5) days on and three (3) days off. The shift hours will be consecutive and be set by management between the hours of 5am and 1am. The Civilian Crime Scene Technicians will bid shifts every six (6) months.**

Section 8.5 Meal Periods: Lead Civilian Crime Scene Technician and Civilian Crime Scene Technicians will be provided a thirty-minute paid lunch period during their regularly scheduled work day.

Section 8.7 Shift Differential: The monetary amounts in said section are applicable. However, those working second shift will receive the shift allowance for second shift the entire shift and those working third shift will receive the shift allowance for third shift the entire shift.

~~Section 9.7 Uniform Allowance: The Lead Civilian Crime Scene Technician and Civilian Crime Scene Technicians shall be provided a uniform allowance for uniforms and equipment equal to \$550.00, made in two installments of \$275.00 on the second pay period in July and January.~~

Article 10, Section 1 Overtime Pay: All provisions of the collective bargaining agreement shall apply, except that paid leave time will not be counted as hours worked for the purpose of computing overtime for regular hours (scheduled overtime). However, all hours worked in excess of those regularly scheduled shall be paid at the overtime rate. For example: if an employee's regular hours for a work week totals forty-three (43) hours and the employee has taken paid leave of three (3) or more hours during that week, the employee would not be eligible for overtime rate for the three (3) hours over forty (40) hours. The employees would be paid at straight time for all forty-three (43) hours.

Section 16.2 Court Time:

- (a) If as the result of the performance of duties on behalf of the City, an employee is subpoenaed as a witness to appear or notified by the court to appear in a court or court-related proceeding on a scheduled day off, or outside a scheduled shift on a regularly scheduled duty day, the City will pay the employee a minimum of two (2) hours pay at the rate of one and one-half (1-1/2) times his/her straight time hourly rate of pay for all time spent in court.

This minimum guarantee shall not apply if the court appearance is within one hour from the beginning of the employee's shift; in that event the employee shall be paid at the overtime rate until the beginning of his/her shift. The employee shall be permitted to retain any fees or expenses paid to him for testifying.

- (b) Court time shall be paid exclusively as provided above and no prior provisions in this Article shall apply to court time. Court time paid as provided above shall not count toward the computation of overtime, nor shall it be considered as time worked or paid for within the meaning of any other provision of this Agreement.
- (c) It is agreed that ~~evidence technicians~~ civilian crime scene technicians have a responsibility to respond to subpoenas when properly issued and served by a court of law. The City and the Union agree that, whenever reasonably possible, subpoenas should be served at least twenty-four (24) hours prior to the appointed court time.
- (d) In the event that an employee exchanges a tour of duty and subsequently as a result is not scheduled for work on a day when the employee was to have appeared in court, such employee shall not receive minimum pay as provided in subsection (a) above. This provision shall not apply if an employee is notified to appear in court after the employee has requested an exchange of tour of duty.

Section 17.1: Holidays: Holidays shall be observed on their actual date, not a Monday or Friday if the actual holiday lands on a weekend. The Lead and Civilian Crime Scene Technicians will be allowed to carry over a maximum of 40 hours of holiday leave at the end of each fiscal year. The employee will lose any holiday hours in excess of 40 at the end of the fiscal year.

Section 17.3 and 17.4 Holiday Pay:

The following provisions shall apply for these eight (8) holidays: New Year's Day; Martin Luther King, Jr. Day; Good Friday; Memorial Day; Thanksgiving Day; Friday after Thanksgiving; Christmas Eve Day; and Christmas Day.

- (a) When any of the eight (8) above-referenced holidays falls on an employee's regularly scheduled day off, or on a day of vacation, and said holiday is not worked, an eligible employee shall accumulate eight (8) hours of holiday time off. Said holiday time off shall be granted insofar as practicable on the day requested by each employee, with the determination on preference being made on a first come basis. It is expressly understood that the final right to designate said day off is exclusively reserved by the Chief of Police in order to insure the orderly and efficient performance of services.
- (b) When any of the eight (8) above-referenced holidays falls on an employee's regularly scheduled work day which the employee, in fact works, an eligible employee shall be paid for the time actually worked that day at a rate of one and one-half (1-1/2) times the regular rate of pay, and in addition shall accumulate eight (8) hours of holiday time off. Such holiday time off shall be granted insofar as practicable on the day requested by each employee.
- (c) When an employee who is scheduled to be off duty on any of the eight (8) above-referenced holidays is called back to work on that holiday, that employee shall be paid at the rate of one and one-half (1-1/2) times the regular rate of pay for all hours worked plus an equal amount of holiday time off. The provisions of Section 10.5 shall apply.

~~This agreement shall be non-precedent setting for purposes of future matters concerning the Lead and Civilian Crime Scene Technicians.~~

The following provisions shall apply for these four (4) holidays: President's Day; Independence Day; Veteran's Day; and Labor Day.

- (a) When any of the four (4) above-referenced holidays fall on an employee's regularly scheduled day off or on a vacation day, and said holiday is not worked, an eligible employee shall accumulate no hours of holiday time off.
- (b) When any of the above-referenced four (4) holidays fall on an employee's regularly scheduled work day which the employee, in fact works, an eligible employee shall be paid for the time actually worked that day at a rate of one and one-half (1 ½) times the regular rate of pay, and in addition shall accumulate holiday time off for all hours worked in excess of their regularly scheduled hours that day. Such holiday time off shall be granted insofar as practicable on the day requested by the employee.
- (c) When an employee who is scheduled to be off duty on any of the above-referenced four (4) holidays is called back to work on that

holiday, that employee shall be paid at the rate of one and one half (1 ½) times the regular rate for hours worked, plus they shall accumulate holiday time off for all hours worked in excess of 8.5 hours. The provisions of Section 10.5 shall apply.

14. APPENDIX L

Delete Appendix L.

15. APPENDIX Q

Delete Appendix Q.

16. WAGES

Increase wages as follows:

<u>Effective Date</u>	<u>Percentage Increase</u>
07/01/2021	1.75%
07/01/2022	1.75%
07/01/2023	2.0%
07/01/2024	2.0%

17. DURATION

4-year Agreement (covering July 1, 2021—June 30, 2025)

18. City will receive input from committees established through existing labor-management structure before it makes substantive changes to the prohibited language removed from the CBA due to Chapter 20 requirements.

19. MISCELLANEOUS CLEAN-UP

Update wage schedule and renumber Articles, Sections, and Appendices as necessary.

City of Davenport

Department: Finance
Contact Info: Mallory Merritt | 563-326-7792

Action / Date
1/13/2021

Subject:

Motion approving a four-year collective bargaining agreement between the Davenport Public Library and the American Federation of State, County and Municipal Employees, Local Union No. 887 for the term beginning on July 1, 2021 and ending on June 30, 2025. [All Wards]

Recommendation:

Pass the Motion.

Background:

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ATTACHMENTS:

Type	Description
▢ Backup Material	AFSCME Library Collective Bargaining Agreement

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	12/30/2020 - 3:54 PM

**DAVENPORT PUBLIC LIBRARY
AND
AFSCME LOCAL 887**

**12/14/2020 Tentative Agreement for Contract
Covering the Period of July 1, 2021 through June 30, 2025**

1. REMOVAL OF EXCLUDED/ILLEGAL SUBJECTS OF BARGAINING

All provisions of the existing collective bargaining agreement which pertain to any of the following excluded/illegal subjects of bargaining under Iowa Code chapter 20 will be deleted from the agreement:

- Dues checkoff
 - Article 2, Section 8
 - Article 6
- Insurance
 - Article 1, Section 2 (only language related to insurance)
 - Article 9, Section 7 (first paragraph only)
 - Article 16, Section 12
 - Article 19
 - Appendix I
 - Appendix K
 - Appendix N
 - Appendix Q
 - Appendix R
 - Appendix T
 - Appendix U
 - Appendix V
 - Appendix W
- Leaves of absence for political activities
 - Article 16, Section 8
- Supplemental pay
 - Article 13, Section 1 (last sentence only)
 - Article 13, Section 2
 - Article 13, Section 4
 - Article 14, Section 1
 - Article 15, Section 3
- Transfer procedures
 - Article 1, Section 2 (last sentence only)
 - Article 1, Section 3 (only language related to promotional rights)
 - Article 12 (entire article except for Sections 5 and 7, which are permissive)
 - Article 16, Section 6 (last sentence only)
 - Article 16, Section 13
- Evaluation procedures
 - Article 2, Section 4

- Appendix J
- Procedures for staff reduction
 - Article 1, Section 3 (only language related to layoff rights)
 - Article 11, Section 4
 - Article 11, Section 5
 - Appendix G

2. ARTICLE 8 – HOURS OF WORK

Amend the language of the following Sections as follows:

- **Article 8, Section 3 Scheduling**

Replace the current contract language with the following:

A. Library Scheduling Practices

The employer agrees to make a good faith effort to adhere to scheduling practices outlined below. Work schedules showing the Employee's shifts, work days, and hours shall be posted at a central department location. The Employer may make temporary work schedule changes for reasonable cause and with as much notice to affected employee(s) as possible. Employees shall work at locations operated by the Davenport Public Library. Work performed at locations not operated by the Davenport Public Library shall be directed and determined by the employer but the determination shall take into account the safety of the effected employee(s). Employees may be required to attend conferences, workshops, seminars, and conventions at locations not operated by the Davenport Public Library.

Work schedules should be available at least one month in advance before the start of the month barring emergency situations (e.g. by the end of August, the October 1-31 schedule is posted).

The Department Head or designee shall have the flexibility to schedule employees based on the needs of the respective department. The Davenport Public Library Departments are as follows:

Customer Service	Main Facilities
Eastern Facilities	Special Collections
Fairmount Facilities	Technical Services
Information Services	Youth Services and Programming
IT	Community Outreach

Staff that are shared between departments at times will collaborate with other Department Heads according to predetermined guidelines.

Vacations will be scheduled within each department on a quarterly basis and on the basis of seniority, with the most senior employee having preference with regard to the selection of vacation. Department Supervisors will not be included in the department for purposes of selecting vacation.

B. Equitable Share Scheduling

The Department Supervisor or designee will do their best to schedule equally amidst their staff. This means in order to cover all the nights and Saturdays that the Library is open, the different departments may work different numbers. There is no guarantee that each staff member will always be scheduled to work the exact same number, as vacations, sickness, and emergencies do happen.

When a staff member is scheduled for a Saturday shift, the Department Head or designee will schedule an alternate day off during the week that works best for the overall department schedule.

- **Article 8, Section 5 Trade Time**

Replace the current contract language with the following:

Employees are permitted to trade shifts with co-workers with the approval of their Department Supervisor or designee.

- **Article 8, Section 7 Meal and Rest Periods**

Amend the language in this Section as follows:

Employees scheduled for 7-8 hours of work shall be granted a meal period of **30 minutes or** 1 hour without pay and two fifteen (15) minute rest periods. Employees scheduled for 6-6.99 hours of work shall be ~~permitted to take granted~~ a meal period of **thirty (30) minutes or** 1 hour without pay ~~to be arranged with the supervisor and shall be granted~~ one fifteen (15) minute rest period. Employees scheduled for 3.5 to 5.99 hours of work shall be granted one fifteen (15) minute rest period. Employees scheduled for 0 to 3.49 hours of work shall not be permitted to take a rest period, ~~except on Sundays they shall be granted one ten (10) minute rest period.~~ **Employees may take a thirty (30) minute lunch period Monday-Thursday only.**

~~The rest period shall be taken near the middle of each one-half (1/2)~~ **Employees granted a meal during their work shift shall be scheduled at the middle** of the shift ~~whenever this is feasible.~~ **Variations to scheduled meal times are acceptable when approved by the department supervisor.** ~~Whenever possible the meal period shall be scheduled at the middle of the shift.~~

Employees will indicate their preference of length of meal period on their Quarterly Request form that is due on February 1st each year. Any needed changes will be effective the first full pay period in March.

Rest periods are paid time and may not be combined with meal periods or other break times to extend the length of the break period or shorten the work day. Employees are not permitted to drive during paid rest periods without supervisory permission.

Employees who are authorized to work two hours or more beyond their regular shift shall be granted a thirty (30) minute rest period as near the end of the regular shift as possible. All rest periods shall be paid. Exception to scheduling of meal periods and breaks may be requested by employees and are subject to supervisor approval.

- **Article 8, Section 8 Sunday Schedule**

DELETE the language of this Section since there is no longer Sunday service.

- **Article 8, Section 9 Flexible Scheduling**

Amend the language of this Section as follows:

Where practicable, as determined by the Library, with consent of the employee, variations in the normal work schedule may be implemented to facilitate the needs of a particular ~~work-unit~~ **department**. Such scheduling shall not result in inconvenience to the public, loss of operational efficiency or increased overtime expenditures, and shall require approval of the Department Head or designee. Either an employee or the employer may make such request for flexible schedule.

3. ARTICLE 9, SECTION 2 – WAGE SCALE

Amend the language in the second paragraph of this section from “bonus payment” to “longevity payment”

4. ARTICLE 15, SECTION 2 – SICK LEAVE NOTIFICATION

Amend the language of this Section as follows:

Absent an emergency, ~~E~~mployees who are absent or who anticipate an absence must notify their department **no less than one hour** prior to the start of the normal workday ~~whenever possible~~.

5. ARTICLE 16, SECTION 5

Delete the language in this Section.

6. ARTICLE 16, SECTION 6

Delete the last sentence in this Section (“The Employer may make a temporary appointment to fill any vacancy created by such leave of absence.”)

7. ARTICLE 18, SECTION 1(B)

Change the reference to “Professional Employees” in this Section to “Librarians”

8. ARTICLE 20, SECTION 3

Delete the language in this Section.

9. APPENDIX D – LEAPFROGGING

Delete this Appendix.

10. APPENDIX E – SUNDAY SCHEDULE FORM

Delete this Appendix.

11. APPENDIX F – DAVENPORT PUBLIC LIBRARY JOB ANNOUNCEMENT

Delete this Appendix.

12. APPENDIX M – ALTERNATIVE MONTHLY SCHEDULE

Delete this Appendix.

13. APPENDIX S – SCHEDULING

Delete this Appendix.

14. WAGES

Increase wages as follows:

<u>Effective Date</u>	<u>Percentage Increase</u>
07/01/2021	1.75%
07/01/2022	1.75%
07/01/2023	2.0%
07/01/2024	2.0%

15. DURATION

4-year Agreement (covering July 1, 2021—June 30, 2025)

16. Library will receive input from committees established through existing labor-management structure before it makes substantive changes to the prohibited language removed from the CBA due to Chapter 20 requirements.

17. MISCELLANEOUS “CLEAN-UP”

Update wage schedule and renumber Articles, Sections, and Appendices as necessary.