

COMMITTEE OF THE WHOLE MEETING

CITY OF DAVENPORT, IOWA

Wednesday, March 5, 2025; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

REVISED MARCH 4, 2025

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Public Works

1. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project, CIP #28028. [Ward 8]
2. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the East 53rd Street and Elmore Avenue Intersection Patching project, CIP #35061. [Ward 6]
3. Public Hearing for the plans, specifications, form of contract, and estimate of cost for East 53rd Street and Utica Ridge Road Intersection Improvements project, CIP #35065. [Ward 6]
4. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project, CIP #35062. [Ward 6]
5. Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project, CIP #35061. [Ward 5]
6. Public Hearing on the specifications, form of contract, and estimate of cost for the FY 2026 Root Control Program. [All Wards]

VII. Proclamations

1. Central Singers, Inc. Day | March 10, 2025

VIII. Petitions and Communications from Council Members and the Mayor

IX. Action items for Discussion

COMMUNITY DEVELOPMENT

Kyle Gripp, Chair; Paul Reinartz, Vice Chair

X. COMMUNITY DEVELOPMENT

1. Third Consideration: Ordinance for Case REZ25-01 being the request of Woda Cooper Development, Inc to rezone approximately .39 acres of land located on Lot 21 of Sheffield Square 1st Addition from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]
2. Second Consideration: Ordinance for Case REZ25-02 being the request of Anthony Properties to rezone approximately 1.15 acres of land located on the northern portion of 5670 Tremont Avenue from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]
3. Resolution approving Case P25-02 being the request of Splendor Homes, LLC for a preliminary plat of Splendor Estates, a 76-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street. [Ward 8]
4. Resolution approving a new Service Level Agreement with Grow Quad Cities, an affiliate of the Quad Cities Chamber. [All Wards]

XI. Motion recommending discussion or consent for Community Development items

PUBLIC SAFETY

Ben Jobgen, Chair; Tim Dunn, Vice Chair

XII. PUBLIC SAFETY

1. First Consideration: Ordinance amending Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa by adding thereto restrictions on the use of motorcycles and motorized bicycles on public sidewalks. [All Wards]

STAFF RECOMMENDS DELETION

2. First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa by adding thereto a new section with definitions and to include restrictions for electric bikes (e-bikes) on public sidewalks. [All Wards]

STAFF RECOMMENDS DELETION

3. First Consideration: Ordinance amending Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa by adding thereto definitions and restrictions on the use of motorcycles and motorized bicycles on public sidewalks. [All Wards]
4. First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa by changing the title to "Bicycles and Motorized Micromobility Devices", adding thereto a new section with definitions and a new section regarding riding on multi-use paths/trails, and including regulations and restrictions for electric bikes (e-bikes) on public sidewalks. [All Wards]
5. Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

Cornbelt Running Club; Iowa American Water Bix at 6 Training Runs; 5:00 p.m. - 8:30 p.m. Thursday, June 26, 2025; Wednesday, July 2, 2025; Thursday, July 10, 2025; and Thursday, July 17, 2025; **Closures:** East 4th Street from Pershing Avenue to River Drive; Pershing Avenue from East 4th Street to Kirkwood Boulevard; Kirkwood Boulevard from Pershing Avenue to Jersey Ridge Road; Jersey Ridge Road from Kirkwood Boulevard to Middle Road; Middle Road from Jersey Ridge Road to McClellan Boulevard; McClellan Boulevard from Middle Road to River Drive. [Wards 3 & 5]

Cornbelt Running Club; MercyOne Genesis Brady Street Sprints; 6:00 p.m. - 9:00 p.m. Thursday, July 24, 2025; **Closure:** Brady Street from 5th Street to Palmer Drive. [Ward 3]

6. Motion approving beer and liquor license applications.

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

Ward 1

The Goods Spot #5524 (Inconvenience, Inc) - 2805 Telegraph Road – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5523 (Inconvenience, Inc) - 3624 West Locust Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

Ward 3

Carriage Haus (Smoking Haus Entertainment) - 312 West 3rd Street – Temporary Extended Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Daiquiri Factory (Daq Fac, LLC) - 303 West 3rd Street – Temporary Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street – Temporary Extended Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Mac's Tavern (Failte, Inc) - 316 West 3rd Street – Temporary Extended Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street – Temporary Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Ward 4

The Goods Spot #5522 (Inconvenience, Inc) - 1732 North Marquette Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

Ward 5

The Gas Spot #5519 (Inconvenience, Inc) - 1136 East Locust Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5521 (Inconvenience, Inc) - 303 West Locust Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

Ward 6

Brasero (Brasero Tex-Mex, LLC) - 3871 Elmore Avenue A – New License/Owners - License Type: Class C Liquor (On-Premises)

Ward 7

The Gas Spot #5518 (Inconvenience, Inc) - 1670 West Kimberly Road – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5517 (Inconvenience, Inc) - 201 West 53rd Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

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

Ward 1

Gunchies (Conrad Holdings, LLC) - 2905 Telegraph Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 3

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - License Type: Class C Liquor (On-Premises)

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc) - 2815 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

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

Los Amigos (Los 3 Amigos 3, LLC) - 2843 East 53rd Street - License Type: Class C Liquor (On-Premises)

C. Request for 19/20-year-old exemption:

Ward 3

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

XIII. Motion recommending discussion or consent for Public Safety items

PUBLIC WORKS

Rick Dunn, Chair; Tim Kelly, Vice Chair

XIV. PUBLIC WORKS

1. Resolution approving a one-year contract extension for Natural Resources landscaping maintenance services to Delf's Landscape and Irrigation of Blue Grass, Iowa. [All Wards]
2. Resolution awarding a one-year contract, with three possible one-year renewals, for Electrical Services at the Water Pollution Control Plant to Tri-City Electric Company of Davenport, Iowa. [Ward 1]
3. Resolution awarding a one-year contract, with four possible one-year renewals, for Plumbing and Mechanical Services to Crawford Company of Rock Island, Illinois. [All Wards]

4. Resolution awarding a contract for the CY 2025 Pedestrian Curb Ramp Retrofit Program to Leveraged Services, LLC of Bettendorf, Iowa in the amount of \$150,852, CIP #35066. [All Wards]
5. Resolution adopting the final assessment schedule for the 2024 Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Wards 3 & 5]
6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project, CIP #28028. [Ward 8]
7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East 53rd Street and Elmore Avenue Intersection Patching project, CIP #35061. [Ward 6]
8. Resolution approving the plans, specifications, form of contract, and estimate of cost for East 53rd Street and Utica Ridge Road Intersection Improvements project, CIP #35065. [Ward 6]
9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project, CIP #35062. [Ward 6]
10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project, CIP #35061. [Ward 5]
11. Resolution approving the specifications, form of contract, and estimate of cost for the FY 2026 Root Control Program. [All Wards]
12. Resolution approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$200,000 for the Elmore Avenue and East 46th Street Traffic Signal Installation project, CIP #38023. [Ward 6]
13. Resolution approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$150,000 for the East Kimberly Road at East 36th Street Reconfiguration project, CIP #38024. [Ward 7]
14. Resolution approving the purchase of Parcel #R0463-03 for the South Concord Grade Separation project in the amount of \$190,000, CIP #21013. [Ward 1]
15. Motion amending the grant agreement with the Iowa Department of Transportation Special Transit Assistance Program (STA) for the Transit Planning Study project. [All Wards]
16. Motion awarding a contract for engineering services for the Junior Theatre | Utility Relocation project to Axiom Consultants of Iowa City, Iowa in the amount of \$59,200, CIP #23099. [Ward 5]

XV. Motion recommending discussion or consent for Public Works items

FINANCE

Jazmin Newton, Chair; Mhisho Lynch, Vice Chair

XVI. FINANCE

1. Third Consideration: Ordinance repealing and replacing Chapter 5.15 entitled "Cigarette, Tobacco, Alternative Nicotine or Vapor Products" of the Municipal Code of Davenport, Iowa to include recent legislation enacted by the General Assembly of the State of Iowa regarding regulation of certain tobacco products. [All Wards]
2. Resolution adopting an updated Investment Policy. [All Wards]
3. Resolution approving a three-year contract extension, with two possible one-year renewals, for Forms Management Services (Printing and Mailing Services) with QuestMark Information Management Inc of Houston, Texas. [All Wards]
4. Motion awarding a contract for the development of a Case Management System to Insight Public Sector of Chandler, Arizona in the amount of \$84,194.87 using OMNIA Partners contract 23-6692-03. [All Wards]

XVII. Motion recommending discussion or consent for Finance items

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

1. PFM Group Consulting LLC | SF 2442 and FY 2026 taxable valuation analysis | Amount: \$10,000
2. WHKS & Co | architectural and engineering services Goose Creek Trail IV | Amount: \$10,038.76
3. Lane & Waterman LLP | professional services | Amount: \$10,185.05
4. Xcel Manufacturing | fabricated custom steel plates for Compost | Amount: \$11,198.14
5. Lane & Waterman LLP | professional services | Amount: \$13,640.51
6. Taylor Ridge Paving & Construction | Duck Creek parking lot repair and re-lining | Amount: \$14,765
7. Legat Architects Inc | architectural services Fairmount Library roof | Amount: \$18,191.25
8. Lane & Waterman LLP | professional services | Amount: \$22,127
9. Paragon Commercial Interiors Inc | 3 mobile shelving units | Amount: \$24,890.07
10. Tri City Electric Co Inc | RM25-076 electrical reconfiguration Marquette storage facility | Amount: \$27,235.23
11. Martin Equip of IA-IL Inc | E375 transmission replacement and supplies | Amount: \$31,166.75
12. Grisham Industries Inc | floor grate frame fabrication for Compost | Amount: \$48,625

XIX. Other Ordinances, Resolutions and Motions

1. Motion to reinstate the publication of public comments on the livestream of Committee of the Whole and City Council meetings and to continue recording and publishing these meetings in their entirety, from call to order to adjournment, with recordings uploaded to YouTube for public access. [All Wards]

XX. 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 cannot take action on any complaint or suggestions tonight and cannot respond to any allegations at this time.

Please state your name and ward for the record. There is a three (3) minute time limit. Please end your comments promptly.

XXI. Reports of City Officials

XXII. Adjourn

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project, CIP #28028. [Ward 8]

Recommendation:

Hold the Hearing.

Background:

The project will provide an ADA-compliant sidewalk connecting the existing sidewalk on the east side of Division Street to the existing sidewalk within Ridgeview Park. The work includes the furnishing of all labor, materials, equipment, and services necessary for construction of sidewalks, ADA ramps and turning spaces, and culvert pipe. Work shall include but not be limited to sidewalk, ADA ramps, ADA turning spaces, installation of 18" RCP culvert, aprons, granular subbase, restoration of turf areas adjacent to these items, and traffic control.

Attachments:

1. Map



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the East 53rd Street and Elmore Avenue Intersection Patching project, CIP #35061. [Ward 6]

Recommendation:

Hold the Hearing.

Background:

This is a pavement patching project located at the intersection of East 53rd Street and Elmore Avenue. The patching is at the center two lanes of the roadway. The proposed improvements include, but are not limited to, traffic control, night work, patching, curb sidewalk at the southeast quadrant, and final stabilization.

Funding for this project is from CIP #35061 | Streets Projects.

Attachments:

1. Map



THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35061



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Public Hearing for the plans, specifications, form of contract, and estimate of cost for East 53rd Street and Utica Ridge Road Intersection Improvements project, CIP #35065. [Ward 6]

Recommendation:

Hold the Hearing.

Background:

The intersection at East 53rd Street and Utica Ridge Road is often very crowded, causing long delays and long lines of cars. Because of this congestion, drivers get frustrated, and accidents happen more often here than at similar intersections.

To fix the traffic issues, the plan is to add dual left-turn lanes in two directions:

- eastbound on East 53rd Street
- northbound on Utica Ridge Road

With these new lanes, the traffic signal will change. Currently, drivers turning left can do so after yielding to oncoming traffic. After the changes, left turns will only be allowed on a green arrow. This will help prevent accidents caused by left-turning cars. Less congestion will also mean shorter lines of cars, reducing the chances of rear-end crashes. To improve safety even more, some driveways just south of the intersection on Utica Ridge Road will be changed to right-in, right-out only. This means drivers will no longer be able to turn left into or out of those driveways; however, businesses in the area have other entrances and exits that allow left turns.

The Iowa Department of Transportation approved this project and awarded \$500,000 in funding on July 1, 2024. This covers approximately half of the construction cost. The City Council supported the project and approved the Resolution to apply for the grant on June 14, 2023, and approved a Resolution to accept the funding on May 8, 2024.

Once a contractor is selected, they will have 30 days to start procuring the necessary traffic signal equipment. The existing traffic signals will stay in place until the new equipment arrives. Because traffic signal equipment can take a long time to be delivered, construction on the signals might not start until 2026.

Attachments:

1. Map



THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35065



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project, CIP #35062. [Ward 6]

Recommendation:

Hold the Hearing.

Background:

This project will perform full-depth concrete patching at East 32nd Street from Fernwood Avenue to Fernwood Court. Proposed improvements include, but are not limited to, the furnishing of all labor, materials and equipment for the patching of the existing concrete roadway, utility structure adjustment to finish grade, topsoil, sodding, and erosion control.

This project is funded in CIP #35062.

Attachments:

1. Map



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Public Hearing on the plans, specifications, form of contract, and estimate of cost for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project, CIP #35061. [Ward 5]

Recommendation:

Hold the Hearing.

Background:

This is a street resurfacing project of portions of Grand Avenue from East Locust Street to East 29th Street. The proposed improvements include, but are not limited to, asphalt mill and overlay of existing pavement sections, full-depth asphalt pavement patching, PCC curb and gutter replacement, sidewalk replacement, ADA curb ramp construction, utility structure adjustments, miscellaneous manhole replacements, and final stabilization.

This project will be funded in CIP #35061 for streets projects.

Attachments:

1. Map

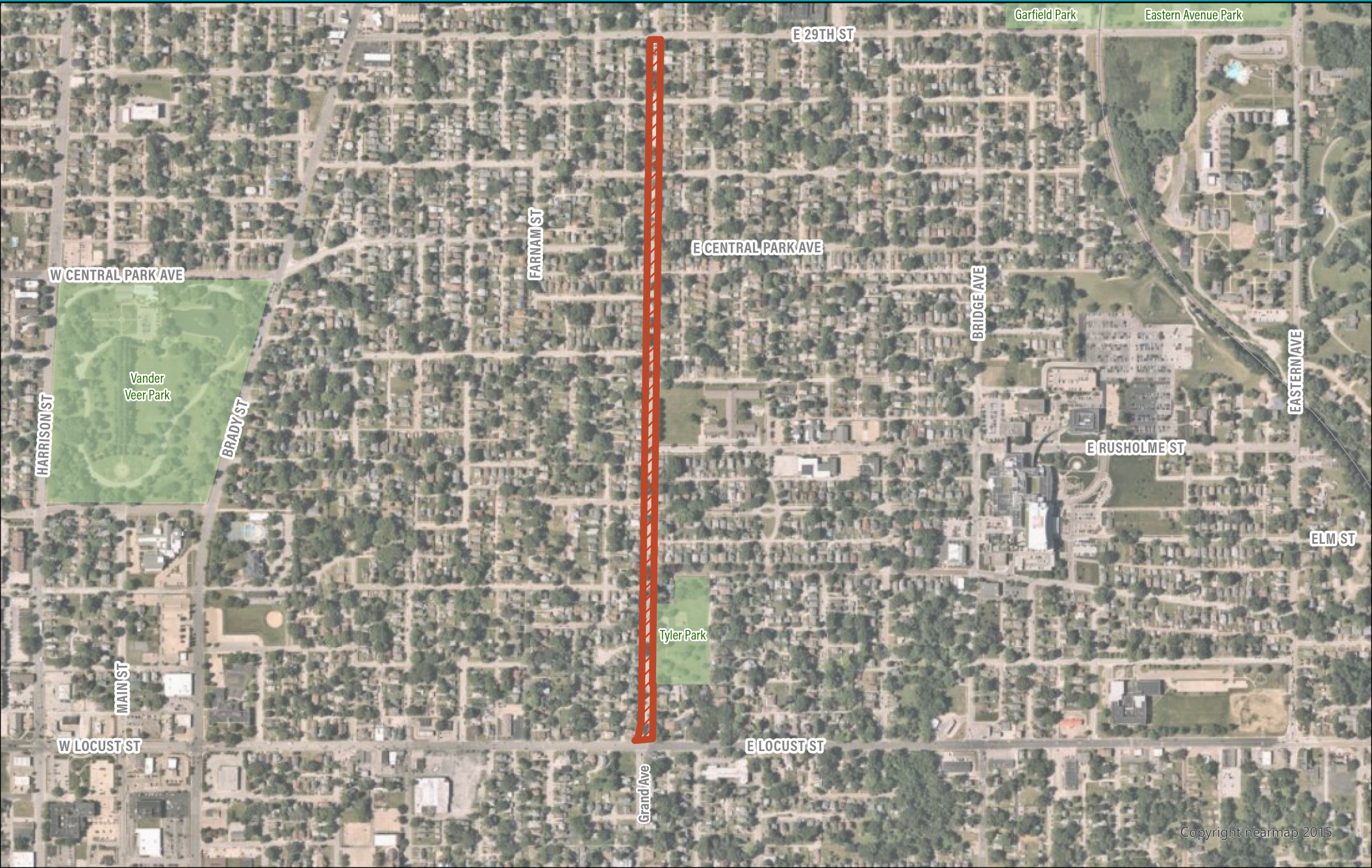


THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35061



City of Davenport

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

Action / Date
3/5/2025

Subject:

Public Hearing on the specifications, form of contract, and estimate of cost for the FY 2026 Root Control Program. [All Wards]

Recommendation:

Hold the Hearing.

Background:

The Root Control Program began in FY 2015 with a group of sanitary sewer segments receiving an initial chemical foaming treatment. Treatment of roots helps to keep them from causing sanitary sewer backups. A second group was added to the program in FY 2016 and a third in FY 2020. The segments receiving the chemical foaming application are guaranteed by the root control contractor to remain root free for a period of 24 months from the initial application and, with regular retreatments, for 36 months from subsequent applications. Because there are now three groups, retreating one group every year ensures no more than thirty-six months elapse between retreatments for each segment retaining the root-free guarantee enrolled in the program.

The purpose of this program is to apply a chemical root control agent to sanitary sewers to kill the root growth present in the main lines and the first several feet of their connected sewer laterals. Tree root intrusion into sewer systems is a primary cause of blockages and can also lead to structural deterioration and failures of the pipes. Chemical root control measures also inhibit re-growth without permanently damaging the existing trees.

The term of the initial contract will be for one year with the City maintaining separate options for a second and third year. The program will be managed by the Sewer Maintenance Division in conjunction with Engineering and Capital Improvement Department staff. Funds for the FY 2026 Root Control Program are projected to be budgeted in the Sanitary Sewer Operational Fund.

Attachments:

None

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
3/5/2025

Subject:

Third Consideration: Ordinance for Case REZ25-01 being the request of Woda Cooper Development, Inc to rezone approximately .39 acres of land located on Lot 21 of Sheffield Square 1st Addition from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

Recommendation:

Consider the Ordinance.

Background:

The subject property is zoned C-1 Neighborhood Commercial District. The site is currently vacant and will be combined with the abutting lots, zoned C-T Commercial Transitional District, to the west to form a larger developable property. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. Community amenities will include a gathering place and dog park.

At its January 21, 2025 meeting, the Plan and Zoning Commission recommended Case REZ25-01 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with the zoning and uses of nearby property.
3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment does not create nonconformities.

The staff report from the January 21, 2025 Plan and Zoning Commission meeting is attached.

Attachments:

1. Ordinance
2. Staff Report
3. Application
4. Maps
5. Zoning Ordinance

6. Public Notice: Committee of the Whole
7. Public Notice: Plan & Zoning Commission

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ25-01 BEING THE REQUEST OF WODA COOPER DEVELOPMENT, INC TO REZONE APPROXIMATELY .39 ACRES OF LAND LOCATED ON LOT 21 OF SHEFFIELD SQUARE 1ST ADDITION FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO C-T COMMERCIAL TRANSITIONAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "C-T Commercial Transitional District":

Lot 21 in Sheffield Square 1st Addition, an Addition to the City of Davenport, Iowa. Subject to easements and restrictions of record.

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

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with the zoning and uses of nearby property.
3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment does not create nonconformities.

Section 3. At its January 21, 2025 meeting, the City Plan and Zoning Commission voted to forward Case REZ25-01 to the City Council with a recommendation for approval subject to the listed findings.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
1/21/2025

Subject:

Case REZ25-01: Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

Recommendation:

Staff recommends Case REZ25-01 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with the zoning and uses of nearby property.
3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment does not create nonconformities.

Background:

The subject property is zoned C-1 Neighborhood Commercial District. The site is currently vacant and will be combined with the abutting lots, zoned C-T Commercial Transitional District, to the west to form a larger developable property. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. Community amenities will include a gathering place and dog park.

Why is a Zoning Map Amendment Required?

'Dwelling-Multi-Family' is a permitted use in both the C-1 Neighborhood Commercial District and the C-T Commercial Transitional District. However, there are different district dimensional standards for lot area, building height, gross floor area of nonresidential, and setbacks. The two districts also have separate design standards for fenestration. Since the applicant intends to construct the footprint of the senior living facility across zoning designations, a map amendment is required to facilitate the development.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

The subject property is currently designated as Residential General in the Davenport +2035 Future Land Use Map.

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

Zoning:

The applicant is petitioning a rezoning from C-1 Neighborhood Commercial District to C-T Commercial Transitional District.

1. **C-1 Neighborhood Commercial District:** This zoning district is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.
2. **C-T Commercial Transitional District:** This zoning district is intended to accommodate low intensity limited office, service, and retail uses that may serve as a transition between residential areas and more intensely developed commercial or light industrial areas of the City. Low intensity mixed-use is allowed.

Technical Review:

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to regional systems. Additional review will occur upon development of the property.

Approval Standards for Map Amendments (Chapter 17.14.040)

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

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

Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated areas as a whole, the neighborhood surrounding Truman Elementary School is classified as Residential General. Established neighborhoods are anticipated to maintain their existing characteristics in terms of land use mix and density, except for edges and transition areas, where higher intensity

may be considered.

Rezoning the property to C-T Commercial Transitional District does not require an amendment to the Future Land Use Map. With the exception of Green Acres Park, the intersection of Pine Street and West 53rd Street is designated as a Commercial Node. It is generally encouraged to have higher density near commercial corridors, such as West 53rd Street. The subject property serves as the transition between these two land use designations.

It is staff's opinion that the proposed amendment is consistent with the Comprehensive Plan and adopted land use policies.

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

Staff Response: The subject property is located on a block that serves as a transition between a commercial corridor and residential neighborhood. Given the higher traffic volumes, properties along West 53rd Street and Pine Street are zoned C-1 Neighborhood Commercial District. This facilitates commercial development that is compatible with nearby residential neighborhoods.

The lots on this block fronting West 54th Street and Linwood Avenue are zoned C-T Commercial Transitional District. This is the lowest intensity commercial district in Davenport, which is designed to promote moderate density residential development with limited commercial uses. The request to downzone the property to a lower intensity district will further protect the adjacent residential areas from incompatible commercial development. A rezoning creates consistency with the immediately adjacent vacant lots to the west, which are intended to be combined for the development of a senior living facility. Furthermore, the maximum building height in the C-T Commercial Transitional District is 35 feet, which is consistent with the surrounding residentially zoned properties.

The properties north of 54th Street are zoned R-4 Single-Family and Two-Family Residential District. This moderately dense urban development pattern is suitable adjacent to commercial corridors. Preserving a limited commercial zoning designation on the southside of the street may create a beneficial mix of land uses in the area.

It is staff's opinion the proposed zoning amendment to C-T Commercial Transitional District is compatible with the zoning of nearby property.

- **The compatibility with established neighborhood character.**

Staff Response: The established neighborhood character consists of a diversity of residential, commercial, and civic uses. The neighborhood contains a mixture of housing types, including single-family homes along Linwood Avenue, duplexes on the northside of 54th Street, townhomes, and a 12-unit multi-family building at 2413 54th Street. Truman Elementary School is also within close proximity and has an entrance directly across the street from the subject property. Commercial businesses within the vicinity include Choice Automotive, Big 10 Mart, Lawnscape, and a shopping center at the southeast corner of Pine Street and 53rd Street.

The subject property is a vacant lot, which will be combined with the adjacent parcels to the west to form a larger developable site. Compatibility with the established neighborhood character depends on the development of the property. The Zoning Ordinance implements design standards to ensure new construction is cohesive with the surrounding neighborhood. These standards regulate building materials, façade design, fenestration, and roof design.

Both the C-1 Neighborhood District and C-T Commercial Transitional District have the same design standards for residential development. These standards will be applicable to the proposed senior living facility. However, there are minor differences for new commercial construction. A rezoning to C-T Commercial Transitional District would eliminate a ground floor transparency requirement of 50% for public facing facades. Otherwise, standards for façade design and roof design remain unchanged between zoning districts.

It is staff's opinion the proposed zoning district is compatible with the established neighborhood character.

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

Staff Response: The applicant is requesting a map amendment to a more restrictive zoning designation. The proposed zoning map amendment will allow for similar uses as those already existing in the neighborhood. However, the C-T Commercial Transitional District limits the maximum gross floor area of nonresidential uses to 5,000 square feet. This is a unique requirement that does not apply to Davenport's other commercial zoning districts. The purpose is to ensure existing residential neighborhoods are protected from more intense commercial uses.

It is staff's opinion that the proposed zoning map amendment will promote the public health, safety, and welfare of the City.

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

Staff Response: The existing and proposed zoning designations accommodate low intensity office and retail uses that serve the needs of nearby residential areas. Dwellings are also considered a permitted use in both the C-1 Neighborhood Commercial District and the C-T Commercial Transitional District. The purpose of the rezoning is specific to the proposed development. The applicant intends to combine the subject lot, zoned C-1 District, with the adjacent properties to the west, zoned C-T District. Since the proposed apartment building will span across zoning boundaries, a map amendment is required to facilitate the development. Otherwise, a standalone multi-family building could be built on the site without a rezoning.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.

- **The extent to which the proposed amendment creates nonconformities.**

Staff Response: There are no structures on the subject property, which has been used as a community garden in recent years. If rezoned to C-T Commercial Transitional District, the property will comply with district dimensional standards for minimum lot area (10,000 square feet) and width (60 feet) requirements. Any development of the site shall be in accordance with applicable city codes and meet the standards of the C-T Commercial Transitional District.

It is staff's opinion that the proposed amendment will not create any nonconformities.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the December 18th neighborhood meeting and the January 7th Plan and Zoning Commission Public Hearing.

The neighborhood meeting was held at the Red Hawk Golf Course Clubhouse. Those in attendance included the applicant, planning staff, several elected officials, and two members of the public. To date, no written comments or formal protest petitions have been submitted. Staff will apprise the Commission of any additional correspondence at the January 21st Plan and Zoning Commission meeting.

Attachments:

1. Application
2. Maps
3. Public Notice
4. Zoning Ordinance



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING

PROJECT TITLE
Timber Ridge Apartments

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
Vacant lot across from 2350 W 54th Street.

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING	PROPOSED	SQ. AREA
	C1	CT	16,830

COMPLETE SUBMITTALS SHALL INCLUDE: **SUBMITTED**

Concept/Development Plan ☒

Authorization to Act as Applicant* ☒
*only needed if the Applicant is different than the owner

Legal Description* (bearing & distance) ☒
*shall include a MS Word or Text file

Legal Description Dimensioned Sketch ☒

Application Fee* (REQUIRED) ☐
*(check payable to 'City of Davenport')

Rezoning Fee Schedule

Land Area	Fee
Less than 1 acre	\$400
1 to less than 10 acres	\$750 plus \$25/acre
10 acres or more	\$1,000 plus \$25/acre

1 to 3 site notice signs are required based on lot size; \$10 each

PROJECT NARRATIVE: (submit separate sheet if needed)

Timber Ridge Apartments is a planned 52-unit rental community for independent living seniors 62 years of age or older. The project will feature 32 one-bedrooms and 20 two-bedroom apartments. Units will feature energy efficient appliances including in-unit washers and dryers. All units will be located in one 3-story fully accessible building. Community amenities will include a community gathering place and a dog park.

Submit the first two pages of this form to Planning Staff at:
planning@davenportiowa.com or contact staff with any
questions or requests for additional information.

APPLICANT INFORMATION

Applicant Name | Company Name

Woda Cooper Development, Inc.

Address

500 S Front Street, 10th fl.

City | State | Zip

Columbus, Ohio 43215

Phone

(614) 935-5466

Secondary Phone

E-Mail Address

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

Barry Accountius

Type Applicant's Name



Applicant's Signature

Date

1-8-25

DEVELOPMENT TEAM

Property Owner

Steven Josvanger

Address

6732 Cresthill Drive, Davenport, IA 52806

Phone

(563) 579-0266

Secondary Phone

E-Mail Address

Project Manager/Other

Barry Accountius

Address

500 S Front Street, 10th fl., Columbus, OH 43215

Phone

(614) 935-5466

Secondary Phone

E-Mail Address

Development and Neighborhood Services
1200 East 46th St. Davenport, Iowa 52807

T | 563.326.6198
E | planning@davenportiowa.com

davenportiowa.com/DNS
revised Jan. 2024

Authorization to Act as Applicant

I/We, Steven Josvanger

[as property owner(s)]

authorize Barry Accountius and/or Nick Pack and/or Karen Bernick

[the above person(s)]

to act as applicant, representing me/us before the City Plan & Zoning Commission

for the property located at across from 2350 W 54th Street

Steven J. Josvanger
Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization:

11-19-24
Date

State of Iowa

County of SCOTT

Sworn and subscribed before me

this 19th day of NOV, 2024

LATASHA M BROTHERTON

Notary Public

My Commission Expires:

July 7 2026



[identification type]

LOT 3

LOT 2

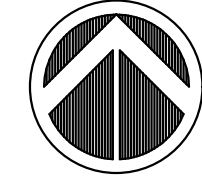
LOT 1

LOT 6

LOT 5

LOT 4

LOT 3



SCALE: 1" = 20'

25' BSL

LOT 16
SHEFFIELD
SQUARE
1ST
ADDITION

PARCEL ID W0923-13A
SHEFFIELD SQUARE LLC
(NO ADDRESS)

~~LOI 17~~

LOT 18

LOT 19

OT-20

LOT 21

LOT 22

PARCEL ID W0923C11
MICHAEL J PUENTE REVOC TRUST
MARY A PUENTE REVOC TRUST
(2323 W 54TH ST)

SHEFFIELD SQUARE
1ST ADDITION.

LOT 11

PARCEL ID W0923D08
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 10

PARCEL ID W0923C21
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 9

PARCEL ID W0923C20
HAKANSON LLC
(2352 W 53RD ST)

LOT 8

PARCEL ID W0923C19
HAKANSON LLC
(NO ADDRESS LISTED)

LOT 7

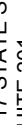
PARCEL ID W0923C18
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 6

PARCEL ID W0923C17
STEVEN JOSVANGE
(NO ADDRESS LISTED)

LOT 1
53 PINE 1ST ADDITION

PARCEL ID W0923C29
MOLO OIL COMPANY
(2308 W 53RD ST)



1717 STATE STREET
SUITE 201
PH: 563.344.0260
www.inegcorp.com

TIMBER RIDGE
DAVENPORT, IOWA

SITE LAYOUT PLAN

IMEG Project No:
24005110.00

File Name:
24005110.00-Grading.dwg

© COPYRIGHT 2024
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Field Book No:####

Drawn By: WRC

Checked By: ZSE

Date: 11/12/2024

C-1

Sheet 1 of 1

Tuesday, November 12, 2024 4:59:01 PM
G:\2024\24005110.00\DESIGN\CIVIL\C3D\SOURCE\24005110.00-GRADING.DWG



BUILDING AREA CALCULATIONS				
	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTAL
NEW RESIDENTIAL AREA	11,816 SF	12,234 SF	12,234 SF	36,284 SF
NET COMMON AREA	3,429 SF	3,011 SF	3,011 SF	9,451 SF
NEW BUILDING AREA	15,245 SF	15,245 SF	15,245 SF	45,735 SF
GROSS BUILDING AREA	16,237 SF	16,237 SF	16,237 SF	48,713 SF

UNIT QUANTITIES AND AREAS					
UNIT TYPE	1ST FLOOR	2ND FLOOR	3RD FLOOR	TOTALS	UNIT TYPE NET SF
1BR-1 - ACCESSIBLE	3	0	0	3	627
1BR-2 - TYPE B	7	11	11	29	627
2BR-1 - ACCESSIBLE	3	0	0	3	811
2BR-2 - TYPE B	3	6	6	15	811
2BR-3 - TYPE B	0	1	1	2	844
TOTALS	16	18	18	52	

DEVELOPMENT UNIT MIX:
(32) 1 BEDROOM APARTMENTS
(20) 2 BEDROOM APARTMENTS
(52) TOTAL UNITS

DEVELOPMENT ACCESSIBILITY MIX:
TOTAL TYPE A UNITS: 6 (10%)
TOTAL AUDIO / VISUAL UNITS: 2 (2%)

PARKING SPACES
(52) PARKING SPACES - REQUIRED
(52) PARKING SPACES - PROVIDED
(3 ACCESSIBLE / 49 STANDARD)



Neighborhood Meeting Attendance List

Date: 12/18/2024

Time: 6:00 am

Location: Red Hawk Golf Course Clubhouse

Case:

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

The purpose of this meeting is to provide an **informal setting to allow courteous discussion** between the developer and adjacent owners, and to answer any questions and concerns about the proposed action. This meeting does not replace the Public Hearing.

	NAME	EMAIL:	PHONE: (optional)	ADDRESS (as shown on the notice map)
1	Dwain Kilburg	[REDACTED]	[REDACTED]	2316-18
2				2322-24
3	Cole Kilburg			2340-42
4				2356-58
5				
6				
7				
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20				
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23				
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25				



Vicinity Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



LINWOOD AVE

TRUMAN ELEMENTARY SCHOOL

W 54TH ST

CHOICE
AUTOMOTIVE

PINE ST

GREEN
ACRES
PARK

LAWNSCAPERS

BIG 10 MART

W 53RD ST

SHOPPING CENTER



Subject Property

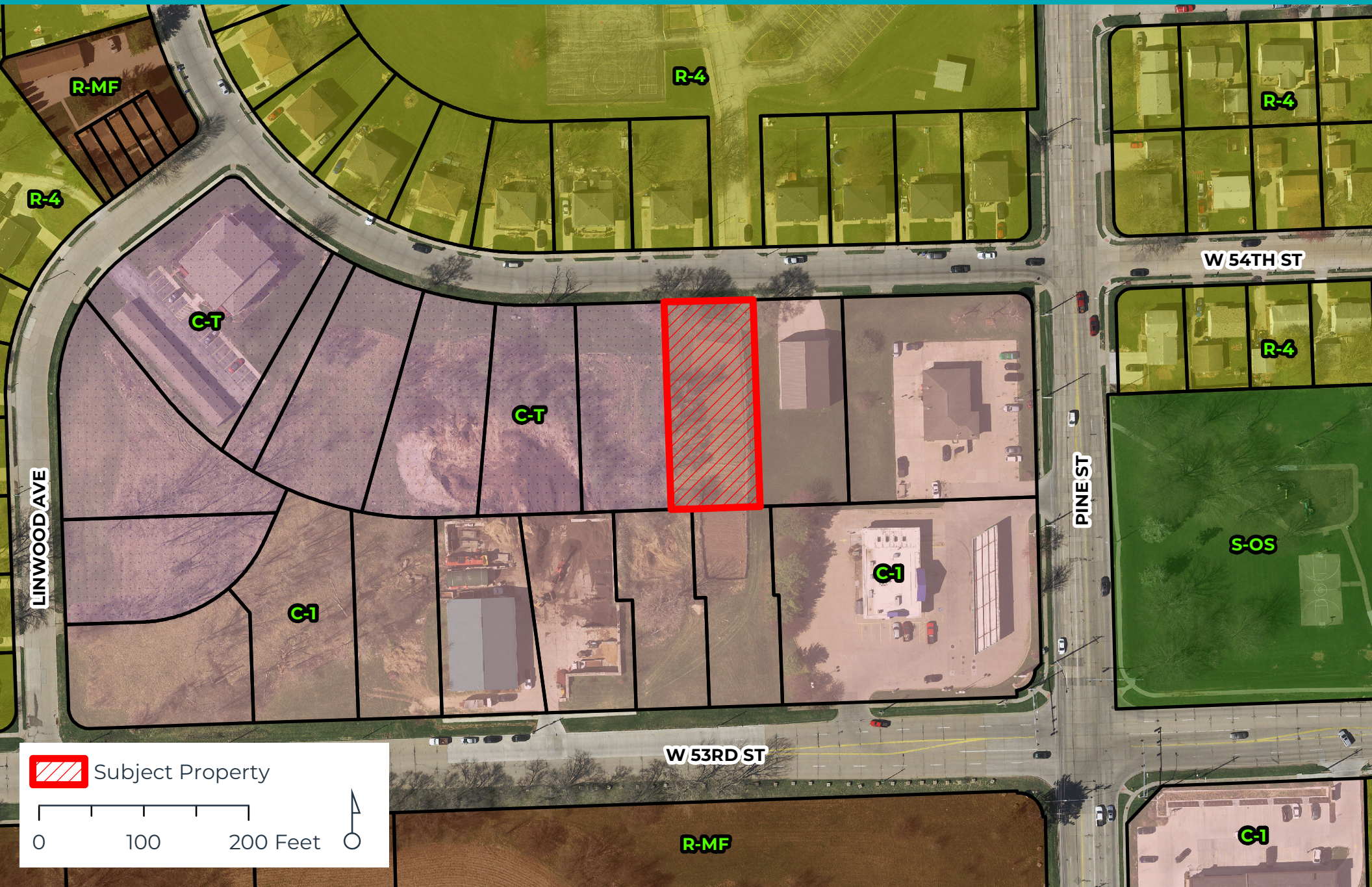
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Zoning Map | Case REZ25-01

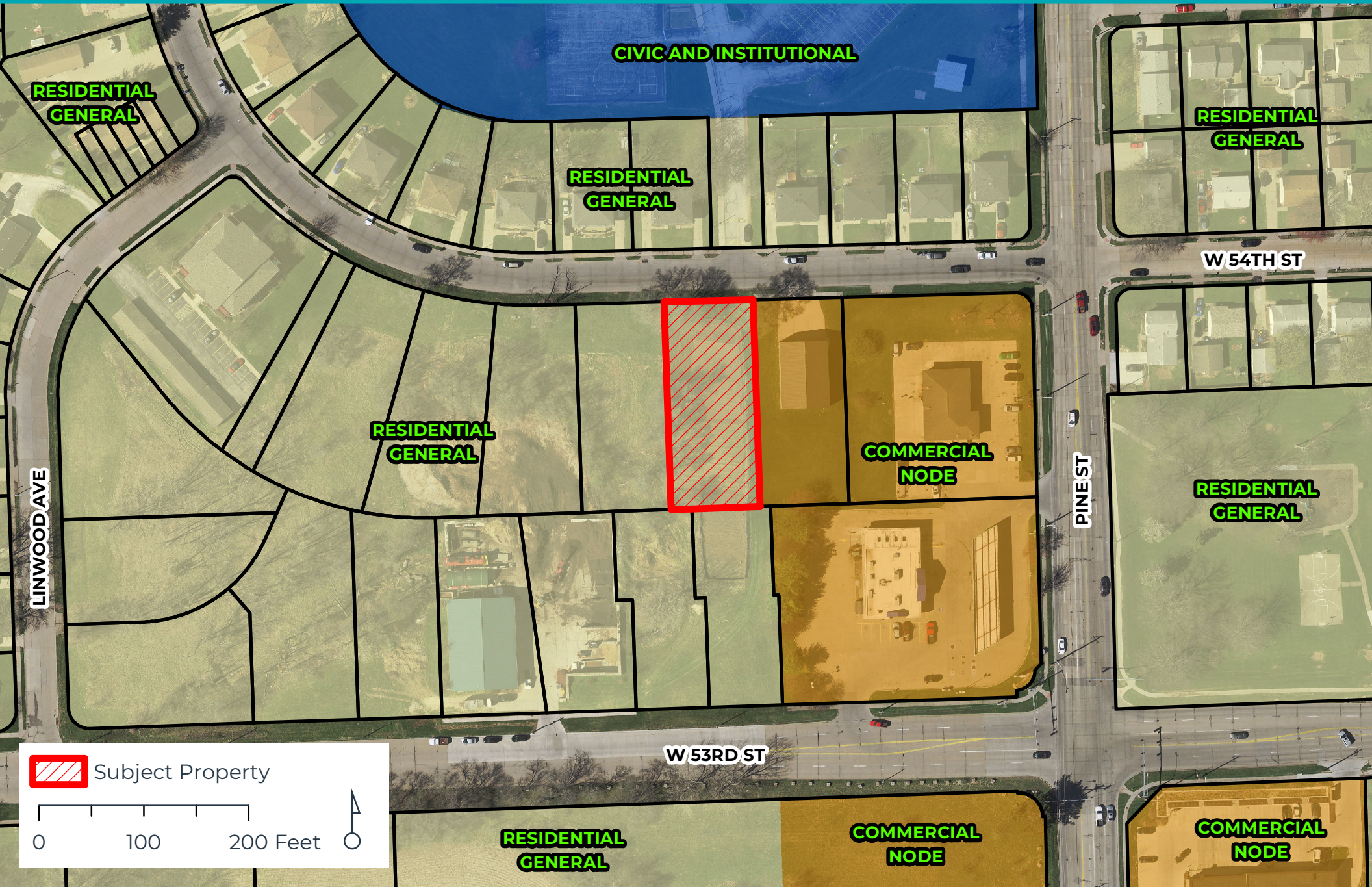
Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]





Future Land Use Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



Subject Property

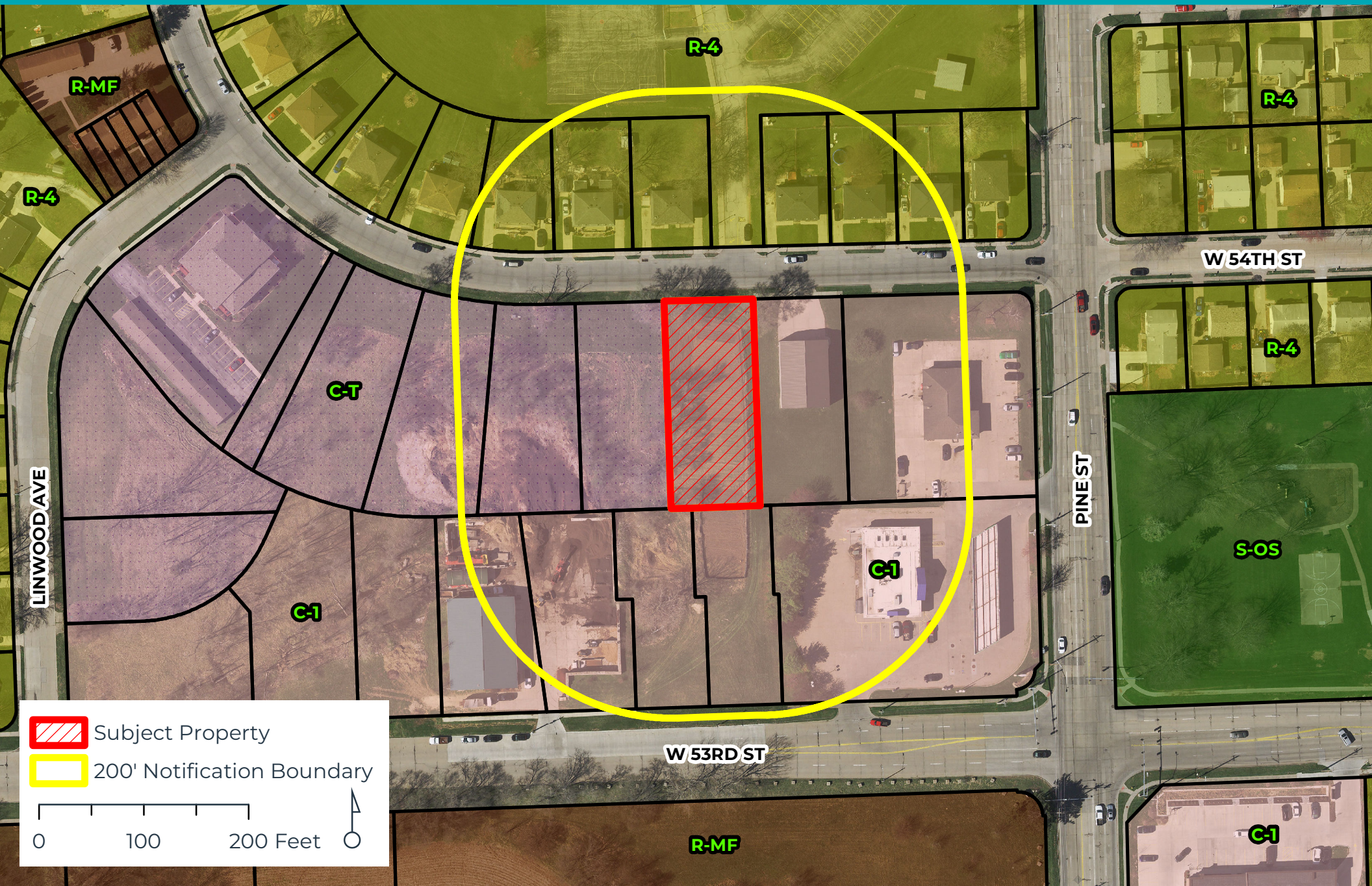
0 100 200 Feet





Public Notice Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]



Subject Property



200' Notification Boundary

0 100 200 Feet



CHAPTER 17.05. COMMERCIAL DISTRICTS

Section 17.05.010	Purpose Statements
Section 17.05.020	Uses
Section 17.05.030	Dimensional Standards
Section 17.05.040	Design Standards
Section 17.05.050	C-D District Standards
Section 17.05.060	C-V District Standards
Section 17.05.070	C-E District Standards
Section 17.05.080	General Standards of Applicability

Section 17.05.010 Purpose Statements

A. C-T Commercial Transitional Zoning District

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

B. C-1 Neighborhood Commercial Zoning District

The C-1 Neighborhood Commercial Zoning District is intended to provide for commercial uses that predominantly serve the needs of nearby residential neighborhoods, and that are compatible in scale and character with the surrounding residential area. Low intensity mixed-use is encouraged.

C. C-2 Corridor Commercial Zoning District

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

D. C-3 General Commercial Zoning District

The C-3 General Commercial Zoning District is intended to accommodate higher-intensity commercial development within the City of Davenport that serves both local and regional markets. The C-3 District addresses medium- and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.

E. C-C City Centre Zoning District

The C-C City Centre Zoning District is intended to position the central part of the city for revitalization oriented toward a regional mix of commercial, high-density residential, and entertainment that encourages compatible development and redevelopment while promoting local reinvestment.

F. C-OP Commercial Office Park Zoning District

The C-OP Commercial Office Park Zoning District is intended to accommodate larger office developments, office parks, and research and development facilities, which may include limited indoor light industrial uses with no outside impacts. The district is oriented toward larger-scale complexes that may include ancillary services for employees such as personal services, restaurants, and retail establishments. District standards are intended to guide the development of campus-like environments, and include provisions for orientation of structures around plazas or public spaces, and the creation of a cohesive appearance.

G. C-D Downtown Zoning District

The C-D Downtown Zoning District is intended to accommodate the unique development environment of downtown Davenport. The District is intended to reinforce and enhance the existing character of downtown as a point of regional focus, a destination for culture, sports, and entertainment, and a vibrant, pedestrian-friendly mixed-use environment.

H. C-V Village of East Davenport Zoning District

The C-V Village of East Davenport Zoning District is intended to preserve and enhance the smaller-scale, historic character of the Village of East Davenport, and to ensure future development is compatible with the unique historic and architectural character of the area.

I. C-E Elmore Corners Zoning District

The C-E Elmore Corners Zoning District is intended to implement the vision contained in the Elmore Corners Area Plan through the application of site and building design standards that ensure quality, compatible, and coordinated development within the area.

Section 17.05.020 Uses

A. Chapter 17.08 lists permitted, special, and temporary uses for the commercial districts.

B. In the C-V District, only 35% of a blockface can be in the use “bar.” This is calculated as a percentage of the number of buildings along a blockface. Where a structure maintains an outdoor seating area, such seating area is counted as part of the building.

Section 17.05.030 Dimensional Standards

A. Table 17.05-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts, with the exception of the C-D, C-V, and C-E Districts. The dimensional standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

B. In the C-T District, new non-residential development is limited to the maximum gross floor area indicated in Table 17.05-1. Any structures existing as of the effective date of this Ordinance are exempt from this limitation. Additional gross floor area may be permitted if, during site plan review, it is found that the development meets the following standards:

1. The development maintains the privacy of adjacent residential lots through techniques such as decreased height, additional landscape and screening measures, building massing and design to mitigate adverse impacts of noise and lighting, and increased setbacks above those required from adjacent residential lots.
2. Building design elements incorporate pedestrian-scale features, such as awnings and storefront windows.
3. The design of the site's circulation system provides adequate and safe access for both motor vehicles and alternate modes of transportation, including pedestrians and bicyclists. The design minimizes potentially dangerous traffic movements and points of conflict between vehicles and pedestrians or bicyclists.

C. In the C-1 District where 70% of a block face has been developed, new construction may exceed the Build-to-Zone limits by no more than the average setback of structures on said blockface.

D. See Section 17.02.040 for measurement methodologies.

Table 17.05-1: Commercial Districts Dimensional Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Bulk						
Lot Area (minimum)	10,000sf	None	None	20,000sf	None	20,000sf
Lot Width (minimum)	60'	None	None	80'	None	70'
Gross Floor Area of Nonresidential (maximum)	5,000sf unless Sec.17.05.030.B	None	None	None	None	None
Building Height (maximum)	35'	45'	45'	Nonresidential: 55' Mixed-Use: 75'	None unless within 75' of a 'R' District, then 35'	45'
Setbacks						
Front (minimum)	BTZ of 0' to 20'	BTZ of 0' to 15'	None	25'	None	20'
Front Build-To %	70%	70%	None	None	None	None
Interior Side (minimum)	None, unless abutting a 'R' District then 20'	None, unless abutting a 'R' District then 10'	None, unless abutting a 'R' District then 10'	10', unless abutting a 'R' District then 20'	None, unless abutting a 'R' District then 20'	15'
Corner Side (minimum)	BTZ of 0' to 15'	BTZ of 0' to 10'	10'	20'	None	BTZ of 0' to 20'
Corner Side Build-To %	60%	60%	None	None	None	60%
Rear (minimum)	15';unless abutting a 'R' District then 25' or 20% of lot depth, whichever is less	None, unless abutting a 'R' District then 15' or 20% of lot depth, whichever is less	None, unless abutting a 'R' District then 15'	10', unless abutting a 'R' District then 25'	None, unless abutting a 'R' District, then 25'	25'

Section 17.05.040 Design Standards

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.

A. Commercial Districts Design Standards

Table 17.05-2: Commercial Districts Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 17.05-2: Commercial Districts Design Standards						
	C-T	C-1	C-2	C-3	C-C	C-OP
Façade Design						
Building façades that face a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 40 linear feet, measured parallel to the street.	•	•	•	•	•	
Building façades in excess of 100 linear feet that face a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, building material change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	•	•	
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.						•
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade.	•	•	•	•	•	
Building materials and visual elements used on the façade of the primary building frontage must continue on all building façades that face a public right-of-way (excluding alleys) and/or the lot line of a residential district.	•	•	•	•	•	
Large expanses of highly reflective wall surface material and mirror glass on exterior walls are prohibited.	•	•	•	•	•	•
Fenestration Design	C-T	C-1	C-2	C-3	C-C	C-OP
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 50%, measured between two and ten feet in height from grade.		•	•			
The ground floor of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 35%, measured between two and ten feet in height.				•	•	
Upper floors of a façade facing a public right-of-way (excluding alleys) must maintain a minimum transparency of 15% of the wall area of the story.	•	•	•			
Roof Design						
Rooflines over 100 linear feet in building length must contain variation, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 linear feet.	•	•	•	•	•	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	•	•	
Any roof that is visible from a public right-of-way must be shingle or colored standing seam metal roofing.	•	•	•	•	•	
Green roof, blue roof, and white roof designs are encouraged.	•	•	•	•	•	•
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	•	•	•
Entrance Design						
Public entrances and primary building elevations must be oriented toward a public street. Main entrances to the buildings must be well defined.						•
Entrances to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas						•

Table 17.05-2: Commercial Districts Design Standards

	C-T	C-1	C-2	C-3	C-C	C-OP
Multi-Tenant Commercial Center and Office Park Site Design						
Sites must be designed to ensure safe pedestrian access to the commercial center from the public right-of-way, and safe pedestrian circulation within the development.		•	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.		•	•	•	•	
Commercial centers may provide definition along the street frontage by locating part of the center or outlot buildings within 0' to 25' of the front lot line. The center or any outlot buildings may be placed within a required setback to comply with this standard.				•	•	
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.					•	•
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.						•

B. Building Material Restrictions

In commercial districts (excluding the C-D, C-V, and C-E Districts), the following building materials are prohibited on any façade facing a public right-of-way (excluding alleys) or any façade that abuts the lot line of a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the façade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings (does not apply to C-1 and C-2 Districts)
4. Exposed aggregate (rough finish) concrete wall panels
5. T-111 composite plywood siding
6. Plastic
7. Vinyl

C-1 DISTRICT DESIGN STANDARD



- | | |
|--|--|
| <p>A. Blank wall area 40 linear feet or less, measured parallel to the street</p> <p>B. Repeating pattern of two elements at an interval of no more than 40 linear feet</p> <p>C. A visually distinct public entrance from the sidewalk along the primary building frontage</p> <p>D. First floor transparency of 50% measured between two and ten feet in height from grade</p> | <p>E. Upper floor transparency of 15% of the wall area of the story</p> <p>F. 100-foot roofline with variations occurring at intervals of no more than 75 linear feet</p> <p>G. Parapet walls with three-dimensional cornice treatments or other shadow-creating details</p> |
|--|--|

CHAPTER 17.08.	USES
Section 17.08.010	General Use Regulations
Section 17.08.020	Use Matrix
Section 17.08.030	Principal Use Standards
Section 17.08.040	Temporary Use Standards
Section 17.08.050	Use Definitions

Section 17.08.010 General Use Regulations

- A.** No structure or land may be used or occupied unless allowed as a permitted or special use within the zoning district.
- B.** All uses must comply with any applicable federal and state requirements, and any additional federal, state, or city ordinances.
- C.** Any use that is not included in the use matrix and cannot be interpreted as part of a use within the matrix is prohibited in all districts.
- D.** A site may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use is approved separately. In certain cases, uses are defined to include ancillary uses that provide necessary support and/or are functionally integrated into the principal use.
- E.** All uses must comply with the use standards of Section 17.08.030, as applicable, as well as all other regulations of this Ordinance and the City.

Section 17.08.020 Use Matrix

- A.** Table 17.08-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. Cells are color-coded for ease of review only; the letter indicated in the cell controls over any errors in color-coding.
- B.** Uses allowed in the R-3 and R-3C Districts are those listed in Table 17.08-1 for the R-3 District. Uses allowed in the R-4 and R-4C Districts are those listed in Table 17.08-1 for the R-4 District.
- C.** P indicates that the use is permitted by-right in the district. S indicates that the use is a special use in the district and requires special use approval. If a cell is blank, the use is not allowed in the district.
- D.** In the case of temporary uses, a T indicates the temporary use is allowed in the district and may require approval of a temporary use permit per the standards of Section 17.08.040.
- E.** For accessory uses, see Chapter 17.09.
- F.** See Section 17.04.020 for additional use restrictions in the R-3, R-3C, R-4, and R-4C Districts.
- G.** See Section 17.05.020 for additional use restrictions in the C-V District.

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Adult Use																S	S					Sec. 17.08.030.A	
Agriculture																			P				
Amusement Facility - Indoor									P	P	P		P	P	P	P		P					
Amusement Facility - Outdoor										S	S				S	P		S					
Animal Care Facility - Large Animal																			P				
Animal Care Facility - Small Animal							S	S	P	P	P		S	S	P	P		P	P			Sec. 17.08.030.B	
Animal Breeder																			P			Sec. 17.08.030.B	
Art Gallery							P	P	P	P	P		P	P	P			P					
Arts and Fitness Studio							P	P	P	P	P		P	P	P			P					
Bar									P	P	P		P	P	P			P					
Bar – Neighborhood								P														Sec. 17.08.030.C	
Bed and Breakfast	S	S	S	S	S		S												P			Sec. 17.08.030.D	
Billboard									P	P							P	P				Sec. 17.08.030.E	
Body Modification Establishment								P	P	P	P		P		P			P					
Broadcasting Facility TV/Radio								P	P	P		P	P	P	P	P	P	P			P		
Campground																			S	P		Sec. 17.08.030.F	
Car Wash									P	P					S			P				Sec. 17.08.030.G	
Casino															P								
Cemetery																				P			
Children's Home					P				P	P					P			S			P	Sec. 17.08.030.H	
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Community Center	P	P	P	P	P		P	P	P	P	P		P	P	P			P	P	P	P		
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	Sec. 17.08.030.I	
Conservation Area																			P	P			
Country Club																				P			
Cultural Facility							P	P	P	P	P		P	P	P			P		P	P		
Day Care Center					P		P	P	P	P	P	P	P	P	P	S		P			P	Sec. 17.08.030.J	
Day Care Home	P	P	P	P	P														P			Sec. 17.08.030.J	
Drive-Through Facility									P	P	S		S		P	P	P					Sec. 17.08.030.K	
Drug/Alcohol Treatment Facility, Residential									S	S					S			S			S	Sec. 17.08.030.L	
Drug Treatment Clinic									S	S					S			S			S	Sec. 17.08.030.L	
Domestic Violence Shelter					P			P	P	P					P			P			P	Sec. 17.08.030.H	
Dwelling - Accessory Dwelling Unit	P	P	P	P																		Sec. 17.08.030.M	
Dwelling - Manufactured Home						P													S			Sec. 17.08.030.N	

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Dwelling - Multi-Family					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.O	
Dwelling - Townhouse					P		P	P	P	P	S		P	P	P			P				Sec. 17.08.030.P	
Dwelling - Single-Family	P	P	P	P	P		P	P	P					P								Sec. 17.08.030.P	
Dwelling - Single-Family Semi-detached		P	P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (New Construction)			P	P	P		P	P	P		S			P								Sec. 17.08.030.P	
Dwelling - Two-Family (Conversion)					P		P	P	P					P								Sec. 17.08.030.P	
Educational Facility - Primary or Secondary	P	P	P	P	P																P		
Educational Facility - University or College										P	P	P	P		P						P		
Educational Facility - Vocational							S	S	S	P	P	P	P	S	P	P	P	P			P		
Equine Keeping/Equestrian Facility	P																		P			Sec. 17.08.030.Q	
Fairground																			S	S	P		
Financial Institution							P	P	P	P	P	P	P	P	P			P					
Financial Institution, Alternative									S	S					S			P				Sec. 17.08.030.R	
Food Bank																P	P	P					
Food Pantry									P	S					S			S					
Funeral Home							S	S	S	P					P			P					
Gas Station								S	P	P	S				P	P	P	P				Sec. 17.08.030.S	
Golf Course/Driving Range																				P			
Government Office/Facility							P	P	P	P	P	P	P	P	P	P	P	P		P	P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Greenhouse/Nursery - Retail										P					P			P	S				
Group Home	P	P	P	P	P																	Sec. 17.08.030.T	
Halfway House									S	S					S			S			S	Sec. 17.08.030.L	
Healthcare Institution																					P		
Heavy Rental and Service																P		P					
Heavy Retail										S					S	P		P					
Homeless Shelter									S	S					S			S			S	Sec. 17.08.030.L	
Hotel									P	P	P	P	P	S	P			P					
Industrial - General																	P						
Industrial - Light												P				P	P	P					
Industrial Design								P	P	P		P	P		P	P	P	P					
Live Performance Venue										P	P		P	P	P	P		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Lodge/Meeting Hall	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	P			Sec. 17.08.030.U	
Manufactured Home Park						P																	
Medical/Dental Office							P	P	P	P	P	P	P	P	P			P			P		
Micro-Brewery/Distillery/Winery									P	P	P		P	P	P	P		P					
Neighborhood Commercial Establishment		S	S	S	S																	Sec. 17.08.030.V	
Office							P	P	P	P	P	P	P	P	P	P	P	P			P		
Outdoor Dining							P	P	P	P	P	P	P	P	P	P	P	P			P	Sec. 17.08.030.W	
Parking Lot (Principal Use)								S	S	S	S	S	S	S	S	P	S	S			P	Chapter 17.10	
Parking Structure (Principal Use)								S	S	P	P	P	S	S	P			P			P	Chapter 17.10	
Personal Service Establishment							P	P	P	P	P	P	P	P	P	P		P			P		
Place of Worship	P	P	P	P	P		S	S	P	P	P		P	P	P	P			P		P		
Private Recreation Facility								P	P	P	P	P	P	P	P	P		P			P		
Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Public Safety Facility					P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public Works Facility												P					P	P	P	P		P	
Reception Facility	S	S	S	S			S	S	S	P	P		S	S	P			P	S			Sec. 17.08.030.X	
Recreational Vehicle (RV) Park																			S	S		Sec. 17.08.030.F	
Research and Development												P					P	P	P		P		
Residential Care Facility					P		P	P	P	P	P	P	P		P	P		P			P	Sec. 17.08.030.Y	
Restaurant								P	P	P	P	P	P	P	P	P	P	P		P	P		
Retail Goods Establishment							P	P	P	P	P	P	P	P	P	P	P	P			P		
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Retail Alcohol Sales									P	P	S		S		P	P							
Retail Sales of Fireworks																P	P					Sec. 17.08.030.Z	
Salvage Yard																	S						
Self-Storage Facility: Enclosed									S	S					P	P	P	P				Sec. 17.08.030.AA	
Self-Storage Facility: Outdoor																P	P	S				Sec. 17.08.030.AA	
Social Service Center									P	P					P			P			P		
Solar Farm												P				P	P		S		P	Sec. 17.08.030.BB	
Specialty Food Service								P	P	P	P		P	P	P	P		P					
Storage Yard - Outdoor																P	P					Sec. 17.08.030.CC	
Truck Stop																P	P						
Vehicle Dealership - Enclosed										P		S	P		P	S		P					
Vehicle Dealership - With Outdoor Storage/Display										S					S	S		P					

P indicates a use is permitted by-right in the district. S indicates a use is a Special Use in the district and requires Zoning Board approval. Blank cells indicate a use is not allowed.

TABLE 17.08-1: USE MATRIX																							
PRINCIPAL USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Vehicle Operation Facility																P	P				P		
Vehicle Rental - Enclosed										P		S	P		P	S		P					
Vehicle Rental - With Outdoor Storage/Display										S					S	S		P					
Vehicle Repair/Service - Major										S						P	P	S				Sec. 17.08.030.DD	
Vehicle Repair/Service - Minor									P	P					P	P	P	S				Sec. 17.08.030.DD	
Warehouse																P	P						
Wholesale Establishment																P	P	S					
Wind Energy System												S				S	S		S		S	Sec. 17.08.030.EE	
Wine Bar								S	P	P	P		P	P	P			P					
Winery																			S				
Wireless Telecommunications	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
Wireless Telecommunications - Stealth Design Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications - DAS Co-Location	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17.08.030.FF	
Wireless Telecommunications - DAS New Pole	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17.08.030.FF	
TEMPORARY USE	R-1	R-2	R-3	R-4	R-MF	R-MHP	C-T	C-1	C-2	C-3	C-C	C-OP	C-D	C-V	C-E	I-1	I-2	I-MU	AG	OS	IC	USE STANDARD	
Farmers' Market					T		T	T	T	T	T	T	T	T	T			T	T	T	T	Sec. 17.08.040.A	
Real Estate Project Sales Office/Model Unit	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T	T	T			T	Sec. 17.08.040.B	
Temporary Cell On Wheels (COW)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.C	
Temporary Contractor Office and Contractor Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.D	
Temporary Outdoor Entertainment	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T	T	T	Sec. 17.08.040.E	
Temporary Outdoor Sales (No Fireworks Stand)	T	T	T	T	T		T	T	T	T	T	T	T	T	T	T		T	T		T	Sec. 17.08.040.F	
Temporary Outdoor Sales - Fireworks Stand Only																T	T					Sec. 17.08.040.G	
Temporary Outdoor Storage Container	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Sec. 17.08.040.H	

Section 17.08.030 Principal Use Standards

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

O. Dwelling - Multi-Family

In the case of conflict with any design standards contained within Chapter 17.04, the standards of Chapter 17.04 control.

1. There must be a unifying architectural theme for the entire multi-family development, utilizing a common vocabulary of architectural forms or elements.
2. Building facades must include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
3. A 12% minimum transparency requirement applies to any façade facing a street and is calculated on the basis of the entire area of the façade below the roofline.
4. For residential structures with more than twelve (12) dwelling units, the following building materials are prohibited on any façade. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.
 - a. The following building materials are prohibited on any part of any façade:
 - i. Plain concrete block
 - ii. Plastic
 - iii. Exterior insulating finish systems (EIFS)
 - b. The following building materials are prohibited as a primary surface finish material on any façade but may be used as decorative or detail elements for up to 15% of the façade:
 - i. Corrugated metal
 - ii. Exposed aggregate (rough finish) concrete wall panels
 - iii. T-111 composite plywood siding
3. Setbacks for accessory structures like garages, carports and sheds shall meet required accessory structure setbacks; ancillary buildings such as offices or community rooms shall meet principal use setbacks.



PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 200 feet of the subject property located at Lot 21 of Sheffield Square 1st Addition

Committee of the Whole Public Hearing Meeting

Date: 2/5/2025

Time: 5:30 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-1 Neighborhood Commercial District. The request is to rezone the property to C-T Commercial Transitional District. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. (See attached map.)

Request/Case Description

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

At its January 21, 2025 meeting, the Plan and Zoning Commission recommended Case REZ25-01 be forwarded to the City Council with a recommendation for approval subject to the listed findings.

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to C-T Commercial Transitional District is compatible with the zoning and uses of nearby property.
3. The zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. The proposed zoning map amendment promotes the public health, safety, and welfare of the City.
5. The proposed amendment does not create nonconformities.

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The public hearing on the above matter is scheduled for 5:30pm or as soon thereafter on Wednesday, February 5, 2025 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would You Like to Submit an Official Comment?

You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

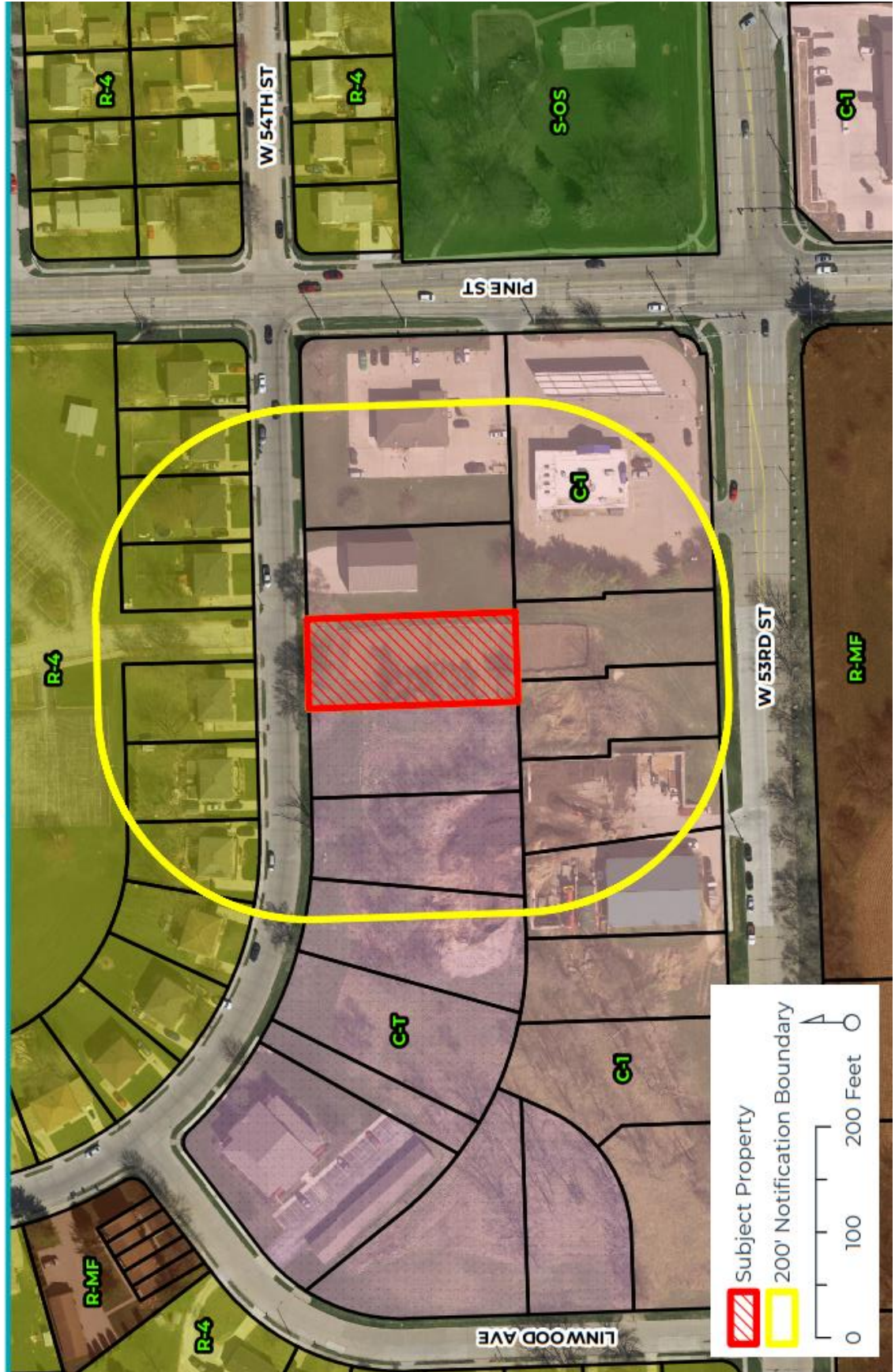
All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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



Public Notice Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]







PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at Lot 21 of Sheffield Square 1st Addition

Neighborhood Meeting

Date: 12/18/2024

Time: 6:00 PM

Location: Red Hawk Clubhouse | 6364 Northwest Boulevard

Plan & Zoning Commission Public Hearing Meeting

Date: 1/7/2025

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned C-1 Neighborhood Commercial District. The request is to rezone the property to C-T Commercial Transitional District. The purpose is to construct Timber Ridge Apartments, a planned 52-unit rental community for independent living seniors 62 years of age or older. All units will be located within one 3-story fully accessible building spanning across 5 properties. (See attached map.)

Request/Case Description

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on January 7, 2025. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on January 21, 2025. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

All documents related to the meeting (agenda included) are at "Meeting Minutes & Agendas": https://www.davenportiowa.com/government/meeting_minutes_agendas

Do You Have Any Questions?

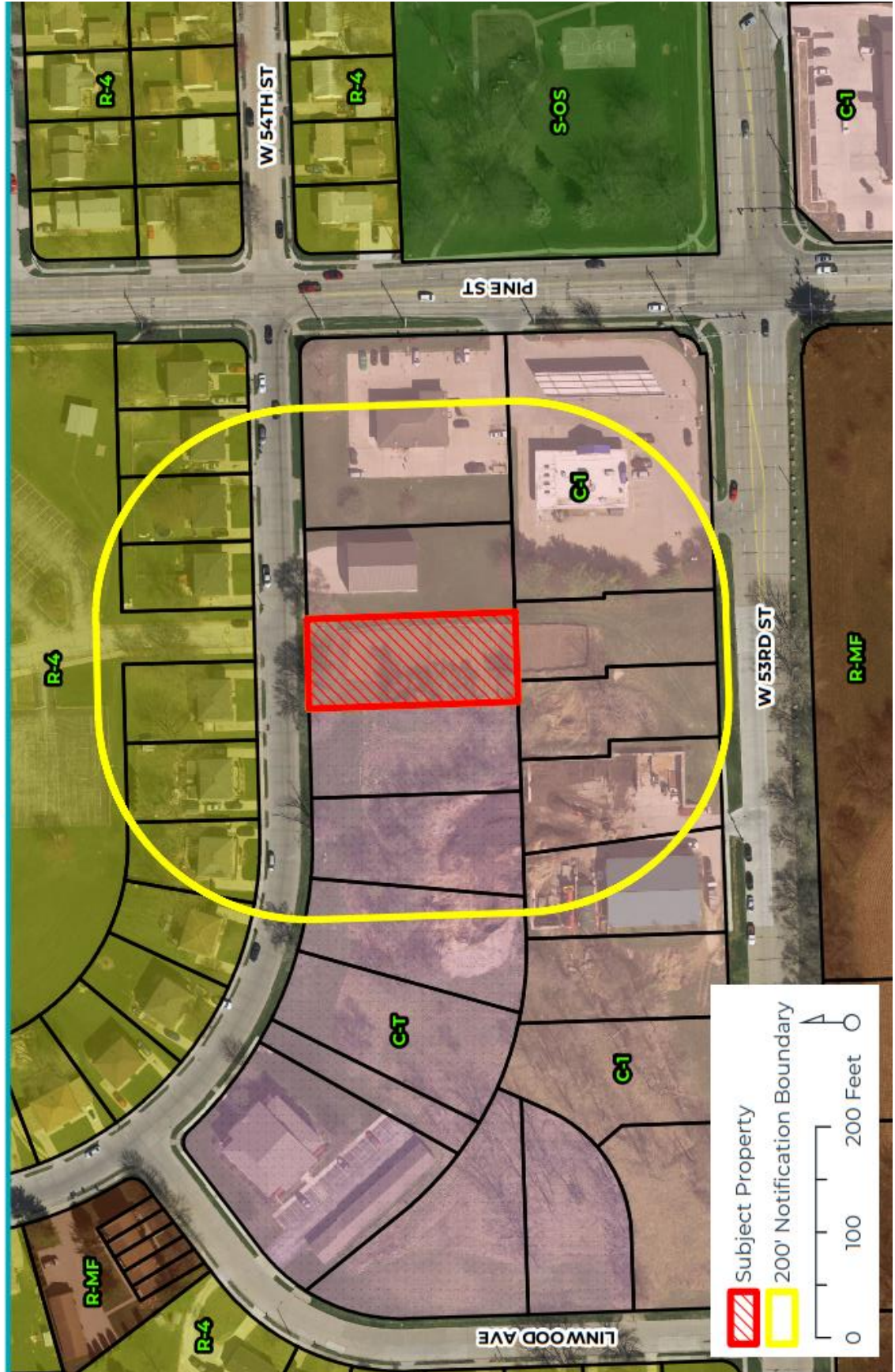
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: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

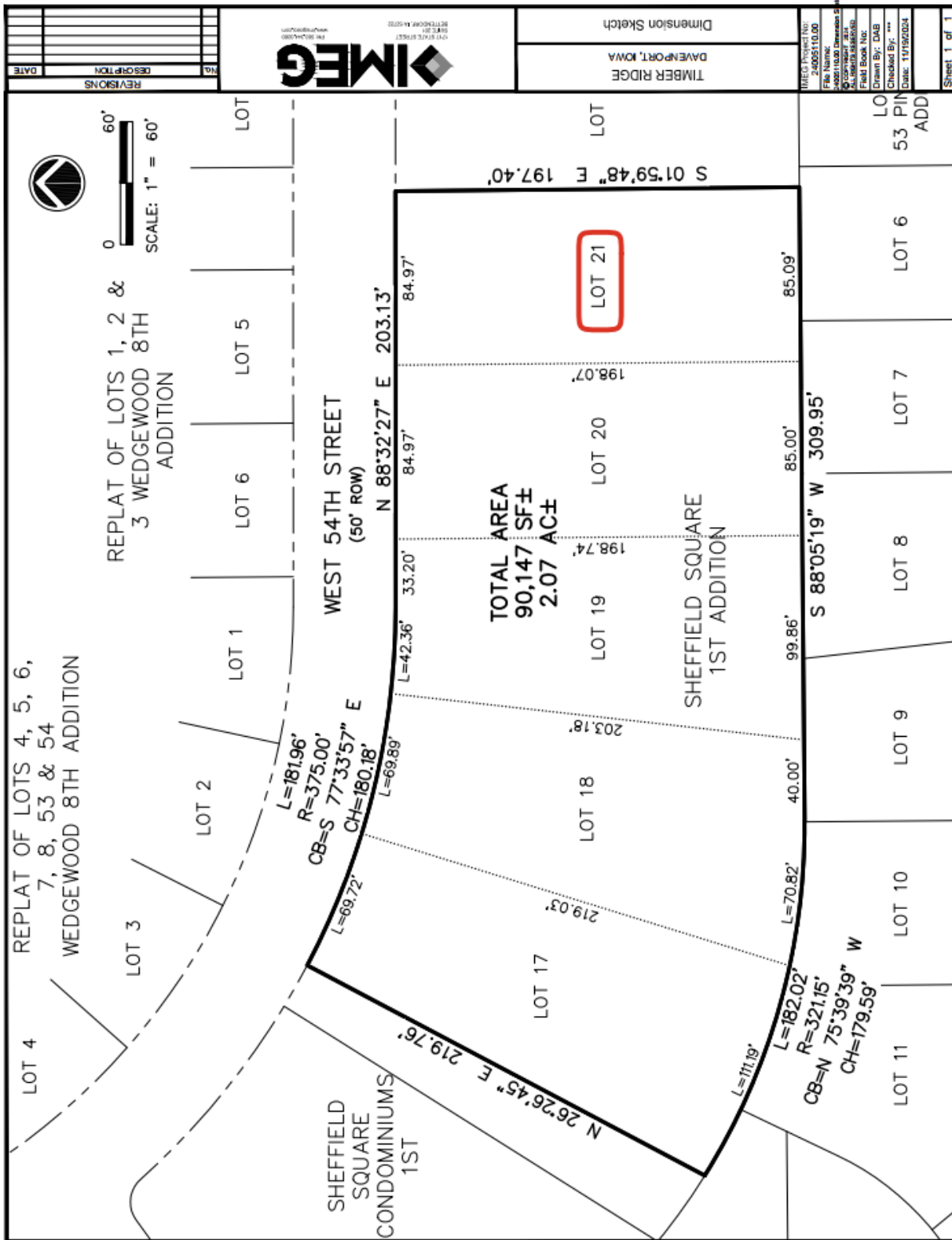
Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested in verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.



Public Notice Map | Case REZ25-01

Request of Woda Cooper Development, Inc. to rezone Lot 21 of Sheffield Square 1st Addition, being approximately .39 acres of land, from C-1 Neighborhood Commercial District to C-T Commercial Transitional District. [Ward 2]





City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
3/5/2025

Subject:

Second Consideration: Ordinance for Case REZ25-02 being the request of Anthony Properties to rezone approximately 1.15 acres of land located on the northern portion of 5670 Tremont Avenue from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

Recommendation:

Consider the Ordinance.

Background:

The subject property is currently zoned I-1 Light Industrial District. The request is to rezone the property to R-MF Multi-Family Residential District. The purpose is to facilitate better access to The Jade on Tremont Apartments, which is currently under construction on the adjacent property to the west. The owner of Davenport Public Storage is selling a portion of their undeveloped property on Tremont Avenue to the developer. This enables the site layout to be reconfigured for better visibility and access. The applicant intends to construct a driveway and clubhouse on the 1.15 acre property.

At its February 4, 2025 meeting, the Plan and Zoning Commission recommended Case REZ25-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition:

Findings

1. The zoning map amendment is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.
2. The zoning map amendment is generally compatible with the zoning and uses of the surrounding area. The request is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.
3. The zoning map amendment enhances the established neighborhood character.
4. The zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the map amendment removes previous concerns about access, visibility, and emergency response.
5. The zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.
6. The zoning map amendment will create nonconformities on adjacent properties. A condition for landscaping buffers mitigates the nonconformity.

Condition

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and south property lines. The buffer yard shall contain a six-foot tall

fence and landscaping.

The staff report from the February 4, 2025 Plan and Zoning Commission meeting is attached.

Attachments:

1. Ordinance
2. Staff Report
3. Application
4. Maps
5. Ordinance 2023-483
6. Public Notice-Committee of the Whole
7. Public Notice-Plan & Zoning Commission Meeting
8. Public Comment-5770 Tremont Ave

ORDINANCE NO. _____

AN ORDINANCE FOR CASE REZ25-02 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE APPROXIMATELY 1.15 ACRES OF LAND LOCATED ON THE NORTHERN PORTION OF 5670 TREMONT AVENUE FROM I-1 LIGHT INDUSTRIAL DISTRICT TO R-MF MULTI-FAMILY RESIDENTIAL DISTRICT.

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

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

A PORTION OF LOT 9, PHOENIX CENTRE 7TH ADDITION IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 89-19'40" EAST ON THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 241.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 9 AND THE WEST RIGHT OF WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 11-20'51" WEST ON THE EAST LINE OF SAID LOT 9 AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 236.02 FEET;

THENCE NORTH 89-24'10" WEST, 197.64 FEET TO THE WEST LINE OF SAID LOT 9;

THENCE NORTH Q-35'50" EAST ON SAID WEST LINE, 226.53 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 1.15 ACRES

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

Findings

1. The zoning map amendment is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.
2. The zoning map amendment is generally compatible with the zoning and uses of the surrounding area. The request is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.
3. The zoning map amendment enhances the established neighborhood character.

4. The zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the map amendment removes previous concerns about access, visibility, and emergency response.

5. The zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.

6. The zoning map amendment will create nonconformities on adjacent properties. A condition for landscaping buffers mitigates the nonconformity.

Condition

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and south property lines. The buffer yard shall contain a six-foot tall fence and landscaping.

Section 3. At its February 4, 2025 meeting, the City Plan and Zoning Commission voted to forward Case REZ25-02 to the City Council with a recommendation for approval subject to the listed findings and condition.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
2/4/2025

Subject:

Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

Recommendation:

Staff recommends Case REZ25-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition:

Findings:

1. The zoning map amendment is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.
2. The zoning map amendment is generally compatible with the zoning and uses of the surrounding area. The request is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.
3. The zoning map amendment enhances the established neighborhood character.
4. The zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the map amendment removes previous concerns about access, visibility, and emergency response.
5. The zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.
6. The zoning map amendment will create nonconformities on adjacent properties. A condition for landscaping buffers mitigates the nonconformity.

Condition:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and south property lines. The buffer yard shall contain a six-foot tall fence and landscaping.

Background:

Development History:

To facilitate the development of The Jade on Tremont Apartments, City Council adopted Ordinance No. 2023-483 on December 13, 2023. This action rezoned the property at 5504 Tremont Avenue from I-1 Light Industrial District to R-MF Multi-Family Residential District. The rezoning was approved, subject to the following conditions:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall contain a six-foot fence

- and landscaping.
2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.
 3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of thirty-two square feet and illuminated.

The 132-unit apartment complex is currently under construction. To provide for expansion and better access to The Jade Apartments, the owner of Davenport Public Storage is selling a portion of their undeveloped property on Tremont Avenue to the developer. This enables the site layout to be reconfigured for better visibility and access. The applicant intends to construct a driveway and clubhouse on the 1.15 acre property.

Why is a Zoning Map Amendment Required?

'Dwelling-Multi-Family' is a prohibited use in the I-1 Light Industrial District. The applicant is petitioning a rezoning to amend the conditions in Ordinance 2023-483. The requirement for signage is no longer applicable with the proposed access point. In addition, the condition for buffer yard landscaping should be amended to reflect the new boundaries of the development.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

The subject property is currently designated as Industry in the Davenport +2035 Future Land Use Map.

1. **Industry (I)** - Designates areas devoted to manufacturing, assembly/fabrication, warehousing and distribution, research and technological innovation centers, and associated commercial/office uses developed at a scale as to warrant access to good transportation networks and separation or buffering from residential uses.

Zoning:

The applicant is petitioning a rezoning from I-1 Light Industrial District to R-MF Multi-Family Residential District.

1. **I-1 Light Industrial District:** This zoning district is intended to provide for a variety of light manufacturing, fabricating, processing, distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.
2. **R-MF Multi-Family Residential District:** This zoning district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including single-family dwellings, semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

Technical Review:

1. **Fire:** The proposed rezoning, which facilitates a new entrance to the housing development, alleviates the Fire Department's previous concerns of way finding and access.
2. **Engineering:** The IA DOT classifies this roadway as a local road. There are no recent traffic count numbers on this section of Tremont Street; however engineering estimates the average annual traffic count to be approximately 2,500 AADT. It is likely there is a larger proportion of truck traffic in this general area due to the current uses and industrial zoning from 46th Street to Veterans Memorial Parkway. The additional traffic generated by this development may result in traffic signal warrants at Tremont Avenue and Veterans Memorial Parkway.
3. **Zoning:** Rezoning the subject property to facilitate a new access point onto Tremont Avenue alleviates visibility concerns for the residential development. The previous application provided access to The Jade on Tremont Apartments through a 40-foot strip of land between two lots containing storage units. City Council adopted Ordinance No. 2023-483 to address wayfinding and safe access to the property.

Approval Standards for Map Amendments (Chapter 17.14.040)

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

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

Staff Response: The property is designated as Industry (I) in the Davenport +2035 Land Use Plan. This land use category is intended to provide separation and buffering from residential uses. Since the Comprehensive Plan designated areas as a whole, the Tremont Avenue Corridor, from 53rd Street to Veterans Memorial Parkway, is reserved for industrial land uses. The proposed rezoning would further introduce residential uses into an existing industrial corridor. Staff does not believe an amendment to the Comprehensive Plan is required.

It is staff's opinion that the proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.

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

Staff Response:

The following zoning districts abut the subject property:

North: I-1 Light Industrial District

South: I-1 Light Industrial District

East: I-1 Light Industrial District

West: R-MF Multi-Family Residential District

Rezoning the subject property to R-MF Multi-Family Residential District creates compatibility with The Jade on Tremont Apartments, which is currently under construction. Tremont Avenue is an established industrial corridor. Further introducing high density residential development into an industrial park may result in land use conflicts. However, light industrial uses are enclosed, low-intensity uses with minimal, if any, outside impacts.

It is staff's opinion that the proposed zoning map amendment is not compatible with the surrounding industrial corridor, but is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.

- **The compatibility with established neighborhood character.**

Staff Response: The established neighborhood character consists of a developed industrial corridor and an under construction multi-family housing development. Industrial businesses within the vicinity include Stefanini, Greenwood Cleaning Systems, 7 Hills Paving, Northwest Mechanical, Van Meter Inc., Ferguson Plumbing Supply, Davenport Public Storage, FXC Upper Midwest, Per Mar, and SMG.

Compatibility with the established neighborhood character depends on the development of the property. The Zoning Ordinance implements design standards to ensure new construction is cohesive with the surrounding neighborhood. These standards regulate building materials, façade design, fenestration, and roof design. The industrial building design standards are intentionally relaxed to promote large scale manufacturing and warehouse users. Industrial districts are allowed to incorporate lower quality building materials, such as metal panels or corrugated siding. Architectural elements and design features are not regulated, enabling construction of substantial structures on large lots. In addition, there are also no transparency or articulation requirements.

There are instances in the City of Davenport of residential development adjacent to industrial districts. The proposal to construct a clubhouse reduces the interaction with the existing industrial businesses by providing a safe access point to Tremont Avenue.

It is staff's opinion that the proposed zoning map amendment enhances the established neighborhood character.

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

Staff Response: The applicant is requesting a map amendment to a high-density residential designation. Mixing housing with industrial development may cause land use conflicts. An additional burden is placed on developed industrial properties with respect to noise standards. The noise ordinance allows a greater level of noise when the receiving property is also industrial. Introducing residential zoning will lower the decibel levels allowed.

Over time, the properties adjacent to Tremont Avenue may choose to redevelop with different uses that could result in taller buildings. This would further obscure a residential development from view at the street. The subject property's presence along Tremont

Avenue will better facilitate access for first responders. Since the subject property is being utilized to provide safer access to The Jade on Tremont Apartments, staff's initial concerns about visibility from public right-of-way are mitigated.

It is staff's opinion that the proposed zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the overall intent removes staff's previous concerns about access, visibility, and emergency response.

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

Staff Response: The property is presently zoned I-1 Light Industrial District. This district allows for a variety of industrial and commercial uses including manufacturing, fabrication, and distribution and warehousing. The I-1 district enables a wide range of development opportunities that will ensure consistency with the surrounding developments.

The I-1 Light Industrial District is in high demand, and the city is running out of available sites for additional development. However, the adjacent self-storage units were constructed in 2004. The City has not received any permits for additional storage units or other industrial buildings on the subject property. The proposed use of multi-family is allowed in many zoning districts within the city; however many of the uses in I-1 are prohibited in other districts. Rezoning the 1.15-acre site to R-MF Multi-Family Residential District will facilitate development, which may not otherwise be suitable for large scale industrial uses.

It is staff's opinion that the proposed zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.

- **The extent to which the proposed amendment creates nonconformities.**

Staff Response: If rezoned to R-MF Multi-Family Residential District, the vacant 1.15-acre property would be able to conform to the district dimensional standards. The adjacent developed industrial properties would become nonconforming with respect to buffer yard requirements. Therefore, staff is recommending a condition that a buffer yard of no less than fifteen feet in width shall be provided along the north and south lot lines of the subject property. The buffer yard shall contain a six-foot fence and landscaping.

It is staff's opinion that the proposed zoning map amendment will create nonconformities on adjacent properties. The recommendation for a landscaping buffer mitigates the nonconformity.

Public Input:

Letters were sent to property owners within 200 feet of the proposed request notifying them of the January 21st Plan and Zoning Commission Public Hearing. To date, one written comment in opposition to the request has been submitted to staff. The property owner directly north of the subject site opposed residential development fronting Tremont Avenue, which should be preserved as an industrial corridor.

Attachments:

1. Application
2. Maps
3. Ordinance 2023-483
4. Public Notice
5. Public Comment-5770 Tremont Ave



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 E. 46th ST
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
REZONING
(MAP AMENDMENT)

DATES: PRE-APP	SUBMITTAL	PUBLIC HEARING
----------------	-----------	----------------

PROJECT TITLE
Access/Expansion of the Jade on Tremont

SITE ADDRESS OR GENERAL LOCATION DESCRIPTION
SEE ATTACHED LEGAL DESCRIPTION

NEIGHBORHOOD MEETING DATE / TIME / LOCATION

ZONING DISTRICTS	EXISTING I1	PROPOSED R-MF	SQ. AREA ~1 acre
------------------	-----------------------	-------------------------	----------------------------

COMPLETE SUBMITTALS SHALL INCLUDE: **SUBMITTED**

Concept/Development Plan ☐

Authorization to Act as Applicant* ☐

*only needed if the Applicant is different than the owner

Legal Description* (bearing & distance) ☐

* shall include a MS Word or Text file

Legal Description Dimensioned Sketch ☐

Application Fee* (REQUIRED) ☐

*(check payable to 'City of Davenport')

Rezoning Fee Schedule

Land Area	Fee
Less than 1 acre	\$400
1 to less than 10 acres	\$750 plus \$25/acre
10 acres or more	\$1,000 plus \$25/acre

1 to 3 site notice signs are required based on lot size; \$10 each

PROJECT NARRATIVE: (submit separate sheet if needed)

To provide for expansion and better access to The Jade on Tremont multi-family residential development.

Submit the first two pages of this form to Planning Staff at:
planning@davenportiowa.com or contact staff with any
questions or requests for additional information.

APPLICANT INFORMATION

Applicant Name | Company Name

ANTHONY PROPERTIES

Address

12770 COIT RD, STE 970

City | State | Zip

DALLAS, TX 75251

Phone

(214) 432-9514

Secondary Phone

E-Mail Address

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for attendance at each meeting on the public hearing/zoning calendar. The City reserves the right to require further site studies as necessary, such as a traffic study.

BRIAN SHIU

Type Applicant's Name

Applicant's Signature

12.17.24

Date

DEVELOPMENT TEAM

Property Owner

DPS INC

Address

5465 TREMONT AVE DAVENPORT IA 52807

Phone

309-314-6582

Secondary Phone

E-Mail Address

jayme@cciqc.com

Project Manager/Other

THOMAS J. PASTRNAK (ATTORNEY)

Address

313 W 3RD ST DAVENPORT, IA 52801

Phone

(563) 323-7737

Secondary Phone

E-Mail Address

Authorization to Act as Applicant

I/We, DPS, INC

[as property owner(s)]

authorize BRIAN SHIU OF ANTHONY PROPERTIES

[the above person(s)]

to act as applicant, representing me/us before the City Plan & Zoning Commission

for the property located at 5670 TREMONT AVE DAVENPORT, IA 52807.

[Signature]

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

12/17/24

Date

Notarization:

State of Illinois,

County of Rock Island,

Sworn and subscribed before me

this 17th day of December, 2024.

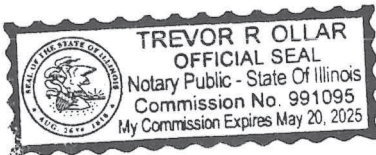
[Signature]

Notary Public

My Commission Expires: 5/20/25

Driver's Licence

[identification type]

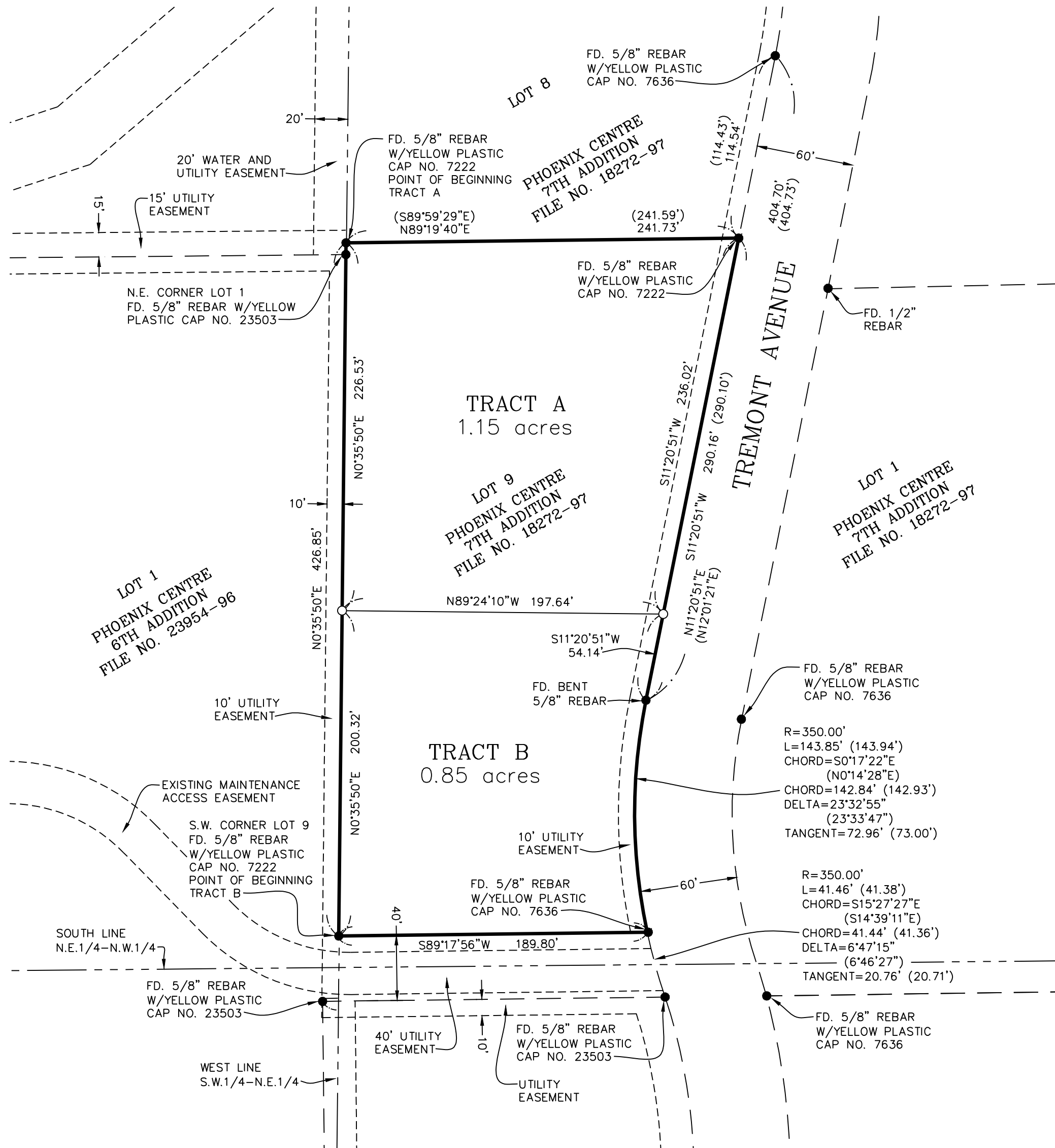


TRACT A AND TRACT B
PLAT OF SURVEY
PORTIONS OF LOT NINE (9) IN PHOENIX CENTRE 7TH ADDITION
DAVENPORT, SCOTT COUNTY, IOWA

INDEX LEGEND

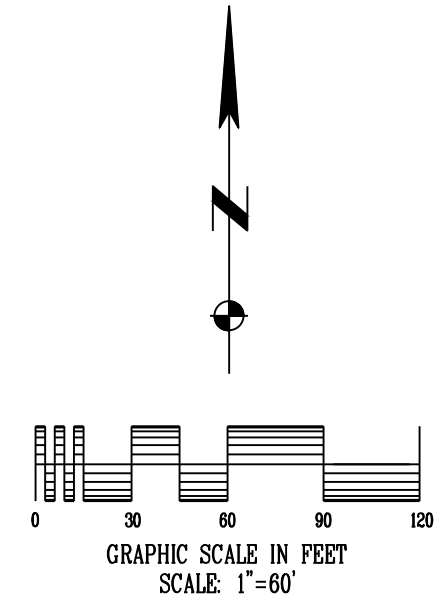
Location: LOT 9 OF PHOENIX CENTRE 7TH ADDITION
Requestor: APR DAVENPORT 2 LLC
Proprietors: DPS, INC.
Surveyor: GREGG E. SAMPSON, P.L.S.
Company/Return to: SUSAN FORINASH
HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD
HIAWATHA, IOWA 52233
1-319-362-9548

SPACE RESERVED FOR RECORDING PURPOSES



SURVEY LEGEND

- SET 1/2" REBAR W/YELLOW PLASTIC CAP NO. 14809
● FD. MONUMENT AS NOTED
() RECORDED AS
--- EASEMENT LINE
--- PLAT BOUNDARY
--- EXISTING LOT LINE
--- 1/4-1/4 SECTION LINE



LEGAL DESCRIPTION-TRACT A:

A PORTION OF LOT 9, PHOENIX CENTRE 7TH ADDITION IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 89°19'40" EAST ON THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 241.73 FEET TO THE NORTHEAST CORNER OF SAID LOT 9 AND THE WEST RIGHT OF WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 11°20'51" WEST ON THE EAST LINE OF SAID LOT 9 AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 236.02 FEET;

THENCE NORTH 89°24'10" WEST, 197.64 FEET TO THE WEST LINE OF SAID LOT 9;

THENCE NORTH 0°35'50" EAST ON SAID WEST LINE, 226.53 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 1.15 ACRES.

LEGAL DESCRIPTION-TRACT B:

A PORTION OF LOT NINE (9) OF PHOENIX CENTRE 7TH ADDITION IN THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 9;

THENCE NORTH 0°35'50" EAST ON THE WEST LINE OF SAID LOT 9, A DISTANCE OF 200.32 FEET;

THENCE SOUTH 89°24'10" EAST, 197.64 FEET TO THE EAST LINE OF SAID LOT 9 AND THE WEST RIGHT OF WAY LINE OF TREMONT AVENUE;

THENCE SOUTH 11°20'51" WEST ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, 54.14 FEET TO THE BEGINNING OF A 350.00 FOOT RADIUS CURVE, CONCAVE EASTERLY AND HAVING A LONG CHORD OF 142.84 FEET BEARING SOUTH 0°17'22" EAST;

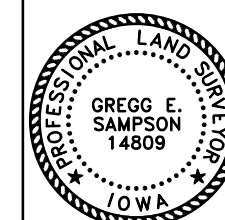
THENCE SOUTHERLY ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, 143.85 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9;

THENCE SOUTH 89°17'56" WEST ON THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 189.80 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.85 ACRES.

NOTES:

- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- BEARINGS ARE BASED ON: NAD83(2011)(EPOCH 2010.000) Iowa State Plane, North Zone, as observed using the Iowa Real Time Network.
- DATE OF SURVEY FIELD WORK: 11/4/2024



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Signed: _____ Date: _____

GREGG E. SAMPSON, P.L.S. Iowa License No. 14809

My license renewal date is December 31, 2024

ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW:

Revision Description

Revision Number & Date

HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 362-9548 FAX: (319) 362-7595
CIVIL ENGINEERING & LANDSCAPE ARCHITECTURE
LAND SURVEYING & LAND DEVELOPMENT PLANNING
www.halleng.com

TRACT A AND TRACT B
PLAT OF SURVEY
PORTIONS OF LOT NINE (9) IN PHOENIX CENTRE 7TH
ADDITION, DAVENPORT, SCOTT COUNTY, IOWA

Designed by:

DLK

Drawn by:

DLK

Checked by:

GES

Date:

11/13/2024

Field Book No:

OT 113, OT 114

Scale:

1"=60'

Sheet:

1 of 1

Project Number:

10563-6



CAD File: I:\projects\10500\10563-5-Davenport Phase 2 Multi-Family\DWG\POI\10563-6-BOI-ADD NE LOT.dwg Date Plotted: Tuesday, November 5, 2024 11:48:35 AM Plotted By: David A. Sellman

HALL & HALL ENGINEERS, INC.
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1860 BOYSSON ROAD, HIAWATHA, IOWA 52233
PHONE: (319) 385-6548 FAX: (319) 385-7595
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LAND SURVEYING • LAND DEVELOPMENT PLANNING
www.halling.com

REVISION 1	07/12/2024
REVISION 2	07/30/2024
REVISION 3	08/20/2024
REVISION 4	10/16/2024

The Jade on Tremont Apartments North-West of E. 53rd St & Tremont Ave Davenport, Iowa 52807

SITE LAYOUT PLAN

trb

ARCHITECTURE

440 regency pkwy, suite 138
omaha, nebraska 68114
phone: 402.973.1012
www.trbARCHITECTURE.com

PROJECT: 24005
DATE: 8/20/24

Vicinity Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District.
[Ward 8]



Subject Property

0 150 300 Feet



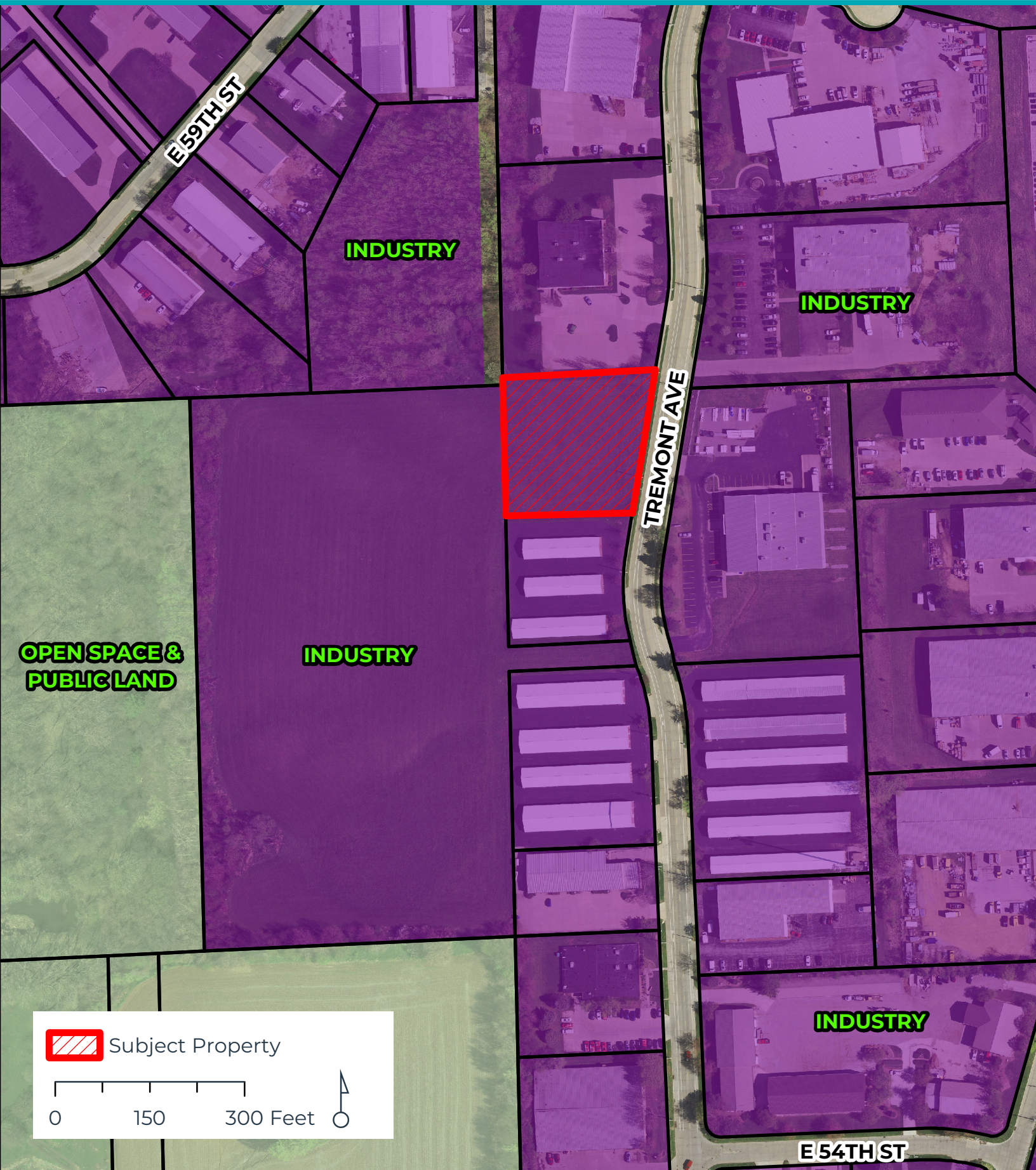
Zoning Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District.
[Ward 8]



Future Land Use Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]



ORDINANCE NO. **2023-483**

AN ORDINANCE FOR CASE REZ23-05 BEING THE REQUEST OF ANTHONY PROPERTIES TO REZONE THE 10.17 ACRES OF LOT 1 OF PHOENIX CENTRE 6TH ADDITION IN THE 5600 BLOCK OF TREMONT AVENUE (PARCEL X1203-01) FROM I-1 LIGHT INDUSTRIAL ZONING DISTRICT TO R-MF MULTIFAMILY RESIDENTIAL DISTRICT.

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned to "RMF Multi-Family Residential" District:

LOT 1 OF PHOENIX CENTRE 6TH ADDITION TO THE CITY OF DAVENPORT, SCOTT COUNTY, IOWA.

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

Findings:

1. The proposed rezoning to R-MF Multi-Family Residential is inconsistent with the Comprehensive Plan and adopted land use policies.
2. The introduction of a residential use in an industrial area is not compatible with the zoning and land uses or character of nearby property.
3. The proposed amendment may have factors that could impact public health, safety, and welfare of the City.
4. Rezoning the property to R-MF does create nonconformities.

Section 3. At its October 3, 2023 meeting, the City Plan and Zoning Commission voted to forward Case REZ23-05 to the City Council with a recommendation for denial subject to the listed findings.

Section 4. At its November 21, 2023 meeting, the City Council voted to add conditions upon said rezoning, and at its December 6, 2023 Committee of the Whole Meeting, the Ordinance was reconsidered and the conditions were amended as follows:

1. Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and east property lines. The buffer yard shall contain a six-foot fence and landscaping.
2. The developer shall obtain approval from all utilities to install signage within the designated utility easement.

3. The developer shall install signage near the driveway entrance to the development. The signage shall be a minimum of thirty-two square feet and illuminated.

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 October 25, 2023

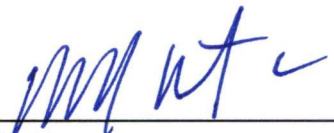
Second Consideration November 8, 2023

Approved November 21, 2023

Amended Ordinance approved December 13, 2023

Published in the *Quad-City Times* on December 21, 2023

Attest:


Mike Matson
Mayor




Brian Krup
Deputy City Clerk



PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE

To: All property owners within 200 feet of the subject property located at 5670 Tremont Avenue

Committee of the Whole Public Hearing Meeting

Date: 2/19/2025

Time: 5:30 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a public hearing will be held for a Rezoning Request. The subject property is currently zoned I-1 Light Industrial District. The request is to rezone the property to R-MF Multi-Family Residential District. The purpose is to facilitate better access to The Jade on Tremont Apartments. The subject property will also include a new clubhouse serving the residential development. Attached is a site layout plan.

Request/Case Description:

Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

At its February 4, 2025 meeting, the Plan and Zoning Commission recommended Case REZ25-02 be forwarded to the City Council with a recommendation for approval subject to the listed findings and condition:

Findings:

1. The zoning map amendment is inconsistent with the Comprehensive Plan, which identifies the site as Industry. However, the request is aligned with City Council's adopted land use policies.
2. The zoning map amendment is generally compatible with the zoning and uses of the surrounding area. The request is a continuation of Ordinance No. 2023-483 and alleviates previous concerns.
3. The zoning map amendment enhances the established neighborhood character.
4. The zoning map amendment may have factors impacting the public health, safety, and welfare of the City. However, the map amendment removes previous concerns about access, visibility, and emergency response.
5. The zoning map amendment will enable the area to be developed in a manner consistent with the adjacent residential development to the west.
6. The zoning map amendment will create nonconformities on adjacent properties. A condition for landscaping buffers mitigates the nonconformity.

Condition: Upon development, a buffer yard of no less than fifteen feet in width shall be provided along the north and south property lines. The buffer yard shall contain a six-foot tall fence and landscaping.

What are the Next Steps?

The public hearing on the above matter is scheduled for 5:30pm or as soon thereafter on Wednesday, February 19, 2025 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

Would You Like to Submit an Official Comment?

You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to mayor.info@davenportiowa.com or mailed to the Development and Neighborhood Services Department, at the below address, no later than 12:00 noon on the day of the public hearing.

All written comments and protests already received will be forwarded to the Committee of the Whole. The Committee of the Whole meeting can be viewed live at www.davenportiowa.com/watchlive.

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



PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

To: All property owners within 200 feet of the subject property located at 5670 Tremont Avenue

Plan & Zoning Commission Public Hearing Meeting

Date: 1/21/2025

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4th Street

What is this About?

This notice is being sent to inform you that a neighborhood meeting and a public hearing will be held for a Rezoning Request. The subject property is currently zoned I-1 Light Industrial District. The request is to rezone the property to R-MF Multi-Family Residential District. The purpose is to facilitate better access to The Jade on Tremont Apartments. The subject property will also include a new clubhouse serving the residential development. Attached is a site layout plan.

Request/Case Description

Case REZ25-02: Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]

What are the Next Steps after the Neighborhood Meeting and Public Hearing?

The Plan and Zoning Commission will hold a formal public hearing at their meeting on January 21, 2025. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on February 4, 2025. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. For the specific dates and times of subsequent meetings, please contact the case planner below.

Would You Like to Submit an Official Comment?

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

All documents related to the meeting (agenda included) are at "Meeting Minutes & Agendas": https://www.davenportiowa.com/government/meeting_minutes_agendas

Do You Have Any Questions?

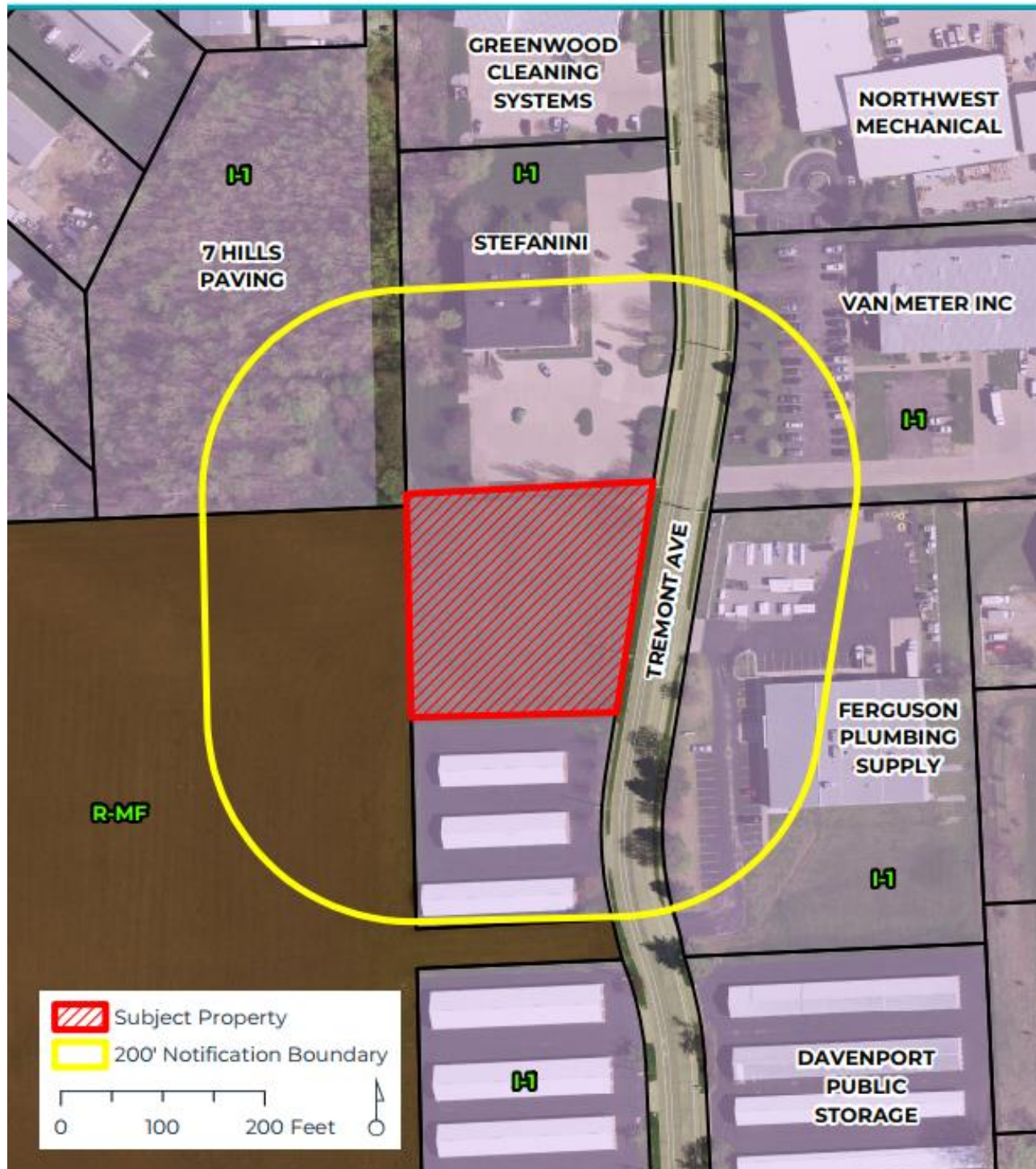
If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at matt.werderitch@davenportiowa.com or 563-888-2221. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: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

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



Public Notice Map | Case REZ25-02

Request of Anthony Properties to rezone the northern portion of 5670 Tremont Avenue, being approximately 1.15 acres of land, from I-1 Light Industrial District to R-MF Multi-Family Residential District. [Ward 8]



Werderitch, Matt

From: Thad Denhartog <tdenhartog@melfosterco.com>
Sent: Wednesday, January 8, 2025 3:01 PM
To: Planning
Cc: Werderitch, Matt
Subject: [EXT] Case REZ25-02

ATTENTION: This is an external email.

Good afternoon,

I am the owner of the property located at 5770 Tremont Ave which is directly north of the subject site proposed to be rezoned to R-MF.

I would like to protest the rezoning of this site to R-MF.

This is an industrial park with covenants in place. The frontage along Tremont should remain I-1.

The initial project was approved with the access point as previously designated.

Thank you,

TRD

THAD DENHARTOG, SIOR | Mel Foster Commercial Real Estate Services L.L.C. | 5167 Utica Ridge Road | Davenport, Iowa 52807 | P: 563-823-5276 | F: 866-332-3007 | Mobile: 563-650-8676
Email: <mailto:tdenhartog@melfosterco.com> Visit: <http://www.melfostercommercial.com>
Designated Managing Broker & Principal
Licensed Broker in Iowa and Illinois



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City of Davenport

Department: Development & Neighborhood Services
Contact Info: Laura Berkley | 563-888-3553

Action / Date
3/5/2025

Subject:

Resolution approving Case P25-02 being the request of Splendor Homes, LLC for a preliminary plat of Splendor Estates, a 76-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

City Council approved a preliminary plat of Splendor Estates at its April 10, 2023, meeting. The purpose of the subdivision was to facilitate development of the 27.94-acre site for single-family residential lots. After further consideration, the developer decided not to move forward with the preliminary plat. Instead, the site layout has been reconfigured and is being brought back to City Council for additional review. Both iterations contain a total of 76 lots. Alterations from the previous plan include:

1. Extending 61st Street directly east to intersect with Splendor Lane.
2. Terminating Heather Avenue in a cul-de-sac.
3. Alterations to location and size of outlots.

The Plan and Zoning Commission reviewed Case P25-02 at its February 18, 2025, meeting and unanimously recommended approval subject to the following findings and conditions:

Findings

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.
3. The preliminary plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions

1. Civil construction and grading plans shall be submitted alongside or before submittal of the final plat.
2. Sidewalks are required within right-of-way on all lots.

Attachments:

1. Resolution
2. Preliminary Plat of Splendor Estates
3. Maps

4. Staff Report-Plan & Zoning Commission
5. Application

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case P25-02 being the request of Splendor Homes, LLC for a preliminary plat of Splendor Estates, a 76-lot subdivision on 27.94 acres located at 2448 and 2460 East 60th Street.

WHEREAS, the Plan and Zoning Commission reviewed Case P25-02 at the February 18, 2025 regularly scheduled meeting with a recommendation for approval subject to two conditions; and

WHEREAS, with the recommended conditions, the subdivision is consistent with Chapter 16 of the Municipal Code of Davenport, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the preliminary plat of Splendor Estates to the City of Davenport, Iowa be and the same is hereby approved and accepted subject to all conditions as stated in the February 18, 2025 Plan and Zoning Commission's recommendation for approval.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

PRELIMINARY PLAT

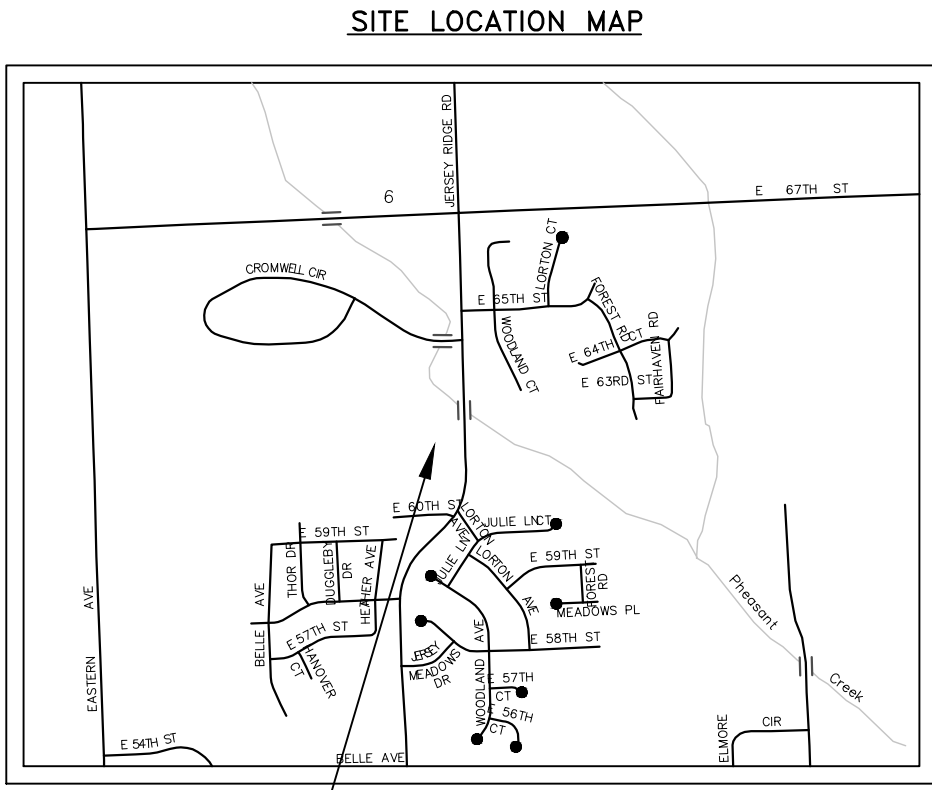
SPLENDOR ESTATES

TO THE CITY OF DAVENPORT, PART OF THE SOUTHEAST QUARTER
AND PART OF THE SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF THE 5TH P.M., SCOTT
COUNTY, IOWA

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C1	314.16'	200.00'	090°00'00"	282.84'	N43° 13' 28"E
C2	174.98'	200.00'	050°07'40"	169.45'	N26° 50' 23"W
C3	139.18'	200.00'	039°52'20"	136.39'	N71° 50' 23"W
C4	34.79'	50.00'	039°52'20"	34.10'	S18° 09' 37"W
C5	72.65'	150.00'	027°45'00"	71.94'	N78° 31' 43"W
C6	54.40'	150.00'	020°46'42"	54.10'	N54° 15' 52"W
C7	23.40'	15.00'	089°22'20"	21.10'	S42° 54' 28"W
C8	13.79'	15.00'	052°41'27"	13.31'	S28° 07' 16"E
C9	40.75'	175.00'	013°20'28"	40.66'	S50° 30' 02"E
C10	56.78'	35.00'	092°57'26"	50.76'	S87° 28' 09"E
C11	31.14'	125.00'	014°16'31"	31.06'	S85° 15' 57"E
C12	81.36'	125.00'	037°17'28"	79.93'	N59° 28' 58"W
C13	49.93'	35.00'	081°44'20"	45.80'	N00° 02' 07"E
C14	105.12'	690.00'	008°43'45"	105.02'	N36° 32' 24"E
C15	177.09'	690.00'	014°42'19"	176.61'	S24° 49' 22"W
C16	345.33'	690.00'	028°40'32"	341.74'	S31° 48' 29"W
C17	113.90'	610.00'	010°41'56"	113.74'	N40° 45' 05"E
C18	5.44'	610.00'	000°30'39"	5.44'	N35° 08' 48"E
C19	104.34'	610.00'	009°48'02"	104.21'	S29° 59' 28"W
C20	96.17'	610.00'	009°01'59"	96.07'	S20° 34' 28"W
C21	90.92'	610.00'	008°32'23"	90.83'	N11° 47' 17"E
C22	88.56'	610.00'	008°19'05"	88.48'	N03° 21' 33"E
C23	8.33'	610.00'	000°46'56"	8.33'	S01° 11' 27"E
C24	507.66'	610.00'	047°40'58"	493.13'	N22° 15' 34"E
C25	105.96'	225.00'	026°58'56"	104.98'	N38° 24' 45"W
C26	56.32'	225.00'	014°20'27"	56.17'	N17° 45' 03"W
C27	34.58'	225.00'	008°48'17"	34.54'	N06° 10' 41"W
C28	54.13'	225.00'	013°47'03"	54.00'	S05° 06' 59"W
C29	54.14'	225.00'	013°47'09"	54.01'	S18° 54' 05"W
C30	54.14'	225.00'	013°47'09"	54.01'	N32° 41' 13"E
C31	54.13'	225.00'	013°47'03"	54.00'	N46° 28' 19"E
C32	54.13'	225.00'	013°47'03"	54.00'	S60° 15' 22"W
C33	54.13'	225.00'	013°47'03"	54.00'	S74° 02' 26"W
C34	28.63'	225.00'	007°17'30"	28.62'	N84° 34' 42"E

Curve Table					
Curve #	Length (ft)	Radius (ft)	Delta	Chord Length (ft)	Chord Direction
C35	23.56'	15.00'	090°00'00"	21.21'	N43° 13' 28"E
C36	23.56'	15.00'	090°00'00"	21.21'	S46° 46' 32"E
C37	50.71'	175.00'	016°36'06"	50.53'	N79° 55' 25"E
C38	204.53'	175.00'	066°57'49"	193.09'	N38° 09' 02"E
C39	19.67'	175.00'	006°26'28"	19.66'	S01° 21' 54"W
C40	19.74'	175.00'	006°27'49"	19.73'	S07° 29' 44"E
C41	132.99'	175.00'	043°32'35"	129.82'	N29° 03' 32"W
C42	56.67'	25.00'	129°52'21"	45.29'	S63° 09' 37"W
C43	39.29'	25.00'	090°02'26"	35.37'	S06° 53' 00"E
C44	43.47'	75.00'	033°12'34"	42.86'	S21° 31' 57"W
C45	8.78'	75.00'	006°42'13"	8.77'	S01° 34' 34"W
C46	23.56'	15.00'	090°00'36"	21.21'	S43° 13' 26"W
C47	23.56'	15.00'	089°59'24"	21.21'	N46° 46' 32"W
C48	23.62'	15.00'	090°14'15"	21.26'	N43° 06' 22"E
C49	5.07'	175.00'	001°39'42"	5.07'	N89° 03' 18"E
C50	116.71'	175.00'	038°12'38"	114.56'	S71° 00' 32"E
C51	35.52'	175.00'	011°37'43"	35.46'	N57° 03' 04"W
C52	70.48'	175.00'	023°04'26"	70.00'	N75° 04' 09"W
C53	15.79'	175.00'	005°10'11"	15.78'	N89° 11' 27"W
C54	23.56'	15.00'	089°58'42"	21.21'	N46° 47' 12"W
C55	23.56'	15.00'	090°00'00"	21.21'	S43° 13' 28"W
C56	23.56'	15.00'	090°00'00"	21.21'	S46° 46' 32"E
C57	23.72'	50.00'	027°10'54"	23.50'	N11° 48' 55"E
C58	14.79'	50.00'	016°57'11"	14.74'	S33° 52' 58"W
C59	50.99'	54.50'	053°36'38"	49.15'	S36° 36' 04"E
C60	61.35'	54.50'	064°30'01"	58.16'	N84° 20' 36"E
C61	43.24'	54.50'	045°27'36"	42.12'	N29° 21' 48"E
C62	49.87'	54.50'	052°25'59"	48.15'	N19° 35' 00"W
C63	14.90'	50.00'	017°04'25"	14.84'	N37° 29' 37"W
C64	23.92'	50.00'	027°24'50"	23.70'	S15° 15' 06"E
C65	23.56'	15.00'	090°00'36"	21.21'	N43° 13' 27"E
C66	23.56'	15.00'	089°59'24"	21.21'	S46° 46' 31"E
C67	49.61'	54.50'	052°09'18"	47.91'	S16° 16' 54"W

Line Table		
Line #	Length (ft)	Direction
L4	21.59'	S42° 56' 57"E



APPROXIMATE SITE LOCATION

APPROVED BY:
CITY OF DAVENPORT, IOWA

BY: _____

DATE: _____ ATTEST: _____

CITY PLAN & ZONE COMMISSION

BY: _____ DATE: _____

MEDIACOM

DATE: _____

IOWA - AMERICAN WATER COMPANY

DATE: _____

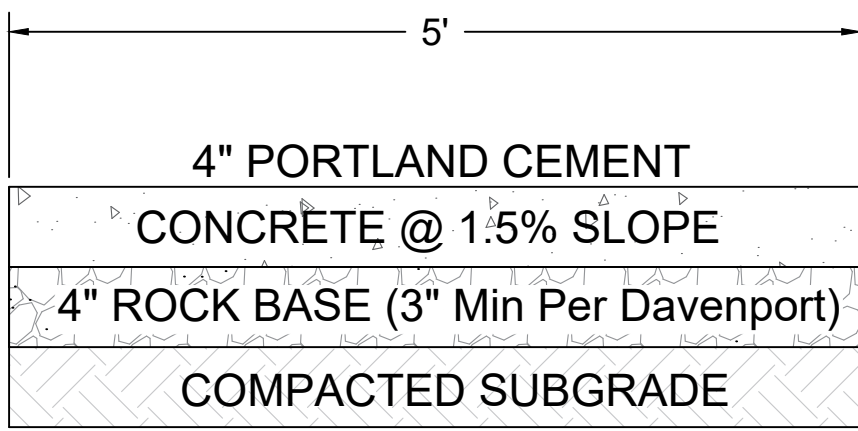
CENTURY LINK

DATE: _____

METRONET

DATE: _____

MIDAMERICAN ENERGY
APPROVED SUBJECT TO ENCUMBRANCES OF RECORD BY MIDAMERICAN

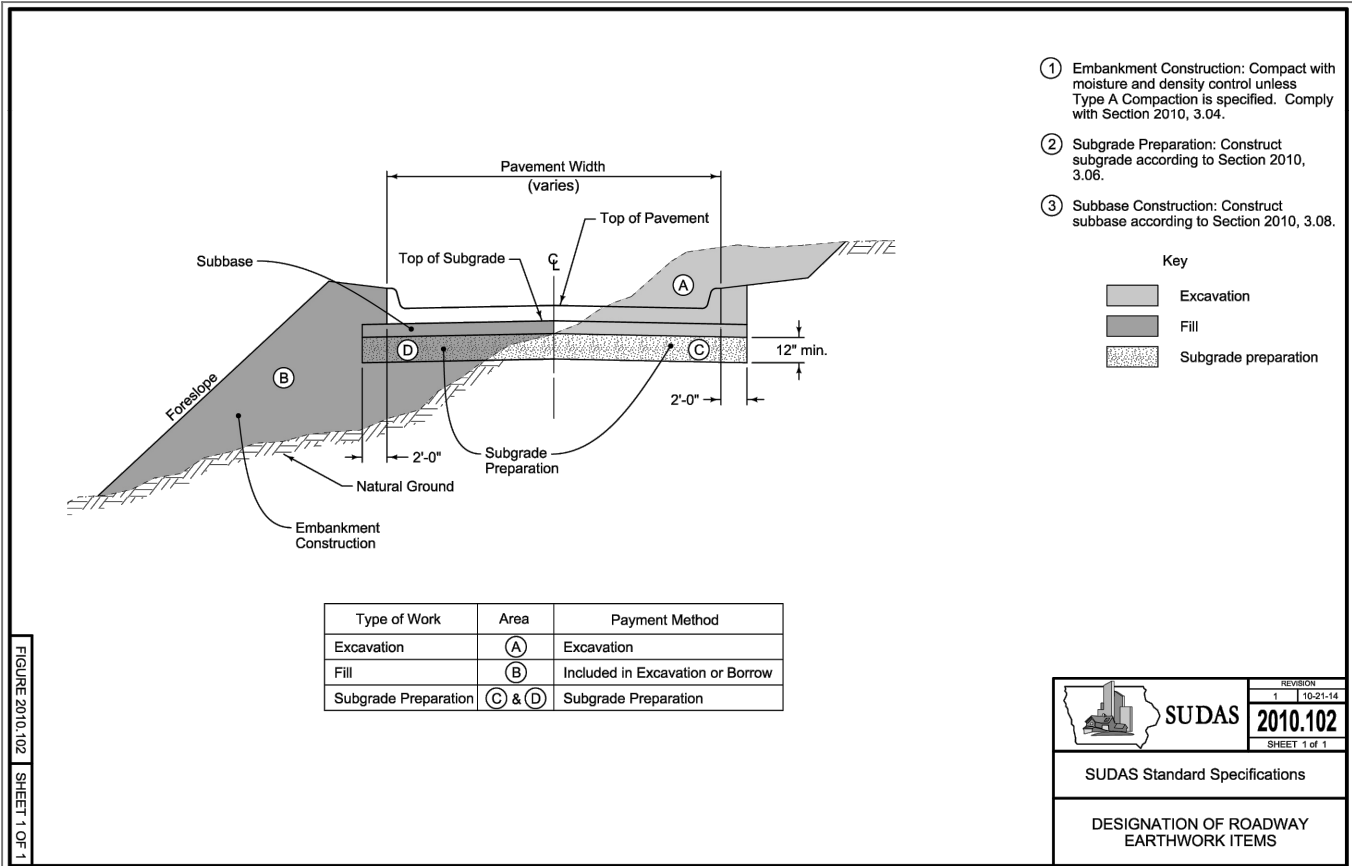


TYPICAL SIDEWALK DETAIL
NOT TO SCALE

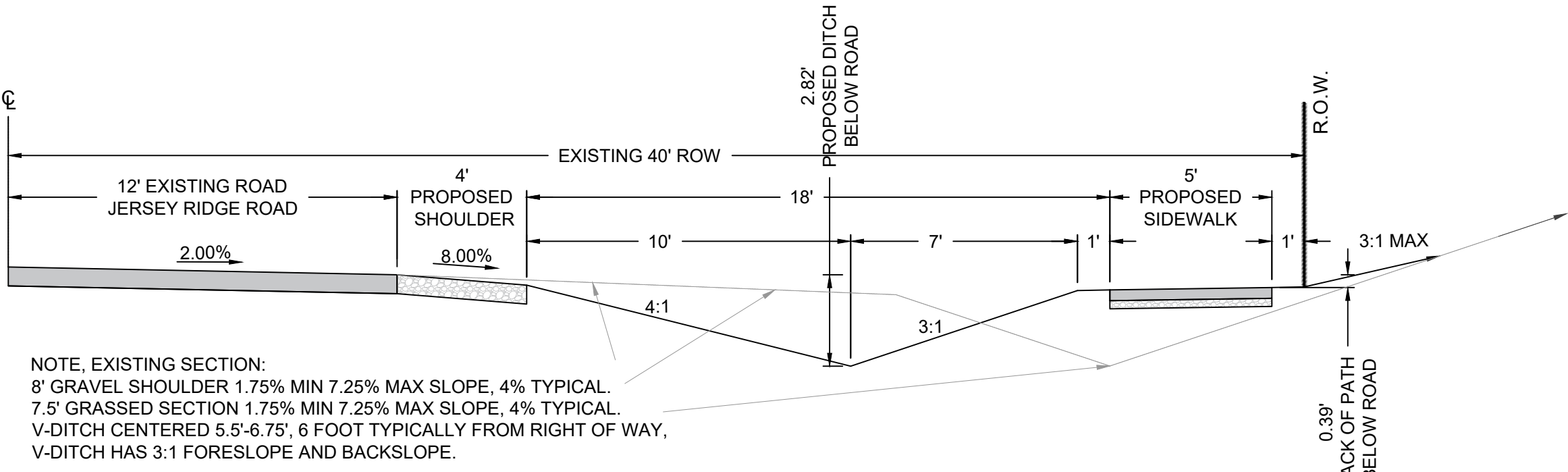
NOTES :

- MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
- ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
- COMPARE THE DESCRIPTION OF THIS PLAT WITH THE DEED, ABSTRACT OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND AT ONCE REPORT ANY DIFFERENCE.
- THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
- ALL IMPROVEMENTS SHALL COMPLY WITH SUDAS LATEST EDITION WITH THE CITY OF DAVENPORT SUPPLEMENTAL TO SUDAS LATEST EDITION.
- BLANKET UNDERGROUND EASEMENTS GRANTED FOR SEWER, WATER, GAS, ELECTRIC, TELEPHONE, AND CABLE T.V. SERVICES TO INDIVIDUAL STRUCTURES WITHIN THE LOT WHERE THE STRUCTURE IS LOCATED.
- PORTIONS OF THIS SUBDIVISION ARE LOCATED WITHIN THE FEMA DETERMINED SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON FLOOD INSURANCE RATE MAPS #19163C0360H EFFECTIVE DATE APRIL 11, 2024 AND IS SUBJECT TO THE REGULATIONS IN CHAPTER 15.44 OF THE CITY CODE ENTITLED "FLOOD DAMAGE PREVENTION". BFE = 688.20.
- OWNERS OF LOTS ON WHICH A DRAINAGE EASEMENT HAS BEEN ESTABLISHED AS A STORM WATER PASSAGEWAY SHALL MAINTAIN SAID EASEMENT AS A LAWN, PLANTED IN GRASS AND FREE OF BUSHES, FENCES, FILL, SHRUBS, STRUCTURES, TREES, AND/OR OTHER LANDSCAPING THAT WOULD IMPEDE THE FLOW OF STORM WATER RUNOFF.
- SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PRIOR TO THE COMPLETION OF RESIDENTIAL CONSTRUCTION FOR EACH LOT, OR AS SO ORDERED BY THE CITY OF DAVENPORT. SIDEWALK ALONG THE JERSEY RIDGE ROAD FRONTAGE SHALL BE CONSTRUCTED AT THE TIME OF STREET CONSTRUCTION OR AS ORDERED BY THE CITY OF DAVENPORT. SIDEWALKS ALONG ALL OUTLOTS WITH ABUTTING STREETS SHALL BE CONSTRUCTED BY THE DEVELOPER AT THE TIME OF STREET CONSTRUCTION.
- OUTLOTS A & B SHALL BE RESERVED FOR REGIONAL STORM WATER DETENTION FACILITIES SERVING THE SUBDIVISION.
- THE EASEMENT FOR EAST 60th STREET SHALL BE VACATED WITH THE RECORDING OF THE FINAL PLAT.
- STORM WATER DETENTION AND WATER QUALITY TREATMENT ARE REQUIRED FOR THIS SUBDIVISION AND SHALL BE OWNED AND MAINTAINED BY THE OWNER OR HOME OWNERS ASSOCIATION.
- NO LOT SHALL HAVE DIRECT DRIVEWAY ACCESS TO JERSEY RIDGE ROAD.
- LOT 1 SHALL HAVE DRIVEWAY ACCESS TO E. 59TH STREET ONLY.
- LOT 76 SHALL HAVE DRIVEWAY ACCESS TO SPLENDOR LANE ONLY.
- SUMP LINES SHALL BE LOCATED IN FRONT YARDS FOR LOTS 1-3, 25-45 & 63-76. LOTS 4-24, & 46-62 SHALL HAVE REAR SUMP LINES.
- THE NORTH SIDE OF JERSEY RIDGE ROAD FROM E 59TH STREET TO LORTON AVENUE SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- OUTLOT A SHALL HAVE A CLEAR ZONE EASEMENT AND IT SHALL REMAIN FREE AND CLEAR OF LANDSCAPING TO MAINTAIN REQUIRED SIGHT DISTANCE.
- SPEED MITIGATION MEASURES SHALL BE DESIGNED IF SO DIRECTED BY THE CITY OF DAVENPORT WITH APPROVAL OF FINAL CONSTRUCTION DOCUMENTS.
- ALL ON-STREET PARKING SHALL BE LIMITED TO ONE SIDE OF THE STREET.
- MAINTAIN 50' BUFFER FROM EXISTING STREAM BANK, FOR ALL STRUCTURES AND ROADWAY PAVING, PEDESTRIAN PATH MAY BE NO CLOSER THAN 25' TO THE STREAM BANK. ALL VEGETATION IN THIS STREAM BANK BUFFER AREA SHALL NOT BE MOWED, EXCLUDING THE PATHS 2' SHOULDER WHICH MAY BE MOWED.
- OWNERS OF LOTS ON WHICH A STREAM BUFFER DRAINAGE EASEMENT IS REQUIRED SHALL MAINTAIN SAID BUFFER AS AN UNDISTURBED NATURAL AREA OR NATIVE PLANTING AREA, NOT ALLOWING VEGETATION TO BE CUT TO A HEIGHT OF LESS THAN SIX INCHES WITHOUT AUTHORIZATION OF THE CITY OF DAVENPORT NATURAL RESOURCES DIVISION.
- IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER OF THE DRIVEWAY TO REPLACE STANDARD INLET CASTINGS WITH APPROVED DRIVEWAY INLET CASTING IF PROPOSED DRIVEWAY OVERLAPS WITH INLET LOCATION. DRIVEWAYS SHALL MEET ADJACENT ROADWAY AT 60° TO 90° CONSTANT WITH CITY CODE.
- EXISTING ELECTRIC EASEMENT 50 FEET EACH SIDE OF LINES ACCORDING TO AGREEMENT SIGNED NOV 25TH 1941 NO POLES OR GUY WIRES SHALL BE ON SECTION 6.
- HOME BUILDERS SHALL ENSURE POSITIVE DRAINAGE FROM EVERY HOME UTILIZING PUBLIC DRAINAGE EASEMENTS, THE PROPERTY SIDE YARDS, AND/OR PUBLIC ROW, CONSISTENT WITH DAVENPORT CITY CODE AND THE LAWS OF THE STATE OF IOWA. NO UNIT SHALL DIRECT DRAINAGE IN A HARMFUL WATER TO ADJACENT PROSPERITIES.

R-3 Single-Family and Two-Family Residential Zoning District	
Minimum Front Setback:	25' or Average of Front Setbacks, whichever is less
Minimum Interior Side Setback:	7'
Minimum Corner Side Setback:	15'
Minimum Reverse Corner Side Setback:	25'
Minimum Rear Setback:	25' or 20% of Lot Depth, whichever is less



- Owner:**
Splendor Estates, LLC
3885 Kensington Court
Bettendorf, IA 52722
Ph: (563) 592-7999
- Engineer:**
Christopher R. Townsend, P.E.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Surveyor:**
Jerry Rogers, P.L.S.
Townsend Engineering
2224 East 12th Street
Davenport, Iowa 52803
Ph: (563) 386 - 4236
- Attorney:**
Clark Stojan
Stojan Law Office P.C.
423 17th Street, P.O. Box 4300
Rock Island, IL 61204
(309) 794-9400



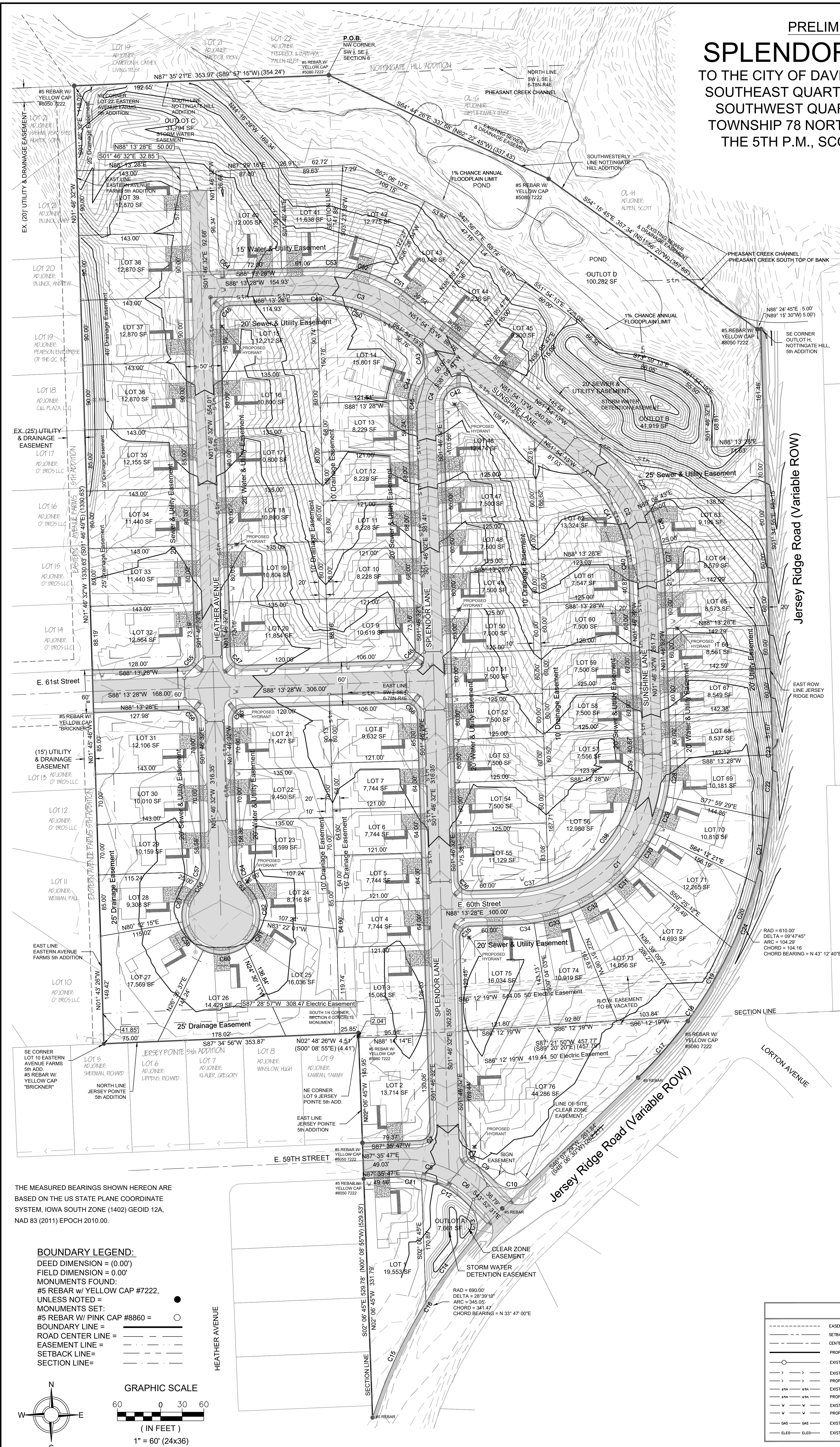
NOTE, EXISTING SECTION:
8" GRAVEL SHOULDER 1.75% MIN 7.25% MAX SLOPE, 4% TYPICAL.
7.5" GRASSED SECTION 1.75% MIN 7.25% MAX SLOPE, 4% TYPICAL.
V-DITCH CENTERED 5.5'-6.75'; 6 FOOT TYPICALLY FROM RIGHT OF WAY,
V-DITCH HAS 3:1 FORESLOPE AND BACKSLOPE.

Typical Jersey Ridge Road Ditch and Sidewalk Section

LEGEND:		
-----	EASEMENT	EXISTING GAS VALVE
-----	SETBACK LINE	EXISTING WATER VALVE
-----	CENTERLINE	EXISTING UTILITY POLE
-----	PROPERTY BOUNDARY	EXISTING LIGHT POLE
-----	EXISTING FENCE	EXISTING SANITARY
-----	EXISTING SANITARY	PROPOSED SANITARY
-----	PROPOSED SANITARY	EXISTING STORM SEWER
-----	EXISTING STORM SEWER	PROPOSED STORM SEWER
-----	PROPOSED STORM SEWER	EXISTING WATER
-----	EXISTING WATER	PROPOSED WATER
-----	PROPOSED WATER	GAS
-----	GAS	EXISTING GAS LINE
-----	EXISTING GAS LINE	EXISTING ELECTRIC
-----	EXISTING ELECTRIC	EXISTING FIRE HYDRANT
-----	EXISTING FIRE HYDRANT	FOUND PROPERTY PIN
-----	FOUND PROPERTY PIN	CONTROL POINT

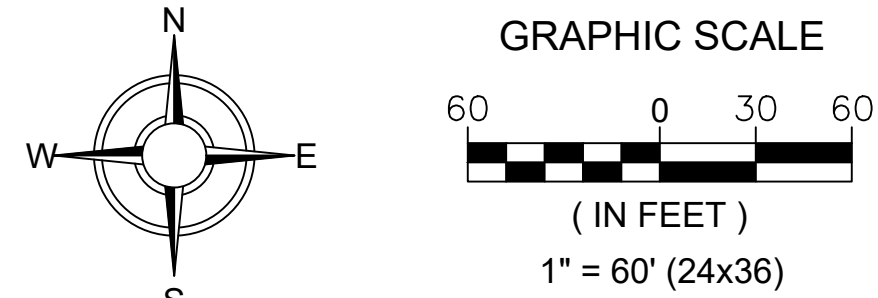
PRELIMINARY PLAT

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF
THE 5TH P.M., SCOTT COUNTY, IOWA



THE MEASURED BEARINGS SHOWN HEREON ARE
BASED ON THE US STATE PLANE COORDINATE
SYSTEM, IOWA SOUTH ZONE (1402) GEOID 12A,
NAD 83 (2011) EPOCH 2010.00.

BOUNDARY LEGEND:
DEED DIMENSION = (0.00')
FIELD DIMENSION = 0.00'
MONUMENTS FOUND:
#5 REBAR w/ YELLOW CAP #7222, UNLESS NOTED =
MONUMENTS SET:
#5 REBAR w/ PINK CAP #8860 =
BOUNDARY LINE =
ROAD CENTER LINE =
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LEGEND:	
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	PROPOSED STORM SEWER
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	EXISTING GAS LINE
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	EXISTING GAS VALVE
	EXISTING WATER VALVE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
	EXISTING TREE
	EXISTING BUSH
	EXISTING MANHOLE
	EXISTING FIRE HYDRANT
	FOUND PROPERTY PIN
	CONTROL POINT

TOWNSEND
ENGINEERING
CIVIL • STRUCTURAL • LAND DEVELOPMENT

DATE:
2/6/2025

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

DRAWN BY:
KLC

CHECKED BY:
JDR

LOCATION BY:
S:ISTOJANWHITTY

REVISIONS:

NO.	DESCRIPTION	DATE

PROJECT

PRELIMINARY PLAT
SPLENDOR ESTATES FIRST ADDITION
DAVENPORT, IOWA

DEVELOPER

SPLENDOR ESTATES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.

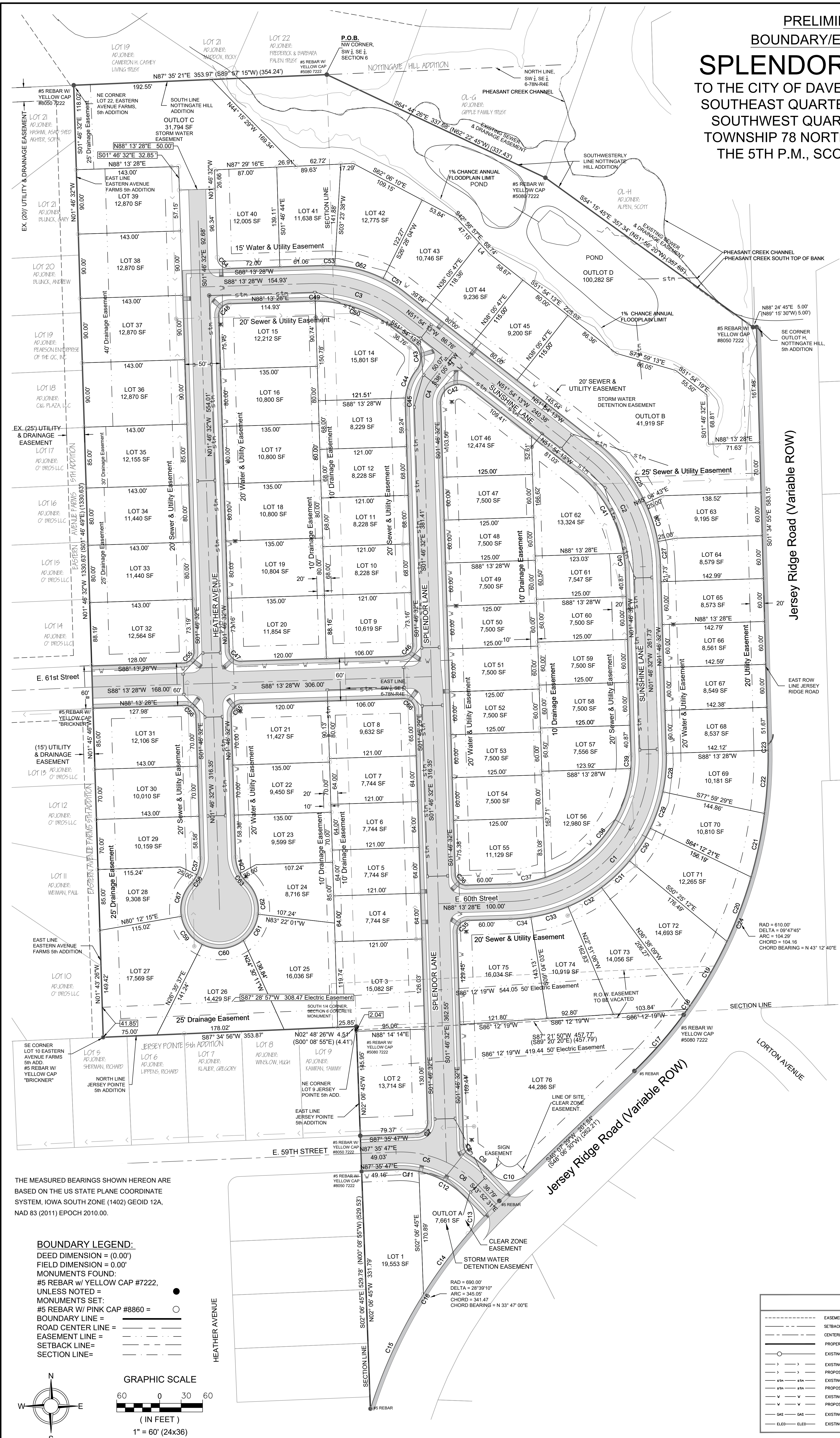
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OF

5

PRELIMINARY PLAT
BOUNDARY/EASEMENT PLAN

SPLENDOR ESTATES
TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF
THE 5TH P.M., SCOTT COUNTY, IOWA



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	EXISTING TREE
	EXISTING BUSH
	EXISTING MANHOLE
	EXISTING FIRE HYDRANT
	FOUND PROPERTY PIN
	CONTROL POINT

TOWNSEND ENGINEERING		DATE: 2/6/2025		DRAWN BY: KLC		REVISIONS:		PROJECT		DEVELOPER		SHEET NO.	
CIVIL - STRUCTURAL - LAND DEVELOPMENT		563 386.4236 office 386.4231 fax 2224 East 12th Street, Davenport, IA 52803		CHECKED BY: JDR		LOCATION BY: S:ISTOJANWHITTY		PRELIMINARY PLAT BOUNDARY/EASEMENT PLAN SPLENDOR ESTATES FIRST ADDITION DAVENPORT, IOWA		SPLENDOR ESTATES, LLC 3885 KENSINGTON COURT BETTENDORF, IOWA 52722		3 OF 5	

PRELIMINARY PLAT GRADING PLAN

SPLENDOR ESTATES

TO THE CITY OF DAVENPORT, PART OF THE
SOUTHEAST QUARTER AND PART OF THE
SOUTHWEST QUARTER OF SECTION 6,
TOWNSHIP 78 NORTH, RANGE 4 EAST OF
THE 5TH P.M., SCOTT COUNTY, IOWA

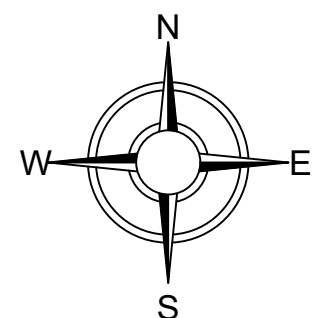


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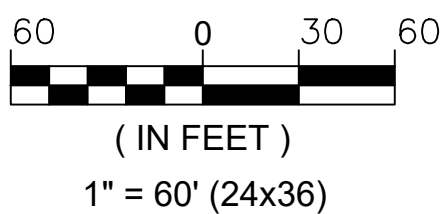
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BOUNDARY LINE =
ROAD CENTER LINE =
EASEMENT LINE =
SETBACK LINE =
SECTION LINE =

HEATHER AVENUE



GRAPHIC SCALE



LEGEND:	
-----	EASEMENT
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-----	PROPERTY BOUNDARY
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⊙	CONTROL POINT

TOWNSEND
ENGINEERING

CIVIL • STRUCTURAL • LAND DEVELOPMENT

DATE:
2/6/2025

563 386.4236 office 386.4231 fax
2224 East 12th Street, Davenport, IA 52803

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S:ISTOJANWHITTY

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PRELIMINARY PLAT GRADING PLAN
SPLENDOR ESTATES FIRST ADDITION
DAVENPORT, IOWA

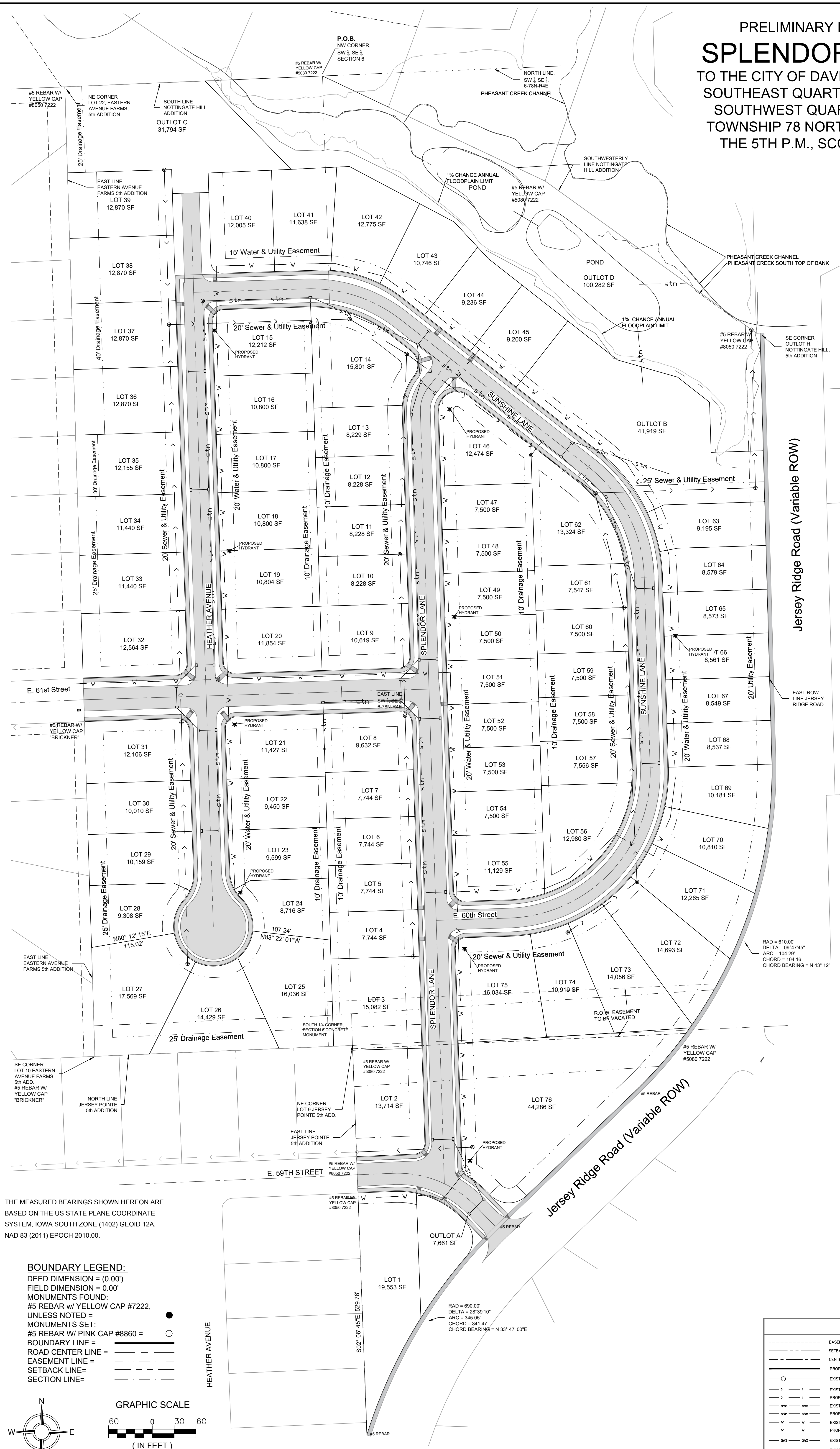
DEVELOPER
SPLENDOR ESTATES, LLC
3885 KENSINGTON COURT
BETTENDORF, IOWA 52722

SHEET NO.
4
OF
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PRELIMINARY PLAT UTILITY PLAN

SPLENDOR ESTATES

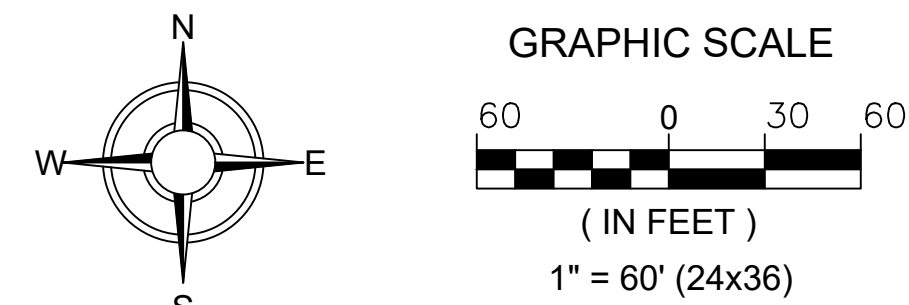
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PRELIMINARY PLAT UTILITY PLAN
SPLENDOR ESTATES FIRST ADDITION
DAVENPORT, IOWA

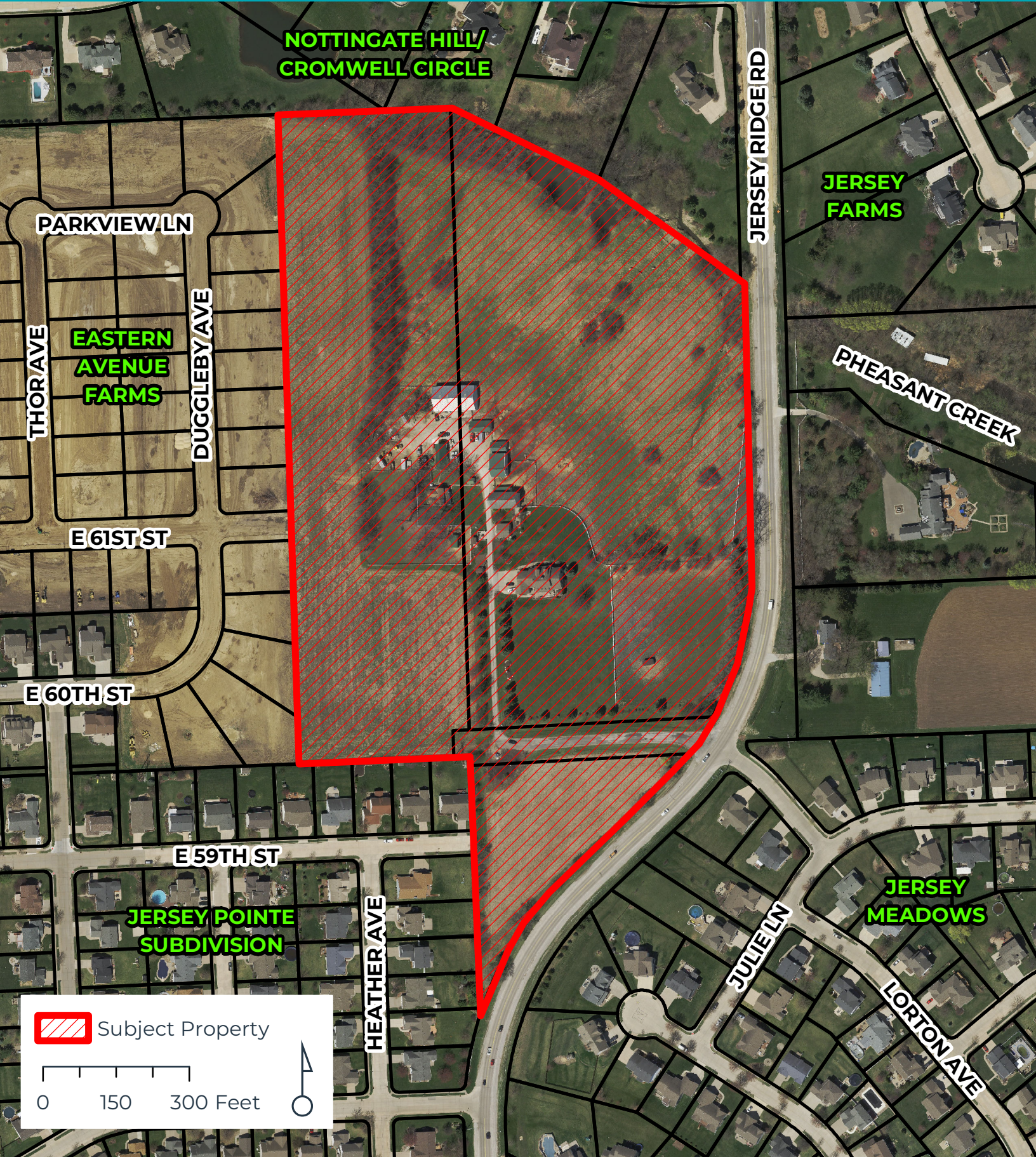
DEVELOPER
SPLENDOR ESTATES, LLC
3885 KENSINGTON COURT
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SHEET NO.
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OF
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Vicinity Map | Case P25-02

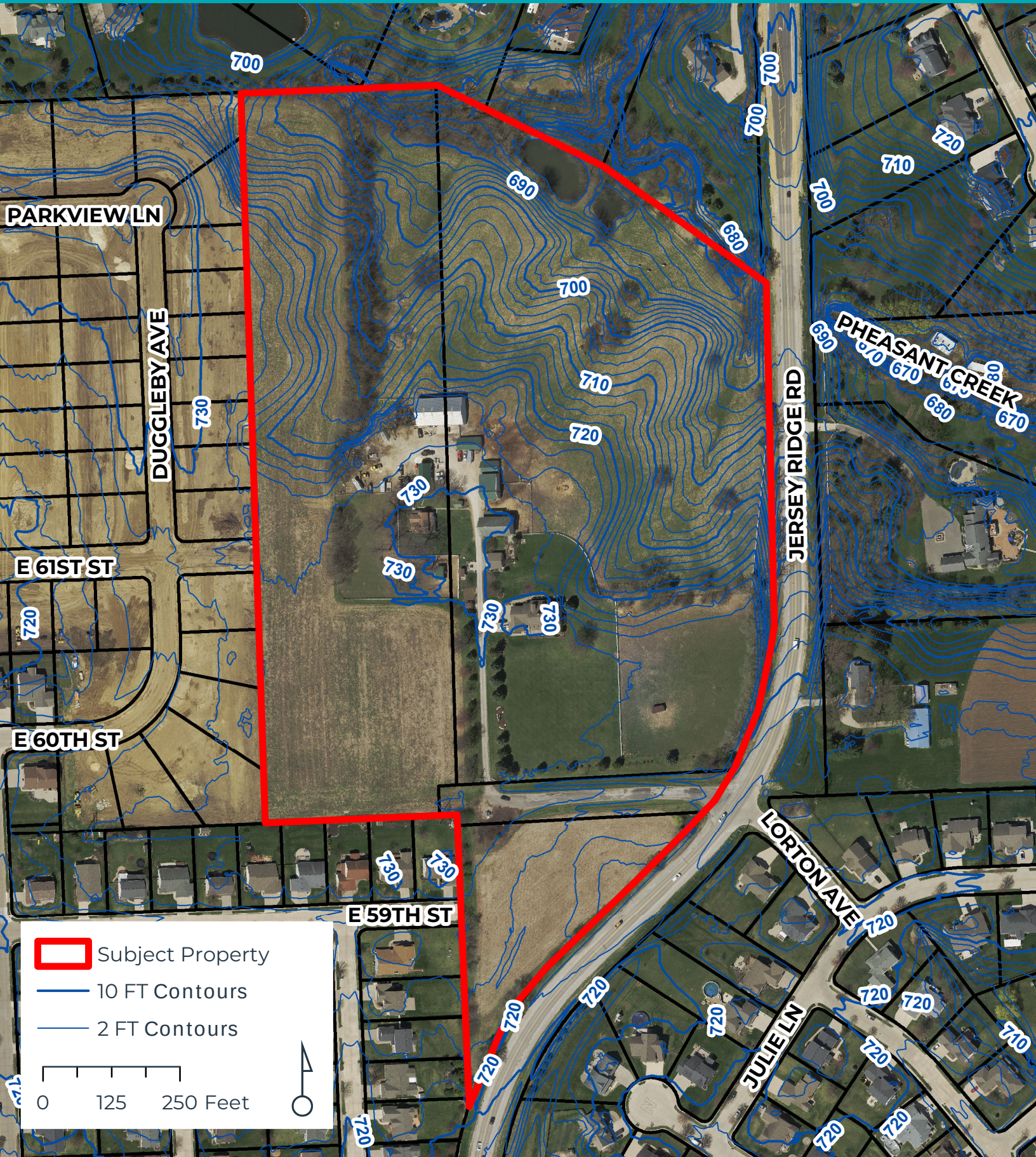
Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres. [Ward 8]





Topographic Map | Case P25-02

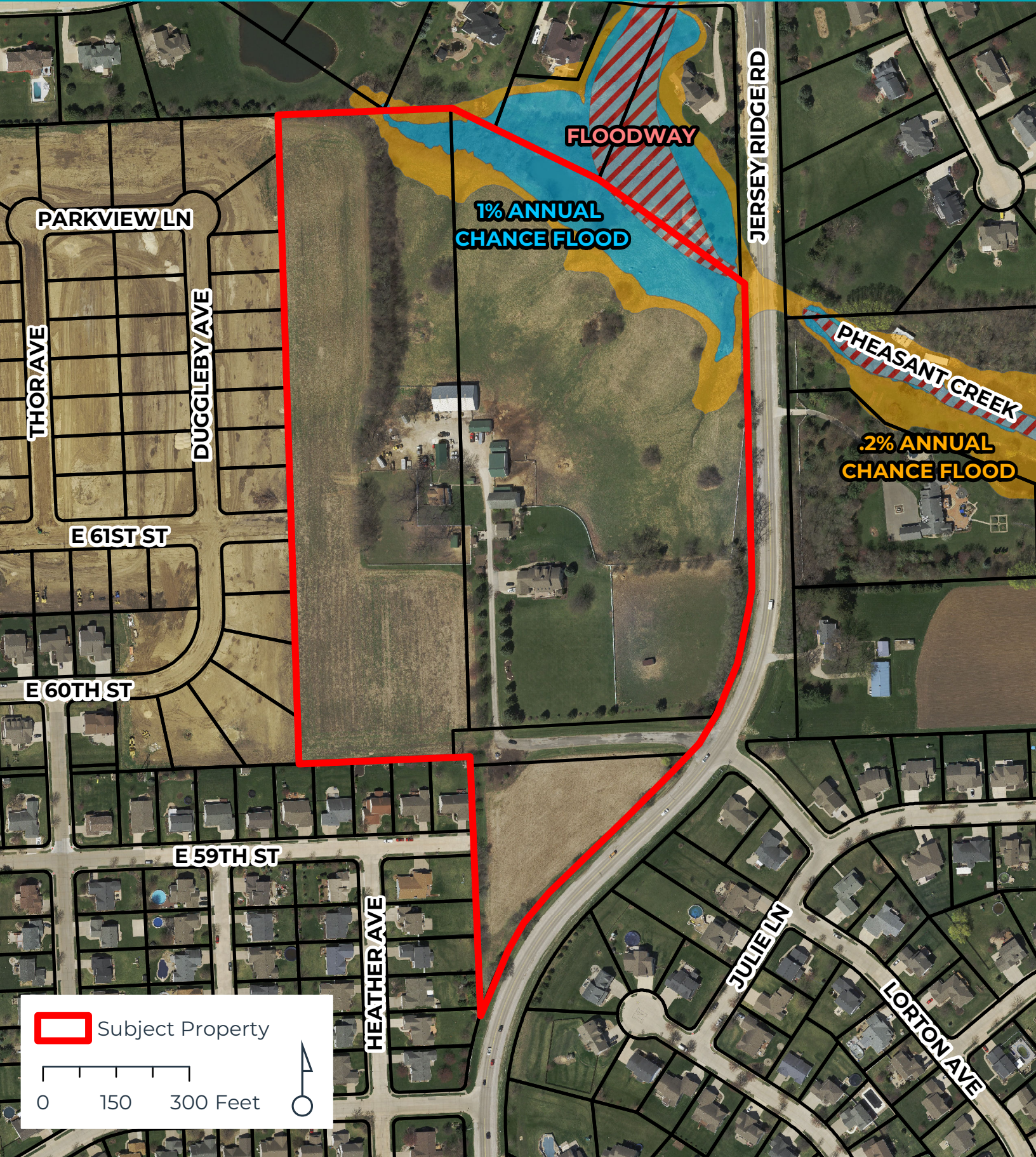
Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres.
[Ward 8]





Floodplain Map | Case P25-02

Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres. [Ward 8]



 Subject Property

0 150 300 Feet

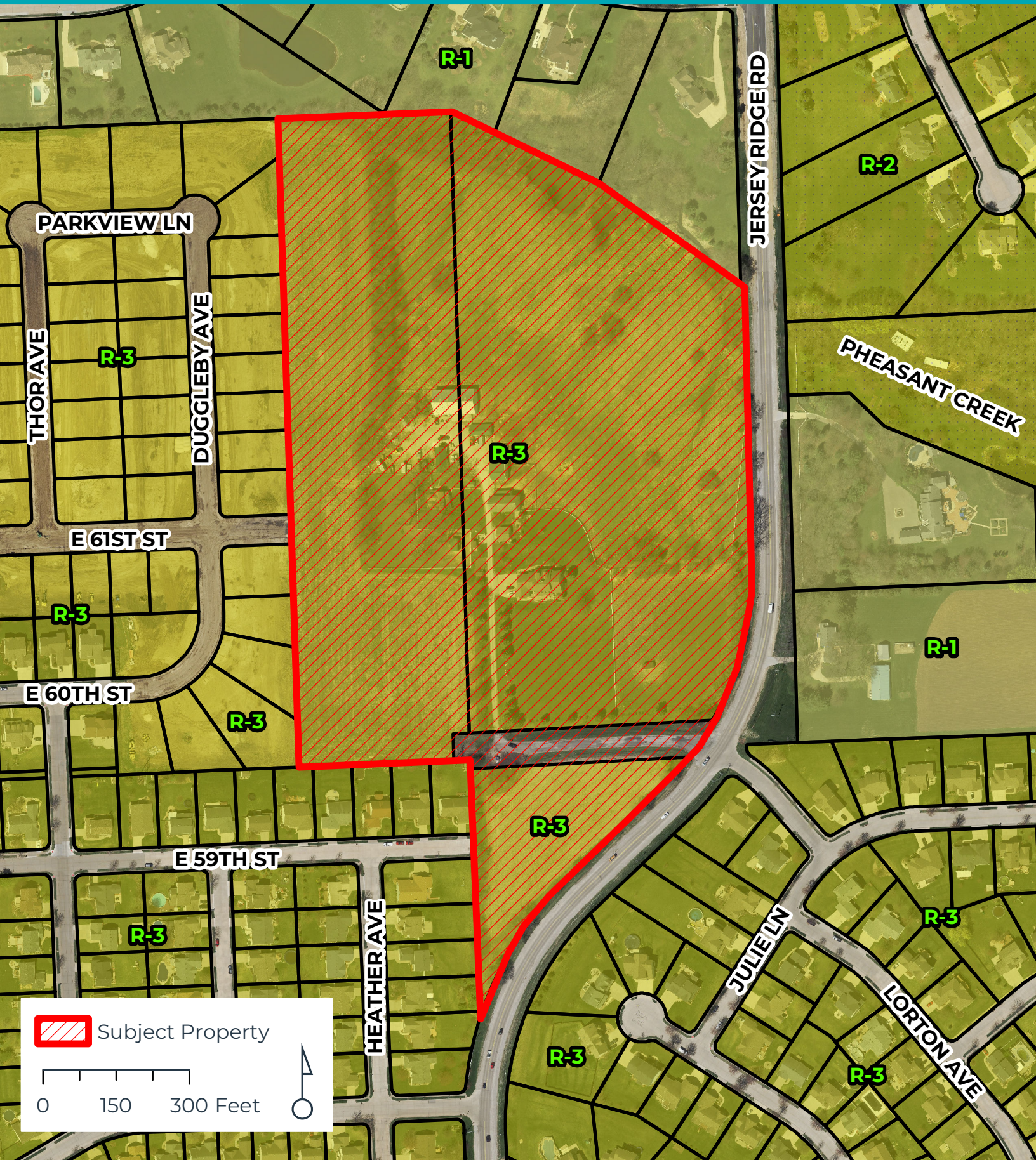




THE CITY OF
DAVENPORT
IOWA | USA

Zoning Map | Case P25-02

Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres.
[Ward 8]



Subject Property

0 150 300 Feet

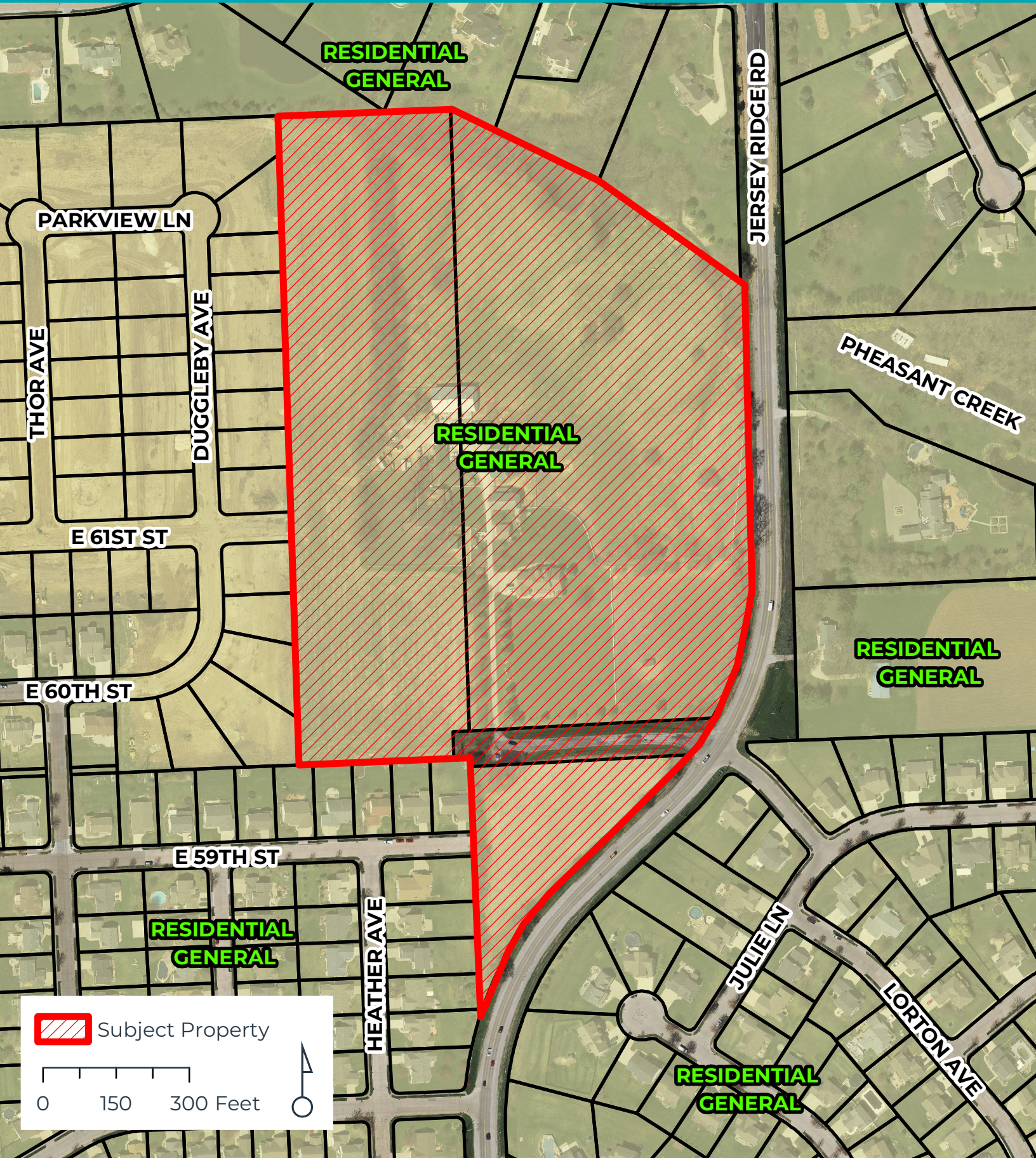




THE CITY OF
DAVENPORT
IOWA | USA

Future Land Use Map | Case P25-02

Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres.
[Ward 8]



City of Davenport

Department: Development & Neighborhood Services
Contact Info: Matt Werderitch | 563-888-2221

Action / Date
2/18/2025

Subject:

Case P25-02: Request of Splendor Homes, LLC for a Preliminary Plat of Splendor Estates. The 76-lot subdivision is located at 2448 and 2460 East 60th Street on 27.94 acres. [Ward 8]

Recommendation:

Staff recommends the Plan and Zoning Commission accept the listed findings and forward Case P25-02 to the City Council with a recommendation for approval subject to the listed conditions:

Findings:

1. The preliminary plat conforms to the comprehensive plan Davenport +2035.
2. The preliminary plat prepares the area for future development.
3. The preliminary plat (with conditions recommended by City Staff) will achieve consistency with subdivision requirements.

Conditions:

1. Civil construction and grading plans shall be submitted alongside or before the submittal of the final plat.
2. Sidewalks are required within right-of-way on all lots.

Background:

The applicant has submitted a revised lot and road layout associated with the proposed Splendor Estates subdivision. The revision requires a new preliminary plat. The submitted preliminary maintains the previously approved 76 single-family lots.

Subdivision History:

At its August 6, 2024 meeting, the Plan and Zoning Commission approved a Final Plat of Splendor Estates First Addition. The 37-lot subdivision would have facilitated the development of the 27.94 acre parcel for single-family residential lots. The following conditions were recommended:

1. That the surveyor signs the plat.
2. That the utility providers sign the plat when their easement needs have been met.
3. Add a note stating, "The purpose of the Temporary Turn Around Easements is to grant access to vehicular traffic, including but not limited to emergency services. The turn around area shall be constructed of a hard surface with the design approved by the City Engineer."

After further consideration, the developer decided not to move forward with the final plat.

Instead, the site layout has been reconfigured and is being brought back to the Commission for further consideration. Both iterations contain a total of 76 lots. Alterations from the previous plan include:

1. Extending 61st Street directly east to intersect with Splendor Lane.
2. Terminating Heather Avenue in a cul-de-sac.
3. Alterations to location and size of outlots.

Comprehensive Plan:

1. Within Existing Urban Service Area: Yes
2. Within Urban Service Area 2035: Yes

Future Land Use Designation:

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

Relevant Goals to be considered in this Case:

1. Strengthen the Existing Built Environment.
2. The proposed Final Plat would comply with the Davenport +2035 proposed land use section.

Zoning:

The property is currently zoned **R-3 Single-Family and Two-Family Residential District**. This district is intended to accommodate residential neighborhoods in the City of Davenport consisting of single-family and two-family homes in a moderately dense urban development pattern. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-3 District.

Technical Review:

1. Zoning: The platted lots comply with the minimum lot area and width requirements of the R-3 District. Each lot is sufficiently sized to accommodate a single-family dwelling.
2. Streets: The subdivision has access via Jersey Ridge Road, East 61st Street, and East 59th Street. Given the 27-foot pavement width, on-street parking will be restricted to one side of the street. The sidewalk along Jersey Ridge Road will be required to be constructed by the developer at the time of street construction. Speed mitigation will be required in adjacent neighborhoods to ensure traffic safety.
3. Storm Water: The R-3 District permits a maximum impervious surface of 60% for each lot. Outlots A-D are reserved for regional stormwater detention facilities serving the

subdivision. The development of the property will need to comply with the City's stormwater requirements.

4. Sanitary Sewer: Sanitary sewers will be extended from existing infrastructure to serve this subdivision. Additional storm and sanitary sewer easements shall be required based on preliminary engineering of conceptual plans including service drainage of the property to the west.
5. Flood: Pheasant Creek traverses the northeast corner of the property, resulting in a portion of the site being within the floodplain. Per City Code, a 50-foot buffer is required along the stream bank. The Pheasant Creek floodplain is wholly contained within Outlot D to prevent development that would impede the natural waterway.
6. Other Utilities: Other normal utility services are available.
7. Parks/Open Space: There are no impacts to parks/open space.

Public Input:

Public notification is not required for a Preliminary Plat.

Attachments:

1. Preliminary Plat of Splendor Estates
2. Maps
3. Application



CITY OF DAVENPORT
Development & Neighborhood
Services – Planning
1200 W. 46th St
Davenport, IA 52807

Office 563.326.6198
planning@davenportiowa.com

APPLICATION FOR
SUBDIVISION PLAT
(LAND DIVISION)

APPLICANT INFORMATION

Applicant Name

Splendor Homes, LLC (V. Rao Ramavaram)

Address

3885 Kensington Ct.

City | State | Zip

Bettendorf, IA 52722

Phone

(563) 592-7999

Secondary Phone

E-Mail Address

hosthospitality@gmx.com

Acceptance of Applicant

I, the undersigned, certify that the information on this application to the best of my knowledge, is true and correct. I further certify that I have a legal interest in the property in question, and/or that I am legally able to represent all other persons or entities with interest in this property, and acknowledge formal procedure and submittal requirements.

In addition to the application fee, I understand I am responsible for all development review costs, including but not limited to a traffic study.

V. Rao Ramavaram

Print Applicant's Name

Applicant's Signature

Date

SUBDIVISION NAME

Splendor Estates

LOCATION DESCRIPTION

2460 & 2448 E. 60th St.

SUBMITTED

11/21/2024

NUMBER OF LOTS BY USE TYPE

76

ACRES

25.56

STREETS ADDED

Yes

PLAT TYPE SUBMITTED:

PRELIMINARY PLAT: \$16.16 Requirements ☒

FINAL PLAT: \$16.20 Requirements ☐

PRELIMINARY PLAT REQUIREMENTS:

Preliminary Plat ☒

Contours (2') & Infrastructure (pre/post) ☒

FINAL PLAT REQUIREMENTS:

Platting Certificates per §354.11 State Code ☐

Final Plat ☐

GENERAL REQUIREMENTS:

Authorization to Act as Applicant, if needed ☐

Application Fee (REQUIRED) ☐

Subdivision Platting Fee Schedule

Number of Lots	Fee
1 lot to 10 lots	\$400 plus \$25/lot
11 to 25 lots	\$700 plus \$25/lot
26 or more lots	\$1,000 plus \$25/lot

Submit this form, and any questions, to DNS Planning Division at planning@davenportiowa.com.

DEVELOPMENT TEAM

Developer / Project Manager

Splendor Homes, LLC

Address

3885 Kensington Ct., Bettendorf, IA 52722

Phone

(563) 592-7999

Secondary Phone

E-Mail Address

hosthospitality@gmx.com

Owner

Splendor Homes, LLC

Address

3885 Kensington Ct., Bettendorf, IA 52722

Phone

(563) 592-7999

Secondary Phone

E-Mail Address

hosthospitality@gmx.com

Engineer

Chris Townsend of Townsend Engineering

Address

2224 E. 12th St., Davenport, IA 52803

Phone

(563) 386-4236

Secondary Phone

E-Mail Address

chris@townsendengineering.net

Attorney

Stojan Law, 423 17th St., Rock Island, IL 61201

Address

Stojan Law, 423 17th St., Rock Island, IL 61201

Phone

(309) 794-9400

Secondary Phone

E-Mail Address

Authorization to Act as Applicant

I/We, V. Rao Ramavaram

[as property owner(s)]

authorize Townsend Engineering

[the above person(s)]

to act as applicant, representing me/us before the following board: Plan & Zoning Commission *

for the property located at 2460 & 2448 E. 60th St., Davenport, IA.

Signature(s)*

*Please note: original signature(s) are required signed in front of a Notary.

Notarization: _____

Date

State of _____,

County of _____,

Sworn and subscribed before me

[identification type]

this _____ day of _____, _____.

Notary Public

My Commission Expires:

* Application Form by Board Type

Plan and Zoning Commission

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

Zoning Board of Adjustment

Special Use
Hardship Variance
Zoning Appeal
Nonconforming Use Exception

Design Review Board

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

Historic Preservation Commission

Certificate of Appropriateness
Landmark Nomination
Demolition Request

City of Davenport

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

Action / Date
3/5/2025

Subject:

Resolution approving a new Service Level Agreement with Grow Quad Cities, an affiliate of the Quad Cities Chamber. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

In 2016, the Quad Cities Chamber combined the economic development functions of attraction, regional marketing, and business retention and expansion into a new affiliated entity called Quad Cities First with a Board of Directors. Shortly thereafter, in 2018, a three-year Service Level Agreement with that entity was approved and went into effect.

In 2020, the QC Chamber absorbed the QC First Board in an effort to streamline the Chamber functions with tangentially related-economic development functions. A new four-year Service Level Agreement was approved and went into effect in July 2021 and will expire at the end of June this year.

In early 2024, Peter Tokar was hired as the new CEO of the QC Chamber. After vetting the matter with the business community and Quad City government organizations, the QC Chamber is transitioning back to a similar separation of duties as started under the former QC First. Toward that end, Grow Quad Cities was formed in late 2024 as an affiliate of the QC Chamber, with a separate Board of Directors and with a focus on the attraction, marketing, and business retention and expansion for the Quad Cities member organizations. A copy of the Grow Quad Cities By-Laws and the proposed new Service Level Agreement are included in this agenda packet. The new Board will be comprised of members from the Public Sector membership, including the five major cities, two counties, and an ex-urban municipality from both the Iowa and Illinois side, as well as representatives from the Private Sector.

The proposed new Service Level Agreement has a one-year term and would renew annually unless either party provides a notice of intent to terminate the agreement at least 120-days prior to the expiration of the current term. The Grow Quad Cities funding plan includes a per capita formula that starts at \$1.69 and builds with an annual escalator of \$0.20 per capita per year. For comparison purposes, the current year agreement calls for an annual payment of roughly \$148,321 from the City and, if approved, the annual payment next year would increase to \$171,447. In addition to escalation from inflation and cost of living adjustments, the new agreement with area governments adds additional services not previously included such as retail, mixed-use, and sports tourism.

Approval of this action item will authorize the Mayor to sign the new agreement and staff to take any other actions necessary to implement these changes.

Attachments:

1. Resolution
2. Service Level Agreement
3. Grow Quad Cities Bylaws

Resolution No. _____

Resolution offered by Alderman Gripp.

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

RESOLUTION approving a new Service Level Agreement with Grow Quad Cities, an affiliate of the Quad Cities Chamber.

WHEREAS, the City and the Quad Cities Chamber have a long history of partnering on economic development activities, including a Service Level Agreement over the past seven years detailing roles and costs of these services; and

WHEREAS, the Quad Cities Chamber has formed a new organization, Grow Quad Cities, to help delineate roles and governance of the three key economic development functions that have been part of the Chamber's role in the past four years; and

WHEREAS, the three key roles are business attraction, regional marketing, and business retention and expansion, which are planned to be governed by the newly formed Grow Quad Cities Board of Directors that will have representatives from the public sector and the private sector; and

WHEREAS, as the existing four-year Service Level Agreement is set to expire in June 2025, a new one-year Service Level Agreement is proposed, which would automatically renew unless the City or Grow Quad Cities notifies the other party of an intent to not renew at least 120-days in advance of the expiration date each term; and

WHEREAS, the proposed new Agreement includes an increase in the annual cost and an escalator for future years as well as adding additional economic development roles including retail, mixed-use, and sports tourism.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a new Service Level Agreement with Grow Quad Cities, an affiliate of the Quad Cities Chamber, is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Grow Quad Cities Service Level Agreement

July 2025

This Economic Development and Business Growth Partnership Agreement is effective on the 1st day of July 2025 by and between Grow Quad Cities and the signatories to this Agreement.

1. **Purpose:** The purpose of this Agreement is to outline the delivery and funding of economic development priorities to be provided by Grow Quad Cities on behalf of the Quad Cities Region (defined by the marketing service area of Henry, Mercer and Rock Island Counties in Illinois; Clinton, Muscatine and Scott Counties in Iowa). Services provided by Grow Quad Cities will supplement, support and be distinct from local economic development efforts by focusing on marketing, lead generation, prospect management and business growth support that will stimulate economic activity and investment across the bi-state region. The Parties recognize and agree, to the extent applicable to each party, that Article VII, Section 10 of the Illinois Constitution and the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) and Iowa Code Chapter 28E authorize intergovernmental cooperation among units of local government and grants authority to contract or otherwise associate in any manner not prohibited by law or by ordinance. Grow Quad Cities shall file this Agreement with the Iowa Secretary of State in the manner set forth at Iowa Code § 28E.8.
2. **Scope of Work:** Grow Quad Cities shall complete the services outlined in the Scope of Work attached as Exhibit “A” and incorporated herein by the reference.
3. **Term of Agreement:** The Term of this Agreement shall commence on July 1, 2025, and continue until June 30, 2026; thereafter, the Agreement shall renew for successive one (1) year terms unless either party has provided written notice of its intention to terminate the Agreement at the end of a Term at least one-hundred and twenty (120) days prior to the expiration of the current Term.
4. **Funding:** The parties agree to provide funding to Grow Quad Cities in accordance with Exhibit B, Financial Support for Regional Services.
5. **Termination / Amendment:** This Agreement may be terminated with the intention to terminate at the end of the Term at least one-hundred and twenty (120) days prior to the expiration of the current Term, or amended prior to June 30, 2026, by mutual written consent of all parties to this Agreement and upon completion of the obligations of any contracted services made under this Agreement.
6. **Accountability:** Grow Quad Cities shall share quarterly programmatic progress reports with each participating partner. A Code of Ethics representing the standards that Grow Quad Cities and local government partners will adhere to under this agreement is part of this agreement and is attached as Exhibit “D”.
7. **Cooperation:** Grow Quad Cities and cooperating local governments will adhere to and agree to the memorandum of understanding outlined in Exhibit “E”.
8. **Liaisons:** Individuals appointed or elected to the Grow Quad Cities Board of Directors shall have the authority to represent and make decisions on performance of the Agreement. The Board of Directors operates under the current Grow Quad Cities bylaws.
9. **Severability:** Should any portion of this Agreement be judicially determined to be illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect, and any party may renegotiate the terms affected by the severance.

10. **Process of Adoption:** A binding Resolution in support of the economic development services in this Service Level Agreement shall be adopted by each governing body party to the Agreement.
11. **Assignment:** No party to this Agreement may assign, sell or transfer any part thereof to any other firm or entity without Grow Quad Cities obtaining the written permission of the Grow Quad Cities Board of Directors.
12. **Dissolution:** Upon any dissolution, the process for payment of all liabilities shall follow those procedures outlined in the Grow Quad Cities bylaws.
13. **Notices:** All notices, requests, demands, or other communications, provided for by this Agreement shall be in writing and be either hand-delivered or mailed to the other party at the address noted below the signature.
14. **Waiver:** No action or forbearance on the part of either party shall constitute a waiver of any of the covenants or conditions set forth herein, unless given in writing, and no such waiver shall constitute a waiver of future strict compliance with the same or any covenants or conditions of this Agreement.
15. **No Third-Party Rights:** Nothing in this Agreement shall be construed as creating or giving rise to any rights in any third party or any person other than the parties hereto.
16. **Entire Agreement:** This instrument contains the entire Agreement of the parties and supersedes all previous agreements between the parties, either oral or written. This Agreement may only be amended by an agreement in writing signed by the party against whom enforcement of any waiver change, modification, extension or discharge is sought.

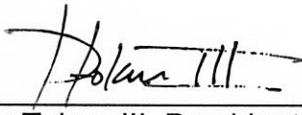
IN WITNESS WHEREOF, the parties hereto have executed this Grow Quad Cities Service Level Agreement effective as of the date first written above.

Signature Page Attached Hereto

SIGNATURE PAGE TO GROW QUAD CITIES SERVICE LEVEL AGREEMENT

The undersigned agree with the terms of the Agreement as written above:

Grow Quad Cities, Inc.

By: 
Peter Tokar, III, President & CEO

City of East Moline, Illinois
912 16th Avenue, East Moline, IL 61244
Attn: Mayor

By: _____
Reggie Freeman, Mayor

Dated: _____

City of Moline, Illinois
619 16th Street, Moline, IL 61265
Attn: Mayor

By: _____
Sangeetha Rayapati, Mayor

Dated: _____

City of Rock Island, Illinois
1528 Third Avenue, Rock Island, IL 61201
Attn: Mayor

By: _____
Mike Thoms, Mayor

Dated: _____

City of Eldridge, Iowa
305 North 3rd Street, Eldridge, IA 52748
Attn: Mayor

By: _____
Frank King, Mayor

Dated: _____

City of Bettendorf, Iowa
1609 State Street, Bettendorf, IA 52722
Attn: Mayor

By: _____
Bob Gallagher, Mayor

Dated: _____

City of Davenport, Iowa
226 West 4th Street, Davenport, IA 52801
Attn: Mayor

By: _____
Mike Matson, Mayor

Dated: _____

Scott County, Iowa
600 West 4th Street, Davenport, IA 52801
Attn: Board Chair

By: _____
John Maxwell, County Board Chairman

Dated: _____

Rock Island County, Illinois
1504 Third Avenue, Rock Island, IL 61201
Attn: Board Chair

By: _____
Richard Brunk, County Board Chairman

Dated: _____

EXHIBIT A – SCOPE OF WORK

1. **Mission:** The purpose of Grow Quad Cities is to promote the growth of the greater Quad Cities by showcasing the region as a premier business destination, serving as an expert resource for companies making location and expansion decisions and acting as a business advocate to align the region's public and private sector resources for the benefit of residents in the six-county region.
2. **Staff:** Grow Quad Cities economic development professionals conduct the Services defined in this Agreement and serve as the lead contacts for business representatives hoping to locate in or to expand in the Quad Cities region.
3. **Geography:** The Grow Quad Cities marketing service area includes a six-county region: Henry, Mercer and Rock Island Counties in Illinois and Clinton, Muscatine, and Scott Counties in Iowa.
4. **Economic Development Priorities:** Grow Quad Cities shall target industries that align with public sector priorities for investment and growth, and the region's economic and physical assets, including retail, mixed use and our region's industrial targets of Advanced Metals & Materials; Agricultural Innovation; Corporate Operation & Support Services; Defense; Logistics, and Sports Tourism.
5. **Scope of Services/Work Plan:** The Grow Quad Cities Board of Directors shall inform and approve an annual work plan and budget that outlines specific activities to achieve the objectives identified in this Agreement for services. The core economic development and business growth programs ("Services to be provided by the Grow Quad Cities staff include regional marketing, business attraction, and business retention and expansion. At a high level, the Grow Quad Cities staff, with oversight from the Grow Quad Cities Board of Directors will:
 - a. Execute a comprehensive sales and marketing plan to attract new investment and business opportunities to the Quad Cities region.
 - b. Execute a comprehensive existing business retention, expansion and workforce plan that stimulates growth of existing companies in the Quad Cities region.
 - c. Leverage data analytics and research capabilities to shape attraction and business growth opportunities in the region.
 - d. Advise market segments on available financial assistance options.

6. Outcomes and Deliverables

The Grow Quad Cities annual work plan will be informed and approved by the Grow Quad Cities Board of Directors on an annual basis to ensure continuing relevance of the economic development and business growth needs of the region. Grow Quad Cities shall share quarterly programmatic progress with each participating partner.

EXHIBIT B – FINANCIAL SUPPORT FOR REGIONAL SERVICES

1. Funding Plan: Public sector investments are based on a population ratio and per capita structure developed and agreed upon by city and county officials. Public sector payments for services are to be made to Grow Quad Cities on an annual schedule. The estimated amount of public funding for the five-year agreement will be based on an annual per capita formula, which reflects a \$0.20 increase yearly through FY 30. Scott and Rock Island County's investment is calculated per capita of total county population minus city population actively funding the agreement. Exurban counties investment is \$10,000, with a 3% adjustment every year until population reaches more than 50,000 people, which would then move to a per capita basis less any municipal participation population. If a city declines investment but their local economic development organization or local Chamber invests instead, they can be exchanged in the agreement if they contribute the required amount. For communities new to the partnership or where an increase is scheduled based on population changes, arrangements can be made to step in with 50% of the total increase due by the end of the first year, and the total amount due by the end of the second year. Per capita is determined by the US Census and Community Survey Population estimates, whichever is most recent.

Year One = \$1.69 per capita; \$0.54 exurban per capita
Year Two = \$1.89 per capita; \$0.74 exurban per capita
Year Three = \$2.09 per capita; \$0.94 exurban per capita
Year Four = \$2.29 per capita; \$1.14 exurban per capita
Year Five = \$2.49 per capita; \$1.34 exurban per capita

- 2. Financial Accounting and Administration:** All monies dispersed to Grow Quad Cities will be deposited into an account under the Grow Quad Cities name. All costs associated with regional economic development and business growth functions in the work plan and budget shall be supported by documentation showing the details of the nature and priority of the charges. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by any participating entity's Chief Financial Officer or authorized representative. All records shall be maintained in accordance with procedures and requirements established by the Grow Quad Cities Board of Directors. All members of the Grow Quad Cities Board of Directors will receive a copy of the annual audit.
- 3. Payment Terms:** Payment is due 30 days after invoiced. Accounts must be current and good standing.

EXHIBIT C – ECONOMIC DEVELOPMENT PARTNERS

- 1. Description of Roles and Responsibilities:** This Agreement is designed to help better define roles and responsibilities, facilitate coordination of services among stakeholders and providers, and avoid duplication of efforts. The following list identifies primary responsibilities and secondary supportive roles for various functions in the regional economic development process.

ECONOMIC DEVELOPMENT FUNCTION	PRIMARY RESPONSIBILITY	SECONDARY SUPPORTIVE ROLE
BUSINESS ATTRACTION		
Business Attraction Lead Generation	Grow Quad Cities	States, Site Consultants, Companies, Economic Development Partners
Regional Marketing	Grow Quad Cities	Visit Quad Cities, Bi-State
Strategic Travel Planning/Sales Trips/Trade Shows	Grow Quad Cities	Economic Development Directors Input on Plan
Coordinate RFP Response	Grow Quad Cities	Community/Local Economic Development Organizations
Coordinate Site Visit	Grow Quad Cities	Community/Local Economic Development Organizations
Project Management	Grow Quad Cities	Community/Local Economic Development Organizations
Technical Assistance/Coordination of resources and referral	Grow Quad Cities	Community/EDPs/Local Economic Development Organizations
Incentive Packaging/Deal Structuring	Community/Funding Entity/Grow Quad Cities	Grow Quad Cities
Deal Closure	Community/Funding Entity/Brokers	Grow Quad Cities Communication Support
BUSINESS EXPANSION AND RETENTION		
BRE Lead Generation	Grow Quad Cities	EDPs, Site Consultants, Companies
Existing BRE Industry Outreach	Grow Quad Cities	Community/EDPs
Existing BRE Outreach	Grow Quad Cities /Community/LEDO	Brokers
Rock Island Arsenal	RIADA/Grow Quad Cities	

Project Management	Grow Quad Cities lead generation, facilitation, coordination	Local Community
Technical Assistance/Coordination of Resources and Referral	Grow Quad Cities	Community/EDPs/Local Economic Development Organizations
Incentive Packaging/Deal Structuring	Community/Funding Entity/Grow Quad Cities	Grow Quad Cities
Deal Closure	Community/Funding Entity/Brokers	Grow Quad Cities Communications Support
PRODUCT/ASSET DEVELOPMENT		
Community Development	Community/Local Economic Development Organizations	Grow Quad Cities (regional assets)
Downtown Development	Community/Local Economic Development Organizations	Contractual relationship with Quad Cities Chamber
Site/Building Development	Brokers/Developers/Local Economic Development Organizations/Community	Grow Quad Cities (facilitation; needs identification)
LOIS, Data Sets	Grow Quad Cities	Broker Community/Economic Development Partners
Product/Asset Promotion	Grow Quad Cities /Local Economic Development Organizations/Community	Economic Development Partners, Brokers
Infrastructure/Utility Development	Utilities/Community	Regional Infrastructure Groups/Local Economic Development Organizations/Grow Quad Cities (regional facilitation)
Manage Inventory/Asset	Local Economic Development organizations/Community	Broker; EDPs
BUSINESS CREATION/INNOVATION		
Identification and Recruitment of Startup/Entrepreneurs	SCORE/SBDCs/Grow Quad Cities/Quad Cities Chamber	Higher Education
Access to market research resources	Grow Quad Cities	Bi-State

Resource Assists and Technical Support for Business Development and Growth	SBDCs/CIRAS/IMEC/Grow Quad Cities	Higher Education
Financial Assistance Options for business growth	Grow Quad Cities SBDCs/SCORE	Economic Development Partners/Private Sector
Tech/Innovation Programs	Higher Education CIRAS/IMEC	Sector Boards
WORKFORCE DEVELOPMENT		
Workforce development/skill training	Community Colleges	Workforce Development Boards/Higher Education/K-12
Manage Laborshed/Graduate Inventory Report	Grow Quad Cities	Bi-State Regional Commission
Workforce recruitment	Private Sector EICC/BHC/Grow Quad Cities	Higher Education
Talent attraction	Grow Quad Cities/Visit Quad Cities (VQC)	Private Sector/Higher Education
Pre-Employment Training	EICC/BHC	Workforce Development Center/Colleges
Quality of Place Amenities	Grow Quad Cities/VQC/Downtown Organizations	Community/Local Economic Development Organizations
DATA SYSTEMS ANALYSIS/PUBLIC SECTOR SOURCES		
Regional Comprehensive Economic Development Strategy (CEDs)	Bi-State Regional Commission	Input from Economic Development Partners
ED Technical Assistance to local Governments	Bi-State Regional Commission	Federal and State agencies
Demographic, transportation, and planning data analysis	Bi-State Regional Commission	Federal and State agencies
Analysis federal sources	Bi-State Regional Commission	Federal and state agencies
PROJECT AFTERCARE		
Technical Assistance to Company with Community Operations	One Point of Contact within local community	Grow Quad Cities

Celebrations: Ribbon Cuttings, Ground Breakings, coordinated communications	Grow Quad Cities/Quad Cities Chamber /communications (Facilitator of Protocol)	Local community/Local Economic Development Organizations/all partners in the project
Ongoing BRE visits	Grow Quad Cities	Local community/Economic Development Partners
Business Check-In's	Grow Quad Cities	Local Economic Development Organizations/Community

EXHIBIT D – PARTNER CODE OF ETHICS

INTRODUCTION

Grow Quad Cities is committed to the economic development and growth of the Quad Cities region. Grow Quad Cities brings together the interests of a broad range of public, private, and public/private groups to promote the Quad Cities region as a single economic entity. The collaboration of such a variety of groups and interests requires that certain standards of conduct must be developed and adhered to for the Grow Quad Cities to meet its goals. This Code of Ethics represents the standards that each participant in the Grow Quad Cities regional economic development efforts supports and practices in its daily conduct of business.

PREAMBLE

We, the Quad Cities regional economic development partners of Grow Quad Cities, set forth the following principles of behavior and standards of conduct to guide efforts in promoting the long-term economic health of the Quad Cities region. We realize that no Code of Ethics is of value without an inherent level of trust in the integrity of one another and a commitment from each of us to conduct ourselves at the highest levels of professional conduct. The Grow Quad Cities was founded on the respect and trust of its members. In that spirit, we set forth this Code of Ethics.

We are committed to the promotion of the Quad Cities region as a desirable business location for new and expanding companies. When representing Grow Quad Cities, we shall endeavor to sell “Quad Cities Region” and our individual communities and projects second.

We shall honor the confidentiality requested by both our fellow partners of Grow Quad Cities and our prospects. Information shared with our fellow partners in confidence shall remain in confidence. Transactions are to be driven by the client. In the event a company chooses to relocate from one community to another, every effort will be made to contact the affected community to let them know of the potential move as outlined in the Regional Economic Development Cooperation resolution, adopted annually through the regional Comprehensive Economic Development Strategy process. Violation of this commitment shall be viewed as the single most serious breach of our commitment and partnership in the Grow Quad Cities Agreement.

We are committed to sharing among our partnership as much information as is necessary and prudent on any activity undertaken by or in the name of Grow Quad Cities. Our guiding principle shall be that “more information is better than less.”

At no time shall any economic development organization partner of Grow Quad Cities advertise or promote its respective area to companies within another member’s geographic area in a manner that is derogatory or insulting to the other geographic area. “Selling against” another partner of Grow Quad Cities or direct solicitation of intrastate relocations, is strongly discouraged.

We are committed to locating prospects in the Quad Cities region. If our local jurisdictions cannot meet the needs of a particular prospect we shall communicate with our fellow partners in an effort to meet the company’s needs elsewhere in the Quad Cities region.

Economic development organizations shall hold all responses to confidential requests for information pertaining to site and building information provided to the Grow Quad Cities by member real estate brokerage firms in the strictest confidence. Said information shall not be printed, copied, or shown in any manner to any entity other than prospects or their direct representatives without prior permission.

We are committed to the concept of competition for locations and expansions among our Individual communities and projects provided that the prospect has asked for specific proposals or has settled on a Quad Cities regional location. At no time shall any partner of the Grow Quad Cities solicit a fellow member's prospects.

We are committed to working together with the real estate community and are in no way in direct competition with them. Economic developers are a resource and facilitator in the site selection process.

CONFIDENTIALITY OF PROSPECTS

Partners of Grow Quad Cities shall honor the confidentiality of individual prospects. Whenever possible, specific information on transactions shall be shared within the realm of Grow Quad Cities and partner state organizations. In those instances where prospects are dealing with individual communities, information will only be shared by Grow Quad Cities staff and the local Economic Development representatives involved.

In instances, where a prospect wishes to remain completely confidential with an individual community, the remaining partners of Grow Quad Cities shall honor that confidentiality and shall in no way attempt to intervene in the relationship. The prospect will remain confidential until the prospect chooses to announce.

MARKETING

Any member of Grow Quad Cities that develops a prospect generated from national advertising and trade shows sponsored by Grow Quad Cities shall utilize the "Prospect Tracking System" of Grow Quad Cities in all contacts with the respective prospect.

Partners are strongly discouraged from advertising in local media outside of their own market area.

EXHIBIT E – REGIONAL ECONOMIC DEVELOPMENT COOPERATION RESOLUTION

The partners agree to practice the principles of the Regional Economic Development Cooperation Memorandum of Understanding:

WHEREAS, the Quad Cities economy functions as a single unit with many common interests and resources, where growth and development anywhere within the Quad Cities region enhances the overall vitality for all people and localities; and

WHEREAS, the best way to promote economic development is for local governments and private/nonprofit economic development entities to join forces, working and communicating together to attract new business and retain and expand existing business; and

WHEREAS, businesses seek to maximize their private economic gains and local governments seek to maximize jobs and tax base within their communities, creating competition among governments to offer various financial and other incentives to business to entice the development within their community; and

WHEREAS, local government may provide expansion resources and assistance to businesses, however, there is no net gain to the total Quad Cities region economy if limited resources are committed to assisting businesses to move within the area with no increase in jobs; and

WHEREAS, private and nonprofit entities are similarly involved in economic development projects and should also follow the policy set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the participant local governments to the agreement that:

- Section 1. All elected officials and staff of signatory local governments or private/nonprofit economic development organizations in the Quad Cities region will work together to promote and facilitate economic development.
- Section 2. Local governments and private/nonprofit economic development organizations, within the Quad Cities region, will not initiate contact with existing local businesses in an effort to entice these businesses to leave one local government for another local government within the region.
- Section 3. When a local government or private/nonprofit economic development organizations is contacted by a business that currently has facilities elsewhere in the Quad Cities region and the business intends to vacate or downsize its current facilities as part of a move within the Quad Cities region, the contacted local government is obligated to inform the government that currently houses the business of the proposed relocation. This contact may be made directly between the two governments. Alternatively, the involved business may make the contact and provide a letter documenting their conversation with the local government in which they are currently located.
- Section 4. If a business decides to relocate from one local government to another, within the Quad Cities region, only previously existing incentives may be offered by the receiving local government. No new incentives may be developed for the purpose of facilitating the relocation of a business from one local government to another in the Quad Cities region.

Section 5. The provisions of this resolution cannot be superseded by agreements for confidentiality or other contracts between a local government or nonprofit economic development organizations and a business. Local business will be made aware of this resolution immediately upon contacting the local government about relocating within the region.

**BYLAWS
OF
GROW QUAD CITIES, INC.**

**ARTICLE I
PURPOSES**

Section 1. Purposes. The Corporation is being organized for the following objects and purposes:

A. To advance the economic, civic, commercial, cultural, industrial, professional, agricultural and educational interests, and general welfare and prosperity throughout the Quad Cities area through all necessary means of promotion so that its citizens and all areas of its business and professional community shall prosper. Without limiting the foregoing, the Corporation shall recognize the unique interests and needs of the small business community and shall develop appropriate programs and services for members designed to address those interests and needs in the communities the Corporation serves. The Corporation shall work through all necessary means of promotion and with like-minded people to advance the economic, civic, commercial, cultural, industrial and educational interests of the area.

B. To do any other lawful thing incidental to, connected with or useful, suitable or proper for the furtherance or accomplishment of the foregoing purposes or any other purposes for which Delaware corporations exempt from federal income taxes under Section 501(c)(6) of the Internal Revenue Code of 1986, as amended, or corresponding successor federal tax law may be organized.

Section 2. Limitations. The foregoing powers shall be subject to the following limitations and conditions:

A. The Corporation shall be operated exclusively for those purposes allowed an exempt organization under Section 501(c)(6) of the Internal Revenue Code and Reg. 1-501(c)(6)-1 as they now exist (or the corresponding provisions of any future United States Internal Revenue Tax Law).

B. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers, shareholders or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered. Notwithstanding the above, net earnings may be distributed to the Corporation's sole member as identified in Article III.

C. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, provided that this restriction will not apply to lobbying related to the Corporation's exempt purpose.

D. The Corporation shall not participate in or intervene in (including the publishing or distribution of statement) any political campaign on behalf of any candidate for

public office, if such participation or intervention would constitute the Corporation's primary activity.

E. Notwithstanding any other provisions of these Bylaws, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue law).

ARTICLE II **OFFICES**

Section 1. Principal Office. The principal office of the Corporation shall be located in the States of Iowa or Illinois as may be designated by its Governing Board (the "Board"). The Corporation may have other offices, either within or without the States of Iowa or Illinois, as the Board may designate or as the business of the Corporation may require from time to time.

Section 2. Registered Office and Agent. The registered office of the Corporation to be maintained in the State of Delaware shall be 1209 Orange Street, Wilmington, DE 19801, and the address of the registered office may be changed from time to time by the Board. The registered agent shall be The Corporation Trust Company.

ARTICLE III **MEMBER**

Section 1. Eligibility. The sole member of the Corporation shall be the Quad Cities Chamber of Commerce, Inc. (the "Chamber").

Section 2. Annual Meeting. The annual meeting of the member of the Corporation shall be held each year in the month of October at such time and place as the Board or its Chairman may designate. Such meeting may be adjourned to any subsequent date. The annual meeting shall be held for the purpose of electing directors and the transaction of such other business as may come before the meeting. If the election of directors shall not be held on the day designated herein for any annual meeting of the member, or at any adjournment thereof, the Board shall cause the election to be held at a special meeting of the member as soon thereafter as conveniently may be.

Section 3. Special Meetings. Special meetings of the member, for any purpose or purposes, may be called by the Chairman, the Board, or by the Member.

Section 4. Place of Meeting. The Board or Chairman may designate any place as the place of meeting for any regular or special meeting. Waiver of notice signed by both Members may designate any place as the place for the holding of such meeting. If no designation is made, or if a special meeting is otherwise called, the place of meeting shall be the principal office of the Corporation.

Section 5. Notice of Meetings. Written notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which called, shall be delivered no less than twenty-four (24) hours, nor more than sixty (60) days before the date of the meeting, either personally, by ordinary mail, email, fax, courier or other reliable delivery method, by or at the direction of the Chairman, the Secretary, or the person calling the meeting, to the Member of the Corporation. When delivery of notice occurs shall be the same as for notice to members of the Board under Article IV, Section 8.

Section 6. Voting. Every Member entitled to vote may vote on any question or in any election in person or by proxy. All proxies shall be in writing and filed with the Secretary. No proxy shall extend beyond a period of eleven months, and every proxy shall automatically terminate when the grantor thereof shall cease to be a Member. Voting on any question or in any election may be by oral roll call unless the presiding officer shall order, or any Member shall demand that voting be by ballot.

Section 7. Action by the Member. Any action required to be taken at a meeting of the Member, or any other action which may be taken at a meeting of the Members, may be taken without a meeting and without a vote if a consent in writing, setting forth the action so taken, shall be authorized by the Member.

ARTICLE IV **GOVERNING BOARD**

Section 1. General Powers. The business and affairs of the Corporation shall be managed by its Board. The members of the governing board are referenced herein as the "Directors."

Section 2. Number and Classes of Directors. The number of Directors of the Corporation shall be twenty-one (21) and shall be comprised of two (2) classes of directors: the Chamber Class and the Public Sector Class. The Chamber Class shall consist of twelve (12) directors and the Public Sector Class shall consist of nine (9) directors.

Section 3. Election or Designation of Directors; Term Limits.

A. Prior to the effective date of these Bylaws, the Board was nominated and elected or designated as follows:

- i) Twelve (12) individuals from the private sector nominated by the Member for the Initial Board and thereafter as determined by the Board, (with the Chamber Chief Executive Officer and the Chamber Vice Chair as voting directors);
- ii) Nine (9) members from the Public Sector, each of whom serves as the Chief Administrative Professional, or a designee from the following municipalities in the Quad Cities region:

1. Bettendorf, Iowa
2. Davenport, Iowa
3. East Moline, Illinois
4. Moline, Illinois
5. Rock Island, Illinois
6. Rock Island County, Illinois
7. Scott County, Iowa
8. an Illinois ex-urban municipality, and
9. an Iowa ex-urban municipality

(Each a “Public Official” and collectively the “Public Officials”);

The Board may, from time to time, increase or decrease the number of directors of the Chamber by resolution. A director shall meet such qualifications as may be prescribed by resolution of the Board.

Each elected Director shall serve for a three (3) year term of office and the Board shall divide the initial members of the Board into three (3) classes, as nearly equal in number as possible, with the term of one class expiring on June 30 of each year and until their respective successors are duly elected and qualified. During the month of June, the Directors whose terms are not expiring shall select the individuals to fill the office of the class of elected directors whose terms are to expire the following June 30 and any vacancies existing as a consequence of the resignation, removal, death or incapacity of a director.

An elected Director who has served for two (2) full three (3) year terms is eligible to be re-elected to the Board after one (1) year has elapsed from the expiration of the previous term. In the event a sitting Vice Chairman has served two (2) full three (3) year terms at the time he/she is scheduled to be nominated as Chairman of the Board, his/her term will be extended by two (2) years to permit serving as Chairman and Past Chairman of the Board.

C. Beginning with the annual meeting of the Member, Directors may be designated or elected or re-elected as follows:

1. The Corporation shall recognize a six (6) member Board Nominating Committee. This Committee shall consist of the following:

- (a) The Board will appoint four (4) directors from the Chamber class (whose terms are not expiring) to serve on the Committee; and
- (b) The Chairperson of the Chamber will designate two (2) people to serve on the Committee, which may include the Chairperson.

2. The Board Nominating Committee shall, based upon the vacancy, direct the Chamber or Public Official to submit nominees or designees, as applicable, for consideration for election or re-election (if eligible) to the Board.

3. The Board Nominating Committee shall prepare and submit a slate of candidate(s) for election or re-election as the Chamber Class directors (Public Sector Class directors shall be designated by the corresponding Public Official and shall be elected upon submission to the Board Nominating Committee) and the list of Chamber Class nominees will be submitted to the member for election. The Chamber Class nominees will be elected upon approval of the list by the member (except Public Sector Class directors which do not require approval of the member and are elected upon submission of a name by the Public Officials to the Board Nominating Committee).

C. No Chamber Class Director shall serve more than two (2) consecutive full terms of office.

Section 4. Removal.

A. Any member of the Board may be removed at any time, with or without cause, by a vote of three-quarters (3/4) of the other Directors. A Chamber Class Director may be also removed by the request of the Member, upon providing written notice to the Chairman and the Secretary at least thirty (30) days prior to the effective date of the removal. A Public Sector Class Director may also be removed by the Public Sector Official who (or whose predecessor in office) designated that Director, upon providing written notice to the Chairman and the Secretary at least thirty (30) days prior to the effective date of the removal.

B. Chamber Class Directors may serve only so long as they (or an entity in which they are employed) are members in good standing in the Chamber. If a Chamber Class Director is not a member or not a member in good standing in the Chamber, such director shall be deemed to have resigned upon notification to the Board by the Chamber of that member's status in the organization. Public Sector Class directors may serve only so long as the city or county which selected that Director continues to financially support regional economic development initiatives through the Corporation.

C. Any Director who does not attend at least seventy-five percent (75%) of the Board meetings in any twelve (12) month period of time shall be automatically deemed to have resigned from the Board unless waived by the affirmative vote of three quarters (3/4) of the remaining Directors in office.

Section 5. Vacancies. In the event of a Chamber Class Director's resignation, removal or inability to serve, a new director shall be elected to fill the unexpired term by the Chamber. In the event of a Public Sector Class Director's resignation, removal or inability to serve, a new director shall be designated to fill the unexpired term by the appropriate Public Official who (or whose predecessor in office) designated the departing Director. In no event shall a vacancy be filled by individual who had been removed as a director or resigned as a director at any time within the twelve (12) month period prior to his or her nomination or designation of a director unless approved by the vote of two-thirds (2/3) of the remaining Directors in office.

Section 6. Regular Meetings. Regular meetings of the Board shall be held at least monthly at such time and place as may be designated by the Board by resolution. Such

meeting may, by vote of the Directors present, be adjourned to any subsequent date. The regular meeting shall be held for the transaction of such business as may come before the meeting.

Section 7. Special Meetings. Special meetings of the Board may be called by or at the request of the Chairman, a President or by action of any three (3) Directors. The person or persons authorized to call special meetings of the Board may fix any place as the place in Rock Island County, Illinois or Scott County, Iowa for holding any special meetings of the Board.

Section 8. Notice. Notice of any special meeting shall be given at least twenty-four (24) hours prior thereto by written notice delivered personally, mailed, emailed, faxed, couriered or given by other reliable delivery method to each director at his or her business address, fax number and/or email address. If mailed, such notice shall be deemed to be delivered three (3) days after deposited in the United States mail so addressed, with postage thereon prepaid. If notice be given by courier, such notice shall be deemed to be delivered when the notice is delivered to the courier for delivery to the designated recipient. If notice is given by fax, the fax is delivered upon confirmation that the fax was transmitted. If notice is given by email, the email is delivered upon sending. Any Director may waive notice of any meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meetings of the Board need be specified in the notice or waiver of notice of such meeting.

Section 9. Quorum. A majority of the number of Directors fixed by Section 2 of this Article IV shall constitute a quorum for the transaction of business at any meeting of the Board, but if less than such majority is present at a meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 10. Manner of Acting. The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board, unless a vote of a higher percentage of the Directors are required to be the act of the Board by these Bylaws or applicable law.

Section 11. Presumption of Assent. A Director of the Corporation who is present at a meeting of the Board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his or her dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

Section 12. Committees. A majority of the Directors may create one or more committees and appoint members of the Board to serve on the committee or committees. Each committee shall have two (2) or more members, who serve at the pleasure of the Board.

A. Unless the appointment by the Board requires a greater number, a majority of any committee shall constitute a quorum and a majority of a quorum is necessary for committee action. A committee may act by unanimous consent in writing without a meeting and, subject to the provisions of the Bylaws or action by the Board, the committee by majority vote of its members shall determine the time and place of meeting and the notice required therefor.

B. To the extent specified by the Board or in the certificate of incorporation or Bylaws, each committee may exercise the authority of the Board provided, however, a committee may not (1) authorize distributions; (2) approve or recommend to members any act the General Corporation Law of Delaware requires to be approved by members; (3) fill vacancies on the board or on any of its committees; (4) elect or remove officers or fix the compensation of any member of the committee; (5) adopt, amend or repeal the Bylaws; (6) approve a plan of merger not requiring member approval; (7) authorize or approve reacquisition of membership interests, except according to a general formula or method prescribed by the Board; (8) authorize or approve the issuance or sale, or contract for sale, of membership interests; or (9) amend, alter, repeal, or take action inconsistent with any resolution or action of the Board when the resolution or action of the Board provides by its terms that it shall not be amended, altered or repealed by action of a committee.

Section 13. Informal Action by Directors. Any action required to be taken at a meeting of the Directors, or any other action which may be taken at a meeting of the Directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Directors entitled to vote with respect to the subject matter thereof.

Section 14. Telephone Conference Meetings. Subject to other applicable provisions contained in these Bylaws, any action required to be taken at a meeting of Directors of the Corporation, or any action which may be taken at a meeting of the Directors, or a committee of directors, may be taken by means of conference telephone or similar communications equipment through which all persons participating in the meeting can hear each other, and the participation in a meeting pursuant to this provision shall constitute presence of a person at such a meeting.

ARTICLE V **OFFICERS**

Section 1. Designation and Election. The officers of the Corporation shall be a Chairman, a Vice Chairman, a President, a Secretary, and a Treasurer, and such other officers and assistant officers deemed necessary as may be elected by the Board. The Chief Executive Officer of the Member of the Corporation (or his or her designee) shall each serve as a President of the Corporation. All other officers shall be elected annually by the Board provided that the director serving as Chairman shall be a member of a Chamber Class. Any two or more offices may be held by the same person.

Section 2. Term of Office. The officers of the Corporation to be elected by the Board shall be elected annually by the Board at the first meeting of the Board held after each annual meeting of the Members. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office

until his or her successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided.

Section 3. Removal. Any officer or agent elected by the Board, except the President may be removed by the Board whenever in its judgment the best interest of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer or agent shall not of itself create contract rights.

Section 4. Vacancies. A vacancy in any office other than the President because of death, resignation, removal, disqualification or otherwise, may be filled by the Board for the unexpired portion of the term.

Section 5. Chairman. At each annual meeting, the Board shall elect a Chairman from among the Directors who will be in office following the close of the meeting. A Chairman shall be eligible for re-election for one (1) additional term. The Chairman shall preside at all meetings of the Board during the year and may attend the meetings of all committees of the Board.

Section 6. Vice Chairman. At each annual meeting, the Board shall elect a Vice Chairman from among the Directors who will be in office following the close of the meeting. The Vice Chairman shall act as Chairman in the absence of the Chairman and when so acting, shall have the power and authority of the Chairman.

Section 7. The President. The President shall be the principal executive officer of the Corporation, and, subject to the control of the Board, shall in general supervise and control all of the business and affairs of the Corporation. The President may sign, with the Secretary or any other proper officer of the Corporation thereunto authorized by the Board, certificates for membership interests of the Corporation, any deeds, mortgages, bonds, contracts, government applications or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by these Bylaws to a specific officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and in general shall, individually if one and collectively if more than one, perform all duties incident to the President and such other duties as may be prescribed by the Board from time to time.

Section 8. The Secretary. The Secretary shall (a) keep the minutes of the meetings of the membership and the Board meeting in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (c) be custodian of the corporate records; (d) keep a register of the post-office address of each Member which shall be furnished to the Secretary by such member; (e) sign with the President or Co-Presidents, certificates for membership interests of the Corporation, the issuance of which shall have been authorized by resolution of the Board; (f) have general charge of the membership interest records of the Corporation; and (g) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the President or by the Board.

Section 9. The Treasurer. If required by the Board, the Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board shall determine. The Treasurer shall: (a) have charge and custody of and be responsible for all funds of the Corporation; receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VI of these Bylaws; and (b) in general perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the President or by the Board.

Section 10. Assistant Secretaries and Assistant Treasurers. The Assistant Secretaries, when authorized by the Board, may sign with the President certificates for membership interests of the Corporation the issuance of which shall have been authorized by a resolution of the Board. The Assistant Treasurers shall respectively, if required by the Board, give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board shall determine. The Assistant Secretaries and Assistant Treasurers, in general, shall perform such duties as shall be assigned to them by the Secretary or the Treasurer, respectively, or by the President, the Chairman or the Board.

ARTICLE VI

CONTRACTS, LOANS, CHECKS AND DEPOSITS

Section 1. Contracts. The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument (including, but not limited to, applications for government permits) in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 2. Loans. No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board. Such authority may be general or confined to specific instances.

Section 3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board.

Section 4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board may select.

ARTICLE VII

FISCAL YEAR

The fiscal year of the Corporation shall commence on July 1 of each year.

ARTICLE VIII
SEAL

The Corporation shall not have a corporate seal.

ARTICLE IX
WAIVER OF NOTICE

Whenever any notice is required to be given to any member or director of the Corporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE X
AMENDMENTS

These Bylaws may be altered, amended or repealed and new bylaws may be adopted only by action of the member.

ARTICLE XI
DISSOLUTION

Upon any dissolution of the Corporation, the Board shall, after paying or making provisions for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation, in such manner, or to such organization or organizations as shall at the time qualify as an exempt organization or organizations under Sections 501(c)(3) or 501(c)(6) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue law), as the Board shall determine, or by a court of competent jurisdiction if the Board fails to make the selection within a reasonable time. The Corporation's assets shall not be distributed to any corporation or organization operated for profit and shall not be distributed to one or more Directors, officers, donors, or other persons. Upon dissolution, the Corporation's assets shall be distributed to the Corporation's sole member as identified in Article III.

ARTICLE XII
LIMITATION OF LIABILITY

Unless otherwise provided by law, directors, officers, members and employees of the Corporation, shall not, as such, be liable for corporate debts and obligations; directors, officers, members, employees and any volunteers shall not be personally liable for any claim based upon an act or omission of such person performed in the reasonable discharge of his or her lawful corporate duties. The Corporation shall indemnify and defend such Directors, officers, members and employees for any claims asserted against them in their capacity as such, so long as said persons were acting in good faith and in reasonable discharge of his or her lawful corporate duties, as provided in the bylaws of the Corporation.

Effective _____, 2024

City of Davenport

Department: Legal

Contact Info: Samuel Huff | 563-326-7752 |

Action / Date

3/5/2025

Subject:

First Consideration: Ordinance amending Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa by adding thereto restrictions on the use of motorcycles and motorized bicycles on public sidewalks. [All Wards]

STAFF RECOMMENDS DELETION

Recommendation:

Adopt the Ordinance.

Background:

The Legal Department, in collaboration with the Police Department, is proposing an amendment to the Municipal Code of Davenport, Iowa to address the use of motorcycles and motorized bicycles on City-owned sidewalks. This proposal aligns with the proposed ordinance change regarding e-bike restrictions on public sidewalks. The primary objectives of this amendment are to enhance pedestrian safety on City sidewalks, establish consistency within the Municipal Code of Davenport, Iowa, regarding permissible uses of sidewalks, and clarify and extend restrictions on motorized vehicles using City-owned sidewalks. This amendment aims to create a comprehensive and uniform approach to regulating various types of vehicles on sidewalks, ensuring the safety of pedestrians while maintaining clear guidelines for vehicle users.

Attachments:

1. Ordinance
2. 10.68.240 Red Line

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.68 ENTITLED "MISCELLANEOUS RULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING THERETO RESTRICTIONS ON THE USE OF MOTORCYCLES AND MOTORIZED BICYCLES ON PUBLIC SIDEWALKS.

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

Section 1. That Section 10.68.240 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.68.240 Motorcycles and motorized bicycles.

- J. No person shall ride a motorized bicycle or motorcycle upon the sidewalk or walkway within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for this use.
- K. Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating motorized bicycles or motorcycles upon any sidewalk and any person using or operating motorized bicycles or motorcycles upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

10.68.240. Motorcycles and motorized bicycles. [Ord. 91-374 § 1; Ord. 90-212 § 8]

- A. General. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.
- B. Riders.
 - 1. Motorized Bicycles. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.
 - 2. Motorcycles. A person shall not operate or ride on a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.
- C. Sitting Position. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.
- D. Use of Traffic Lanes. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.
- E. Headlights On. A person shall not operate a 1977 or later model year motorcycle or any model year motorized bicycle upon the highways without displaying at least one lighted head lamp of the type required by state law. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.
- F. Packages. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.
- G. Handlebars. A person shall not operate a motorcycle or motorized bicycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.
- H. Parades. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from the City.
- I. Bicycle Safety Flags Required on Motorized Bicycles. When operated on a highway, a motorized bicycle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the motorized bicycle. The bicycle safety flag shall be

triangular in shape with an area of not less than 30 square inches, and be Day-Glo in color.

- J. No person shall ride a motorized bicycle or motorcycle upon the sidewalk or walkway within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for this use.
- K. Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating motorized bicycles or motorcycles upon any sidewalk and any person using or operating motorized bicycles or motorcycles upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.

City of Davenport

Department: Legal

Contact Info: Samuel Huff | 563-326-7752 |

Action / Date

3/5/2025

Subject:

First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa by adding thereto a new section with definitions and to include restrictions for electric bikes (e-bikes) on public sidewalks. [All Wards]

STAFF RECOMMENDS DELETION

Recommendation:

Adopt the Ordinance.

Background:

In response to the increasing prevalence of electric bicycles (E-Bikes) within the City, the Legal Department, in collaboration with the Police Department, proposes to amend the existing bicycle ordinance to include clear definitions and regulations for E-Bikes. This amendment aims to address safety concerns, particularly regarding the use of E-Bikes on public sidewalks.

Currently, the City of Davenport prohibits bicycle riding on sidewalks or walkways in commercial districts. The proposed amendment seeks to extend this restriction to include E-Bikes on all sidewalks and walkways within the City, unless specifically authorized. This measure is intended to enhance pedestrian safety and clarify regulations for both traditional bicycles and E-Bikes.

Attachments:

1. Ordinance
2. Chapter 10.84 Red Line

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.84 ENTITLED "BICYCLES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING THERETO A NEW SECTION WITH DEFINITIONS AND TO INCLUDE RESTRICTIONS FOR ELECTRIC BIKES (E-BIKES) ON PUBLIC SIDEWALKS.

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

Section 1. That Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding thereto a new Section 10.84.010 to read as follows and renumbering all subsequent sections accordingly:

10.84.010 Definitions.

"Bicycle" is defined as either of the following:

- A. A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power.
- B. A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour (i.e. electric bike, or e-bike).

Section 2. That Section 10.84.060 of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.060 Riding on sidewalks.

- C. At no location or place within the city will electric bikes (e-bikes) be allowed to operate upon the sidewalk or walkway, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for this use.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Chapter 10.84 BICYCLES

10.84.010. Definitions.

"Bicycle" is defined as either of the following:

- A. A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power.
- B. A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour (i.e. e-bike).

10.84.02010. Registration and license — Required. [Ord. 2016-543 (part); Ord. 77-986 (part); prior code § 8-1]

No person, being a resident of the City, shall operate any bicycle upon any street, sidewalk or other public place within the City and no person shall, within the City, let out bicycles for hire, unless the ownership of each bicycle so operated or let out for hire is registered and has a license sticker placed thereon as provided in this chapter; provided, that nothing in this section shall apply to a bicycle licensed pursuant to state law as a motor vehicle.

10.84.03020. Registration and licensing — Procedure. [Ord. 2016-543 (part); Ord. 88-69 §§ 2-4; Ord. 82-52 § 1; Ord. 77-986 (part); prior code § 8-2]

The registration and licensing of bicycles shall be accomplished as follows:

- A. **Application for Registration; Fee.** The owner of each bicycle to be licensed shall file in the office of the City Clerk an application for registration on forms provided by the City Clerk, which application shall as a minimum state the applicant's name, address and telephone number and the bicycle's make, model, serial number, frame size, number of speeds and type of brakes. A registration fee set by resolution establishing licensing fees shall be paid at time of application. If the manufacturer's serial number of any bicycle is effaced or illegible, the police department shall, on request of the owner, stamp the bicycle with a permanent distinctive number, which number shall be stated on application in lieu of the manufacturer's serial number. The Clerk may furnish application forms and license stickers to any person willing to assist in the distribution thereof, in order that applicants for license may more conveniently secure such forms.
- B. **Application for Registration; Retailers to Furnish.** Any person, firm, association, corporation, or other entity engaged in the business of retailing bicycles to residents of the City shall, prior to the removal of the bicycles from the retail premises, require the prospective owner of the bicycle to fill out an application for registration on forms provided by the City Clerk. The retailer shall issue the appropriate license sticker, as provided by the City Clerk, and collect the registration fee set by resolution establishing licensing fees. All such completed forms shall be delivered by the retailer to the City Clerk within 14 days of their completion, along with the registration fees collected.

- C. Issuance of License. Upon the filing of application and the payment of fees, the Clerk shall issue a license sticker bearing a distinctive serial number, which number shall be recorded on the application. The Clerk shall keep a record of the licenses issued conveniently cross-indexed for the purpose of aiding in the recovery of bicycles lost or stolen.
- D. Attachment of License Sticker. The license sticker shall be attached to the tubular frame below the seat of each registered bicycle and shall remain attached thereto until ownership of the bicycle shall change.
- E. Duplicate License Stickers. In the event that any license sticker shall be lost, stolen, destroyed or mutilated, a duplicate or substitute sticker shall be applied for and be issued by the Clerk upon the submission of a written statement of such loss, theft, destruction or mutilation and payment of a fee set by resolution establishing licensing fees. Such statement may be in such form and such reasonable proof of loss, destruction or mutilation shall be made as the Clerk may require. The Clerk shall make entries on the index kept by the Clerk of any change in license number so effected.
- F. Nontransferability of License. Whenever ownership of a bicycle is transferred, the license therefor shall become invalid in 15 days. It shall be the duty of the purchaser or transferee of a bicycle to apply for a new license within 15 days of the transfer. No license or registration shall be transferred from one bicycle to another.
- G. Term of License. All licenses issued prior to March 31, 1988 shall expire as of that date. Owners of bicycles on April 1, 1988 shall obtain a valid license sticker.

10.84.0~~4030~~. Alteration of stickers or numbers. [Ord. 77-986 (part); prior code § 8-3]

- A. It is unlawful for any person to remove, counterfeit, alter, destroy, mutilate, or tamper with any license sticker during the time in which such license sticker is valid, or to attach any license sticker to any bicycle other than the bicycle for which it is issued.
- B. It is unlawful to alter, mutilate, or destroy the serial number on the frame or other parts of a bicycle.

10.84.0~~5040~~. Lamps required. [Ord. 79-1202 § 1; prior code § 8-4]

Every bicycle shall be equipped with a lamp on the front exhibiting a white light, at the times specified for lighting motor vehicles visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear; except, that a red reflector meeting the requirements of this section may be used in lieu of a rear light.

10.84.0~~6050~~. Riding on sidewalks. [Ord. 77-986 (part); prior code § 8-5]

- A. No person shall ride a bicycle upon the sidewalk or walkway in the commercial district within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for bicycle use.
- B. Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating bicycles upon any sidewalk and any person using or operating bicycles upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.

B-C. At no location or place within the City will e-bikes be allowed to operate upon the sidewalk

or walkway, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for this use.

10.84.07060. Clinging to moving vehicles prohibited. [Ord. 77-986 (part); prior code § 8-6]

No person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall cling to or attach their vehicle to any other moving vehicle upon any roadway or bikeway.

10.84.08070. Carrying excessive number of passengers unlawful. [Ord. 77-986 (part); prior code § 8-7]

It is unlawful for passengers in excess of that number for which the bicycle was patently designed to ride a bicycle; except, that infants may be carried in a suitable and proper seat if such seat allows the operator to have both hands free to operate the bicycle.

10.84.09080. Careless riding prohibited. [Ord. 77-986 (part); prior code § 8-8]

No person shall, within the City, ride a bicycle in a zigzagging manner or by weaving in and out through traffic or by stunting, or at such speed that he shall not be able to bring the same to a stop within the assured clear distance ahead, or otherwise with disregard of his safety or the safety of others.

10.84.10090. Single-file riding. [Ord. 77-986 (part); prior code § 8-9]

Bicycles shall be ridden single file in business districts and upon sidewalks where permitted, but may be ridden not over two abreast elsewhere. Said bicycles shall be operated as near the right curb as is safely practicable, except for turning movements or where bike lanes designate otherwise.

10.84.110100. Observance of traffic rules required. [Ord. 77-986 (part); prior code § 8-10]

- A. All persons riding bicycles upon any street or sidewalk within the City shall observe all traffic ordinances and rules as to traffic lights and highway stop signs and shall signal any change of direction or course of travel in the same manner as such signals are required under the law governing the use by motor vehicles, and shall not turn to the right or left in traffic except at regular intersections of streets, alleys, or driveways.
- B. All persons riding bicycles upon any street, sidewalk, or bike lane within the City shall observe all ordinances and rules as to traffic limits and shall make full and complete stops at official stop signs.
- C. In addition said bicycles shall be subject to the provisions of ordinances applicable to the driver of a motor vehicle except as to those provisions which by their very nature can have no application.

10.84.120110. Vehicles in bicycle lanes, paths, and parking areas unlawful. [Ord. 77-986 (part); prior code § 8-11]

It is unlawful for any person to drive any type of motorized bicycle or vehicle in a designated bicycle path, lane, or parking area or park any motorized bicycle or vehicle in such a path, lane, or parking area. No person shall cross a bicycle lane except after giving the right-of-way to all bicycles within the lane.

10.84.~~130~~~~120~~. Manner of parking restricted. [Ord. 77-986 (part); prior code § 8-12]

It is unlawful for any person to park a bicycle in such a manner as to unreasonably obstruct pedestrian or motor vehicle traffic.

10.84.~~140~~~~130~~. Violation — Penalty. [Ord. 77-986 (part); prior code § 8-13]

If any person operates a bicycle in violation of any of the provisions of this chapter or in violation of any of the provisions of the traffic laws of the state applicable to the operation of bicycles, then the license for the bicycle so operated shall be suspended, without regard to ownership of such bicycle, and such bicycle shall be impounded by the police department of the City, both such suspension and impounding to be for any period of days not to exceed 30 under orders of the chief of police. If any person violates any of the provisions of this chapter or of the traffic laws of the state applicable to the operation of bicycles, he shall, upon conviction thereof, be punished by imprisonment not to exceed 30 days or by a fine not to exceed \$100.

City of Davenport

Department: Legal
Contact Info: Sam Huff |

Action / Date
3/5/2025

Subject:

First Consideration: Ordinance amending Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa by adding thereto definitions and restrictions on the use of motorcycles and motorized bicycles on public sidewalks. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

The Legal Department, in collaboration with the Police Department, is proposing an amendment to the Municipal Code of Davenport, Iowa to address the use of motorcycles and motorized bicycles on City-owned sidewalks. The primary objectives of this amendment are to enhance pedestrian safety on City sidewalks, establish consistency within the Municipal Code of Davenport, Iowa, regarding permissible uses of sidewalks, and clarify and extend restrictions on motorized vehicles using City-owned sidewalks. This amendment aims to create a comprehensive and uniform approach to regulating various types of vehicles on sidewalks, ensuring the safety of pedestrians while maintaining clear guidelines for vehicle users.

A similar agenda item originally appeared on the February 12, 2025, Council agenda. Council voted to table the item while City staff worked to update the ordinance and address citizen and council concerns regarding restrictions on motorized devices on public sidewalks. The definition of a motorized bicycle has been updated, and unnecessary language has been removed to allow for a better comprehension of the updated code.

Attachments:

1. Ordinance
2. Ordinance | Redline
3. Current Chapter 10.68

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.68 ENTITLED "MISCELLANEOUS RULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING THERETO DEFINITIONS AND RESTRICTIONS ON THE USE OF MOTORCYCLES AND MOTORIZED BICYCLES ON PUBLIC SIDEWALKS.

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

Section 1. That Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to add thereto a new Subsection 10.68.240(B) to read as follows and re-letter subsequent items accordingly (beginning with the current Subsection B. Riders.):

10.68.240 Motorcycles and motorized bicycles.

B. Definitions

1. Motorcycle - An unenclosed motor vehicle having a saddle for the use of the operator and with two or three wheels in contact with the ground, including, but not limited to, motor scooters, minibikes, and dirt bikes.
2. Motorized bicycle - A bicycle that is equipped with a gas-powered engine, or a Class 4 electric bicycle (a bicycle equipped with a motor that is over 750 Watts, has pedal assist or throttle only capabilities, and can exceed 28 mph while either pedal assist or throttle are engaged).

Section 2. That Chapter 10.68 entitled "Miscellaneous Rules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to add thereto a new Subsection 10.68.240(K) to read as follows:

10.68.240 Motorcycles and motorized bicycles.

K. No person shall ride a motorized bicycle or motorcycle upon the sidewalk within the City.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

10.68.240. Motorcycles and motorized bicycles. [Ord. 91-374 § 1; Ord. 90-212 § 8]

A. General. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.

B. Definitions

1. Motorcycle – An unenclosed motor vehicle having a saddle for the use of the operator and with two or three wheels in contact with the ground, including, but not limited to, motor scooters, minibikes, and dirt bikes.

1.2. Motorized bicycle – A bicycle equipped with a gas-powered engine, or a Class 4 electric bicycle (a bicycle equipped with a motor that is over 750 Watts, has pedal assist or throttle only capabilities, and can exceed 28 mph while either pedal assist or throttle are engaged).-

B.C. Riders.

1. Motorized Bicycles. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.
2. Motorcycles. A person shall not operate or ride on a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

C.D. Sitting Position. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.

D.E. Use of Traffic Lanes. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.

E.F. Headlights On. A person shall not operate a 1977 or later model year motorcycle or any model year motorized bicycle upon the highways without displaying at least one lighted head lamp of the type required by state law. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.

F.G. Packages. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.

G.H. Handlebars. A person shall not operate a motorcycle or motorized bicycle with handlebars

more than 15 inches in height above that portion of the seat occupied by the operator.

H.I. Parades. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from the City.

I. Bicycle Safety Flags Required on Motorized Bicycles. When operated on a highway, a motorized bicycle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the motorized bicycle. The bicycle safety flag shall be

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triangular in shape with an area of not less than 30 square inches, and be Day-Glo in color.

K. No person shall ride a motorized bicycle or motorcycle upon the sidewalk within the City.

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Chapter 10.68 MISCELLANEOUS RULES

10.68.010. Unattended motor vehicle. [Ord. 84-247 § 19.1]

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, or when standing upon any perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

10.68.020. Driving upon boulevard. [Ord. 84-247 § 19.2]

No person shall operate any vehicle upon a boulevard except upon a duly authorized permanent or temporary driveway.

10.68.030. Obstruction to driver's view or driving mechanism. [Ord. 84-247 § 19.3]

- A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- B. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

10.68.040. Following fire apparatus prohibited. [Ord. 84-247 § 19.4]

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

10.68.050. Crossing fire hose. [Ord. 84-247 § 19.5]

No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

10.68.060. Driving past barricades. [Ord. 96-154 § 1; Ord. 84-247 § 19.6]

- A. No person shall drive any vehicle past barricades placed upon public streets by authority of the City with the intention of closing such streets to traffic except where specifically authorized by an appropriate sign.
- B. No person shall move or remove such barricades without proper authority from the City.
- C. A person who violates any of the provisions of this subsection shall be deemed guilty of a simple misdemeanor and, upon conviction, shall be subject to a fine of \$20.

10.68.070. Driving on private property. [Ord. 84-247 § 19.7]

No person shall drive a vehicle across or upon the lawn or private property of any person except in an emergency situation when a vehicle is disabled and the driver is attempting to move same from the traveled portion of a public street.

10.68.080. Use of driveways and parking lots. [Ord. 96-154 § 2; Ord. 84-247 § 19.8]

No person shall drive a vehicle across or upon a driveway, parking lot or similar type area whether such be public or private, in an attempt to use the same as a thoroughfare. Any person who violates the provisions of this section shall be deemed guilty of a simple misdemeanor and, upon conviction, shall be subject to a fine of \$20.

10.68.090. Putting debris on street. [Ord. 84-247 § 19.9]

No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris. No substance likely to injure any person, animal or vehicle upon such street shall be thrown or deposited by any person upon any street.

10.68.100. Removing injurious material. [Ord. 84-247 § 19.10]

Any person who drops or permits to be dropped or thrown, upon any street any destructive or injurious material and other material as defined in Section 10.68.090 shall immediately remove the same or cause it to be removed.

10.68.110. Clearing up wrecks. [Ord. 84-247 § 19.11]

Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

10.68.120. Clinging to vehicles. [Ord. 90-212 § 7; Ord. 84-247 § 19.12]

No person riding upon any bicycle, motorcycle, moped, sled or any other device shall be attached to any moving vehicle upon a roadway.

10.68.130. Spilling loads on street. [New; Ord. 84-247 § 19.13]

A vehicle shall not be driven or moved on any highway by any person unless such vehicle is so constructed or loaded or the load securely covered as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping or its load covering from dropping from the vehicle, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway. The provisions of this section shall not apply to vehicles loaded with hay or stover or the products listed in Section 321.466, unnumbered paragraphs 5 and 6, of the Code of Iowa.

10.68.140. Funerals. [Ord. 97-513 § 1; Ord. 84-247 § 19.14]

A. For the purposes of this section, "funeral procession" means a procession of motor vehicles accompanying the body of a deceased person during daylight hours which is being escorted

by a vehicle continually displaying its emergency signal lamps flashing simultaneously and using lighted head lamps and identifying flags, and keeping all other motor vehicles with lighted head lamps in close formation.

- B. Upon the immediate approach of a funeral procession, the driver of every other vehicle, except an authorized emergency vehicle, shall yield the right-of-way. An operator of a motor vehicle which is part of a funeral procession shall not be charged with violating traffic rules and regulations relating to traffic signals and devices while participating in the procession unless the operation is reckless.
- C. No driver of a motor vehicle shall drive between the vehicles comprising a funeral procession.
- D. Each driver in a funeral procession shall drive as near to the right-hand edge of the roadway as practicable and shall follow the vehicle ahead as close as is safe.

10.68.150. Boarding or alighting from vehicles. [Ord. 84-247 § 19.15]

No person shall board or alight from any vehicles while such vehicle is in motion.

10.68.160. Unlawful riding. [Ord. 2000-444 § 1; Ord. 84-247 § 19.6]

No person shall ride in or on any portion of a vehicle that was not primarily designed, manufactured and intended for use by motor vehicle passengers. This section shall preclude persons from riding within truck bodies in space designed, manufactured or intended for hauling goods or merchandise, enclosed or unenclosed pick up truck beds, luggage racks and similar devices or areas. This section shall not apply to employees, 18 years of age or older, actively engaged in the necessary discharge of a duty that requires the employee to ride within the enclosed body of a truck or an enclosed or unenclosed bed of a pick up truck; or upon private property within the City; or while such vehicle is participating in an organized and permitted parade or special event within the City.

10.68.170. Reckless driving. [Ord. 2000-444 § 2; Ord. 84-247 § 19.17]

No person shall drive any vehicle in such manner as to indicate either a willful or a wanton disregard for the safety of persons or property. This prohibition shall apply to private property except for those proscriptions concerning unlawful riding.

A driver who operates a motor vehicle while any passenger of said vehicle is riding the vehicle in violation of Section 10.68.160 is guilty of reckless driving.

10.68.175. Careless driving. [Ord. 97-513 § 3]

A person commits careless driving if the person intentionally operates a motor vehicle on a street or highway in this City in any of the following ways:

- A. Creates or causes unnecessary tire squealing, skidding, or sliding upon acceleration or stopping.
- B. Simulates a temporary race.

- C. Causes any wheel or wheels to unnecessarily lose contact with the ground.
- D. Causes the vehicle to unnecessarily turn abruptly or sway.

10.68.180. Drag racing prohibited. [Ord. 84-247 § 19.18]

No person shall engage in any motor vehicle speed contest or exhibition of speed on any street and no person shall aid or abet any motor vehicle speed contest or speed exhibition on any street, except that a passenger shall not be considered as aiding and abetting. Motor vehicle speed contest or exhibition of speed are defined as one or more persons competing in speed in excess of the applicable speed limit in vehicles on the public streets.

10.68.190. Eluding law enforcement vehicle. [Ord. 2006-93; Ord. 84-247 § 19.19]

- A. It shall be unlawful for any driver of a motor vehicle to willfully fail to bring the motor vehicle to a stop or otherwise elude or attempt to elude a marked official law enforcement vehicle driven by a uniformed police officer after being given a visual or audible signal to stop. The signal given by the police officer shall be by flashing red light and/or siren. The penalty for such offense shall be that as set by the state for simple misdemeanors.
- B. If a police officer cannot apprehend or identify the driver of a vehicle that has eluded or otherwise attempted to elude a marked law enforcement vehicle giving a visual or audible signal to stop, but can identify the license plate number and provide a brief description of the vehicle, then the registered owner of said vehicle shall be guilty of a municipal infraction. The penalty shall be civil in nature, and as such, will not be reported to the State Department of Transportation. The fine to be assessed shall be \$250 for a first offense, \$500 for a second offense, and \$700 for third and subsequent offenses.

10.68.200. Seven ton weight limit. [Ord. 84-247 § 19.20]

No vehicle with a licensed weight in excess of seven tons shall be operated on any of the streets designated by the City Council by ordinance. However, commercial vehicles engaged in the making of deliveries or the furnishing of services at premises fronting on the prescribed streets, or portions of streets, or at premises reasonably contiguous to said streets may be operated on said streets for such limited purposes only where it is necessary to travel over all or portions of said streets to make deliveries or furnish services to said contiguous premises.

10.68.210. Vehicles prohibited on certain bridges. [Ord. 84-247 § 19.21]

When signs are erected giving notice that a bridge has a specific weight limit, no person shall operate a vehicle with a gross weight in excess of that posted for the bridge.

10.68.220. Roller skates, skateboards, coasters, etc., restricted. [Ord. 98-242; Ord. 84-247 § 19.22]

- A. "Non-motorized device" means roller skates, in-line skates, skateboards, coasters, and other similar devices, including unicycles, but excluding bicycles, wheelchairs, baby strollers, baby carriages, and small wagons.

- B. No person upon a non-motorized vehicle shall go upon any street except while crossing a street within a crosswalk and when so crossing such person shall be granted all the rights and be subject to all of the duties applicable to pedestrians.
- C. No person shall travel upon or operate a non-motorized vehicle on any City-owned facilities and grounds, including but not limited to parks, parking lots and parking ramps. However, the use of a non-motorized vehicle is permitted on recreational pathways and in other areas within City parks which have been designated for such use by the director of leisure facilities and services or his designee.
- D. No person shall travel upon or operate a non-motorized device anywhere within the following areas which include the referenced streets:
 - 1. Downtown Davenport: Beginning where Marquette Street would intersect the Mississippi River, thence north along Marquette Street to River Drive, thence easterly along River Drive to Brown Street, thence north along Brown Street to 5th Street, thence east along 5th Street to Iowa Street, thence north along Iowa Street to Federal Street, thence easterly along Federal Street to River Drive; thence directly south from the intersection of Federal Street and River Drive to the Mississippi River; thence westerly along the banks of the Mississippi River to the point of beginning.
- E. Subsection D notwithstanding, a private property owner within an area set forth in subsection D may allow the use of a non-motorized device upon his property by registering the property with the deputy City Clerk.

10.68.230. All-terrain vehicles. [Ord. 88-273 § 1]

- A. An all-terrain vehicle means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road use but not including farm tractors, construction equipment, forestry vehicles or lawn and grounds maintenance vehicles.
- B. No person shall operate an all-terrain vehicle in any of the following places:
 - 1. On a street, highway or alley, except when permitted by state law and only under those specified conditions;
 - 2. On a sidewalk, bike path or lane;
 - 3. On any public property or park;
 - 4. On any parking lot or area;
 - 5. Across or upon the lawn or private property of any other person;
 - 6. At any other location within the City between the period from 10:00 p.m. until 7:00 a.m.
- C. The provisions of this section do not apply to all-terrain vehicles used in a properly-authorized parade.

10.68.240. Motorcycles and motorized bicycles. [Ord. 91-374 § 1; Ord. 90-212 § 8]

- A. General. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.
- B. Riders.
 - 1. Motorized Bicycles. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.
 - 2. Motorcycles. A person shall not operate or ride on a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.
- C. Sitting Position. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.
- D. Use of Traffic Lanes. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.
- E. Headlights On. A person shall not operate a 1977 or later model year motorcycle or any model year motorized bicycle upon the highways without displaying at least one lighted head lamp of the type required by state law. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.
- F. Packages. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.
- G. Handlebars. A person shall not operate a motorcycle or motorized bicycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.
- H. Parades. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from the City.
- I. Bicycle Safety Flags Required on Motorized Bicycles. When operated on a highway, a motorized bicycle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the motorized bicycle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches, and be Day-Glo in color.

10.68.250. Acts prohibited on fully controlled-access facilities. [Ord. 90-212 § 9]

It is unlawful for a person, except a person operating highway maintenance equipment or an authorized emergency vehicle, to do any of the following on a fully controlled-access facility:

- A. Drive a vehicle over, upon, or across a curb, central dividing section, or other separation of dividing line.
- B. Make a left turn or a semicircular or U-turn at a maintenance cross-over where an official sign prohibits the turn.
- C. Drive a vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation, section, or line.
- D. Drive a vehicle into the facility from a local service road.
- E. Stop, park, or leave standing a vehicle, whether attended or unattended, upon the paved portion.
- F. Stop, park, or leave standing a vehicle, whether attended or unattended, upon the shoulders, or the right of way except at designated rest areas or in case of an emergency or other dire necessity.

For the purpose of this section, fully controlled-access facility is a highway which gives preference to through traffic by providing access connections at interchanges with selected public roads only and by prohibiting crossings at grade or direct access at driveway connections.

10.68.260. Offenses by owners. [Ord. 94-334 § 1]

It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly permit the operation of such vehicle upon a public street or highway in any manner contrary to law.

The owner of a vehicle shall not be held responsible for a violation of a provision regulating the stopping, standing, or parking of a vehicle, whether the provision is contained in this chapter, or any other chapter within Title X, if the owner establishes that at the time of the violation the vehicle was in custody of an identified person other than the owner pursuant to a lease as defined in Chapter 321F of the Iowa Code.

If a peace officer as defined in Section 10.04.110 has reasonable cause to believe the driver of a motor vehicle has violated Sections 10.36.010, 10.36.040, 10.36.060, 10.60.010, 10.60.020, and 10.60.040, the officer may request any owner of the motor vehicle to supply information identifying the driver. When requested, the owner of the vehicle shall identify the driver to the best of the owner's ability. However, the owner of the vehicle is not required to supply identification information to the officer if the owner believes the information is self-incriminating.

10.68.270. Loud radios prohibited. [Ord. 2003-436 § 2; Ord. 2002-533 § 1; Ord. 97-382; Ord. 94-631 § 1]

This section is declared necessary for the preservation of the public peace, health, safety and

welfare of the people of the City, and is intended to address a public nuisance created by individuals operating motor vehicles upon the streets and highways of the City.

It is unlawful for any person owning or operating a motor vehicle to create, cause, permit, produce, or play a radio, stereo, or similar device which produces or amplifies sound in such a manner as to create or cause a noise disturbance outside the vehicle, which shall be defined as any sound which annoys or disturbs a reasonable person of normal sensitivities or which can be heard at a distance of 50 feet or more from the source, when such motor vehicle is operated or parked on a public right-of-way or public property.

Any person in violation of this section commits a simple misdemeanor and upon conviction shall be assessed a fine in the sum of \$75.

This section shall not apply to loudspeakers/public address systems and emergency signaling services, including car alarms.

10.68.280. Motor vehicle radio — Offense by owner. [Ord. 2003-436 § 1]

The registered owner of any motor vehicle that creates, causes, or produces sound in such a manner as to create or cause a noise disturbance, by means of a radio, stereo, or similar device which produces or amplifies sound is subject to civil sanction as owner regardless of absence or presence at the time of infraction. "Noise disturbance" means any sound which annoys or disturbs a reasonable person of normal sensitivities or which can be heard at a distance of 50 feet or more from the source.

This section shall not apply to loudspeakers/public address systems and emergency signaling devices, including car alarms.

The owner is subjected to civil sanction as follows:

- A. First reported complaint within a twelve-month period. The registered owner shall receive a notification of the time, date, and location stated in the complaint.
- B. Second or subsequent violation reported by a peace officer within a twelve-month period. The registered owner shall be subject to a civil fine of up to \$500, and the prosecuting attorney shall ask the court to order the removal of the radio, stereo, amplifier, or other similar device for the period of one year.

The enforcement procedures provided for herein are in addition to, and not in lieu of, other sanctions provided elsewhere within the City code. Further, any convictions under Section 10.68.270 may be counted and recorded as violations for the purposes of this section.

10.68.290. Use of electronic communication device for texting while driving prohibited. [Ord. 2017-333 § 3]

No person shall use a hand-held electronic communication device to write, send or view an electronic message while driving a motor vehicle unless the motor vehicle is at a complete stop off the traveled portion of the roadway. This prohibition does not apply to a member of a public safety agency as defined in Iowa Code section 34.1 while performing official duties, a health

care professional in the course of an emergency situation or a person receiving safety-related information including emergency traffic or weather alerts. A person violating this section shall be guilty of committing a simple misdemeanor offense subject to a scheduled fine as set by Iowa law.

For purposes of this section a "hand-held electronic communication device" means a mobile telephone or other portable electronic communication device capable of being used to write, send or view an electronic message; but does not include a voice-operated or hands-free device which allows the user to write, send or listen to an electronic message without the use of either hand except to activate or deactivate a feature or function. Hand-held electronic communication device does not include a wireless communication device used to transmit or receive data as part of a digital dispatch system. Hand-held electronic communication device includes a device that is temporarily mounted inside a motor vehicle unless the device is a voice-operated or hands-free device.

For purposes of this section an "electronic message" means images visible on the screen of a hand-held electronic communication device including, but not limited to, a text-based message, an instant message, a portion of electronic mail, an internet site, a social media application, a game or similar content viewable on a hand-held electronic communication device.

For purpose of this section the terms "write", "send", or "view" with respect to an electronic message means the manual entry, transmission or retrieval of an electronic message including the playing, browsing or accessing of an electronic message.

Nothing in this section shall be construed to authorize a peace officer to confiscate a hand-held electronic communication device from the driver or occupant of a motor vehicle as evidence.

City of Davenport

Department: Legal
Contact Info: Sam Huff |

Action / Date
3/5/2025

Subject:

First Consideration: Ordinance amending Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa by changing the title to "Bicycles and Motorized Micromobility Devices", adding thereto a new section with definitions and a new section regarding riding on multi-use paths/trails, and including regulations and restrictions for electric bikes (e-bikes) on public sidewalks. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

In response to the increasing prevalence of electric bicycles (E-Bikes) within the City, the Legal Department, in collaboration with the Police Department, proposes to amend the existing bicycle ordinance to include clear definitions and regulations for E-Bikes. This amendment aims to address safety concerns, particularly regarding the use of E-Bikes on public sidewalks.

A similar agenda item originally appeared on the February 12, 2025 Council agenda. Council voted to table the item while City staff worked to update the ordinance and address citizen and council concerns regarding restrictions of motorized devices on public sidewalks.

Currently, the City of Davenport prohibits riding bicycles on sidewalks in commercial districts. The proposed amendment seeks to mirror this restriction for those riding E-bikes. This ordinance defines the three (3) classes of e-bikes and outlines the regulations associated with each class. This measure is intended to enhance pedestrian safety and clarify regulations for both traditional bicycles and E-Bikes.

Attachments:

1. Ordinance
2. Ordinance | Redline
3. Current Chapter 10.84

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.84 ENTITLED "BICYCLES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY CHANGING THE TITLE TO "BICYCLES AND MOTORIZED MICROMOBILITY DEVICES", ADDING THERETO A NEW SECTION WITH DEFINITIONS AND A NEW SECTION REGARDING RIDING ON MULTI-USE PATHS/TRAILS, AND INCLUDING REGULATIONS AND RESTRICTIONS FOR ELECTRIC BIKES (E-BIKES) ON PUBLIC SIDEWALKS.

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

Section 1. That Chapter 10.84 entitled "Bicycles" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to be retitled "Bicycles and Motorized Micromobility Devices".

Section 2. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding thereto a new Section 10.84.010 to read as follows and renumbering all subsequent sections accordingly:

10.84.010 Definitions.

- A. "Bicycle" is defined as either of the following:
 - a. A device having two wheels and having at least one saddle or seat for the use of a rider which is propelled by human power.
 - b. A device having two or three wheels with fully operable pedals and an electric motor of less than seven hundred fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour (i.e. electric bike, or e-bike).
- B. "Motorized Micromobility Device" means any device meant to carry one rider or operator and that is not required to be licensed or registered by the State of Iowa. Motorized micromobility devices are propelled by an electric motor of less than seven hundred and fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour. Motorized micromobility devices include, but are not limited to, electric unicycles, electric stand-up scooters, Segways, or motorized skateboards. This definition does not include the use of ADA compliant power assisted devices intended for personal transport.
- C. "Sidewalk" under this Chapter is defined any paved or unpaved path designated for pedestrian use that runs parallel to a roadway or through a public space and is less than 8ft. in width.
- D. "Multi-use Path" also known as a "Trail" under this Chapter is defined as a path designed for shared use by pedestrians, cyclists, and other non-motorized users, which includes e-bikes and motorized micromobility devices.

Section 3. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.060 Riding on sidewalks.

- A. No person shall ride a bicycle or motorized micro mobility device upon the sidewalk in the commercial district within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk for bicycle use.
- B. Outside of the Commercial District, Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating bicycles or motorized micromobility device upon any sidewalk. Any person using or operating bicycles or motorized micromobility device upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.
- C. All bicycles or micromobility devices allowed on sidewalks outside of the commercial district shall not exceed 10 mph and Class 1, 2, and 3 E-bikes must be ridden in pedal assist mode when upon a sidewalk.
- D. Class 4 E-bikes, as defined in Section 10.68.240, are not permitted on any City sidewalk.

Section 4. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding thereto a new Section 10.84.065 to read as follows:

10.84.065. Riding on Multi-Use Paths/Trails

- A. Yielding to Pedestrians:
 - a. All bicycles and motorized micromobility device operators must yield the right-of-way to pedestrians on multi-use paths.
 - b. When approaching a pedestrian from behind, the operator must slow to a reasonable and safe speed to prevent startling or endangering the pedestrian.
- B. Audible Warning Requirement:
 - a. Bicycle and motorized micromobility device operators must provide an audible signal, such as a bell or verbal warning (e.g., "On your left"), when overtaking and passing a pedestrian.
 - b. The warning must be given at a sufficient distance to allow the pedestrian time to react.
- C. Safe Passing Distance:
 - a. Bicycle and motorized micromobility device operators must maintain a minimum safe distance of **three feet** when passing a pedestrian or come to a near stop if such a distance is not feasible.
- D. Speed Limit When Near Pedestrians:
 - a. Bicycle and motorized micromobility device must reduce their speed to **no more than 10 mph** when within **30 feet** of a pedestrian.
 - b. If the multi-use path is congested or visibility is limited, operators must travel at walking speed until it is safe to pass.
- E. Prohibited Behavior:
 - a. Bicycle and motorized micromobility device operators may not weave between pedestrians in a reckless manner.

- b. Sudden braking or acceleration near pedestrians that could cause alarm or a hazardous situation is prohibited.

F. Lights and Visibility:

- a. During low-light conditions or nighttime, bicycle and motorized micromobility device operators must use front and rear lights or reflectors to ensure visibility to pedestrians.

Section 5. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.070 Clinging to moving vehicles prohibited.

No person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, motorized micromobility device, or any toy vehicle shall cling to or attach their vehicle to any other moving vehicle upon any roadway or bikeway.

Section 6. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.080 Carrying excessive number of passengers unlawful.

It is unlawful for passengers in excess of that number for which the bicycle or motorized micromobility device was patently designed to ride a bicycle; except, that infants may be carried in a suitable and proper seat if such seat allows the operator to have both hands free to operate the bicycle or motorized micromobility device.

Section 7. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.090 Careless riding prohibited.

No person shall, within the City, ride a bicycle or motorized micromobility device, in a zigzagging manner or by weaving in and out through traffic or by stunting, or at such speed that he shall not be able to bring the same to a stop within the assured clear distance ahead, or otherwise with disregard of his safety or the safety of others.

Section 8. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.100 Single-file riding.

Bicycles and motorized micromobility devices, shall be ridden single file in business districts and upon sidewalks where permitted, but may be ridden not over two abreast elsewhere. Bicycles and motorized micromobility devices shall be operated as near the right curb as is safely practicable, except for turning movements or where bike lanes designate otherwise.

Section 9. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.110 Observance of traffic rules required.

- A. All persons riding bicycles or motorized micromobility device, upon any street or sidewalk within the City shall observe all traffic ordinances and rules as to traffic lights and highway stop signs and shall signal any change of direction or course of travel in the same manner as such signals are required under the law governing the use by motor vehicles, and shall not turn to the right or left in traffic except at regular intersections of streets, alleys, or driveways.

- B. All persons riding a bicycle or motorized micromobility device upon any street, sidewalk, or bike lane within the City shall observe all ordinances and rules as to traffic limits and shall make full and complete stops at official stop signs.
- C. In addition, said bicycles and motorized micromobility devices shall be subject to the provisions of ordinances applicable to the driver of a motor vehicle except as to those provisions which by their very nature can have no application.

Section 10. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.120 Motor vehicles in bicycle lanes, paths, and parking areas unlawful.

It is unlawful for any person to drive any type of motorized bicycle or motor vehicle in a designated bicycle path, lane, or parking area or park any motorized bicycle or motor vehicle in such a path, lane, or parking area. No person shall cross a bicycle lane except after giving the right-of-way to all bicycles and motorized micromobility devices within the lane.

Section 11. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.130 Manner of parking restricted.

It is unlawful for any person to park a bicycle or motorized micromobility device in such a manner as to unreasonably obstruct pedestrian or motor vehicle traffic.

Section 12. That Chapter 10.84 entitled "Bicycles and Motorized Micromobility Devices" of the Municipal Code of Davenport, Iowa be and the same is hereby amended to read as follows:

10.84.140 Violation — Penalty.

If any person operates a bicycle or motorized micromobility device in violation of any of the provisions of this chapter or in violation of any of the provisions of the traffic laws of the state applicable to the operation of bicycles or motorized micromobility devices, then the license for the bicycle so operated shall be suspended, without regard to ownership of such bicycle, and such bicycle or motorized micromobility device shall be impounded by the police department of the City, both such suspension and impounding to be for any period of days not to exceed 30 under orders of the chief of police. If any person violates any of the provisions of this chapter or of the traffic laws of the state applicable to the operation of bicycles or motorized micromobility devices he shall, upon conviction thereof, be punished by imprisonment not to exceed 30 days or by a fine not to exceed \$100.

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

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

Chapter 10.84
BICYCLES AND
MOTORIZED
MICROMOBILITY
DEVICES

10.84.010. Definitions.

A. "Bicycle" is defined as either of the following:

A.

a.—

b.—A device having two or three wheels which may have a saddle or seat or multiple saddles or seats for the use of a rider or riders which is propelled by human power.

a.—

c.—

b. A device having two or three wheels with an integrated electric motor used to assist propulsion, this includes Class 1 e-bikes (a pedal assist bike equipped with a motor which provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches 20 mph), Class 2 e bikes (a bicycle equipped with a motor that can be used exclusively to propel the bicycle with the use of a throttle, and has a top assist speed of 20 mph), and Class 3 e-bikes (A pedal assist bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches 28 mph).

B. "Motorized Micromobility Device" means any device meant to carry one rider or operator and that is not required to be licensed or registered by the State of Iowa. Motorized micromobility devices are propelled by an electric motor of less than seven hundred and fifty watts (one horsepower), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden, is less than twenty miles per hour. Motorized micromobility devices include, but are not limited to, electric unicycles, electric stand-up scooters, Segways, or motorized skateboards. This definition does not include the use of ADA compliant power assisted devices intended for personal transport.

C. "Sidewalk" under this Chapter is defined any paved or unpaved path designated for pedestrian use that runs parallel to a roadway or through a public space and is less than 8ft. in width.

D. "Multi-use Path" also known as a "Trail" under this Chapter is defined as a path designed for shared use by pedestrians, cyclists, and other non-motorized users, which includes e-bikes and motorized micromobility devices.

10.84.02010. Registration and license — Required. [Ord. 2016-543 (part); Ord. 77-986 (part); prior code § 8-1]

No person, being a resident of the City, shall operate any bicycle upon any street, sidewalk or other public place within the City and no person shall, within the City, let out bicycles for hire, unless the ownership of each bicycle so operated or let out for hire is registered and has a license sticker placed thereon as provided in this chapter; provided, that nothing in this section shall apply to a bicycle licensed pursuant to state law as a motor vehicle.

10.84.03020. Registration and licensing — Procedure. [Ord. 2016-543 (part); Ord. 88-69 §§ 2-4; Ord. 82-52 § 1; Ord. 77-986 (part); prior code § 8-2]

The registration and licensing of bicycles shall be accomplished as follows:

- A. Application for Registration; Fee. The owner of each bicycle to be licensed shall file in the office of the City Clerk an application for registration on forms provided by the City Clerk, which application shall as a minimum state the applicant's name, address and telephone number and the bicycle's make, model, serial number, frame size, number of speeds and type of brakes. A registration fee set by resolution establishing licensing fees shall be paid at time of application. If the manufacturer's serial number of any bicycle is effaced or illegible, the police department shall, on request of the owner, stamp the bicycle with a permanent distinctive number, which number shall be stated on application in lieu of the manufacturer's serial number. The Clerk may furnish application forms and license stickers to any person willing to assist in the distribution thereof, in order that applicants for license may more conveniently secure such forms.
- B. Application for Registration; Retailers to Furnish. Any person, firm, association, corporation, or other entity engaged in the business of retailing bicycles to residents of the City shall, prior to the removal of the bicycles from the retail premises, require the prospective owner of the bicycle to fill out an application for registration on forms provided by the City Clerk. The retailer shall issue the appropriate license sticker, as provided by the City Clerk, and collect the registration fee set by resolution establishing licensing fees. All such completed forms shall be delivered by the retailer to the City Clerk within 14 days of their completion, along with the registration fees collected.
- C. Issuance of License. Upon the filing of application and the payment of fees, the Clerk shall issue a license sticker bearing a distinctive serial number, which number shall be recorded on the application. The Clerk shall keep a record of the licenses issued conveniently cross-indexed for the purpose of aiding in the recovery of bicycles lost or stolen.
- D. Attachment of License Sticker. The license sticker shall be attached to the tubular frame below the seat of each registered bicycle and shall remain attached thereto until ownership of the bicycle shall change.
- E. Duplicate License Stickers. In the event that any license sticker shall be lost, stolen, destroyed or mutilated, a duplicate or substitute sticker shall be applied for and be issued by the Clerk upon the submission of a written statement of such loss, theft, destruction or mutilation and payment of a fee set by resolution establishing licensing fees. Such statement may be in such form and such reasonable proof of loss, destruction or mutilation shall be made as the Clerk may require. The Clerk shall make entries on the index kept by the Clerk of any change in license number so effected.
- F. Nontransferability of License. Whenever ownership of a bicycle is transferred, the license therefor shall become invalid in 15 days. It shall be the duty of the purchaser or transferee of a bicycle to apply for a new license within 15 days of the transfer. No license or registration shall be transferred from one bicycle to another.
- G. Term of License. All licenses issued prior to March 31, 1988 shall expire as of that date. Owners of bicycles on April 1, 1988 shall obtain a valid license sticker.

10.84.04030. Alteration of stickers or numbers. [Ord. 77-986 (part); prior code § 8-3]

- A. It is unlawful for any person to remove, counterfeit, alter, destroy, mutilate, or tamper with any license sticker during the time in which such license sticker is valid, or to attach any license sticker to any bicycle other than the bicycle for which it is issued.
- B. It is unlawful to alter, mutilate, or destroy the serial number on the frame or other parts of a bicycle.

10.84.05040. Lamps required. [Ord. 79-1202 § 1; prior code § 8-4]

Every bicycle shall be equipped with a lamp on the front exhibiting a white light, at the times specified for lighting motor vehicles visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear; except, that a red reflector meeting the requirements of this section may be used in lieu of a rear light.

10.84.06050. Riding on sidewalks. [Ord. 77-986 (part); prior code § 8-5]

- ~~A.—No person shall ride a bicycle or motorized micro mobility device upon the sidewalk ~~or walkway~~ in the commercial district within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk ~~or walkway~~ for bicycle use.~~

~~A. Pedestrians upon sidewalks shall have the right of way at all times over persons using or operating bicycles upon any sidewalk and any person using or operating bicycles upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.~~

- ~~B. Outside of the Commercial District, Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating bicycles or motorized micromobility device upon any sidewalk. Any person using or operating bicycles or motorized micromobility device upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.~~

- ~~C. All bicycles or micromobility devices allowed on sidewalks outside of the commercial district shall not exceed 10 mph and Class 1, 2, and 3 E-bikes must be ridden in pedal assist mode when upon a sidewalk.~~

- ~~D. Class 4 E-bikes, as defined in Section 10.68.240, are not permitted on any City sidewalk.~~

10.84.065. Riding on Multi-Use Paths/Trails

A. Yielding to Pedestrians:

1. All bicycles and motorized micromobility device operators must yield the right-of-way to pedestrians on multi-use paths.
2. When approaching a pedestrian from behind, the operator must slow to a reasonable and safe speed to prevent startling or endangering the pedestrian.

B. Audible Warning Requirement:

1. Bicycle and motorized micromobility device operators must provide an audible signal, such as a bell or verbal warning (e.g., "On your left"), when overtaking and passing a pedestrian.
2. The warning must be given at a sufficient distance to allow the pedestrian time to

react.

C. Safe Passing Distance:

1. Bicycle and motorized micromobility device operators must maintain a minimum safe distance of **three feet** when passing a pedestrian or come to a near stop if such a distance is not feasible.

D. Speed Limit When Near Pedestrians:

1. Bicycle and motorized micromobility device must reduce their speed to **no more than 10 mph** when within **30 feet** of a pedestrian.
2. If the multi-use path is congested or visibility is limited, operators must travel at walking speed until it is safe to pass.

E. Prohibited Behavior:

1. Bicycle and motorized micromobility device operators may not weave between pedestrians in a reckless manner.
2. Sudden braking or acceleration near pedestrians that could cause alarm or a hazardous situation is prohibited.

F. Lights and Visibility:

1. During low-light conditions or nighttime, bicycle and motorized micromobility device operators must use front and rear lights or reflectors to ensure visibility to pedestrians.

10.84.07060. Clinging to moving vehicles prohibited. [Ord. 77-986 (part); prior code § 8-6]

No person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, motorized micromobility device, or any toy vehicle shall cling to or attach their vehicle to any other moving vehicle upon any roadway or bikeway.

10.84.08070. Carrying excessive number of passengers unlawful. [Ord. 77-986 (part); prior code § 8-7]

It is unlawful for passengers in excess of that number for which the bicycle or motorized micromobility device was patently designed to ride a bicycle; except, that infants may be carried in a suitable and proper seat if such seat allows the operator to have both hands free to operate the bicycle or motorized micromobility device.

10.84.09080. Careless riding prohibited. [Ord. 77-986 (part); prior code § 8-8]

No person shall, within the City, ride a bicycle or motorized micromobility device, in a zigzagging manner or by weaving in and out through traffic or by stunting, or at such speed that he shall not be able to bring the same to a stop within the assured clear distance ahead, or otherwise with disregard of his safety or the safety of others.

10.84.10090. Single-file riding. [Ord. 77-986 (part); prior code § 8-9]

Bicycles and motorized micromobility devices, shall be ridden single file in business districts and upon sidewalks where permitted, but may be ridden not over two abreast elsewhere. ~~Said bicycles~~ Bicycles and motorized micromobility devices shall be operated as near the right curb as is safely practicable, except for turning movements or where bike lanes designate otherwise.

10.84.110100. Observance of traffic rules required. [Ord. 77-986 (part); prior code § 8-10]

- A. All persons riding bicycles or motorized micromobility device, upon any street or sidewalk within the City shall observe all traffic ordinances and rules as to traffic lights and highway stop signs and shall signal any change of direction or course of travel in the same manner as such signals are required under the law governing the use by motor vehicles, and shall not turn to the right or left in traffic except at regular intersections of streets, alleys, or driveways.
- B. All persons riding ~~bicycles~~ a bicycle or motorized micromobility device upon any street, sidewalk, or bike lane within the City shall observe all ordinances and rules as to traffic limits and shall make full and complete stops at official stop signs.
- C. In addition said bicycles and motorized micromobility devices shall be subject to the provisions of ordinances applicable to the driver of a motor vehicle except as to those provisions which by their very nature can have no application.

10.84.~~120110~~. Motor vehicles in bicycle lanes, paths, and parking areas unlawful. [Ord. 77-986 (part); prior code § 8-11]

It is unlawful for any person to drive any type of motorized bicycle or motor vehicle in a designated bicycle path, lane, or parking area or park any motorized bicycle or motor vehicle in such a path, lane, or parking area. No person shall cross a bicycle lane except after giving the right-of-way to all bicycles and motorized micromobility devices within the lane.

10.84.~~130120~~. Manner of parking restricted. [Ord. 77-986 (part); prior code § 8-12]

It is unlawful for any person to park a bicycle or motorized micromobility device in such a manner as to unreasonably obstruct pedestrian or motor vehicle traffic.

10.84.~~140130~~. Violation — Penalty. [Ord. 77-986 (part); prior code § 8-13]

If any person operates a bicycle or motorized micromobility device in violation of any of the provisions of this chapter or in violation of any of the provisions of the traffic laws of the state applicable to the operation of bicycles or motorized micromobility devices, then the license for the bicycle so operated shall be suspended, without regard to ownership of such bicycle, and such bicycle or motorized micromobility device shall be impounded by the police department of the City, both such suspension and impounding to be for any period of days not to exceed 30 under orders of the chief of police. If any person violates any of the provisions of this chapter or of the traffic laws of the state applicable to the operation of bicycles or motorized micromobility devices, he shall, upon conviction thereof, be punished by imprisonment not to exceed 30 days or by a fine not to exceed \$100.

Chapter 10.84 BICYCLES

10.84.010. Registration and license — Required. [Ord. 2016-543 (part); Ord. 77-986 (part); prior code § 8-1]

No person, being a resident of the City, shall operate any bicycle upon any street, sidewalk or other public place within the City and no person shall, within the City, let out bicycles for hire, unless the ownership of each bicycle so operated or let out for hire is registered and has a license sticker placed thereon as provided in this chapter; provided, that nothing in this section shall apply to a bicycle licensed pursuant to state law as a motor vehicle.

10.84.020. Registration and licensing — Procedure. [Ord. 2016-543 (part); Ord. 88-69 §§ 2-4; Ord. 82-52 § 1; Ord. 77-986 (part); prior code § 8-2]

The registration and licensing of bicycles shall be accomplished as follows:

- A. **Application for Registration; Fee.** The owner of each bicycle to be licensed shall file in the office of the City Clerk an application for registration on forms provided by the City Clerk, which application shall as a minimum state the applicant's name, address and telephone number and the bicycle's make, model, serial number, frame size, number of speeds and type of brakes. A registration fee set by resolution establishing licensing fees shall be paid at time of application. If the manufacturer's serial number of any bicycle is effaced or illegible, the police department shall, on request of the owner, stamp the bicycle with a permanent distinctive number, which number shall be stated on application in lieu of the manufacturer's serial number. The Clerk may furnish application forms and license stickers to any person willing to assist in the distribution thereof, in order that applicants for license may more conveniently secure such forms.
- B. **Application for Registration; Retailers to Furnish.** Any person, firm, association, corporation, or other entity engaged in the business of retailing bicycles to residents of the City shall, prior to the removal of the bicycles from the retail premises, require the prospective owner of the bicycle to fill out an application for registration on forms provided by the City Clerk. The retailer shall issue the appropriate license sticker, as provided by the City Clerk, and collect the registration fee set by resolution establishing licensing fees. All such completed forms shall be delivered by the retailer to the City Clerk within 14 days of their completion, along with the registration fees collected.
- C. **Issuance of License.** Upon the filing of application and the payment of fees, the Clerk shall issue a license sticker bearing a distinctive serial number, which number shall be recorded on the application. The Clerk shall keep a record of the licenses issued conveniently cross-indexed for the purpose of aiding in the recovery of bicycles lost or stolen.
- D. **Attachment of License Sticker.** The license sticker shall be attached to the tubular frame below the seat of each registered bicycle and shall remain attached thereto until ownership of the bicycle shall change.
- E. **Duplicate License Stickers.** In the event that any license sticker shall be lost, stolen, destroyed or mutilated, a duplicate or substitute sticker shall be applied for and be issued by

the Clerk upon the submission of a written statement of such loss, theft, destruction or mutilation and payment of a fee set by resolution establishing licensing fees. Such statement may be in such form and such reasonable proof of loss, destruction or mutilation shall be made as the Clerk may require. The Clerk shall make entries on the index kept by the Clerk of any change in license number so effected.

- F. Nontransferability of License. Whenever ownership of a bicycle is transferred, the license therefor shall become invalid in 15 days. It shall be the duty of the purchaser or transferee of a bicycle to apply for a new license within 15 days of the transfer. No license or registration shall be transferred from one bicycle to another.
- G. Term of License. All licenses issued prior to March 31, 1988 shall expire as of that date. Owners of bicycles on April 1, 1988 shall obtain a valid license sticker.

10.84.030. Alteration of stickers or numbers. [Ord. 77-986 (part); prior code § 8-3]

- A. It is unlawful for any person to remove, counterfeit, alter, destroy, mutilate, or tamper with any license sticker during the time in which such license sticker is valid, or to attach any license sticker to any bicycle other than the bicycle for which it is issued.
- B. It is unlawful to alter, mutilate, or destroy the serial number on the frame or other parts of a bicycle.

10.84.040. Lamps required. [Ord. 79-1202 § 1; prior code § 8-4]

Every bicycle shall be equipped with a lamp on the front exhibiting a white light, at the times specified for lighting motor vehicles visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear; except, that a red reflector meeting the requirements of this section may be used in lieu of a rear light.

10.84.050. Riding on sidewalks. [Ord. 77-986 (part); prior code § 8-5]

- A. No person shall ride a bicycle upon the sidewalk or walkway in the commercial district within the City, unless signs authorized by the traffic engineer specifically designate a sidewalk or walkway for bicycle use.
- B. Pedestrians upon sidewalks shall have the right-of-way at all times over persons using or operating bicycles upon any sidewalk and any person using or operating bicycles upon any sidewalk shall turn off the sidewalk at all times when meeting or passing pedestrians and shall give an appropriate warning of their approach, either by bell, horn, or oral warning.

10.84.060. Clinging to moving vehicles prohibited. [Ord. 77-986 (part); prior code § 8-6]

No person traveling upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall cling to or attach their vehicle to any other moving vehicle upon any roadway or bikeway.

10.84.070. Carrying excessive number of passengers unlawful. [Ord. 77-986 (part); prior code § 8-7]

It is unlawful for passengers in excess of that number for which the bicycle was patently designed

to ride a bicycle; except, that infants may be carried in a suitable and proper seat if such seat allows the operator to have both hands free to operate the bicycle.

10.84.080. Careless riding prohibited. [Ord. 77-986 (part); prior code § 8-8]

No person shall, within the City, ride a bicycle in a zigzagging manner or by weaving in and out through traffic or by stunting, or at such speed that he shall not be able to bring the same to a stop within the assured clear distance ahead, or otherwise with disregard of his safety or the safety of others.

10.84.090. Single-file riding. [Ord. 77-986 (part); prior code § 8-9]

Bicycles shall be ridden single file in business districts and upon sidewalks where permitted, but may be ridden not over two abreast elsewhere. Said bicycles shall be operated as near the right curb as is safely practicable, except for turning movements or where bike lanes designate otherwise.

10.84.100. Observance of traffic rules required. [Ord. 77-986 (part); prior code § 8-10]

- A. All persons riding bicycles upon any street or sidewalk within the City shall observe all traffic ordinances and rules as to traffic lights and highway stop signs and shall signal any change of direction or course of travel in the same manner as such signals are required under the law governing the use by motor vehicles, and shall not turn to the right or left in traffic except at regular intersections of streets, alleys, or driveways.
- B. All persons riding bicycles upon any street, sidewalk, or bike lane within the City shall observe all ordinances and rules as to traffic limits and shall make full and complete stops at official stop signs.
- C. In addition said bicycles shall be subject to the provisions of ordinances applicable to the driver of a motor vehicle except as to those provisions which by their very nature can have no application.

10.84.110. Vehicles in bicycle lanes, paths, and parking areas unlawful. [Ord. 77-986 (part); prior code § 8-11]

It is unlawful for any person to drive any type of motorized bicycle or vehicle in a designated bicycle path, lane, or parking area or park any motorized bicycle or vehicle in such a path, lane, or parking area. No person shall cross a bicycle lane except after giving the right-of-way to all bicycles within the lane.

10.84.120. Manner of parking restricted. [Ord. 77-986 (part); prior code § 8-12]

It is unlawful for any person to park a bicycle in such a manner as to unreasonably obstruct pedestrian or motor vehicle traffic.

10.84.130. Violation — Penalty. [Ord. 77-986 (part); prior code § 8-13]

If any person operates a bicycle in violation of any of the provisions of this chapter or in violation

of any of the provisions of the traffic laws of the state applicable to the operation of bicycles, then the license for the bicycle so operated shall be suspended, without regard to ownership of such bicycle, and such bicycle shall be impounded by the police department of the City, both such suspension and impounding to be for any period of days not to exceed 30 under orders of the chief of police. If any person violates any of the provisions of this chapter or of the traffic laws of the state applicable to the operation of bicycles, he shall, upon conviction thereof, be punished by imprisonment not to exceed 30 days or by a fine not to exceed \$100.

City of Davenport

Department: Administration
Contact Info: Brian Krup | 563-326-6163

Action / Date
3/5/2025

Subject:

Resolution approving street, lane, and public ground closure requests on the listed dates and times for outdoor events.

Cornbelt Running Club; Iowa American Water Bix at 6 Training Runs; 5:00 p.m. - 8:30 p.m. Thursday, June 26, 2025; Wednesday, July 2, 2025; Thursday, July 10, 2025; and Thursday, July 17, 2025; **Closures:** East 4th Street from Pershing Avenue to River Drive; Pershing Avenue from East 4th Street to Kirkwood Boulevard; Kirkwood Boulevard from Pershing Avenue to Jersey Ridge Road; Jersey Ridge Road from Kirkwood Boulevard to Middle Road; Middle Road from Jersey Ridge Road to McClellan Boulevard; McClellan Boulevard from Middle Road to River Drive. [Wards 3 & 5]

Cornbelt Running Club; MercyOne Genesis Brady Street Sprints; 6:00 p.m. - 9:00 p.m. Thursday, July 24, 2025; **Closure:** Brady Street from 5th Street to Palmer Drive. [Ward 3]

Recommendation:

Adopt the Resolution.

Background:

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

Attachments:

1. Resolution
2. Bix Course Map
3. Bix at 6 Info
4. Brady Street Sprints Info

Resolution No. _____

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving street, lane, or public ground closure requests on the listed dates and times for outdoor events.

*Cornbelt Running Club; Iowa American Water Bix at 6 Training Runs; 5:00 p.m. - 8:30 p.m. Thursday, June 26, 2025; Wednesday, July 2, 2025; Thursday, July 10, 2025; and Thursday, July 17, 2025; **Closures:** East 4th Street from Pershing Avenue to River Drive; Pershing Avenue from East 4th Street to Kirkwood Boulevard; Kirkwood Boulevard from Pershing Avenue to Jersey Ridge Road; Jersey Ridge Road from Kirkwood Boulevard to Middle Road; Middle Road from Jersey Ridge Road to McClellan Boulevard; McClellan Boulevard from Middle Road to River Drive. [Wards 3 & 5]*

*Cornbelt Running Club; MercyOne Genesis Brady Street Sprints; 6:00 p.m. - 9:00 p.m. Thursday, July 24, 2025; **Closure:** Brady Street from 5th Street to Palmer Drive. [Ward 3]*

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

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

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

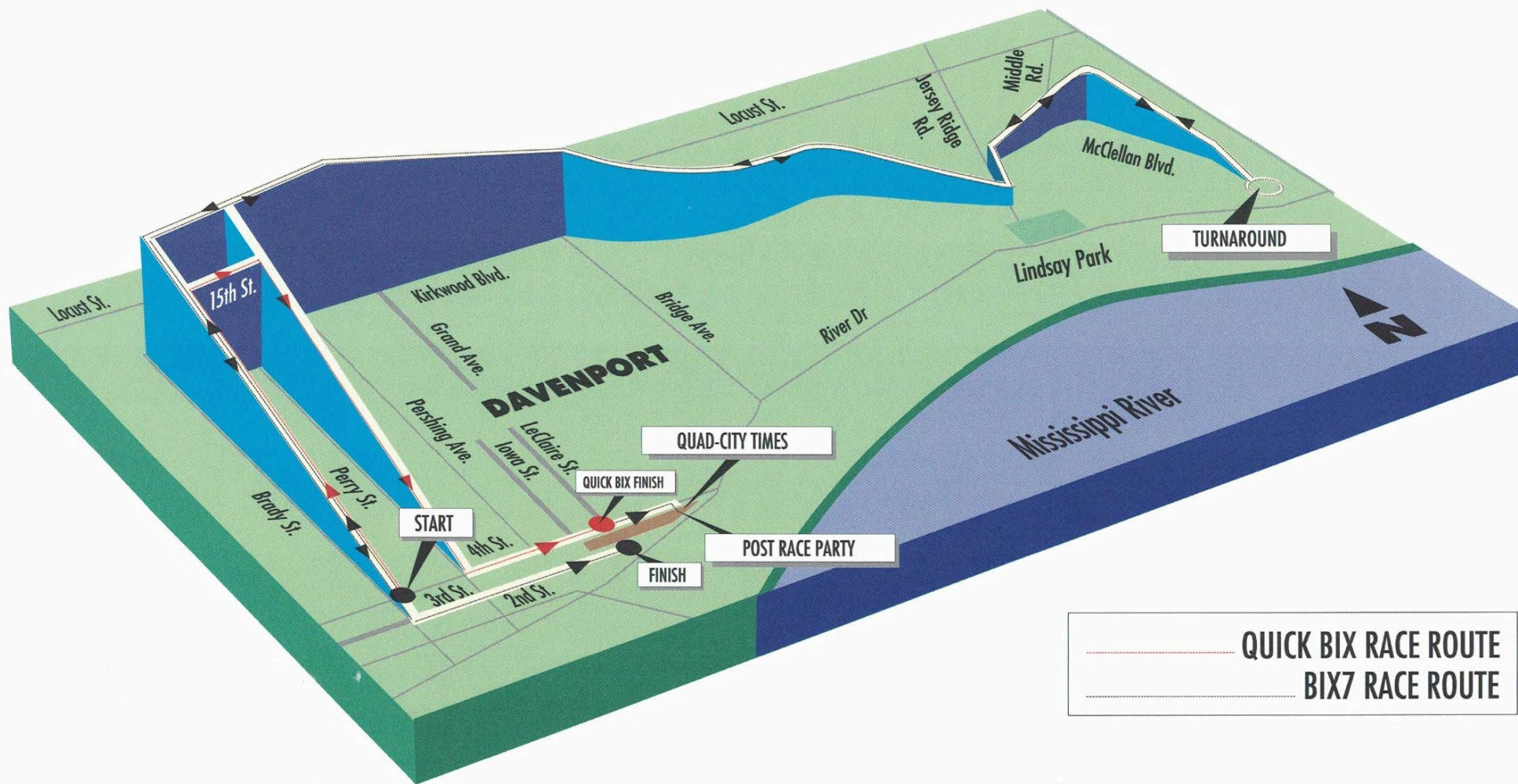
Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



2025 Iowa American Water "Bix at 6"

Training runs:

The Cornbelt Running Club is requesting to have the Bix at 6 race course police monitored as it was in 2024. We request that 4th Street be closed each Thursday, starting June 26, 2025 and for the following period, July 2 (Wednesday), July 10, and ending July 17, 2025.

We are requesting the assistance of the Davenport Police Dept. to provide the traffic protection as was the case in 2024, in combination with Cornbelt volunteers.

We will again start and finish the training runs as the City has requested in the past, with 4th Street and Le Claire street as the starting and finishing point. The training runs will go up Pershing Street, instead of Brady Street.

The dates of the training runs will be as follows:

Thursday, June 26, 2025

Wednesday, July 2, 2025

Thursday, July 10, 2025

Thursday, July 17, 2025

2025 Quad-City Times Bix 7

“MercyOne Genesis Brady Street Sprints”

The Brady Street Sprints, a quarter mile sprint up Brady Street hill will take place on Thursday, July 24th, 2025. There will be 4 divisions, with men’s and woman’s heats, consisting of 6 to 8 participants in each division. The starting line is 5th and Brady, with the finish line at KWQC.

Also, there will be a High School relay teams with divisions for both boys and girls. All area high schools will be invited. This will be a 4 X 100 relay.

There will also be a corporate division where all Bix sponsors will compete against each other in a relay.

This event will be televised “live” for one hour and then rebroadcast on the Bix 7 television network, hosted by KWQC TV.

We are requesting Brady Street closure (4th St to Palmer Dr) to traffic from 6 – 9 pm, as well as proper police support to maintain a safe environment. TNP will be posted Wednesday, July 23 by 5 pm. We request no parking posted 24 hours in advance, as parked vehicles along the race course inhibit the telecast and participant safety, as all lanes of traffic are needed.

The Brady Street Sprints will run from 7:00pm to 8:30pm on July 24th, 2025.

Also, joining the Brady Street Sprints may be our own Bix 7 favorites, Bill Rodgers, Joan Benoit Samuelson, and Meb Keflezighi.

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City of Davenport

Department: Finance
Contact Info: Jamie Swanson | 563-326-7795

Action / Date
3/5/2025

Subject:
Motion approving beer and liquor license applications.

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

Ward 1

The Goods Spot #5524 (Inconvenience, Inc) - 2805 Telegraph Road – New License/Owners -
License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5523 (Inconvenience, Inc) - 3624 West Locust Street – New License/Owners -
License Type: Class B Beer/Wine (Carry-Out)

Ward 3

Carriage Haus (Smoking Haus Entertainment) - 312 West 3rd Street – Temporary Extended
Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Daiquiri Factory (Daq Fac, LLC) - 303 West 3rd Street – Temporary Outdoor Area March 15/16 -
License Type: Class C Liquor (On-Premises)

Kilkenny's Pub & Eatery (Kilkenny's Pub, Inc) - 300 West 3rd Street – Temporary Extended
Outdoor Area March 15/16 - License Type: Class C Liquor (On-Premises)

Mac's Tavern (Failte, Inc) - 316 West 3rd Street – Temporary Extended Outdoor Area March
15/16 - License Type: Class C Liquor (On-Premises)

The Office (Local 563 Cocktail Lounge, LLC) - 116 West 3rd Street – Temporary Outdoor Area
March 15/16 - License Type: Class C Liquor (On-Premises)

Ward 4

The Goods Spot #5522 (Inconvenience, Inc) - 1732 North Marquette Street – New
License/Owners - License Type: Class B Beer/Wine (Carry-Out)

Ward 5

The Gas Spot #5519 (Inconvenience, Inc) - 1136 East Locust Street – New License/Owners -
License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5521 (Inconvenience, Inc) - 303 West Locust Street – New License/Owners -
License Type: Class B Beer/Wine (Carry-Out)

Ward 6

Brasero (Brasero Tex-Mex, LLC) - 3871 Elmore Avenue A – New License/Owners - License Type: Class C Liquor (On-Premises)

Ward 7

The Gas Spot #5518 (Inconvenience, Inc) - 1670 West Kimberly Road – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

The Gas Spot #5517 (Inconvenience, Inc) - 201 West 53rd Street – New License/Owners - License Type: Class B Beer/Wine (Carry-Out)

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

Ward 1

Gunchies (Conrad Holdings, LLC) - 2905 Telegraph Road - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 3

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 West Locust Street (Cafe Area) - License Type: Class C Liquor (On-Premises)

Mississippi Valley Fairgrounds (Mississippi Valley Fair, Inc) - 2815 West Locust Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Ward 6

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

Los Amigos (Los 3 Amigos 3, LLC) - 2843 East 53rd Street - License Type: Class C Liquor (On-Premises)

C. Request for 19/20-year-old exemption:

Ward 3

Redstone Room (River Music Experience) - 129 Main Street (2nd Floor) - License Type: Class C Liquor (On-Premises)

RME Courtyard (Common Chord) - 121 West 2nd Street - Outdoor Area - License Type: Class C Liquor (On-Premises)

Recommendation:
Pass the Motion.

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

Attachments:
1. 19-20_Redacted

Receipt (Copy)

Wed. Feb. 05, 2025 12:03 PM

Item	Cost	Quantity	Total
19/20-Year-Old Exemption Application Application Fee: 50.00	\$50.00	1	\$50.00
19/20-Year-Old Exemption Application Application Fee: 50.00	\$50.00	1	\$50.00
Total			\$100.00

Order Information

Date Processed: Tue, Feb 4, 2025 10:13 AM
Tracking Number: 2025-RNEG0T



19/20-Year-Old Exemption Application

Submitted Information

BUSINESS INFORMATION

Applicant/Legal Entity: River Music Experience
DBA: Redstone Room
Premises Address: 129 N Main St
Business Phone Number: 563-326-1333
Retail Alcohol License #: LC0034468

MONITORING AND PREVENTION PLAN

What is the proposed duration for the exemption? (Must be within or equal to the effective dates of the active retail alcohol license.): 4/1/25 - 3/31/26

What is the primary purpose of the licensed premises/establishment?: Music venue

What measures will be taken to ensure persons who are of legal age are easily distinguishable from persons who are not of legal age?: Wristbands for persons 21 years old and up. Checking IDs at the door and the bar

What measures will be taken to prevent persons who are of legal age from purchasing and/or supplying alcohol to persons who are not of legal age?: Wristbands given at door and bar staff will follow protocol if ID appears to be fake

Which safeguards are in place to minimize subversions to the measures taken above?: Limiting the number of drinks allowed with each person

Application Fee: \$50.00

19/20-Year-Old Exemption Application

Submitted Information

BUSINESS INFORMATION

Applicant/Legal Entity: River Music Experience
DBA: RME Courtyard
Premises Address: 131 W 2nd Street Davenport IA
Business Phone Number: 563-326-1333
Retail Alcohol License #: applied

MONITORING AND PREVENTION PLAN

What is the proposed duration for the exemption? (Must be within or equal to the effective dates of the active retail alcohol license.): 4/1/25 - 12/31/25

What is the primary purpose of the licensed premises/establishment?: Outdoor courtyard, music venue

What measures will be taken to ensure persons who are of legal age are easily distinguishable from persons who are not of legal age?: Wristbands for persons 21 years old and up. Checking IDs at the door and the bar

What measures will be taken to prevent persons who are of legal age from purchasing and/or supplying alcohol to persons who are not of legal age?: Wristbands given at door and bar staff will follow protocol if ID appears to be fake

Which safeguards are in place to minimize subversions to the measures taken above?: limiting the number of drinks allowed with each person

Application Fee: \$50.00

Signature

City of Davenport

Department: Public Works
Contact Info: Amy Kay | 563-327-5160

Action / Date
3/5/2025

Subject:

Resolution approving a one-year contract extension for Natural Resources landscaping maintenance services to Delf's Landscape and Irrigation of Blue Grass, Iowa. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

These contracts are for the landscaping maintenance services for Native Prairie and Natural Resources native areas throughout the City. Maintenance is expected to be performed approximately four (4) times per growing season for the Native Prairie areas and eight (8) times per growing season for the Natural Resources Native areas. The original contract with Delf's Landscape and Irrigation of Blue Grass, Iowa was awarded in April 2024 with the option of two possible one-year renewals. This is the first one-year renewal. The estimated cost of this contract based on the number of sessions for each category is \$104,200.

Funding for this project is from 51251660 520217 MOW.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving a one-year contract renewal for Natural Resources landscaping maintenance services with Delf's Landscape and Irrigation of Blue Grass, Iowa.

WHEREAS, the City needs to contract for Natural Resources landscaping maintenance services; and

WHEREAS, Delf's Landscape and Irrigation of Blue Grass, Iowa was awarded a contract in April 2024 with the option of two possible one-year renewals, and this is the first one-year renewal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a one-year contract renewal for Natural Resources landscaping maintenance services with Delf's Landscape and Irrigation of Blue Grass, Iowa is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

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

Action / Date
3/5/2025

Subject:

Resolution awarding a one-year contract, with three possible one-year renewals, for Electrical Services at the Water Pollution Control Plant to Tri-City Electric Company of Davenport, Iowa. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals (RFP) was issued and sent to contractors on January 28, 2025. On February 24, 2025, the Purchasing Division opened two (2) proposals. A selection committee evaluated the proposals on the following criteria set forth in the RFP:

- Proposed Pricing | 30%
- Qualifications, References/Experience, Technical Training | 50%
- Training & Safety Record | 15%
- Quality & Thoroughness of Proposal | 5%

Tri-City Electric Company of Davenport, Iowa was ranked highest by the evaluating committee and deemed the vendor to best meet the needs and requirements of the City.

This is a fixed-rate time and materials contract providing low-voltage electrical services. The primary use of this contract will provide a dedicated electrician on-site at the Water Pollution Control Plant with on-call services also incorporated. Hourly on-call pricing may be used for work at other City-owned facilities as needed. The contract term is one year with three possible one-year renewals.

Funding for this project is from:

51151975 520225 | WPCP Fund - Building & Grounds
51151975 520226 | WPCP Fund - Machine & Equipment Maintenance

Attachments:

1. Resolution
2. RFP Tab

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a one-year contract, with three possible one-year renewals, for Electrical Services at the Water Pollution Control Plant to Tri-City Electric Company of Davenport, Iowa.

WHEREAS, the City needs to contract for Electrical Services at the Water Pollution Control Plant; and

WHEREAS, Tri-City Electric Company of Davenport, Iowa was ranked highest by the evaluating committee and deemed the vendor to best meet the needs and requirements of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a one-year contract, with three possible one-year renewals, for Electrical Services at the Water Pollution Control Plant is hereby awarded to Tri- City Electric Company of Davenport, Iowa.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: ELECTRICAL SERVICES CONTRACT -
WATER POLLUTION CONTROL PLANT

BID NUMBER: 25-60

OPENING DATE: FEBRUARY 24, 2025

FUNDING: 51151975 520225 | WPCP Fund - Building & Grounds
51151975 520226 | WPCP Fund - Machine & Equipment Maintenance

RECOMMENDATION: AWARD THE CONTRACT TO
TRI-CITY ELECTRIC COMPANY OF DAVENPORT, IA

<u>VENDOR NAME</u>	<u>LOCATION</u>
Tri-City Electric Company of Iowa	Davenport, IA

Shaw Electric, Inc.	Davenport, IA
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Approved By		
	Purchasing	Date

Approved By		
	Department Director	Date

Approved By		
	Budget Officer	Date

Approved

City of Davenport

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

Action / Date
3/5/2025

Subject:

Resolution awarding a one-year contract, with four possible one-year renewals, for Plumbing and Mechanical Services to Crawford Company of Rock Island, Illinois. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals (RFP) for a plumbing and mechanical services contract was issued and sent to vendors on February 2, 2025. On February 24, 2025 the Purchasing Division opened five (5) proposals.

A selection committee evaluated the proposals on the following criteria set forth in the RFP:

- Proposed Pricing | 30%
- Scope of Services | 30%
- References and Experience | 20%
- Safety | 15%
- Quality & Thoroughness of Proposal | 5%

Crawford Company of Rock Island, Illinois was ranked highest by the evaluating committee and deemed the vendor to best meet the needs and requirements of the City.

This is a fixed-rate time and materials contract providing mechanical and plumbing repairs/replacements at various City-owned properties. The contract term is one year with four possible one-year renewals.

Funding for contracted services comes from various departmental accounts.

Attachments:

1. Resolution
2. RFP Tab

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a one-year contract, with four possible one-year renewals, for Plumbing and Mechanical Services to Crawford Company of Rock Island, Illinois.

WHEREAS, the City needs to contract for Plumbing and Mechanical Services; and

WHEREAS, Crawford Company of Rock Island, Illinois was ranked highest by the evaluating committee and deemed the vendor to best meet the needs and requirements of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a one-year contract, with four possible one-year renewals, for Plumbing and Mechanical Services is hereby awarded to Crawford Company of Rock Island, Illinois.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: Plumbing and Mechanical Services Contract

BID NUMBER: 25-59

OPENING DATE: February 24, 2025

FUNDING: Various Departmental Accounts

RECOMMENDATION: Award the contract to Crawford Company of Rock Island, Illinois.

<u>VENDOR NAME</u>	<u>LOCATION</u>
Crawford Company	Rock Island, Illinois
Regan Mechanical, Inc.	Davenport, Iowa
Northwest Mechanical	Davenport, Iowa
Hometown Mechanical	Davenport, Iowa
Rilco dba Roto Rooter	Bettendorf, Iowa

Approved By

Purchasing

Date

Approved By

Department Director

Date

Approved By

Budget/CIP

Date

Approved By

Chief Financial Officer

Date

City of Davenport

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

Action / Date
3/5/2025

Subject:

Resolution awarding a contract for the CY 2025 Pedestrian Curb Ramp Retrofit Program to Leveraged Services, LLC of Bettendorf, Iowa in the amount of \$150,852, CIP #35066. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

An Invitation to Bid was issued on January 22, 2025 and sent to contractors. On February 11, 2025, the Purchasing Division opened and read five (5) responsive and responsible bids. Leveraged Services, LLC of Bettendorf, Iowa was the lowest responsive and responsible bidder.

This contract will consist of the retrofitting of ADA pedestrian curb ramps in conjunction with the Street Maintenance Division's neighborhood street resurfacing program. Work will include removing sections of sidewalks, curb and gutter, driveway approaches, and other surfaces as required to facilitate the installation of ADA pedestrian ramps and detectable warning panels.

Funding for this project is from CIP #35066 | FY25 Neighborhood Internal Program.

Attachments:

1. Resolution
2. Bid Tab

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION awarding a contract for the CY 2025 Pedestrian Curb Ramp Retrofit Program to Leveraged Services, LLC of Bettendorf, Iowa in the amount of \$150,852, CIP #35066.

WHEREAS, the City needs to contract for the CY 2025 Pedestrian Curb Ramp Retrofit Program; and

WHEREAS, Leveraged Services, LLC of Bettendorf, Iowa was the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a contract for the CY 2025 Contract Milling Program is hereby awarded to Leveraged Services, LLC in the amount of \$150,852.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: CY 2025 Pedestrian Curb Ramp Retrofit Program

BID NUMBER: 25-57

OPENING DATE: February 11, 2025

FUNDING: CIP 35066 | CY2025 Pedestrian Curb Ramp Retrofit Program

RECOMMENDATION: Award the contract to Leveraged Services, LLC of Bettendorf, IA in the amount of \$150,852.

<u>VENDOR NAME</u>	<u>PRICE</u>
Leveraged Services, LLC of Bettendorf, IA	\$150,852.00
Valentine Construction Company of Dubuque, IA	\$189,631.40
Feldman Concrete of Dyersville, IA	\$207,865.00
Americore, LLC of Muscatine, IA	\$220,483.00
Centennial Contractors of the Quad Cities of Moline, IL	\$321,931.00

Approved By

Purchasing

Date

Approved By

Dept Director

Date

Approved By

Budget/CIP

Date

Approved

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution adopting the final assessment schedule for the 2024 Alley Resurfacing Program in accordance with the Alley Cost Share Program, CIP #35038. [Wards 3 & 5]

Recommendation:

Adopt the Resolution.

Background:

The Residential Alley Resurfacing Program is a cost share between the City (75%) and property owners (25%). Asphalt milling and overlay work was completed last construction season at the following two alleys:

- east-west alley from Gaines Street to Western Avenue between West 5th and West 6th Streets
- east-west alley from Farnam Street to Grand Avenue between Kirkwood Boulevard and East 15th Street.

Additionally, reconstruction in full depth asphalt was completed at the following two alleys:

- north-south alley from East 29th Street to East 30th Street between Grand Avenue and Davenport Avenue
- east-west alley from Forest Road to its terminus between East River Drive and Wood Lane.

Work on this program was satisfactorily completed and accepted by City Council on February 12, 2025. This Resolution will finalize the assessed portion to each property owner.

Attachments:

1. Resolution
2. Final Schedule

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION adopting the final assessment schedule for the 2024 Alley Resurfacing Program and amending, confirming, and levying the assessments.

WHEREAS, heretofore and in strict compliance with Chapter 384 of the Code of Iowa, 2025, as amended, this Council did, pursuant to the Resolution of Necessity duly adopted, order the construction of the 2024 Alley Resurfacing Program such improvement having been duly completed, the work accepted and the Engineers having filed the final assessment schedule, which has been fully considered by this Council.

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

Section 1. The final assessment schedule filed by the Engineers covering the 2024 Alley Resurfacing Program is hereby amended as follows:

None.

Section 2. After full consideration, appraisalment and apportionment of the special benefits conferred upon the property shown in said schedule of said improvements, this Council finds that the said property is specially benefited by said improvements in the amounts as shown on said schedule and that the said amounts are in proportion to the special benefits conferred upon the property by said improvements, are not in excess of such benefits and are not in excess of 25% of the actual value of the lots, parts of lots and parcels of ground shown in said schedule.

Section 3. The final assessment schedule be and the same is hereby approved and confirmed and that there be and there is hereby assessed and levied as a special tax against and upon each of the lots, parts of lots and parcels of land that the owner or owners thereof are liable to assessment for the cost of said improvements shown in said schedule, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of said improvements; and said assessments against said lots and parcels of ground are hereby declared to be in proportion to the special benefits conferred upon the said property by the said improvements and not in excess thereof, and not in excess of 25% of the value of the same.

Section 4. Assessments may be paid in full without interest within thirty days after the date of the first notice of the final assessment schedule, and thereafter all unpaid special assessments will draw annual interest at **5** percent computed to the December 1 next following the due dates of respective installments, and each installment will be delinquent on September 30 following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Any property owner may elect to pay one-half of any annual installment of principal and interest of a special assessment in advance, with the second semi-annual payment of ordinary taxes collected in the year preceding the due date of such installment. The number of installments into which said assessments

greater than \$500.00 are to be divided shall be ten (10) and the interest for all unpaid installments shall be at the current interest rate adopted by the city percent per annum, the first installment being due and payable on July 1, 2025 and succeeding installments, with interest on the whole unpaid amount shall become due on July 1, annually thereafter and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes.

Section 5. The Deputy Clerk is hereby authorized and directed to certify and file the final assessment schedule, herein referred to, with the County Treasurer of Scott County, and the City Clerk shall thereupon give notice of such certification and filing by publication once each week for two successive weeks in the *Quad-City Times*, a legal newspaper printed wholly in the English language, published at least once weekly and of general circulation in Davenport, Iowa, the first publication to be not more than fifteen days after the date of filing of the final schedule, and the Deputy Clerk shall mail said notice by certified mail to each property owner whose property is subject to assessment for said improvement, as shown by the records in the office of the County Auditor of Scott County, Iowa, said notice to be mailed on or before the second publication of said notice, all in accordance with Chapter 384 of the 2025 Code of Iowa, as amended.

Section 6. Such notice shall be in form substantially as follows:

See attached notice.

Section 7. Each and all of the deficiencies which appear on the final assessment schedule with respect to the benefited property are hereby confirmed and conditionally levied to the extent that such deficiencies may be subsequently assessed against each lot under Section 384.63 of the Code of Iowa, 2025, as amended.

Section 8. The Deputy Clerk is hereby authorized and directed to certify and file a listing of said deficiencies with the Scott County Treasurer who shall record them in a separate book entitled "Special Assessment Deficiencies" and to the Chief Building Inspector, being the City Official charged with the responsibility of issuing building permits in the City, who shall notify the Council when a private improvement is subsequently constructed on any lot subject to a deficiency. The certificate to the aforementioned Scott County Treasurer shall include a legal description of each lot.

Section 9. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed, to the extent of such conflict.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

2024 Alley Program

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency	Subdivision	Lot	Block	Section	Township	Range	Legal Description
C0013-29	2902 DAVENPORT AV	JILL A WEITZEL	2902 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 155,660.00	\$ 38,915.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	15	3				ARLINGTON HILL ADD
C0013-30	2906 DAVENPORT AV	AMY T HERRIG	2906 DAVENPORT AV	DAVENPORT IA 52803-1749	\$ 137,500.00	\$ 34,375.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	14	3				ARLINGTON HILL ADD
C0013-31	2910 DAVENPORT AV	STARDUST PROPERTIES LLC - SERIES 4	219 S KENSINGTON ST	RIVERDALE IA 52722-6138	\$ 145,030.00	\$ 36,257.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	13	3				ARLINGTON HILL ADD
C0013-32	2914 DAVENPORT AV	DEREK ROGERS	2914 DAVENPORT AV	DAVENPORT IA 52803-1749	\$ 210,960.00	\$ 52,740.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	12	3				ARLINGTON HILL ADD
C0013-33	2918 DAVENPORT AV	STEPHEN P KEHOE	2918 DAVENPORT AV	DAVENPORT IA 52803	\$ 157,240.00	\$ 39,310.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	11	3				ARLINGTON HILL ADD
C0013-34	2922 DAVENPORT AV	DANIEL B MARTIN III	2922 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 164,340.00	\$ 41,085.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	10	3				ARLINGTON HILL ADD
C0013-35	2926 DAVENPORT AV	TERRY CANRIGHT	2926 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 137,580.00	\$ 34,395.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	9	3				ARLINGTON HILL ADD
C0013-36	2930 DAVENPORT AV	DIANE C NAUMAN	2930 DAVENPORT AV	DAVENPORT IA 52803	\$ 157,590.00	\$ 39,397.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	8	3				ARLINGTON HILL ADD
C0013-37	2936 DAVENPORT AV	BRIAN F MCGURK	2936 DAVENPORT AV	DAVENPORT IA 52803-1749	\$ 142,890.00	\$ 35,722.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	7	3				ARLINGTON HILL ADD
C0013-38	2938 DAVENPORT AV	LESLIE E ABOUD	2938 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 150,540.00	\$ 37,635.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	6	3				ARLINGTON HILL ADD
C0013-39	2942 DAVENPORT AV	DIANE M MONTY	2942 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 127,940.00	\$ 31,985.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	5	3				ARLINGTON HILL ADD
C0013-40	2946 DAVENPORT AV	MARY ELLEN EDDY	2946 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 118,830.00	\$ 29,707.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	4	3				ARLINGTON HILL ADD
C0013-41	2950 DAVENPORT AV	ROBERT J LIAGRE	2521 MARYVIEW LN	DAVENPORT IA 52807-1534	\$ 130,960.00	\$ 32,740.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	3	3				ARLINGTON HILL ADD
C0013-42	2954 DAVENPORT AV	LESLIE ANNE CORLETT	2954 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 174,360.00	\$ 43,590.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	2	3				ARLINGTON HILL ADD
C0013-43	2958 DAVENPORT AV	TIMOTHY T SHINBORI	2958 DAVENPORT AVE	DAVENPORT IA 52803-1749	\$ 137,630.00	\$ 34,407.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	1	3				ARLINGTON HILL ADD
C0013-44	706 E 29TH ST	ASIA ARMSTRONG HUNTER	706 E 29TH ST	DAVENPORT IA 52803-1756	\$ 160,280.00	\$ 40,070.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	16	3				ARLINGTON HILL ADD
C0013-45	2905 GRAND AV	MATTHEW ELLIOTT	2905 GRAND AVE	DAVENPORT IA 52803-1634	\$ 148,770.00	\$ 37,192.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	17	3				ARLINGTON HILL ADD
C0013-46	2909 GRAND AV	STEPHEN L BREDAR REVOCABLE TRUST	3522 WAKONDA DR	BETTENDORF IA 52722	\$ 130,880.00	\$ 32,720.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	18	3				ARLINGTON HILL ADD
C0013-47	2913 GRAND AV	SAYSHA M BOLDEN	2913 GRAND AV	DAVENPORT IA 52803	\$ 152,670.00	\$ 38,167.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	19	3				ARLINGTON HILL ADD
C0013-48	2917 GRAND AV	KATY HAWKINS	2917 GRAND AV	DAVENPORT IA 52803-1634	\$ 154,680.00	\$ 38,670.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	20	3				ARLINGTON HILL ADD
C0013-49	2921 GRAND AV	DAVID D ROWLAND	2921 GRAND AVE	DAVENPORT IA 52803-1634	\$ 143,650.00	\$ 35,912.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	21	3				ARLINGTON HILL ADD
C0013-50	2925 GRAND AV	SCOTT A STOWE	2925 GRAND AVE	DAVENPORT IA 52803-1634	\$ 150,590.00	\$ 37,647.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	22	3				ARLINGTON HILL ADD
C0013-51	2929 GRAND AV	EMILY STYVAERT	2929 GRAND AVE	DAVENPORT IA 52803-1634	\$ 200,890.00	\$ 50,222.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	23	3				ARLINGTON HILL ADD
C0013-52	2933 GRAND AV	JOHN BUCHTER	2933 GRAND AVE	DAVENPORT IA 52803-1634	\$ 200,290.00	\$ 50,072.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	24	3				ARLINGTON HILL ADD
C0013-53	2937 GRAND AV	JAMES C COMBS	3005 GRAND AV	DAVENPORT IA 52803	\$ 159,950.00	\$ 39,987.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	25	3				ARLINGTON HILL ADD
C0013-54	2941 GRAND AV	NATHANIEL H STAUB	2941 GRAND AVE	DAVENPORT IA 52803-1634	\$ 134,510.00	\$ 33,627.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	26	3				ARLINGTON HILL ADD
C0013-55	2945 GRAND AV	GEORGE A KECKLER	2945 GRAND AV	DAVENPORT IA 52803-1634	\$ 156,520.00	\$ 39,130.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	27	3				ARLINGTON HILL ADD
C0013-56	2949 GRAND AV	KIMBERLY SUE DAVIS	2949 GRAND AV	DAVENPORT IA 52803	\$ 121,750.00	\$ 30,437.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	28	3				ARLINGTON HILL ADD
C0013-57	2953 GRAND AV	ROSALIND M ANDERSEN REVOCABLE TRUST	2953 GRAND AVE	DAVENPORT IA 52803-1634	\$ 146,990.00	\$ 36,747.50	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	29	3				ARLINGTON HILL ADD
C0013-58	2957 GRAND AV	KATHRYN E KRINGS	2957 GRAND AV	DAVENPORT IA 52803	\$ 135,940.00	\$ 33,985.00	\$ 1,000.00	\$ 1,000.00	\$ -	ARLINGTON HILL ADD	30	3				ARLINGTON HILL ADD

2024 Alley Program

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency	Subdivision	Lot	Block	Section	Township	Range	Legal Description
F0014-02	1512 GRAND AV	GARY SWISHER	1512 GRAND AVE	DAVENPORT IA 52803-4216	\$ 159,380.00	\$ 39,845.00	\$ 1,120.89	\$ 1,120.89	\$ -	LECLAIRE'S 11TH ADD	7	128				LECLAIRE'S 11TH ADD PART OF LOTS 6 & 7 COM AT NE COR OF LOT 7-W 66'-5 55"-E 66'-N 55' TO BEG
F0014-03	637 KIRKWOOD BD	GARY THRAPP	1002 2ND AVE	DURANT IA 52747-9717	\$ 123,780.00	\$ 30,945.00	\$ 1,042.77	\$ 1,042.77	\$ -	LECLAIRE'S 11TH ADD	8	128				LECLAIRE'S 11TH ADD LOT 8 BLOCK 128
F0014-04	633 KIRKWOOD BD	ANDREW WOLD INVESTMENTS LLC	PO BOX 611	BETTENDORF IA 52722-0011	\$ 125,360.00	\$ 31,340.00	\$ 1,042.77	\$ 1,042.77	\$ -	LECLAIRE'S 11TH ADD	9	128				LECLAIRE'S 11TH ADD LOT 9 BLOCK 128
F0014-05	625 KIRKWOOD BD	DAVID M WHEELER	625 KIRKWOOD RD	DAVENPORT IA 52803	\$ 131,440.00	\$ 32,860.00	\$ 1,042.77	\$ 1,042.77	\$ -	LECLAIRE'S 11TH ADD	10	128				LECLAIRE'S 11TH ADD LOT 10 BLOCK 128
F0014-06	623 KIRKWOOD BD	CVK HOLDINGS LLC	9058 484TH AVE	MILES IA 52064-9709	\$ 135,400.00	\$ 33,850.00	\$ 1,042.77	\$ 1,042.77	\$ -	LECLAIRE'S 11TH ADD	11	128				LECLAIRE'S 11TH ADD LOT 11 BLOCK 128
F0014-07	617 KIRKWOOD BD	REBECCA A PENÄ	617 KIRKWOOD BLVD	DAVENPORT IA 52803	\$ 164,380.00	\$ 41,095.00	\$ 1,042.77	\$ 1,042.77	\$ -	LECLAIRE'S 11TH ADD	12	128				LECLAIRE'S 11TH ADD LOT 12 BLOCK 128
F0014-08	1525 FARNAM ST	RYAN & ROSSANA NELSON REVOCABLE TRUST	1525 FARNAM ST	DAVENPORT IA 52803-4400	\$ 297,740.00	\$ 74,435.00	\$ 2,085.54	\$ 2,085.54	\$ -	LECLAIRE'S 11TH ADD	14	128				LECLAIRE'S 11TH ADD LOTS 13 & 14
F0014-09A	1503 FARNAM ST	POSRM HOLDINGS LLC	C/O MILLTOWN REALTY	MO LINE IL 61265-1530	\$ 510,120.00	\$ 127,530.00	\$ 3,575.82	\$ 3,575.82	\$ -	LECLAIRE'S 11TH ADD	1	128				LECLAIRE'S 11TH ADD LOTS 1 2 3 & W 26.35' LOT 4
F0014-11	624 E 15TH ST	LOPEZ RODOLFO C	624 E 15TH ST	DAVENPORT IA 52803-4208	\$ 86,760.00	\$ 21,690.00	\$ 849.16	\$ 849.16	\$ -	LECLAIRE'S 11TH ADD	5	128				LECLAIRE'S 11TH ADD PT LOTS 4 5 COM 169.25' W OF SE COR LOT 7 BLK 128
F0014-12	626 E 15TH ST	NORA M OLCOTT	626 E 15TH ST	DAVENPORT IA 52803-4208	\$ 100,600.00	\$ 25,150.00	\$ 985.54	\$ 985.54	\$ -	LECLAIRE'S 11TH ADD	5	128				LECLAIRE'S 11TH ADD N 150'-W 50'-S 150'-E ALONG N/L OF 15TH ST TO BEG
F0014-13	628 E 15TH ST	CINNAMYLANDY'S VENTURES LLC	2625 KELLING ST	DAVENPORT IA 52804-1555	\$ 117,030.00	\$ 29,257.50	\$ 1,120.89	\$ 1,120.89	\$ -	LECLAIRE'S 11TH ADD	7	128				LECLAIRE'S 11TH ADD PT LOT 5 COM 124.25' W OF SE COR LOT 7-N 150'-W 45'-S TO 15TH ST-E 45' TO BEG
																LECLAIRE'S 11TH ADD E 1.23' LOT 5 & (EXC N 55' OF E 4.6') ALL LOT 6 & S 94.5' OF W 1.4' OF

2024 Alley Program

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency	Subdivision	Lot	Block	Section	Township	Range	Legal Description
E0041-10A	2745 WOOD LN	JANE L SCHNEIDER TRUST	2745 WOOD LN	DAVENPORT IA 52803-3628	\$ 247,160.00	\$ 61,790.00	\$ 1,680.75	\$ 1,680.75	\$ -	SECTION 30			30	78	4	PRT SE/4 COM AT INT. E/LN SEC & S/L WOOD LN; -W 100' -S 130' -SELY 103' TO E/LN SEC -N 153' TO POB
E0041-11	2737 WOOD LN	RONALD L RIMRODT	2737 WOOD LN	DAVENPORT IA 52803	\$ 231,300.00	\$ 57,825.00	\$ 1,917.36	\$ 1,917.36	\$ -	SECTION 30			30	78	4	PT SE/4 SEC 30-78-4 COM INTERSEC S/L WOOD LANE& SEC/L BET SEC 29&30-WLY 101' TO BEG-WLY ON S/L WOOD LANE 115.81'-S TO ALLEY; S 76D46' 50\'' E 117.27''-N 130.4'' TO BEG
E0041-12	2727 WOOD LN	JEFFREY M. WRIGHT	2727 WOOD LN	DAVENPORT IA 52803-3628	\$ 551,490.00	\$ 137,872.50	\$ 2,349.79	\$ 2,349.79	\$ -	SECTION 30			30	78	4	PT OF SE/4 OF SEC 30-78-4 COM AT INTERS OF N/L OF RIVER DR WITH E/L OF SD SEC 30-N 28'20\'' E 359.68'' TO S/L OF WOOD LANE- N 89D31'40\'' W 120.96''-CON W ALG S/L OF WOOD LANE ON A CURVED L DEFLECTING TO RIGHT HAVING A RAD 292.69'' A DIST OF 95.85'' TO P
E0041-13	2711 WOOD LN	RODNEY B DENSE	2711 WOOD LN	DAVENPORT IA 52803	\$ 381,950.00	\$ 95,487.50	\$ 987.24	\$ 987.24	\$ -	SECTION 30			30	78	4	PT OF SE/4 SEC 30-78-4 COM AT INTER. OF N/L OF RIVER DRIVE WITH E/L OF SD SEC 30-N 0D28'20\'' E 359.68'' TO S/L OF WOOD LANE- N 89D31'40\'' W 120.96''-W ALG S/L OF WOOD LANE 147.09''-N 60D44'06\'' W 13.97'' -NWLY 44.32'' TO PT OF BEG-CONT ALG S/L OF
E0041-15	S FOREST RD	LINDA CLINE CHANDLER LIVING TRUST	3502 COVENTRY GARDENS DR	LAS VEGAS NV 89135	\$ 975,330.00	\$ 243,832.50	\$ 3,589.95	\$ 3,589.95	\$ -	SECTION 30			30	78	4	COM IN N/L OF RIVER RD N 76D46'50\'' W 200' FROM E/LN SEC 30-N PARA WITH E/LN SEC 30 190'-NWLY PARA WITH N/LN RIVER DR TO E/LN FOREST RD -SELY ALG E/LN FOREST RD TO PT ON N/LN RIVER DR -ELY ALG N/LN RIVER DR TO POB
E0041-17	2726 E RIVER DR	ELOISE A SMIT	2726 E RIVER DR	DAVENPORT IA 52803-3623	\$ 415,020.00	\$ 103,755.00	\$ 2,121.34	\$ 2,121.34	\$ -	SECTION 30			30	78	4	BEG IN N/L OF RIVER RD 200' N 76D46' 50\'' W FROM E/L OF SEC 30-78-4-N 190' PARA WITH E/L OF SD SEC TO S/L OF AN ALLEY -SELY ALG SD S/L 130'-S 190' TO N/L RIVER DRIVE-NWLY 130' TO PT OF BEG
E0041-18	2736 E RIVER DR	DAVID M FREUND	2736 E RIVER DR	DAVENPORT IA 52803-3623	\$ 307,740.00	\$ 76,935.00	\$ 1,142.26	\$ 1,142.26	\$ -	SECTION 30			30	78	4	COM IN N/L OF RIVER RD AT A PT WHERE SEC 30 INTERSECTS WITH SD RD-WLY ALG RIVER RD 70'-N PARA WITH SEC 30 190' M/L TO ALLEY-SELY ALG SLY/L OF SD ALLEY 70' M/L TO A PT 190.10' N OF P OF BEG-S ALG SD SEC/L 190.10' TO BEG

2024 Alley Program

Parcel	Address	Deed1 Name	Deed1 Addr	Deed1 CSZ	Assessed Value	Property Value Limit	Allocated Proportion	Assessment Amount	Deficiency	Subdivision	Lot	Block	Section	Township	Range	Legal Description
G0052-01	629 W 6TH ST	ELI TALIAFERO	629 W 6TH ST	DAVENPORT IA 52803-5106	\$ 168,660.00	\$ 42,165.00	\$ 1,723.59	\$ 1,723.59	\$ -	ORIGINAL TOWN	8	29				ORIGINAL TOWN
G0052-02	511 GAINES ST	NONG PHAM	511 N GAINES ST	DAVENPORT IA 52802-3437	\$ 33,880.00	\$ 8,470.00	\$ 1,077.24	\$ 1,077.24	\$ -	ORIGINAL TOWN	1	29				ORIGINAL TOWN N 32' OF W 50' OF
G0052-03	630 W 5TH ST	DUANE E TIMM	630 W 5TH ST	DAVENPORT IA 52801	\$ 132,070.00	\$ 33,017.50	\$ 646.34	\$ 646.34	\$ -	ORIGINAL TOWN	1	29				ORIGINAL TOWN LOT 1 (EX N 32' OF W 50')
G0052-04	624 W 5TH ST	DUANE E TIMM	630 W 5TH ST	DAVENPORT IA 52801	\$ 112,700.00	\$ 28,175.00	\$ 861.79	\$ 861.79	\$ -	ORIGINAL TOWN	2	29				ORIGINAL TOWN W 40' OF
G0052-06A	614 W 5TH ST	WALTER DEANNA M	614 W 5TH ST	DAVENPORT IA 52801-1005	\$ 176,060.00	\$ 44,015.00	\$ 2,046.76	\$ 2,046.76	\$ -	ORIGINAL TOWN	3	29				ORIGINAL TOWN LOT 3 BLK 29 EXC N 75.06 OF E 20.28 PER SURVEY 2017-7511
G0052-10A	514 WESTERN AV	TIMM DUANE E	630 W 5TH ST	DAVENPORT IA 52801-1005	\$ 76,470.00	\$ 19,117.50	\$ 2,262.21	\$ 2,262.21	\$ -	ORIGINAL TOWN	3	29				ORIGINAL TOWN LOT: 003 BLOCK: 029 ORIGINAL TOWN N 80' OF LOT 4 AND N 75.06' OF E 20.28' OF LOT 3 IN BLK 29
G0052-12	520 WESTERN AV	REORGANIZED CHURCH OF JESUS CHRIST LATTER DAY	1001 W WALNUT	INDEPENDANCE MO 52803	\$ 86,920.00	\$ 21,730.00	\$ 1,723.59	\$ 1,723.59	\$ -	ORIGINAL TOWN	5	29				ORIGINAL TOWN S/2 OF
G0052-14	613 W 6TH ST	DE SANTIAGO LENNY J	613 W 6th Street, Apt # 3	DAVENPORT IA 52803	\$ 253,340.00	\$ 63,335.00	\$ 1,723.59	\$ 1,723.59	\$ -	ORIGINAL TOWN	6	29				ORIGINAL TOWN
G0052-15	619 W 6TH ST	ALEXANDER F GORBACH REVOCABLE TRUST	105 154TH AVE	MILAN IL 61264-4947	\$ 47,060.00	\$ 11,765.00	\$ 1,077.24	\$ 1,077.24	\$ -	ORIGINAL TOWN	7	29				ORIGINAL TOWN E. 50' OF
G0052-16	623 W 6TH ST	PATRICIA J SLOBOJAN	623 W 6TH ST	DAVENPORT IA 52802	\$ 85,570.00	\$ 21,392.50	\$ 646.34	\$ 646.34	\$ -	ORIGINAL TOWN	7	29				ORIGINAL TOWN W 30' OF

City of Davenport

Department: Public Works

Contact Info: Clay Merritt | 563-326-7734

Action / Date

3/5/2025

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project, CIP #28028. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

The project will provide an ADA-compliant sidewalk connecting the existing sidewalk on the east side of Division Street to the existing sidewalk within Ridgeview Park. The work includes the furnishing of all labor, materials, equipment, and services necessary for construction of sidewalks, ADA ramps and turning spaces, and culvert pipe. Work shall include but not be limited to sidewalk, ADA ramps, ADA turning spaces, installation of 18" RCP culvert, aprons, granular subbase, restoration of turf areas adjacent to these items, and traffic control.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project, CIP #28028.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, 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 the West 70th Street (Ridgeview Park to Division Street) Sidewalk Improvements project.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the East 53rd Street and Elmore Avenue Intersection Patching project, CIP #35061. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

This is a pavement patching project located at the intersection of East 53rd Street and Elmore Avenue. The patching is at the center two lanes of the roadway. The proposed improvements include, but are not limited to, traffic control, night work, patching, curb sidewalk at the southeast quadrant, and final stabilization.

Funding for this project is from CIP #35061 | Streets Projects.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the East 53rd Street and Elmore Avenue Intersection Patching project, CIP #35061.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the East 53rd Street and Elmore Avenue Intersection Patching project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, 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 the East 53rd Street and Elmore Avenue Intersection Patching project.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35061



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for East 53rd Street and Utica Ridge Road Intersection Improvements project, CIP #35065. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The intersection at East 53rd Street and Utica Ridge Road is often very crowded, causing long delays and long lines of cars. Because of this congestion, drivers get frustrated, and accidents happen more often here than at similar intersections.

To fix the traffic issues, the plan is to add dual left-turn lanes in two directions:

- eastbound on East 53rd Street
- northbound on Utica Ridge Road

With these new lanes, the traffic signal will change. Currently, drivers turning left can do so after yielding to oncoming traffic. After the changes, left turns will only be allowed on a green arrow. This will help prevent accidents caused by left-turning cars. Less congestion will also mean shorter lines of cars, reducing the chances of rear-end crashes. To improve safety even more, some driveways just south of the intersection on Utica Ridge Road will be changed to right-in, right-out only. This means drivers will no longer be able to turn left into or out of those driveways; however, businesses in the area have other entrances and exits that allow left turns.

The Iowa Department of Transportation approved this project and awarded \$500,000 in funding on July 1, 2024. This covers approximately half of the construction cost. The City Council supported the project and approved the Resolution to apply for the grant on June 14, 2023, and approved a Resolution to accept the funding on May 8, 2024.

Once a contractor is selected, they will have 30 days to start procuring the necessary traffic signal equipment. The existing traffic signals will stay in place until the new equipment arrives. Because traffic signal equipment can take a long time to be delivered, construction on the signals might not start until 2026.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for East 53rd Street and Utica Ridge Road Intersection Improvements project, CIP#35065.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for East 53rd Street and Utica Ridge Road Intersection Improvements project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, 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 the East 53rd Street and Utica Ridge Road Intersection Improvements project.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35065



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project, CIP #35062. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

This project will perform full-depth concrete patching on East 32nd Street from Fernwood Avenue to Fernwood Court. Proposed improvements include, but are not limited to, the furnishing of all labor, materials and equipment for the patching of the existing concrete roadway; utility structure adjustment to finish grade; topsoil; sodding; and erosion control.

This project is funded in CIP #35062.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project, CIP #35062.

WHEREAS, plans, specifications, forms of contract and estimate of cost were filed with the City Clerk of Davenport, Iowa for the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, 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 the East 32nd Street (Fernwood Avenue to Fernwood Court) PCC Patching project.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project, CIP #35061. [Ward 5]

Recommendation:

Adopt the Resolution.

Background:

This is a street resurfacing project of portions of Grand Avenue from East Locust Street to East 29th Street. The proposed improvements include, but are not limited to, asphalt mill and overlay of existing pavement sections, full-depth asphalt pavement patching, PCC curb and gutter replacement, sidewalk replacement, ADA curb ramp construction, utility structure adjustments, miscellaneous manhole replacements, and final stabilization.

This project will be funded in CIP #35061 for streets projects.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the plans, specifications, form of contract, and estimate of cost for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project, CIP #35061.

WHEREAS, plans, specifications, forms of contract and estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Grand Avenue (East Locust Street to East 29th Street) Resurfacing Project; and

WHEREAS, notice of Hearing on the plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, 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 the Grand Avenue (East Locust Street to East 29th Street) Resurfacing project.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

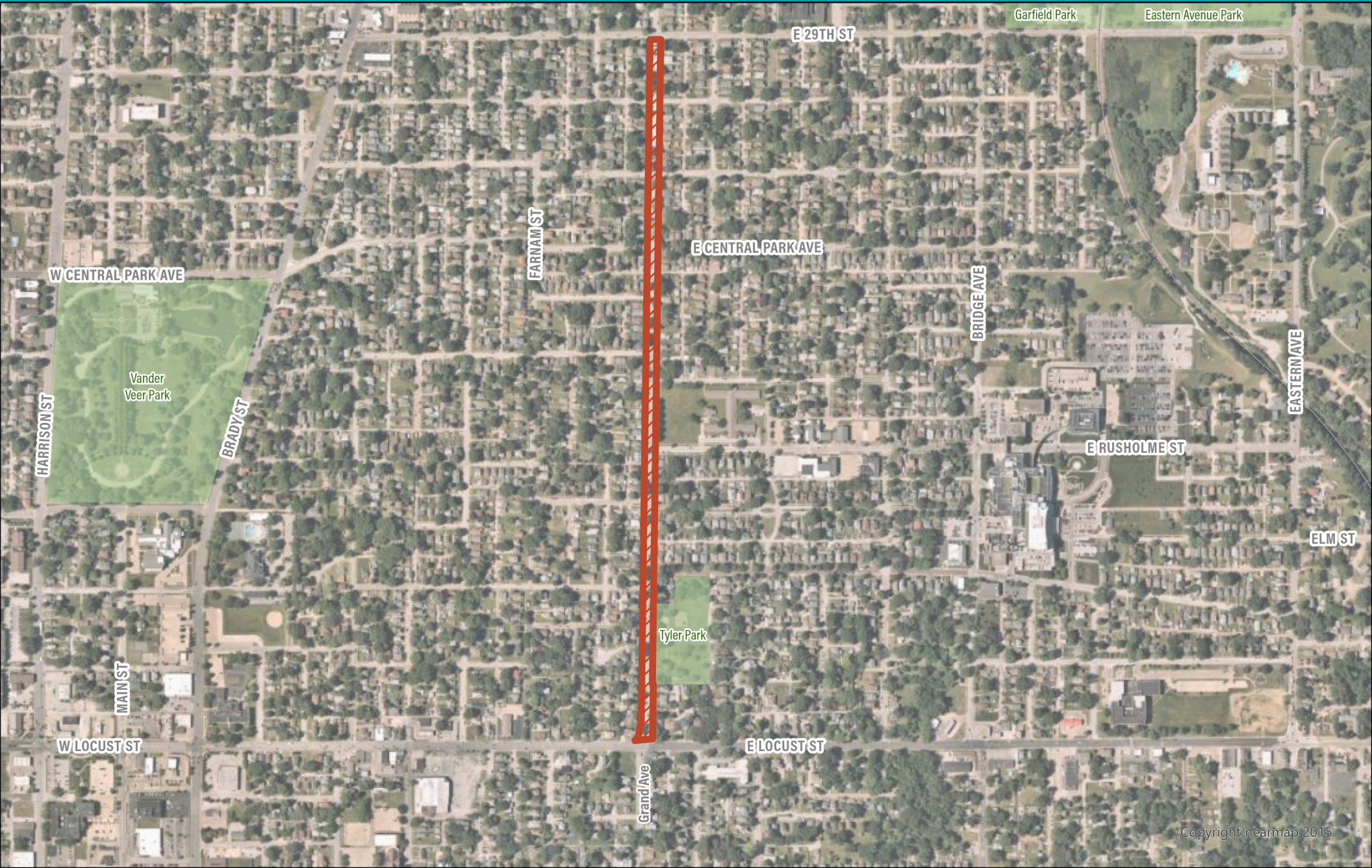


THE CITY OF
DAVENPORT
IOWA | USA

City Council Map

February 27, 2025

CIP #35061



City of Davenport

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

Action / Date
3/5/2025

Subject:

Resolution approving the specifications, form of contract, and estimate of cost for the FY 2026 Root Control Program. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The Root Control Program began in FY 2015 with a group of sanitary sewer segments receiving an initial chemical foaming treatment. Treatment of roots helps to keep them from causing sanitary sewer backups. A second group was added to the program in FY 2016 and a third in FY 2020. The segments receiving the chemical foaming application are guaranteed by the root control contractor to remain root free for a period of 24 months from the initial application and, with regular retreatments, for 36 months from subsequent applications. Because there are now three groups, retreating one group every year ensures no more than thirty-six months elapse between retreatments for each segment retaining the root-free guarantee enrolled in the program.

The purpose of this program is to apply a chemical root control agent to sanitary sewers to kill the root growth present in the main lines and the first several feet of their connected sewer laterals. Tree root intrusion into sewer systems is a primary cause of blockages and can also lead to structural deterioration and failures of the pipes. Chemical root control measures also inhibit re-growth without permanently damaging the existing trees.

The term of the initial contract will be for one year with the City maintaining separate options for a second and third year. The program will be managed by the Sewer Maintenance Division in conjunction with Engineering and Capital Improvement Department staff. Funds for the FY 2026 Root Control Program are projected to be budgeted in the Sanitary Sewer Operational Fund.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the specifications, form of contract, and estimated cost for the Fiscal Year 2026 Root Control Program.

WHEREAS, on the 28th day of February 2025, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the FY 2026 Root Control Program; and

WHEREAS, notice of Hearing on specifications and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said specifications, form of contract, and estimate of cost are hereby approved as the specifications, form of contract, and estimate of cost for the FY 2026 Root Control Program.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$200,000 for the Elmore Avenue and East 46th Street Traffic Signal Installation project, CIP #38023. [Ward 6]

Recommendation:

Adopt the Resolution.

Background:

The Iowa Department of Transportation (DOT) provides funds through the Traffic Safety Improvement Program (TSIP) to help pay for road improvements that enhance safety. The primary purpose of this project is to install traffic signals at the intersection of Elmore Avenue and East 46th Street. The project is expected to cost \$300,000. The Iowa DOT has awarded the City \$200,000, and the City will be obligated to pay any costs exceeding that amount.

Attachments:

1. Resolution
2. Agreement

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$200,000 for the Elmore Avenue and East 46th Street Traffic Signal Installation project, CIP #38023.

WHEREAS, the City of Davenport believes it is necessary to improve safety at the intersection of Elmore Avenue and East 46th Street by installing a traffic signal; and

WHEREAS, the State of Iowa, through its Traffic Safety Improvement Program, has agreed to provide funding of \$200,000 for the project with the City share of the remaining cost.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$200,000 for the Elmore Avenue and East 46th Street Traffic Signal Installation project is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR TRAFFIC SAFETY IMPROVEMENT PROGRAM FUNDING
(Site-Specific Improvement)**

County	Scott
Recipient	City of Davenport
Project No.	CS-TSF-1827(710)--85-82
Iowa DOT	
Agreement No.	2026-TS-018

This agreement is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the city of Davenport, Iowa, hereinafter designated the "Recipient". The Recipient submitted an application to the DOT for funding through the Traffic Safety Improvement Program (TSIP) under Iowa Code Section 312.2(11), and the application was approved by Transportation Commission Order No. SO-2025-42 on December 10, 2024.

Pursuant to the terms of this agreement, and applicable statutes and administrative rules, the DOT agrees to provide funding to the Recipient to aid in the development of a certain traffic safety improvement project.

In consideration of the foregoing and the mutual promises contained in this agreement, the parties agree as follows:

1. Project Information

- a. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
- b. All notices required under this agreement shall be made in writing to the DOT's and/or the Recipient's contact person. The DOT's contact person shall be the Local Systems Project Development Engineer, Jenifer Bates, and the Local Systems Eastern Region Field Engineer, Dillon Feldmann. The Recipient's contact person shall be the City Traffic Engineer, Gary Statz.
- c. The Recipient shall be responsible for the development and completion of the following described project located in the city of Davenport:

Construct new traffic signals at the intersection of Elmore Avenue and E 46th Street. See Exhibit A-1 for the location of the project and Exhibit A-2 for the estimated project cost.

- d. Project-specific funding stipulations in order for the project to be considered eligible to receive TSIP funds include:

None.

2. Project Costs

- a. Eligible project costs for the project described in Section 1 of this agreement, which are incurred after the effective date of Commission approval, shall be paid from TSIP funds and other funds as listed below, subject to the execution of a signed agreement:

TSIP funds: \$200,000

- b. The portion of the total project costs paid by TSIP funds shall not exceed the amount stated above or the actual cost of the TSIP eligible items, whichever is the lesser amount.

- c. If a letting is required, the project shall be let to contract before July 1, 2027. The project may be let prior to July 1, 2025; however, no reimbursement from TSIP funds may occur prior to July 1, 2025. If a letting is not required, project activities shall be initiated prior to July 1, 2027. If any of these conditions are not met, the Recipient may be in default, for which the DOT may revoke funding commitments. This agreement may be extended for a period of 12 months upon receipt of a written request from the Recipient at least 30 days prior to the deadline.
- d. Project activities or costs considered eligible for TSIP funds are those required by, or integral to, the safety aspects of the project. Eligible activities include the following: (a) road modernization, upgrading or reconstruction; (b) intersection improvements; (c) right-of-way purchases; (d) drainage and erosion control measures; (e) traffic control devices; (f) traffic barriers and other roadside safety devices; and (g) removal of trees and other fixed objects.
- e. Project activities or costs considered ineligible for TSIP funds include, but are not limited to, the following: (a) any and all costs incurred prior to Commission approval of funding; (b) routine maintenance of a road, street, bridge, culvert or traffic control device; (c) contract administration costs; (d) design and construction engineering and inspection, including construction survey; (e) utility construction, reconstruction, or adjustment, except as an integral part of a project; (f) sidewalks, shared-use paths or railroad-highway crossings, except as an integral part of a project; (g) maintenance or energy costs for traffic control devices or lighting; (h) aesthetic items such as brick pavers or decorative lighting/signal poles; and (i) expenditures for items not related to the roadway. For the purposes of this agreement, pavement patching is considered maintenance.
- f. If Federal highway funds, Federal Swap funds, Farm-to-Market funds, or other Federal funds are used in combination with TSIP funds, the Recipient shall also follow all administrative and contracting procedures which would normally be used when such funds are used on a non-TSIP funded project. The Recipient shall comply with all requirements for the use of said funds.

3. Right of Way and Permits

- a. In the event right-of-way is required for the project, said right-of-way shall be acquired in accordance with 761 Iowa Administrative Code Chapter 111, Real Property Acquisition and Relocation Assistance. If the project impacts the Primary Road System, the Recipient shall submit preliminary right-of-way plans to the DOT's Right of Way Bureau (Property Management Local Public Agency Coordinator) for review and approval prior to the commencement of any acquisition negotiations.

Additionally, the portions of right of way acquired for improvements in the Primary Road System right of way shall be acquired in the name of the State of Iowa, for the use and benefit of the Iowa DOT. The Recipient shall be responsible for closing the real estate transaction for each parcel, disbursing funds to sellers, and obtaining all necessary documents required to clear title to the land acquired per Iowa Land Title Standards and the current Iowa DOT Right of Way Manual. The Recipient shall also be responsible for filing all conveyance and title clearing documents with the County Recorder and shall provide the DOT Right of Way Bureau with copies of all completed purchase agreements/contracts, deeds, easements, condemnation documents, and acquisition plats (for State right of way) upon completion of the right of way activities. The Recipient, or the Recipient's closing agent, shall be responsible for preparing and filing Form 1099-S (Proceeds from Real Estate Transactions) with the Internal Revenue Service for all reportable real estate transactions pursuant to current IRS requirements.

- b. The Recipient shall be responsible for obtaining any permits, such as the Work Within the Right-of-Way Permit, Access Connection/Entrance Permit, Utility Accommodation Permit, Application for Approval of a Traffic Control Device, and/or other construction permits required for the project prior to the start of construction. Neither the approval of the TSIP application for funding, nor the signing of this agreement, shall be construed as approval of any required permit from the DOT.

- c. The Recipient shall be responsible for obtaining any environmental permits and approvals, when necessary, to comply with all environmental regulations.

4. Project Design

- a. The Recipient shall develop all project improvements using engineering judgment. The Recipient shall use the DOT Design Manual on projects involving the Primary Road System and/or routes located on the National Highway System. Projects not located on the Primary Road System or National Highway System shall use "A Policy on Geometric Design of Highways and Streets" (latest edition), by the American Association of State Highway and Transportation Officials. In all cases the "The Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), as adopted pursuant to 761 Iowa Administrative Code, Chapter 130 shall apply.
- b. For projects which include the installation or modification of traffic signal systems, the following shall apply:
 - i. There will be a minimum of one mast-arm mounted signal head with back plate for each incoming through or left-turn lane. In addition, there will be one signal head, side of pole mounted, on the far right side pole. All vehicle signal lenses shall be 12-inch. The positioning of signal faces and the signal indications for left-turn movements shall be in accordance with the current adopted MUTCD.
 - ii. Combination signal/lighting pole shall be used to minimize the number of fixed objects.
 - iii. Interconnection and coordinated traffic signal timing plans shall be developed for the traffic signals if there are two or more other signal installations within ½ mile of the subject access to provide for progressive traffic flow. Said plans shall be reviewed and approved by the DOT Traffic and Safety Bureau.
 - iv. Pedestrian activated signals shall be provided for all pedestrian movements and timed in accordance with the MUTCD.
 - v. The concrete pad for the controller shall extend no more than 4 inches above the surrounding ground line.
 - vi. Where the distance from the stop bar to the signal indication is in excess of 180 feet, there shall also be a near side signal head.
 - vii. Dilemma zone protection shall be provided if the 85th percentile speed is at or over 35 mph.

5. Bid Letting

- a. If the project must be let for bids, the project plans, specifications and engineer's cost estimate for site specific improvements shall be prepared and certified by a professional engineer licensed to practice in the State of Iowa. The Recipient shall submit the plans, specifications, and other contract documents to the DOT for review. This submittal may be in divisions and in the order of preference as determined by the Recipient.
 - i. If the Recipient lets the project, the plans, specifications, and other contract documents for each division must be submitted at least fourteen weeks prior to the project letting of each division.
 - ii. If the project will be let through the DOT, project development submittals shall follow Local Systems I.M. 3.010.
 - iii. The DOT shall review said submittal(s) recognizing the Recipient's development schedule and shall, after satisfactory review, authorize in writing for the Recipient to proceed with

implementation of the project. The work on the project shall be in accordance with the survey, plans, and specifications on file. Any substantial modification of the plans and specifications must be approved by the DOT prior to the modification being put into effect.

- b. If the Recipient lets the project, as described herein, the Recipient shall include in their Notice to Bidders that Sales Tax Exemption Certificates will be issued, as provided for by Iowa Code section 423.3, subsection 80. The Recipient shall be responsible for obtaining the sales tax exemption certificates through the Iowa Department of Revenue and Finance. The Recipient shall issue these certificates to the successful bidder and any subcontractors to enable them to purchase qualifying materials for the project free of sales tax.
- c. If the Recipient lets the project, the Recipient shall use positive efforts to solicit bids from and to utilize Targeted Small Business (TSB) enterprises as contractors and ensure that the contractors make positive efforts to utilize these enterprises as subcontractors, suppliers or participants in the work covered by this agreement. Efforts shall be made and documented in accordance with Exhibit B which is attached hereto and by this reference incorporated into this agreement.
- d. If the Recipient lets the project, then for portions of the project let to bid, the Recipient shall advertise for bidders, make a good faith effort to get at least three (3) bidders, hold a public letting, and award contracts for the project work. DOT concurrence in the award must be obtained prior to the award. The Recipient shall provide the DOT file copies of project letting documents within five (5) days after the letting.
- e. The Recipient shall be the contracting authority for the project.

6. Construction and Maintenance

- a. The Recipient shall conduct the project development and implementation in compliance with applicable laws, ordinances, and administrative rules.
- b. The Recipient shall be responsible for the daily inspection of the project, and the compilation of a daily log of materials, equipment, and labor utilized on the project.
- c. The Recipient shall maintain records, documents, and other evidence in support of work performed under the terms of this contract. All accounting practices applied, and all records maintained, will be in accordance with generally accepted accounting principles and procedures. Documentation shall be made available for inspection and audit by authorized representatives of the DOT or its designee at all reasonable times during the period of the contract and for three (3) years after the date of final reimbursement. Reimbursement shall be based on eligible actual and indirect costs associated with performance of the contract work. The Recipient shall provide copies of said records and documents to the DOT upon request.
- d. The Recipient shall notify the DOT's contact person of the date that construction begins and the date the project is substantially complete (i.e., when the road is re-opened to traffic).
- e. The Recipient shall require its contractors to permit the DOT authorized representative to inspect all work materials, records, and any other data with regard to agreement related costs, revenues, and operating sources.
- f. Upon project completion and prior to final reimbursement for the project, the Recipient shall furnish one set of "as-built" plans for any portion of the project which is on, or intersects with, any Primary Road or Primary Road extension to the DOT's contact person for future maintenance and road design purposes.

- g. If this project requires the installation of, or modification to, a traffic signal system, the Recipient shall be responsible for all future ownership, maintenance, operation, and energy costs of said installation or modification.
- h. The Recipient hereby certifies that, for a period of five (5) years following completion of the project and receipt of final reimbursement from the DOT, there shall be no modifications in the geometric features, the construction features, or the access management features (including driveway design and location) of the project, nor shall there be any fixed objects or obstructions placed in any clear zone established in conjunction with this project without the prior written approval of the Traffic and Safety Bureau. Failure to comply shall be considered a default under the terms of this agreement.

7. Payments and Reimbursements

- a. The Recipient may submit to the DOT periodic itemized claims for reimbursement for eligible project activities. Eligible and ineligible costs are outlined in Iowa Administrative Code (IAC) 761 Chapter 164, Traffic Safety Improvement Program (see IAC 761-164.6(312) and IAC 761-164.7(312)). Reimbursement claims shall include certification by a professional engineer licensed to practice in the State of Iowa that all eligible project activities for which reimbursement is requested have been completed in substantial compliance with the terms of this agreement. Reimbursement claims shall not be submitted until after July 1, 2025.
- b. The DOT will reimburse the Recipient for properly documented and certified claims for eligible project costs. The DOT may withhold up to 5% of the construction costs, or 5% of the TSIP funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the DOT determines the Recipient has been over-reimbursed, the Recipient shall reimburse the overpaid amount to the DOT. After the final audit or review is complete, and after the Recipient has provided all required paperwork, the DOT will release the funds withheld, if any.
- c. Upon completion of the project described in this agreement, a professional engineer licensed to practice in the State of Iowa shall certify in writing to the DOT that the project activities were completed in substantial compliance with the terms of this agreement. Final reimbursement of TSIP funds shall be made only after the DOT accepts the project as complete.
- d. The Recipient shall request reimbursement and final payment from the DOT within one year of field completion of the work. If this condition is not met, the Recipient may be in default, for which the DOT may revoke funding commitments.
- e. If the Recipient fails to perform any obligation under this agreement, the DOT shall have the right, after first giving thirty (30) days written notice to Recipient by certified mail return receipt requested, to declare this agreement in default. The Recipient shall have thirty (30) days from date of mailing of the notice to cure the default. If the Recipient cures the default, the Recipient shall notify DOT no later than five (5) days after cure or before the end of said thirty (30) day period to cure default. Within ten (10) working days of receipt of Recipient's notice of cure, the DOT shall issue either a notice of acceptance of cure or notice of continued default.
- f. In the event a default is not cured, the DOT may revoke funding commitments and/or seek repayment of TSIP funds granted by this agreement through charges against the Recipient's road use tax funds.

8. General Provisions

- a. This agreement shall be considered to be in default if the DOT determines that the Recipient's application for funding contained inaccuracies, omissions, errors, or misrepresentations.
- b. To the extent allowed by law, the Recipient agrees to indemnify, defend, and hold the DOT harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic

control devices, or inspection of this project. To the extent allowed by law, this agreement to indemnify, defend and hold harmless applies to all aspects of the DOT's application review and approval process, plan and construction reviews, and funding participation.

- c. In accordance with Iowa Code Chapter 216, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- d. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the associated Federal regulations that implement these laws.
- e. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the DOT has provided guidance in the Non-Federal-aid Project Development Guide (Non-Federal-aid Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: https://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The Recipient shall follow the applicable procedures and guidelines contained in the Non-Federal-aid Guide and I.M.s in effect at the time project activities are conducted.
- f. If any part of this agreement is found to be void and unenforceable then the remaining provisions of this agreement shall remain in effect.
- g. This agreement is not assignable without the prior written consent of the DOT.
- h. It is the intent of both parties that no third-party beneficiaries be created by this agreement.
- i. In case of dispute concerning the terms of this agreement, the parties shall submit the matter to arbitration pursuant to Iowa Code Chapter 679A. Either party has the right to submit the matter to arbitration after ten (10) days' notice to the other party of their intent to seek arbitration. The written notice must include a precise statement of the disputed question. The DOT and the Recipient agree to be bound by the decision of the appointed arbitrator. Neither party may seek any remedy with the state or federal courts absent exhaustion of the provisions of this paragraph for arbitration.
- j. This agreement, including referenced exhibits, constitutes the entire agreement between the DOT and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement must be made in the form of an addendum to this agreement. Said addendum shall become effective only upon written approval of the DOT and Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2026-TS-018 as of the date shown opposite its signature below.

City of Davenport, Iowa:

By: _____ Date _____, 20____.

Title: _____

I, _____, certify that I am the Clerk of the City, and that
_____, who signed said Agreement for and on behalf of the City was duly
authorized to execute the same by virtue of a formal Resolution duly passed and adopted by the City, on
the _____ day of _____, 20____.

Signed _____ Date _____, 20____.
City Clerk of Davenport, Iowa

Iowa Department of Transportation:

By: _____ Date _____, 20____.

Hossein Naraghi, PhD
Director
Traffic and Safety Bureau

EXHIBIT A-1
[Project Location]

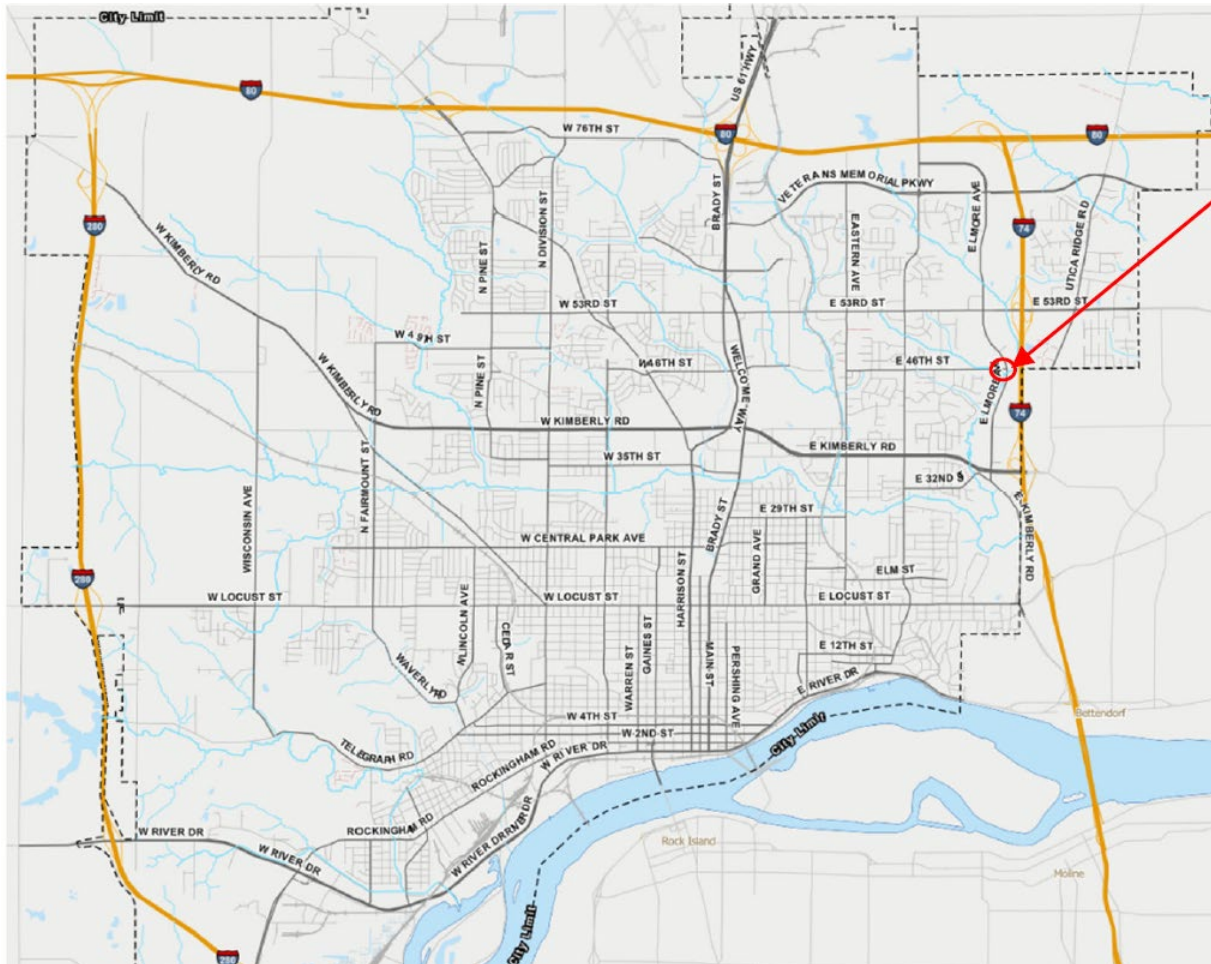


EXHIBIT A-2
[Estimated Project Cost]

DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL COST
Combination Street Light/Signal Pole Foundation, (2) Mast Arms 45' & 46'with Luminaire	EA	1	\$ 60,000.00	\$ 60,000.00
Combination Street Light/Signal Pole Foundation, (2) Mast Arms 40' & 56'with (2) Luminaires	EA	1	\$ 65,000.00	\$ 65,000.00
15 Foot Pedestal pole and foundation	EA	1	\$ 10,000.00	\$ 10,000.00
Controller, Cabinet and Foundation	EA	1	\$ 25,000.00	\$ 25,000.00
Battery Backup	EA	1	\$ 10,000.00	\$ 10,000.00
Electrical Service Installation	EA	1	\$ 4,500.00	\$ 4,500.00
Vehicle Detection, video	EA	1	\$ 40,000.00	\$ 40,000.00
Emergency Pre-emption, Opticom	EA	1	\$ 10,000.00	\$ 10,000.00
4" Conduit and wires, trenchless	LF	260	\$ 100.00	\$ 26,000.00
Handholes	EA	5	\$ 2,000.00	\$ 10,000.00
Traffic signal heads, 3-section	EA	11	\$ 2,000.00	\$ 22,000.00
Traffic signal heads, 4-section	EA	2	\$ 3,000.00	\$ 6,000.00
Signs	EA	3	\$ 500.00	\$ 1,500.00
Temporary Traffic Control	LS	1	\$ 8,000.00	\$ 8,000.00
Pavement Markings, 2-foot stop bars	LF	100	\$ 20.00	\$ 2,000.00
				\$ 300,000.00

EXHIBIT B
UTILIZATION OF TARGETED SMALL BUSINESS (TSB) ENTERPRISES
ON NON-FEDERAL AID PROJECTS
(THIRD-PARTY STATE-ASSISTED PROJECTS)

In accordance with Iowa Code Section 19B.7, it is the policy of the Iowa Department of Transportation (Iowa DOT) that Targeted Small Business (TSB) enterprises shall have the maximum practicable opportunity to participate in the performance of contracts financed in whole or part with State funds. Refer to Local Systems [I.M. 5.020](#) for additional information.

Under this policy the Recipient shall be responsible to make a positive effort to solicit bids or proposals from TSB firms and to utilize TSB firms as contractors or consultants. The Recipient shall also ensure that the contractors or consultants make positive efforts to utilize TSB firms as subcontractors, subconsultants, suppliers, or participants in the work covered by this agreement.

The Recipient's "positive efforts" shall include, but not be limited to:

1. Obtaining the names of qualified TSB firms from the Iowa Economic Development Authority (515-348-6200) or from its website at: <https://www.iowaeda.com/small-business/targeted-small-business/>
2. Notifying qualified TSB firms of proposed projects involving State funding. Notification should be made in sufficient time to allow the TSB firms to participate effectively in the bidding or request for proposal (RFP) process.
3. Soliciting bids or proposals from qualified TSB firms on each project, and identifying for TSB firms the availability of subcontract work.
4. Considering establishment of a percentage goal for TSB participation in each contract that is a part of this project and for which State funds will be used. Contract goals may vary depending on the type of project, the subcontracting opportunities available, the type of service or supplies needed for the project, and the availability of qualified TSB firms in the area.
5. For construction contracts:
 - a) Including in the bid proposals a contract provision titled "Targeted Small Business (TSB) Affirmative Action Responsibilities on Non-Federal Aid Projects (Third-Party State-Assisted Projects)" or a similar document developed by the Recipient. This contract provision is available in Local Systems [I.M. 5.020](#).
 - b) Ensuring that the awarded contractor has and shall follow the contract provisions.
6. For consultant contracts:
 - a) Identifying the TSB goal in the Request for Proposal (RFP), if one has been set.
 - b) Ensuring that the selected consultant made a positive effort to meet the established TSB goal, if any. This should include obtaining documentation from the consultant that includes a list of TSB firms contacted; a list of TSB firms that responded with a subcontract proposal; and, if the consultant does not propose to use a TSB firm that submitted a subcontract proposal, an explanation why such a TSB firm will not be used.

The Recipient shall provide the Iowa DOT Administering Bureau the following documentation:

1. Copies of correspondence and replies, and written notes of personal and/or telephone contacts with any TSB firms. Such documentation can be used to demonstrate the Recipient's positive efforts and it should be placed in the project file.
2. Bidding proposals or RFPs noting established TSB goals, if any.
3. Form 260017 "Checklist and Certification for the Utilization of Targeted Small Businesses (TSB)" shall be filled out upon completion of each project.
<https://iowadot.seamlessdocs.com/f/ChecklistandCertforUtilizationofTSBonNonFederalProjects>.

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$150,000 for the East Kimberly Road at East 36th Street Reconfiguration project, CIP #38024. [Ward 7]

Recommendation:

Adopt the Resolution.

Background:

The Iowa Department of Transportation (IDOT) provides funds through the Traffic Safety Improvement Program (TSIP) to help pay for road improvements that enhance safety. The primary purpose of this project is to install a directional median on East Kimberly Road. This will permit motorists on East 36th Street, or the shopping center driveway, to only make a right turn onto East Kimberly Road. Motorists on East Kimberly Road will still be able to make a left turn into the shopping center or onto East 36th Street. This will reduce conflicts and improve safety within the intersection.

The project is expected to cost \$150,000. The Iowa DOT has awarded the City \$150,000, and the City will be obligated to pay any costs exceeding that amount.

Attachments:

1. Resolution
2. Agreement
3. Concept

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$150,000 for the East Kimberly Road at East 36th Street Reconfiguration project, CIP #38024.

WHEREAS, the City of Davenport believes it is necessary to improve safety at the intersection of East Kimberly Road and East 36th Street by installing a directional median; and

WHEREAS, the State of Iowa, through its Traffic Safety Improvement Program, has agreed to provide funding of \$150,000 for the project with the City share of the remaining cost.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the Funding Agreement with the Iowa Department of Transportation (IDOT) in the amount of \$150,000 for the East Kimberly Road at East 36th Street Reconfiguration project is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR TRAFFIC SAFETY IMPROVEMENT PROGRAM FUNDING
(Site-Specific Improvement)**

County	Scott
Recipient	City of Davenport
Project No.	CS-TSF-1827(709)--85-82
Iowa DOT	
Agreement No.	2026-TS-002

This agreement is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the city of Davenport, Iowa, hereinafter designated the "Recipient". The Recipient submitted an application to the DOT for funding through the Traffic Safety Improvement Program (TSIP) under Iowa Code Section 312.2(11), and the application was approved by Transportation Commission Order No. SO-2025-42 on December 10, 2024.

Pursuant to the terms of this agreement, and applicable statutes and administrative rules, the DOT agrees to provide funding to the Recipient to aid in the development of a certain traffic safety improvement project.

In consideration of the foregoing and the mutual promises contained in this agreement, the parties agree as follows:

1. Project Information

- a. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
- b. All notices required under this agreement shall be made in writing to the DOT's and/or the Recipient's contact person. The DOT's contact person shall be the Local Systems Project Development Engineer, Jenifer Bates, and the Local Systems Eastern Region Field Engineer, Dillon Feldmann. The Recipient's contact person shall be the City Traffic Engineer, Gary Statz.
- c. The Recipient shall be responsible for the development and completion of the following described project located in the city of Davenport:

Installation of a directional median at the intersection of East Kimberly Road (U.S. 6) and East 36th Street. The intersection will be modified to a right-in, right-out, and left-in access. Left turns onto Kimberly Road and north-south through movements will be prohibited. See Exhibit A-1 for the location of the project and Exhibit A-2 for the estimated project cost.

- d. Project-specific funding stipulations in order for the project to be considered eligible to receive TSIP funds include:

None.

2. Project Costs

- a. Eligible project costs for the project described in Section 1 of this agreement, which are incurred after the effective date of Commission approval, shall be paid from TSIP funds and other funds as listed below, subject to the execution of a signed agreement:

TSIP funds: \$150,000

- b. The portion of the total project costs paid by TSIP funds shall not exceed the amount stated above or the actual cost of the TSIP eligible items, whichever is the lesser amount.

- c. If a letting is required, the project shall be let to contract before July 1, 2027. The project may be let prior to July 1, 2025; however, no reimbursement from TSIP funds may occur prior to July 1, 2025. If a letting is not required, project activities shall be initiated prior to July 1, 2027. If any of these conditions are not met, the Recipient may be in default, for which the DOT may revoke funding commitments. This agreement may be extended for a period of 12 months upon receipt of a written request from the Recipient at least 30 days prior to the deadline.
- d. Project activities or costs considered eligible for TSIP funds are those required by, or integral to, the safety aspects of the project. Eligible activities include the following: (a) road modernization, upgrading or reconstruction; (b) intersection improvements; (c) right-of-way purchases; (d) drainage and erosion control measures; (e) traffic control devices; (f) traffic barriers and other roadside safety devices; and (g) removal of trees and other fixed objects.
- e. Project activities or costs considered ineligible for TSIP funds include, but are not limited to, the following: (a) any and all costs incurred prior to Commission approval of funding; (b) routine maintenance of a road, street, bridge, culvert or traffic control device; (c) contract administration costs; (d) design and construction engineering and inspection, including construction survey; (e) utility construction, reconstruction, or adjustment, except as an integral part of a project; (f) sidewalks, shared-use paths or railroad-highway crossings, except as an integral part of a project; (g) maintenance or energy costs for traffic control devices or lighting; (h) aesthetic items such as brick pavers or decorative lighting/signal poles; and (i) expenditures for items not related to the roadway. For the purposes of this agreement, pavement patching is considered maintenance.
- f. If Federal highway funds, Federal Swap funds, Farm-to-Market funds, or other Federal funds are used in combination with TSIP funds, the Recipient shall also follow all administrative and contracting procedures which would normally be used when such funds are used on a non-TSIP funded project. The Recipient shall comply with all requirements for the use of said funds.

3. Right of Way and Permits

- a. In the event right-of-way is required for the project, said right-of-way shall be acquired in accordance with 761 Iowa Administrative Code Chapter 111, Real Property Acquisition and Relocation Assistance. If the project impacts the Primary Road System, the Recipient shall submit preliminary right-of-way plans to the DOT's Right of Way Bureau (Property Management Local Public Agency Coordinator) for review and approval prior to the commencement of any acquisition negotiations.

Additionally, the portions of right of way acquired for improvements in the Primary Road System right of way shall be acquired in the name of the State of Iowa, for the use and benefit of the Iowa DOT. The Recipient shall be responsible for closing the real estate transaction for each parcel, disbursing funds to sellers, and obtaining all necessary documents required to clear title to the land acquired per Iowa Land Title Standards and the current Iowa DOT Right of Way Manual. The Recipient shall also be responsible for filing all conveyance and title clearing documents with the County Recorder and shall provide the DOT Right of Way Bureau with copies of all completed purchase agreements/contracts, deeds, easements, condemnation documents, and acquisition plats (for State right of way) upon completion of the right of way activities. The Recipient, or the Recipient's closing agent, shall be responsible for preparing and filing Form 1099-S (Proceeds from Real Estate Transactions) with the Internal Revenue Service for all reportable real estate transactions pursuant to current IRS requirements.

- b. The Recipient shall be responsible for obtaining any permits, such as the Work Within the Right-of-Way Permit, Access Connection/Entrance Permit, Utility Accommodation Permit, Application for Approval of a Traffic Control Device, and/or other construction permits required for the project prior to the start of construction. Neither the approval of the TSIP application for funding, nor the signing of this agreement, shall be construed as approval of any required permit from the DOT.

- c. The Recipient shall be responsible for obtaining any environmental permits and approvals, when necessary, to comply with all environmental regulations.

4. Project Design

- a. The Recipient shall develop all project improvements using engineering judgment. The Recipient shall use the DOT Design Manual on projects involving the Primary Road System and/or routes located on the National Highway System. Projects not located on the Primary Road System or National Highway System shall use "A Policy on Geometric Design of Highways and Streets" (latest edition), by the American Association of State Highway and Transportation Officials. In all cases the "The Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), as adopted pursuant to 761 Iowa Administrative Code, Chapter 130 shall apply.

5. Bid Letting

- a. If the project must be let for bids, the project plans, specifications and engineer's cost estimate for site specific improvements shall be prepared and certified by a professional engineer licensed to practice in the State of Iowa. The Recipient shall submit the plans, specifications, and other contract documents to the DOT for review. This submittal may be in divisions and in the order of preference as determined by the Recipient.
 - i. If the Recipient lets the project, the plans, specifications, and other contract documents for each division must be submitted at least fourteen weeks prior to the project letting of each division.
 - ii. If the project will be let through the DOT, project development submittals shall follow Local Systems I.M. 3.010.
 - iii. The DOT shall review said submittal(s) recognizing the Recipient's development schedule and shall, after satisfactory review, authorize in writing for the Recipient to proceed with implementation of the project. The work on the project shall be in accordance with the survey, plans, and specifications on file. Any substantial modification of the plans and specifications must be approved by the DOT prior to the modification being put into effect.
- b. If the Recipient lets the project, as described herein, the Recipient shall include in their Notice to Bidders that Sales Tax Exemption Certificates will be issued, as provided for by Iowa Code section 423.3, subsection 80. The Recipient shall be responsible for obtaining the sales tax exemption certificates through the Iowa Department of Revenue and Finance. The Recipient shall issue these certificates to the successful bidder and any subcontractors to enable them to purchase qualifying materials for the project free of sales tax.
- c. If the Recipient lets the project, the Recipient shall use positive efforts to solicit bids from and to utilize Targeted Small Business (TSB) enterprises as contractors and ensure that the contractors make positive efforts to utilize these enterprises as subcontractors, suppliers or participants in the work covered by this agreement. Efforts shall be made and documented in accordance with Exhibit B which is attached hereto and by this reference incorporated into this agreement.
- d. If the Recipient lets the project, then for portions of the project let to bid, the Recipient shall advertise for bidders, make a good faith effort to get at least three (3) bidders, hold a public letting, and award contracts for the project work. DOT concurrence in the award must be obtained prior to the award. The Recipient shall provide the DOT file copies of project letting documents within five (5) days after the letting.
- e. The Recipient shall be the contracting authority for the project.

6. Construction and Maintenance

- a. The Recipient shall conduct the project development and implementation in compliance with applicable laws, ordinances, and administrative rules.
- b. The Recipient shall be responsible for the daily inspection of the project, and the compilation of a daily log of materials, equipment, and labor utilized on the project.
- c. The Recipient shall maintain records, documents, and other evidence in support of work performed under the terms of this contract. All accounting practices applied, and all records maintained, will be in accordance with generally accepted accounting principles and procedures. Documentation shall be made available for inspection and audit by authorized representatives of the DOT or its designee at all reasonable times during the period of the contract and for three (3) years after the date of final reimbursement. Reimbursement shall be based on eligible actual and indirect costs associated with performance of the contract work. The Recipient shall provide copies of said records and documents to the DOT upon request.
- d. The Recipient shall notify the DOT's contact person of the date that construction begins and the date the project is substantially complete (i.e., when the road is re-opened to traffic).
- e. The Recipient shall require its contractors to permit the DOT authorized representative to inspect all work materials, records, and any other data with regard to agreement related costs, revenues, and operating sources.
- f. Upon project completion and prior to final reimbursement for the project, the Recipient shall furnish one set of "as-built" plans for any portion of the project which is on, or intersects with, any Primary Road or Primary Road extension to the DOT's contact person for future maintenance and road design purposes.
- g. If this project requires the installation of, or modification to, a traffic signal system, the Recipient shall be responsible for all future ownership, maintenance, operation, and energy costs of said installation or modification.
- h. The Recipient hereby certifies that, for a period of five (5) years following completion of the project and receipt of final reimbursement from the DOT, there shall be no modifications in the geometric features, the construction features, or the access management features (including driveway design and location) of the project, nor shall there be any fixed objects or obstructions placed in any clear zone established in conjunction with this project without the prior written approval of the Traffic and Safety Bureau. Failure to comply shall be considered a default under the terms of this agreement.

7. Payments and Reimbursements

- a. The Recipient may submit to the DOT periodic itemized claims for reimbursement for eligible project activities. Eligible and ineligible costs are outlined in Iowa Administrative Code (IAC) 761 Chapter 164, Traffic Safety Improvement Program (see IAC 761-164.6(312) and IAC 761-164.7(312)). Reimbursement claims shall include certification by a professional engineer licensed to practice in the State of Iowa that all eligible project activities for which reimbursement is requested have been completed in substantial compliance with the terms of this agreement. Reimbursement claims shall not be submitted until after July 1, 2025.
- b. The DOT will reimburse the Recipient for properly documented and certified claims for eligible project costs. The DOT may withhold up to 5% of the construction costs, or 5% of the TSIP funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the DOT determines the Recipient has been over-reimbursed, the Recipient shall reimburse the overpaid

amount to the DOT. After the final audit or review is complete, and after the Recipient has provided all required paperwork, the DOT will release the funds withheld, if any.

- c. Upon completion of the project described in this agreement, a professional engineer licensed to practice in the State of Iowa shall certify in writing to the DOT that the project activities were completed in substantial compliance with the terms of this agreement. Final reimbursement of TSIP funds shall be made only after the DOT accepts the project as complete.
- d. The Recipient shall request reimbursement and final payment from the DOT within one year of field completion of the work. If this condition is not met, the Recipient may be in default, for which the DOT may revoke funding commitments.
- e. If the Recipient fails to perform any obligation under this agreement, the DOT shall have the right, after first giving thirty (30) days written notice to Recipient by certified mail return receipt requested, to declare this agreement in default. The Recipient shall have thirty (30) days from date of mailing of the notice to cure the default. If the Recipient cures the default, the Recipient shall notify DOT no later than five (5) days after cure or before the end of said thirty (30) day period to cure default. Within ten (10) working days of receipt of Recipient's notice of cure, the DOT shall issue either a notice of acceptance of cure or notice of continued default.
- f. In the event a default is not cured, the DOT may revoke funding commitments and/or seek repayment of TSIP funds granted by this agreement through charges against the Recipient's road use tax funds.

8. General Provisions

- a. This agreement shall be considered to be in default if the DOT determines that the Recipient's application for funding contained inaccuracies, omissions, errors, or misrepresentations.
- b. To the extent allowed by law, the Recipient agrees to indemnify, defend, and hold the DOT harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, or inspection of this project. To the extent allowed by law, this agreement to indemnify, defend and hold harmless applies to all aspects of the DOT's application review and approval process, plan and construction reviews, and funding participation.
- c. In accordance with Iowa Code Chapter 216, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- d. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the associated Federal regulations that implement these laws.
- e. The Recipient shall take the necessary actions to comply with applicable State and Federal laws and regulations. To assist the Recipient, the DOT has provided guidance in the Non-Federal-aid Project Development Guide (Non-Federal-aid Guide) and the Instructional Memorandums to Local Public Agencies (I.M.s) that are referenced by the Guide. Both are available on-line at: https://www.iowadot.gov/local_systems/publications/im/lpa_ims.htm. The Recipient shall follow the applicable procedures and guidelines contained in the Non-Federal-aid Guide and I.M.s in effect at the time project activities are conducted.
- f. If any part of this agreement is found to be void and unenforceable then the remaining provisions of this agreement shall remain in effect.
- g. This agreement is not assignable without the prior written consent of the DOT.
- h. It is the intent of both parties that no third-party beneficiaries be created by this agreement.

- i. In case of dispute concerning the terms of this agreement, the parties shall submit the matter to arbitration pursuant to Iowa Code Chapter 679A. Either party has the right to submit the matter to arbitration after ten (10) days' notice to the other party of their intent to seek arbitration. The written notice must include a precise statement of the disputed question. The DOT and the Recipient agree to be bound by the decision of the appointed arbitrator. Neither party may seek any remedy with the state or federal courts absent exhaustion of the provisions of this paragraph for arbitration.
- j. This agreement, including referenced exhibits, constitutes the entire agreement between the DOT and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement must be made in the form of an addendum to this agreement. Said addendum shall become effective only upon written approval of the DOT and Recipient.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2026-TS-002 as of the date shown opposite its signature below.

City of Davenport, Iowa:

By: _____ Date _____, 20____.

Title: _____

I, _____, certify that I am the Clerk of the City, and that
_____, who signed said Agreement for and on behalf of the City was duly
authorized to execute the same by virtue of a formal Resolution duly passed and adopted by the City, on
the _____ day of _____, 20____.

Signed _____ Date _____, 20____.
City Clerk of Davenport, Iowa

Iowa Department of Transportation:

By: _____ Date _____, 20____.

Hossein Naraghi, PhD
Director
Traffic and Safety Bureau

EXHIBIT A-2
[Estimated Project Cost]

Construction Cost Estimate
E Kimberly Road & E 36th Street

		UNIT PRICE	QTY		
Excavation	CY	\$ 50.00	250	\$	12,500.00
Concrete Median	SY	\$ 100.00	100	\$	10,000.00
PCC Pavement, 10" (patches)	SY	\$ 130.00	650	\$	84,500.00
Pavement Removal	SY	\$ 15.00	750	\$	11,250.00
Sign Panels	SF	\$ 75.00	48	\$	3,600.00
Sign Posts	LF	\$ 25.00	60	\$	1,500.00
Erosion Control	LS	\$ 750.00	1	\$	750.00
Pavement Markings, 6" line	LF	\$ 2.00	200	\$	400.00
Pavement Markings, arrows	EA	\$ 250.00	2	\$	500.00
Temporary Traffic Control	LS	\$ 10,000.00	1	\$	10,000.00
Concrete Washout	LS	\$ 1,000.00	1	\$	1,000.00
Construction Contingency	LS	\$ 14,000.00	1	\$	14,000.00
					\$ 150,000.00

EXHIBIT B
UTILIZATION OF TARGETED SMALL BUSINESS (TSB) ENTERPRISES
ON NON-FEDERAL AID PROJECTS
(THIRD-PARTY STATE-ASSISTED PROJECTS)

In accordance with Iowa Code Section 19B.7, it is the policy of the Iowa Department of Transportation (Iowa DOT) that Targeted Small Business (TSB) enterprises shall have the maximum practicable opportunity to participate in the performance of contracts financed in whole or part with State funds. Refer to Local Systems [I.M. 5.020](#) for additional information.

Under this policy the Recipient shall be responsible to make a positive effort to solicit bids or proposals from TSB firms and to utilize TSB firms as contractors or consultants. The Recipient shall also ensure that the contractors or consultants make positive efforts to utilize TSB firms as subcontractors, subconsultants, suppliers, or participants in the work covered by this agreement.

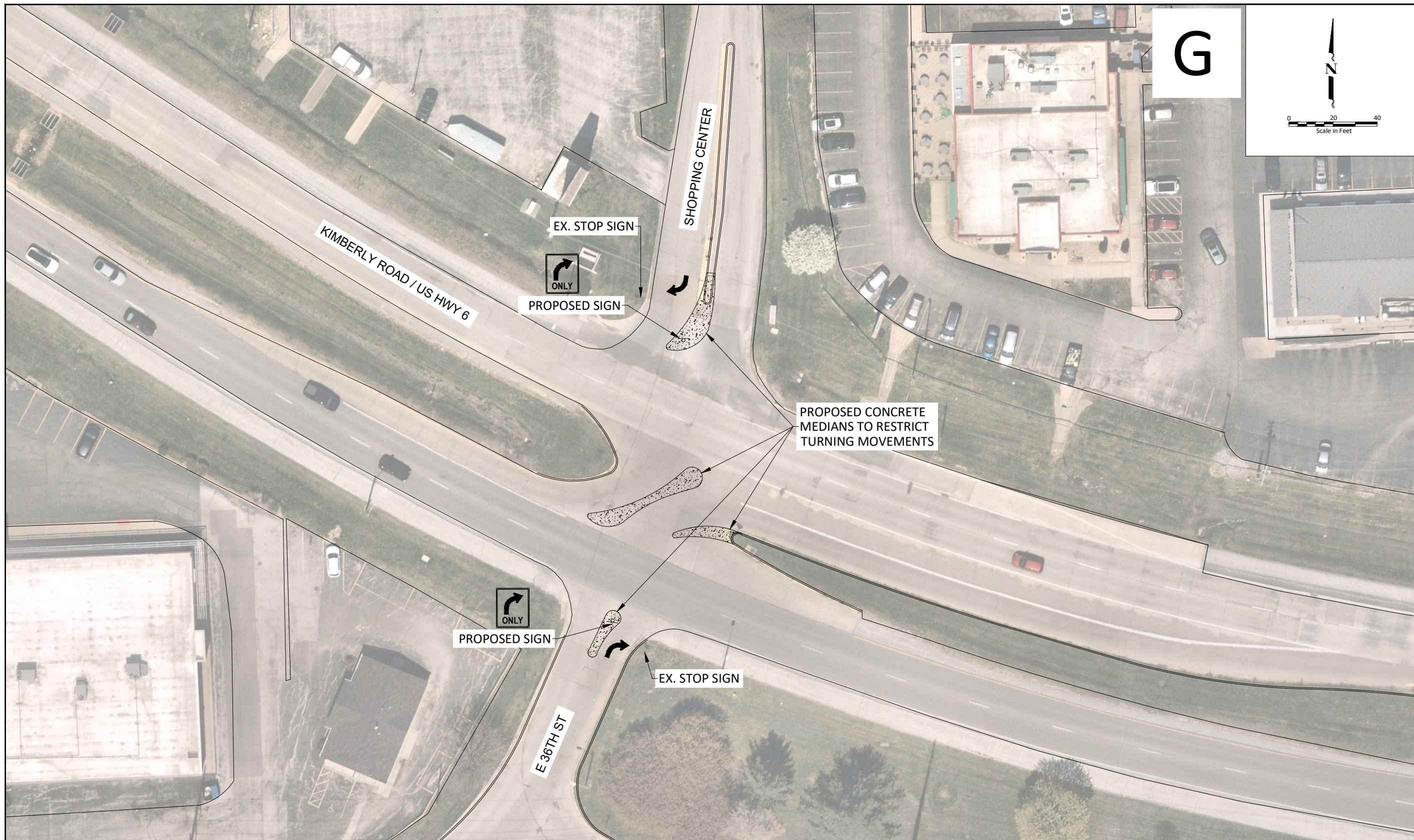
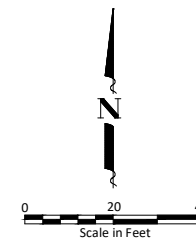
The Recipient's "positive efforts" shall include, but not be limited to:

1. Obtaining the names of qualified TSB firms from the Iowa Economic Development Authority (515-348-6200) or from its website at: <https://www.iowaeda.com/small-business/targeted-small-business/>
2. Notifying qualified TSB firms of proposed projects involving State funding. Notification should be made in sufficient time to allow the TSB firms to participate effectively in the bidding or request for proposal (RFP) process.
3. Soliciting bids or proposals from qualified TSB firms on each project, and identifying for TSB firms the availability of subcontract work.
4. Considering establishment of a percentage goal for TSB participation in each contract that is a part of this project and for which State funds will be used. Contract goals may vary depending on the type of project, the subcontracting opportunities available, the type of service or supplies needed for the project, and the availability of qualified TSB firms in the area.
5. For construction contracts:
 - a) Including in the bid proposals a contract provision titled "Targeted Small Business (TSB) Affirmative Action Responsibilities on Non-Federal Aid Projects (Third-Party State-Assisted Projects)" or a similar document developed by the Recipient. This contract provision is available in Local Systems [I.M. 5.020](#).
 - b) Ensuring that the awarded contractor has and shall follow the contract provisions.
6. For consultant contracts:
 - a) Identifying the TSB goal in the Request for Proposal (RFP), if one has been set.
 - b) Ensuring that the selected consultant made a positive effort to meet the established TSB goal, if any. This should include obtaining documentation from the consultant that includes a list of TSB firms contacted; a list of TSB firms that responded with a subcontract proposal; and, if the consultant does not propose to use a TSB firm that submitted a subcontract proposal, an explanation why such a TSB firm will not be used.

The Recipient shall provide the Iowa DOT Administering Bureau the following documentation:

1. Copies of correspondence and replies, and written notes of personal and/or telephone contacts with any TSB firms. Such documentation can be used to demonstrate the Recipient's positive efforts and it should be placed in the project file.
2. Bidding proposals or RFPs noting established TSB goals, if any.
3. Form 260017 "Checklist and Certification for the Utilization of Targeted Small Businesses (TSB)" shall be filled out upon completion of each project.
<https://iowadot.seamlessdocs.com/f/ChecklistandCertforUtilizationofTSBonNonFederalProjects>.

G



KIMBERLY ROAD & E 36TH STREET
TURN RESTRICTIONS



City of Davenport, Iowa
Engineering Division
1200 E. 46th Street
Davenport, Iowa 52807
(563) 326-7729 Fax (563) 327-5182

PROJECT NUMBER: PRJ-4135	PLOT DATE: 8/15/2024
CIP NUMBER: 35062	PLOT SCALE: 0.460612
REVISION:	DESIGNED BY: JMV
	DRAWN BY: JMV
	CHECKED BY: ---
DWG FILE: C:\01.dwg	

TSIP APPLICATION
PLAN VIEW

SHEET NO.
G.1
TOTAL SHEETS
2

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Resolution approving the purchase of Parcel #R0463-03 for the South Concord Grade Separation project in the amount of \$190,000, CIP #21013. [Ward 1]

Recommendation:

Adopt the Resolution.

Background:

The South Concord Grade Separation project will construct a new bridge overpass above the at-grade rail crossing south of River Drive. In addition, an elevated roadway will be constructed that aligns with the new bridge to Miller Avenue. The bridge allows continuous traffic flow to the Water Pollution Control Plant (WPCP) and the Compost Facility along with any commercial and residential properties south of the Canadian Pacific-Kansas City Southern rail lines. The new roadway is being designed for a 100-year event flood level.

The purchase of parcel #R0463-03 is necessary for the new elevated roadway. An extensive analysis of the area was performed by the City's hired engineering firm, HR Green, and the current roadway alignment is the most cost-effective and disturbs the least amount of environmental and archaeological sensitive areas.

Attachments:

1. Resolution
2. Map

Resolution No. _____

Resolution offered by Alderman R. Dunn.

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

RESOLUTION approving the purchase of Parcel #R0463-03 for the South Concord Grade Separation project in the amount of \$190,000, CIP #21013.

WHEREAS, the City needs to acquire property to construct an elevated roadway from the proposed South Concord bridge overpass to Railroad Avenue; and

WHEREAS, the City has a pending sale agreement with the property owner of parcel #R0463-03.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of Parcel #R0463-03 for the South Concord Grade Separation project in the amount of \$190,000 is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk



City of Davenport

Department: Public Works
Contact Info: Jim Erwin | 563-326-7922

Action / Date
3/5/2025

Subject:

Motion amending the grant agreement with the Iowa Department of Transportation Special Transit Assistance Program (STA) for the Transit Planning Study project. [All Wards]

Recommendation:

Pass the Motion.

Background:

This grant submission was approved on September 18, 2024. Two applications were submitted and one was approved. The awarded grant is through the Iowa Department of Transportation Special Transit Assistance (STA) Program. This \$250,000 grant is a 50/50 cost-share with a local share of \$125,000. The local share will be split between Davenport, Bettendorf, Eldridge and Le Claire. The local match amounts are based on population levels using 2020 census data. Since the application was submitted last September, the Iowa Department of Transportation has awarded the STA grant with a 50/50 cost share requirement for a total amount of \$250,000. With this increased funding amount, the local match requirements are as follows:

- Davenport - 67% / \$83,469.73 increased from \$43,405
- Bettendorf - 26% / \$32,133.51 increased from \$16,710
- Eldridge - 4% / \$5,526.63 increased from \$2,873
- LeClaire - 3% / \$3,870.12 increased from \$2,012

This grant is designed to perform a transit planning study of Scott County by the City of Davenport. The last transit study was conducted in 2016 and was focused solely on Davenport. Since that time, the City of Davenport has experienced significant growth along with the neighboring communities of Bettendorf, LeClaire, and Eldridge. This transit study would focus on each community, both individually and collectively, to evaluate options for improved efficiency, service area needs, and interconnectedness for customers. The goal of this study is to improve the current public transportation network to create a more effective, accessible, and seamless system while reducing traffic congestion and improving air quality across the region.

Attachments:

1. Draft Agreement

**AN AGREEMENT AMONG
THE CITIES OF AND BETTENDORF, DAVENPORT, ELDRIDGE, AND LECLAIRE, IOWA**

This agreement, is entered into by the cities of Bettendorf, Davenport, Eldridge and LeClaire (the "Cities") for match participation related to application for Iowa Department of Transportation (DOT) State Transit Assistance (STA) Special Project funds, and on award, the holding and administering a contract for a planning study of the Scott County Area Passenger Transportation Study.

WHEREAS, the parties hereto are desirous and capable of entering into an agreement to match STA Special Project funds, administer the grant and procure services specified herein.

THEREFORE, THE PARTIES HERETO agree to the following terms and conditions:

- A. The Cities find a public benefit to exist in procuring a region-wide passenger transportation planning study. The Cities intend to pay for such study through a combination of STA Special Project funds and local matching funds. Upon award of the STA Special Project funds, the City of Davenport shall enter into a contract with a firm for the provision of a passenger transportation planning study of the Scott County, Iowa area (the "Contract"). The City of Davenport will work with the other signatory cities in good faith. The Contract is intended to be funded by STA Special Project funds in an amount not to exceed \$125,000 and local match funds as set forth in paragraph B.
- B. Match funding for the Contract will be provided entirely by the cities of Bettendorf, Davenport, Eldridge and LeClaire. These funds shall be transmitted to the City of Davenport for an awarded STA Special Project grant and shall be non-federal dollars. The total local match of \$125,000 shall be split by the Cities in amounts not to exceed:
 1. City of Bettendorf, Iowa -- \$32,133
 2. City of Davenport, Iowa -- \$83,470
 3. City of Eldridge, Iowa -- \$5,527
 4. City of LeClaire, Iowa -- \$3,870
- C. City of Davenport will collect, hold, and account for these funds separately.
- D. In no instance shall City of Davenport make payment for the Contract using any federal or state grant dollars, or other funds not specified under this agreement.
- E. If any section, provision, or part of this agreement shall be found to be invalid or unconstitutional, such judgment shall not affect the validity of the agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional.
- F. This agreement may be amended by mutual written consent of the participants to this agreement.

The undersigned agree with the terms of the agreement as written above:

City of Davenport, Iowa

By: _____
Mayor or Designee

Date: _____

City of Davenport

Department: Public Works
Contact Info: Clay Merritt | 563-326-7734

Action / Date
3/5/2025

Subject:

Motion awarding a contract for engineering services for the Junior Theatre | Utility Relocation project to Axiom Consultants of Iowa City, Iowa in the amount of \$59,200, CIP #23099. [Ward 5]

Recommendation:

Pass the Motion.

Background:

The Annie Wittenmyer property recently changed ownership and is in the process of being developed for private use. The existing site has shared utilities between all the buildings, this includes sanitary, domestic water, and steam heat. The Nighswander Theatre will remain as part of the site and will be used by the City of Davenport for main stage performances, but a separation of all utilities is necessary. This proposed contract includes the following scope of services:

- Civil Engineering: A new water service taps into the water main located along Eastern Avenue; associated water service line installation on site including new hydrant and adjustments of existing lines (and hydrant) to serve as separate systems; installation of individual building feeds; all associated valving/fittings/locator equipment. A separate natural gas service feed to the building and sanitary tie-in to the exterior lateral.
- Mechanical Engineering: A new heating system and evaluation of the existing cooling system. Engineer to provide cursory review and simple comparison between multiple heating systems for City of Davenport to review and decide upon.
- Electrical Engineering: Incidental electrical sizing new conductors and conduit and overcurrent protection for any new HVAC equipment.

The proposed engineering contract with Axiom Consultants will provide the plans and specifications necessary for bidding purposes.

Attachments:

None

City of Davenport

Department: Finance
Contact Info: Jim Odean | 563-326-7739

Action / Date
3/5/2025

Subject:

Third Consideration: Ordinance repealing and replacing Chapter 5.15 entitled "Cigarette, Tobacco, Alternative Nicotine or Vapor Products" of the Municipal Code of Davenport, Iowa to include recent legislation enacted by the General Assembly of the State of Iowa regarding regulation of certain tobacco products. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Under Iowa Code §453A.47A, a retail permit is required to sell tobacco, tobacco products, alternative nicotine products, or vapor products at any place of business or through delivery sales. All permits provided for in Iowa Code §453A.47A expire on June 30 of each year and require payment of the applicable fee established in Iowa Code §453A.47A(7). The Iowa Department of Revenue implements the retail Tobacco permit requirements of Iowa Code §453A.47A. The City of Davenport Revenue Division issues all permits for retailers located within city limits. As part of the retail permit process, the Iowa Department of Revenue requires applications to be approved by the city once the city receives the completed application and appropriate fee.

During the 2024 legislative session, the Iowa legislature enacted Senate File 345, which regulates and taxes the sale of devices effective January 1, 2025. Per the legislation, a "device" is defined as any equipment or product made in whole or in part of glass or metal, designed for inhaling through the combustion of tobacco, hemp, other plant materials, or a controlled substance. The legislation established a Device Retailer Permit and a Delivery Sale of Devices Permit in conjunction with a permit for tobacco, tobacco products, alternative nicotine products, or vapor products.

Attachments:

1. Ordinance
2. Current Chapter 5.15

ORDINANCE NO. _____

ORDINANCE REPEALING AND REPLACING CHAPTER 5.15 ENTITLED "CIGARETTE, TOBACCO, ALTERNATIVE NICOTINE OR VAPOR PRODUCTS" OF THE MUNICIPAL CODE OF DAVENPORT IOWA TO INCLUDE RECENT LEGISLATION ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA RELATING TO THE REGULATION OF CERTAIN TOBACCO PRODUCTS.

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

Section 1. That Chapter 5.15 of the Municipal Code of Davenport, Iowa is hereby repealed and replaced with the following:

5.15.010 Permits.

All Permits under this section shall expire on June 30 each year.

5.15.020 Applications.

Applications for all tobacco, tobacco products, alternative nicotine products, vapor products, and device permits, as required by Iowa Code Chapter 453, must be submitted to the State of Iowa Department of Revenue using the GovConnect.Iowa.gov website and fee paid to the State of Iowa.

5.15.030 Sales and Excise Taxes.

A sale or delivery sale of a device within this state shall be subject to sales tax and an excise tax as defined by Iowa Code Chapter 453E.5, payable to the State of Iowa.

5.15.040 Cigarette, Tobacco, Alternative Nicotine, and Vapor Product Permits.

The City of Davenport administers cigarette, tobacco, alternative nicotine, and vapor product permits on behalf of the State of Iowa. No person shall engage in the business of a retailer of cigarette, tobacco, alternative nicotine, and vapor products at any place or business without first having received a permit as a cigarette, tobacco, alternative nicotine, and vapor products retailer. No permit shall be issued for the sale of cigarette, tobacco, alternative nicotine, and vapor products at retail in the City except to applicants who shall be engaged in one or more of the following listed occupations and shall be so engaged otherwise than incidentally or as an adjunct to some other occupation not so listed:

1. The retail grocery or convenience business;
2. The retail drug store business.
3. The retail cigarette, tobacco, alternative nicotine, and vapor products business;
4. The bar, brewery, or restaurant business;

5. The hotel business;
6. The operation of a private club;
7. The operation of a gasoline filling or service station.

It shall be provided, nevertheless, that nothing contained in this chapter shall prevent the issuance of a permit for the sale of cigarette, tobacco, alternative nicotine, and vapor products at retail to any applicant who is now the holder of any such permit or who shall purchase the goodwill of any business conducted by any person who is the present holder of such a permit.

5.15.050 Device Retailer Permit.

1. Permit Requirement

No person shall engage in the business of a device retailer at any place of business or through delivery sales unless they comply with Iowa Code § 453E.3 and meet one of the following conditions:

- a. The person holds a valid tobacco retailer permit under Iowa Code § 453A.47A, is in compliance with all applicable provisions of Chapter 453A and sells both tobacco products and devices at the retail outlet or through delivery sales; or
- b. The person holds a valid device retailer permit issued pursuant to this section and is in compliance with all provisions of Iowa Code § 453E.3.

2. Prohibition on Sales Without a Permit

A device retailer shall not sell devices until an application has been filed, the required fee has been paid, and a permit has been obtained. Sales are only permitted while the retailer's permit is active and not suspended, revoked, or expired.

3. Permit Requirement for Each Business Location

A separate permit must be obtained for each place of business owned or operated by a device retailer within the state. Out-of-state device retailers making delivery sales to Iowa residents must apply for a permit through the Iowa Department of Revenue for their principal place of business.

4. Compliance Obligations for Permit Holders

A device retailer permit holder must comply with all requirements established by the Iowa Department of Revenue, including:

- a. **Permit Issuance:** Applications must be submitted electronically through the department's portal, with all required fees paid.
- b. **Application Requirements:** Applications must include detailed business information, transaction methods, business locations, and relevant personnel
- c. **Record-Keeping and Reporting:** Retailers must maintain uniform transaction records, submit reports upon request, and provide sales data, including the number of devices sold.
- d. **Sales Restrictions:** No device may be sold to individuals under 21 years of age. Age and identity verification are required at the time of purchase for both in-person and delivery sales.
- e. **Display and Access Restrictions:** Devices must be displayed in a manner that prevents access by individuals under 21 years of age and should only be visible in restricted areas where minors are prohibited.

5.15.060 Delivery Sale of Devices Permit

1. Permit Requirement

No person shall mail, ship, or otherwise deliver a device in connection with a delivery sale within this state unless they hold a valid device delivery sale permit under Iowa Code § 453E.4.

2. Delivery Sale Requirements

- a. Only permit holders may engage in the delivery sale of devices.
- b. Devices may only be delivered to Iowa residents age 21 or older for personal use and not for resale.
- c. All shipments must be labeled with: "CONTAINS DEVICE: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY" or other department-approved language.
- d. The seller must verify the recipient's identity and age prior to delivery. The recipient must be 21 years or older and must sign for the delivery.
- e. Retailers must maintain delivery sale records for a minimum of five years, including details on the manufacturer, quantity sold, recipient information, age verification, and taxes paid. Reports must be submitted monthly to the director.

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 not illegal or void provisions.

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

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

First Consideration _____

Second Consideration _____

Approved _____

Published in *The Quad-City Times* on _____

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

5.15.010. Permits. [Ord. 2016-541; Ord. 2012-332 (part); prior code § 2-44]

The City of Davenport administers cigarette, tobacco, alternative nicotine and vapor products permits on the behalf of the State of Iowa. No person shall engage in the business of a retailer of cigarette, tobacco, alternative nicotine and vapor products at any place or business without first having received a permit as a cigarette, tobacco, alternative nicotine and vapor products retailer. No permit shall be issued for the sale of cigarette, tobacco, alternative nicotine and vapor products at retail in the City except to applicants who shall be engaged in one or more of the following listed occupations and shall be so engaged otherwise than incidentally or as an adjunct to some other occupation not so listed:

- A. The retail grocery business;
- B. The retail drug store business;
- C. The retail cigarette, tobacco, alternative nicotine and vapor products business;
- D. The sale of malt beverages under a class B license;
- E. The restaurant business;
- F. The hotel business;
- G. The operation of a private club;
- H. The operation of a gasoline filling or service station;

It shall be provided, nevertheless, that nothing contained in this chapter shall prevent the issuance of a permit for the sale of cigarette, tobacco, alternative nicotine and vapor products at retail to any applicant who is now the holder of any such permit or who shall purchase the goodwill of any business conducted by any person who is the present holder of such a permit.

City of Davenport

Department: Finance
Contact Info: James Odean | 563-326-7739

Action / Date
3/5/2025

Subject:
Resolution adopting an updated Investment Policy. [All Wards]

Recommendation:
Adopt the Resolution.

Background:

The Davenport City Council has adopted an Investment Policy mandated by Chapter 12 of the State of Iowa Code. The policy was first adopted in 1992 and has been amended multiple times, with the last version in March 2024. The Finance Department is responsible for managing the City's investments, and the Finance Director is responsible for establishing and maintaining an internal control structure to ensure that Davenport's assets are protected from loss, theft, or misuse.

The investment policy addresses primary goals, including the principal's safety, maintaining the necessary liquidity to match expected liabilities and reasonable return. In addition, the policy addresses delegation of authority, investment objectives, prudence, eligible investments, maturity limitations, diversification, safekeeping, pooled cash and interest allocation, ethics and conflict of interest, reporting, and consideration of community reinvestment activities.

Section 17.0 of the Investment Policy states that staff must review it annually, and the City Council must approve all material changes. After a review by staff, the investment policy has been revised to include changes to the amount required for collateralization for credit bureaus. House File 131 revised the amount required for collateralization from 110% to 100%. The City currently invests with one credit union, DuTrac Credit Union and looks to add others.

Attachments:

1. Resolution
2. Investment Policy

Resolution No. _____

Resolution offered by Alderwoman Newton.

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

RESOLUTION adopting the updated Investment Policy.

WHEREAS, the City is committed to conforming with all federal, state, and local statutes governing the investment of public funds, including Iowa Code Chapters 12B and 12C, federal arbitrage regulations, and federal grant regulations; and

WHEREAS, there is a State mandate to have a written investment policy that addresses prudence, compliance with state law, and diversification of investments; and

WHEREAS, the investment policy is required to be reviewed annually; and

WHEREAS, the policy establishes best practices and standards that govern the investment and safekeeping of City funds by the Finance Department;

WHEREAS, the City Council approves all revisions to the Investment Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the updated Investment Policy is hereby adopted.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

CITY OF DAVENPORT

Investment Policy

Section 1.0 - Policy

It is the policy of the City of Davenport to invest public funds in a manner that provides the highest investment return with maximum security, meeting the daily cash flow demands of the entity and conforming with all applicable federal, state, and local statutes governing the investment of public funds.

The Investment Policy intends to comply with Iowa Code Chapters 12B and 12C and their relevant successors, Federal arbitrage regulations, and Federal grant regulations.

Section 2.0 - Scope

This investment policy applies to all financial assets of the City of Davenport. These funds are accounted for in the City of Davenport's Comprehensive Annual Financial Report and include:

In addition to the funds named below, this policy will also cover all future funds created. The investment of bond funds or sinking funds shall comply with the Investment Policy and be consistent with any applicable bond resolution.

1. General Fund
2. Special Revenue Funds
3. Capital Project Funds
4. Proprietary Funds
5. Debt Funds

Section 2.1 - Pooled Cash and Interest Allocation

Cash resources shall be pooled to maximize investment opportunities. Income from investments purchased with pooled cash shall be allocated to individual funds based on the fund's average cash balance and legal requirements, grant regulations, arbitrage rules, and bond resolutions. Interest income shall be allocated to all funds so that no fund subsidizes another fund.

Section 3.0 - Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion, and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

The "prudent person" standard states that "Investments shall be made with judgment and care, under the circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

Section 4.0 - Objectives

The primary objectives, in order of priority, of all investment activities involving financial assets shall be the following:

Safety: Safety and preservation of principal in the overall portfolio are the foremost investment objectives. The City of Davenport investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, the City of Davenport will diversify its investments by investing funds among various securities offering independent returns and financial institutions.

Liquidity: The City of Davenport's Investment portfolio will remain sufficiently liquid to meet all operating requirements that might be reasonably anticipated.

Return: The City of Davenport's investment portfolio shall be designed to attain a benchmark rate of return throughout budgetary and economic cycles, consistent with the City of Davenport's investment risk constraints and the cash flow characteristics of the portfolio.

Linked Deposit: Standards for financial institutions' involvement in areas of equal opportunity for minority sections of the City's population. Linked deposit objectives are defined in Section 7.1.

Section 5.0 - Delegation of Authority

Per Iowa Code Chapter 12B.10, the responsibility for conducting investment transactions resides with the City of Davenport's Finance Director/City Treasurer or designee. Only the Finance Director/City Treasurer and those authorized by resolution may invest public funds, and a copy of any empowering resolution shall be attached to this investment policy.

Section 5.1 - Investment Procedures

To operate the program, the City Treasurer shall establish written investment procedures consistent with this policy. Procedures should include references to safekeeping, delivery vs. payment, PSA repurchase agreements, wire transfer agreements, banking service contracts, internal controls, collateral/depository agreements, daily cash flow review, the basis for awarding bids, authorized personnel, and portfolio inventory. No person may engage in the investment transaction except as provided under the terms of this policy and procedures established by the City Treasurer.

Investment procedures are a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, document those officers and employees of the City responsible for elements of the investment process, and address the capability of investment management. The controls shall provide for receipt and review of the audited financial statement and related report on the internal control structure of all outside persons performing any of the following for the City of Davenport:

- a. Investing public funds,
- b. Advising on the investment of public funds,
- c. Directing the deposit or investment of public funds,
- d. Acting in a fiduciary capacity for the City.

The procedures document is intended to guide staff and continuity in the event of an interruption of service of the City Treasurer.

Section 6.0 - Ethics and Conflict of Interest

All officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program or impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Mayor, City Administrator, and Finance Committee any material financial interests in financial institutions that conduct business within their jurisdiction, and they will further disclose any large personal financial/investment positions that could be related to the performance of the City of Davenport. Staff included in this section will be notified of depository changes.

Section 7.0 - Authorized Financial Dealers and Institutions

The Finance Director/City Treasurer or their designee shall request competitive investment proposals for comparable credit and term investments from at least two investment providers. Each financial institution shall be declared as a depository by the Davenport City Council by resolution with approved maximum deposit amount. (See attached resolution). The depository should also be on the list of Eligible Financial Institutions on the State of Iowa Treasurer website. The Iowa Code requires depositories to be located within the county, or the adjoining county, in which a city is located. Securities purchased from a broker-dealer and held with a third-party custodian are not included in this total.

The City shall identify qualified financial institutions to do investment business with through the Request for Qualification (RFQ) process. Potential institutions will be required to submit a letter stating they will comply with all applicable federal, state and local laws and regulations, with the City of Davenport's investment policy, provide documentation that the depository will comply with the State of Iowa Treasurer's Office regarding acceptance of public deposits, provide an annual report, and submit the most recent Community Reinvestment Act (CRA) performance evaluation and Home Mortgage Disclosure Act (HMDA).

The factors mentioned in Sections 7.0 and 7.1 will be evaluated by the Finance Department and reviewed by the Inclusion & Equity Administrator or its designee(s) and approved by the Davenport City Council.

Institutions may be added, and the list of qualified institutions amended individually at the request of a financial institution and acceptance of the City Treasurer or their designee. The financial institution must meet all criteria identified in the Request for Qualifications process.

All depositories participating in the City of Davenport's Investment program must annually submit their most recent annual report, and if applicable the most recent Community Reinvestment Act (CRA) Performance Evaluation, Home Mortgage Disclosure Act (HMDA) and related reports on internal control structure. State law also requires outside persons doing investment business with the City to notify in writing to the City Treasurer within thirty (30) days of receipt of all communications from the auditor of the outside person or any regulatory authority of the existence of a material weakness in internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City by the outside person. The Assistant Finance Director will follow up on any irregularities reported. Also, savings and loans must submit a monthly report of current market value of collateral deposited with a custodian.

Section 7.1 - Consideration of Community Reinvestment Activities

It shall continue to be the City's primary objective of its investment policy to preserve principal while maintaining sufficient liquidity to meet the City's cash requirements while maximizing income. Prospective security dealers, financial institutions, depository banks, collection banks, and assets managers the City selects will be selected primarily based on these criteria.

The City shall apply the following factors/criteria to the above financial principles:

1. The City shall not deposit or invest funds with any financial institution below a minimum Community Reinvestment Act exam of an overall institution rating of Satisfactory and an overall Davenport MSA rating of Satisfactory.
2. The City will make every attempt to encourage security brokerage firms and brokers owned, managed, or operated by women and/or minorities as identified under federally protected class statutes and to submit a proposal on a competitive basis to act as the City's agent.
3. The City shall consider those institutions that have a demonstrated commitment and practice of promoting economic development and community reinvestment in economically distressed neighborhoods and City-designated empowerment zones through mortgage lending and commercial lending and or documented contributions toward such efforts. Community Reinvestment Act portfolio data and Home Mortgage Disclosure Act data may be used to assess these criteria. This commitment will also be measured with respect to home improvement financing and the availability of banking services.

4. A demonstrated commitment and practice of promoting economic development through commercial lending to small businesses in the Quad City metropolitan area and or documented contributions toward such efforts. This includes innovative initiatives to provide competitive and low-cost equity capital, working capital and other commercial credit to businesses (including, but not limited to, women and minority-owned businesses, and other businesses that are “B” and “C” rated credit risks) that are performing on City contracts.

Section 8.0 – Authorized and Suitable Investments

From the City Council’s perspective, special care must be taken to ensure that the list of instruments includes only those allowed by state statute and those that local investment managers are trained and competent to handle.

The City of Davenport is empowered by statute to invest in the following types of investments authorized by Iowa Code Chapter 12B.10.

1. Interest-bearing savings accounts, interest-bearing money market accounts, and interest-bearing checking accounts at any bank, savings and loan association, or credit union in the State of Iowa.
2. Obligations of the United States government, its agencies, and instrumentalities.
3. Certificates of deposit and other evidence of deposit at federally insured Iowa depository institutions approved and secured according to the Iowa Code.
4. Certificate of Deposit Account Registry Service (CDARS) deposited with an authorized financial institution under to Iowa Code Chapter 12B.10 (7).
5. Iowa Public Agency Investment Trust (IPAIT) to include the Diversified Portfolio, Certificate of Deposit Registry Service (CDARS), and Fixed Term Automated (FTA) program, whose investments comply with Iowa code and IPAIT-approved banks.
6. Prime bankers' acceptances that mature within 270 days of purchase and that are eligible for purchase by a Federal Reserve Bank.
7. Commercial paper or other short-term corporate debt that matures within 270 days of purchase and is rated within the two highest classifications, as established by at least one of the standard rating services approved by the Superintendent of Banking.
8. Repurchase agreements, provided that the underlying collateral consists of obligations of the United States government, its agencies, and instrumentalities and that the city takes delivery of the collateral either

directly or through an authorized custodian. See Appendix A.

9. An open-end management investment company registered with the Securities and Exchange Commission under the Federal Investment Company Act of 1940, 15 USC, Section 80(a) and operated in accordance with 17 CFR Section 270.2a-7, whose portfolio investments are limited to those instruments individually authorized in this section of the Investment Policy.
10. Warrants or improvement certificates of a levee or drainage district.

All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section 12, Diversification, and Section 13.0, Maturity Maximums.

Section 8.1 - Prohibited Investment and Investment Practices

Assets shall not be invested in the following:

1. Reverse repurchase agreements,
2. Futures and options contracts.

Assets shall not be invested under the following investment practices:

1. Trading of securities for speculation or the realization of short-term trading gains;
2. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the investment assets.
3. Certificates of deposit shall earn at least the minimum interest rates determined by a committee of the state of Iowa as defined by Iowa Code Chapter 12C.6 and posted on the State Treasurer of Iowa website.

If a depository or another third-party with custody of public investment transaction records fails to produce records when requested by this public body within a reasonable time, the City of Davenport shall make no new investment with or through the depository or third-party and shall not renew maturing investments with or through the fiduciary or third-party.

Section 9.0 - Investment Pools/Mutual Funds:

A thorough investigation of the pool/fund is required prior to investing, and on a continual basis. There shall be a questionnaire developed which will answer the following general questions:

Does the Investment Pool meet the requirements of Iowa Code Chapter 12.B10 (7) (a)?

The Investment Pool will comply with the City of Davenport's Investment Policy.

Provide the pool's written statement of policy and objectives.

- A description of eligible investment securities and a written statement of investment policy and objectives.
- A description of interest calculations, how it is distributed, and how gains and losses are treated.
- A description of how securities are safeguarded (including the settlement processes), how often the securities are priced, and the program audited.
- A description of who may invest in the program, how often, and what size deposit and withdrawal are allowed.
- A schedule for receiving statements and portfolio listings.
- Are reserves, retained earnings, etc. utilized by the pool/fund?
- A fee schedule and when and how it is assessed.
- Is the pool/fund eligible for bond proceeds, and will it accept them?

Section 10.0 - Collateralization

Collateralization is required on two types of investments: certificates of deposit and repurchase (and reverse) agreements. The collateralization level will be (110%) of the principal and accrued interest's market value to anticipate market changes and provide security for all funds.

- 10.1 Commercial Banks and Savings and Loans: The City shall make deposits only with commercial banks and savings and loans that comply with Iowa Code Chapter 12C, "Deposit of Public Funds," and Iowa Code Chapter 12C.22, "Required Collateral."
- 10.2 Credit Unions: The City shall make deposits only with Credit Unions that comply with Iowa Code Chapter 12C.16, "Security for deposit of public funds."
- 10.3 Repurchase agreements: Collateral shall consist of obligations of the U. S. Treasury or its agencies. Zero-coupon instruments are not acceptable due to excessive volatility. Collateral shall be pledged in the name of the City and delivered to a third-party custodian for safekeeping.

Section 11.0 - Safekeeping and Custody

The Iowa Code Chapter 12B.10B requires the City governing body to adopt a written investment policy, and upon passage and future amendments if any, copies of the Investment Policy shall be delivered to all the following:

- a. The City Administrator, Finance Director, and Assistant Finance Director;
- b. All depository institutions, fiduciaries, and third parties assisting with or facilitating the investment of funds;

- c. The auditor engaged to audit any fund of the City.

All invested assets of the City of Davenport involving public funds require a custodial agreement, as defined in Iowa Code Chapter 12B.10C. All custodial agreements shall be in writing and shall contain a provision that all custodial services be provided by the laws of the State of Iowa.

All invested assets of the City of Davenport eligible for physical delivery shall be secured by having them held by a third-party custodian. All purchased investments shall be held pursuant to a written third-party custodial agreement requiring delivery versus payment and compliance with all rules in this section.

The City of Davenport will receive written receipts for all investment transactions.

Bonding: The Finance Director/City Treasurer and all employees authorized to place investments shall be bonded in an amount determined by the City's Human Resources Director or designee.

Section 12.0- Diversification

Investments are subject to the following diversification requirements:

1. Obligations of the United States government, its agencies, and instrumentalities, up to 100% of the investment portfolio;
2. Certificates of deposit, up to 100% of the investment portfolio
3. Iowa Public Agency Investment Trust (IPAIT);
 - a. At the time of purchase, no more than twenty-five percent (25%) of the investment portfolio shall be invested in the Iowa Public Agency Investment Trust.
4. Perfected repurchase agreements;
 - a. At the time of purchase, no more than twenty-five percent (25%) of the investment portfolio shall be invested in perfected repurchase agreements.
5. Prime bankers' acceptances;
 - a. At the time of purchase, no more than ten percent (10%) of the investment portfolio shall be invested in prime bankers' acceptances.
 - b. At the time of purchase, no more than five percent (5%) of the investment portfolio shall be invested in the securities of a single issuer.
6. Commercial paper or other short-term corporate debt;

- a. At the time of purchase, no more than ten percent (10%) of the investment portfolio shall be in commercial paper or other short-term corporate debt.
 - b. At the time of purchase, no more than five percent (5%) of the investment portfolio shall be invested in the securities of a single issuer.
 - c. At the time of purchase, no more than five percent (5%) of all amounts invested in commercial paper and other short-term corporate debt shall be invested in paper and debt rated in the second-highest classification.
7. Open-end management investment company registered with the Securities and Exchange Commission at the time of purchase, no more than ten percent (10%) of the investment portfolio shall be invested in an open-end management investment company.

Where possible, it is the policy of the City of Davenport to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from the overconcentration of assets in a specific maturity, a specific issuer, or a specific class of securities. In establishing specific diversification strategies, the following general policies and constraints shall apply:

- 1. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.
- 2. Liquidity practices to ensure that the next disbursement date and payroll date are covered through maturity investments, marketable U. S. Treasury bills or cash on hand shall be used at all times.
- 3. Risks of market price volatility shall be controlled through maturity diversification so that aggregate price losses on instruments with maturities approaching one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

Section 13.0 - Maximum Maturities

Operating funds must be identified and distinguished from all other funds available for investment. Operating funds are defined as those funds that are reasonably expected to be expended during a current budget year or within fifteen months of receipt.

All investments authorized in Section 8 are further subject to the following investment maturity limitations:

- 1. Operating funds may only be invested in instruments authorized in Section 8 of this Investment Policy that mature within three hundred ninety-seven (397) days.

2. The Finance Director/City Treasurer or their designee can invest non-operating funds in certificates of deposit for a period of up to sixty-three months in alignment with the parameters established in Iowa Code Chapter 12B.10A(2).
3. Commercial Paper and Prime bankers' acceptances must mature within two hundred and seventy (270) days.

Section 14.0 - Internal Control

The Treasurer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds, or acting in a fiduciary capacity for the City shall require the outside person to notify in writing the Finance Director/City Treasurer within thirty (30) days of receipt of all communication from the auditor of the outside person or any regulatory authority of the existence of a material weakness in the internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City by the outside person. The investment transactions made by or on behalf of the City of Davenport are public records. They are the property of the City of Davenport, whether in the custody of the City or the custody of a fiduciary or other third parties.

Section 15.0 - Performance Standards

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles commensurate with the investment risk constraints and the cash flow needs.

Section 15.1 - Market Yield (Benchmark)

The City of Davenport's investment strategy is passive. The benchmark to measure this strategy will be the average of the 1-year US Treasury.

Section 16.0 - Reporting

The Assistant Finance Director shall submit an investment report that summarizes current market conditions and investment strategies employed since the last investment report. The investment report shall set out the portfolio in terms of maturity, rates of return, and other features, summarize all investment transactions during the reporting period and compare the investment results with the budgetary expectations. Monthly reports shall be submitted to the Mayor, City Council, City Administrator, and Finance Director/City Treasurer within 30 days of the first of each month.

Quarterly, the Assistant Finance Director will include a summary of recent market conditions and investment strategies employed since the previous investment report, along with the

criteria included in the monthly report. Quarterly reports shall be submitted to the Mayor, City Council, City Administrator, and Finance Director/City Treasurer within 30 days after January 1, April 1, July 1, and October 1 annually.

Tabulation of bids for each investment transaction will be provided to the City Administrator, Finance Director/City Treasurer. Participating financial institutions will receive bid results upon request.

Section 17.0 - Investment Policy Review and Amendment

This Investment Policy shall be reviewed annually or more frequently as appropriate. Changes to the policy must be approved by City Council. If no updates to the policy are needed, the City Council will be notified by the City Treasurer or designee. Finance shall promptly give notice of amendments to the Investment Policy to all parties noted in Section 11.1.

Section 18.0 - Glossary of Terms

AGENCIES: Federal agency securities and/or Government-sponsored enterprises.

AGENT: An individual authorized by another person, called the principal, to act on the latter's behalf in transactions involving a third-party.

ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR): An ACFR is a set of financial statements for a state, municipality, or other governmental entity that comply with the accounting requirements established by the Governmental Accounting Standards Board (GASB). It must be audited by an independent auditor using generally accepted government auditing standards. The ACFR consists of three sections: introductory, Financial and Statistical. The Introductory section orients and guides the reader through the report; the financial section presents the entity's basic financial statements as well as notes to the statements and the independent auditors' report; and the statistical section provides additional financial and statistical data, including data about financial trends that may better inform the reader about the government's activities.

BANKERS' ACCEPTANCE: A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments. **BID:** The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CD's are typically negotiable.

CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE (CDARS): A program with an approved depository that removes the need for collateral by providing full FDIC insurance for certificates of deposit.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: Short-term obligations with maturities ranging from 2 to 270 days issued by banks, corporations, and other borrowers to investors with temporarily idle cash. Such instruments are unsecured and usually discounted, although some are interest-bearing.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT (DVP): Securities industry procedure, common with institutional accounts, whereby delivery of securities sold is made to the buying customer's bank in exchange for payment, usually in the form of cash.

DERIVATIVES: (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing-related assets of its members who must purchase stock in their district Bank.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like Government National Mortgage Association (GNMA) was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

FIDUCIARY: Person, company, or association holding assets in trust for a beneficiary.

FUTURES CONTRACT: Agreement to buy or sell a specific amount of a commodity or financial instrument at a particular price on a stipulated future date.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FmHA mortgages. The term “pass-throughs” is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase—reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATERIAL CONFLICT OF INTEREST: When an investment professional has duties to one client that are adverse to the organization they work for.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers’ acceptances, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN-END MANAGEMENT COMPANY: Investment company that sells mutual funds to the public. The term arises from the fact that the firm continually creates new shares on demand. Mutual fund shareholders buy the shares at net asset value. They can redeem them at any time at the prevailing market price, which may be higher or lower than the price the investor bought.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

OPTION: Right to buy or sell property that is granted in exchange for an agreed-upon sum. If the right is not exercised after a specific period, the option expires, and the option buyer forfeits the money.

PASSIVE INVESTING: is a strategy centered on buying and holding assets for the long term.

PORTFOLIO: Combined holding of more than one stock, bond, commodity, real estate investment, cash equivalent, or other assets by an individual or institutional investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.

REPURCHASE AGREEMENT: A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

SPECULATION: Assumption of risk in anticipation of gain but recognizing a higher-than-average possibility of loss.

STRUCTURED NOTES: Notes issued by Government Sponsored Enterprises (FHLB, FFCB, FNMA, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

TREASURY BILLS: A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

APPENDIX A

Repurchase Agreements

The City shall use a master repurchase agreement similar to the Public Securities Association (PSA) model with additional protection regarding delivery, substitutions, margin maintenance, margin amount, seller representations, and governing law as recommended by the Government Finance Officers Association's Committee on Cash Management. Additional protection shall include:

1. Delivery - All transactions shall be accomplished through "delivery vs. payment".
2. Collateral shall consist of obligations of the U. S. Treasury or its agencies. Zero-coupon instruments are not acceptable due to excessive volatility. Collateral shall be pledged in the name of the City and delivered to a third-party custodian for safekeeping.
3. Substitution - The seller may substitute collateral only after prior written consent of the City. The seller shall absorb all costs associated with any substitutions of securities.
4. Margin Maintenance - The seller shall provide collateral and maintain collateral with a minimum of 105% of market value. If the collateral value shall fall below 105% of market value, the seller must provide additional collateral to maintain the margin.
5. Sellers Representations - Sellers shall comply with applicable capital adequacy and net capitalization.
6. Governing Law - Unless otherwise authorized, the laws of the State of New York shall govern all transactions pursuant to the repurchase agreement due to the highly developed body of commercial and securities laws and the provisions in New York which assure protection and consistency/uniformity in the manner and method by which interests in investment securities are transferred.
7. Reverse repurchase agreements shall not be an allowable investment for the City.

Resolution No. 2022-302

Resolution offered by Alderman Condon.

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

RESOLUTION approving qualified financial institutions with which to do investment business and establishing the maximum deposit amount for each in accordance with the City's Investment Policy.

WHEREAS, the City of Davenport has adopted an investment policy describing the qualifications of safety, liquidity, yield, and community reinvestment activities as the primary objectives for investment of public funds; and

WHEREAS, the following financial institutions have demonstrated that they meet or exceed these qualifications; and

WHEREAS, the Davenport Affirmative Action Commission has accepted Fortress Bank and an outside legal firm has confirmed its compliance with the requirements of the Investment Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Davenport, Iowa that all financial institutions on this list have met or exceeded the requirements established in the City's Investment Policy and are approved for investment purposes. The maximum deposit amount is \$30,000,000 for American Bank and Trust, CBI Bank and Trust, Fortress Bank, U.S. Bank, DuTrac Credit Union, and \$70,000,000 for Piper Sandler IPAIT, and Wells Fargo Securities N.A. As the primary bank for the City, Quad City Bank and Trust shall have a maximum deposit amount of \$150,000,000. City Council directs staff to revise Section 13 – Qualified Institutions paragraph 4 of the Investment Policy with the approved maximum deposit amounts to keep both documents' information synchronized; and

BE IT FURTHER RESOLVED that Quad City Bank and Trust be used for the safekeeping and custody of securities purchased; and

BE IT FURTHER RESOLVED, that the following officers are hereby authorized and directed to execute said Agreement; to execute and deliver signature cards to Depository concurrently therewith; and to execute all drafts, checks, and other documents and correspondence regarding any accounts of the City of Davenport, Iowa at Depository:

CFO/Assistant City Administrator Mallory L. Merritt

Assistant Finance Director James J. Odean; and

BE IT FURTHER RESOLVED that the officers described above are hereby authorized and directed to take such action and execute such documents and agreements as may be necessary to secure the repayment of the deposits of public funds authorized hereunder, including, but not limited to, Security Agreements, Bailment Agreements, Notices, and any documents or instruments supplemental or incidental thereto; and

BE IT FURTHER RESOLVED that the Finance Department shall forward a certified copy of this resolution to the Depository, and any other parties which may request it for purposes of effectuating the deposit of public funds, authorized hereunder or any security therefore, together with a certificate attesting to the names and signatures of the present incumbents of the offices described above; and that the Clerk further certify to Depository or other parties from time to time the signatures of any successors in office of any of the present incumbents.

Passed and approved this 8th day of June, 2022.

Approved:


Mike Matson
Mayor



Attest:


Brian Krup
Deputy City Clerk

City of Davenport

Department: Finance

Contact Info: James Odean | 563-326-7739

Action / Date

3/5/2025

Subject:

Resolution approving a three-year contract extension, with two possible one-year renewals, for Forms Management Services (Printing and Mailing Services) with QuestMark Information Management Inc of Houston, Texas. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

A Request for Proposals for Forms Management Services (printing and mailing services) was issued on October 29, 2019. A selection committee evaluated proposals, recommending award to QuestMark Information Management Inc of Houston, Texas as the vendor determined to best fit the City's needs for this service. The original contract term was awarded by the City Council on February 12, 2020.

This contract provides the Revenue Division printing and mailing services, including addressing, collating, packaging, sorting, and delivery for utility bills, accounts receivable bills, and business license renewals/licenses. The City is pleased with the level of service provided by Questmark in the initial contract term. Extending the contract saves staff time and resources that would be required to transfer services to a new vendor.

This contract is funded through the Revenue Division operating budget.

Attachments:

1. Resolution

Resolution No. _____

Resolution offered by Alderwoman Newton.

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

RESOLUTION approving a three-year contract extension, with two possible one-year renewals, for Forms Management Services (Printing and Mailing Services) with QuestMark Information Management Inc of Houston, Texas.

WHEREAS, the City needs to contract for Forms Management Services (Printing and Mailing Services); and

WHEREAS, QuestMark Information Management Inc of Houston, Texas was awarded the initial contract term by the City Council of Davenport, Iowa following Request for Proposals 20-62; and

WHEREAS, the City is pleased with the services provided by QuestMark Information Management Inc and desires to continue services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that a three-year contract extension, with two possible one-year renewals, for Forms Management Services (Printing and Mailing Services) with QuestMark Information Management Inc of Houston, Texas is hereby approved.

Passed and approved this 12th day of March, 2025.

Approved:

Attest:

Mike Matson
Mayor

Brian Krup
Deputy City Clerk

City of Davenport

Department: Information Technology
Contact Info: Cory Smith | 563-888-2162

Action / Date
3/5/2025

Subject:

Motion awarding a contract for the development of a Case Management System to Insight Public Sector of Chandler, Arizona in the amount of \$84,194.87 using OMNIA Partners contract 23-6692-03. [All Wards]

Recommendation:

Pass the Motion.

Background:

OMNIA Partners is a cooperative purchasing program that provides access to group purchasing contracts with leading national suppliers, allowing for a streamlined procurement process for thousands of products and services. Insight Public Sector of Chandler, Arizona, was awarded OMNIA Partners contract 23-6692-03 for Technology Products, Solutions, and Related Services via a competitive solicitation process.

This contract is for the creation of a case management system built within the M365 suite using Power Automate. This system includes integrations between a host of M365 apps for notifications, file management, internal and external user interfaces, scheduling, interdepartmental case tracking, and routing.

Funding for this contract comes from CIP #67011 | Legacy Systems Modernization.

Attachments:

None

City of Davenport

Department: City Council
Contact Info: Alderwoman Newton and Alderwoman
Burkholder | 563-888-2066 |

Action / Date
3/5/2025

Subject:

Motion to reinstate the publication of public comments on the livestream of Committee of the Whole and City Council meetings and to continue recording and publishing these meetings in their entirety, from call to order to adjournment, with recordings uploaded to YouTube for public access. [All Wards]

Recommendation:

Consider the Motion.

Background:

This item was placed on the agenda by Alderwoman Newton and Alderwoman Burkholder.

Attachments:

None