

# CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, February 8, 2023; 5:30 PM

City Hall | 226 West 4th Street | Council Chambers

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for January 25, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for February 1, 2023.

VIII. Petitions and Communications from Council Members and the Mayor

IX. Individual Approval of Items on the Discussion Agenda

1. Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

X. Approval of All Items on the Consent Agenda

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

1. Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections by adding Lombard Street at Jebens Avenue thereto. [Ward 4]
2. Second Consideration: Ordinance amending Schedule XIV Intersection Traffic Signals of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding three intersections thereto. [Wards 2 & 6]
3. First Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Fairmount Street along the east side from Locust Street to Garfield Street thereto. [Ward 1]

4. Resolution approving Case P23-01 being the request of RY Holdings LLC for a preliminary plat of Ryder Villas, a 16-lot subdivision on 3.73 acres located at 4600 Eastern Avenue. [Ward 7]
5. Resolution approving the issuance of the National Finance Authority bonds for the purpose of acquiring, rehabilitating, and equipping the Heritage Apartments (Flagstone Community Foundation, Inc, Petitioner). [Ward 3]

**\*THESE BONDS ARE BEING ISSUED UNDER FEDERAL LAW AND  
DO NOT CREATE A FINANCIAL OBLIGATION FOR THE CITY.\***

6. Resolution approving street, lane, or public ground closure requests for the listed dates and times.

Cornbelt Running Club; Chili Chase 4-Mile Run/Walk; 11:00 a.m. - 3:00 p.m. Sunday, February 26, 2023; **Closures (only one lane of each street)**: East Pleasant Street from Fernwood Avenue to Forest Road; Forest Road from East Pleasant Street to East George Washington Boulevard; East George Washington Boulevard from Forest Road to Jersey Ridge Road. [Ward 6]

The Office; St. Patrick's Day Celebration; 116 West 3rd Street; approximately 2:00 p.m. (after the parade) until 8:30 p.m. Saturday, March 18, 2023; **Closure**: northernmost parking lane and two travel lanes on West 3rd Street from Main Street to 116 West 3rd Street. [Ward 3]

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; St. Patrick's Day Celebration; Downtown; approximately 2:00 p.m. (after the parade) Saturday, March 18, 2023 - 6:00 a.m. Sunday, March 19, 2023; **Closure**: West 3rd Street from Ripley Street to Harrison Street. [Ward 3]

7. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Sidewalk Repair Program, CIP #28028. [All Wards]
8. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 ADA Ramp Program, CIP #28024. [All Wards]
9. Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Contract Milling Program, CIP #35041. [All Wards]
10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY 2024 State Patching Program, CIP #35045. [1, 2, 3, 6, & 7]
11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 54th Street (Kelling Street to North Howell Street) Reconstruction project, CIP #35062. [Ward 8]
12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project, CIP #35053. [Wards 1 & 3]
13. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Independence Drive Reconstruction project, CIP #35062.

[Ward 7]

14. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 75th Place Mill and Overlay project, CIP #35054. [Ward 8]
15. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project, CIP #35038. [Ward 5]
16. Resolution amending the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]
17. Resolution overruling objections for the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]
18. Resolution adopting the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]
19. Resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract, and publication of the notice to bidders and notice of hearing covering the FY 2023 Alley Resurfacing Program. [Wards 3, 5, & 6]
20. Resolution accepting work completed under the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project by Langman Construction Inc of Rock Island, Illinois in the amount of \$957,367.07, CIP #BG250. [Ward 3]
21. Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings, if necessary, for right-of-ways and easements associated with the Duck Creek Sewer Interceptor Extension project, #ARP18. [Wards 1 & 2]
22. Resolution approving the FY 2024 maximum property tax levy rate and amount. [All Wards]
23. Resolution approving the purchase of a John Deere 320 P-Tier Backhoe Loader from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC. [All Wards]
24. Resolution approving the purchase of three chassis and three bodies for solid waste trucks, with three trade-ins, from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN. [All Wards]
25. Motion approving noise variance requests on the listed dates and times to hold outdoor events.

Kilkenny's; St. Patrick's Day Celebration; 300 West 3rd Street; 8:00 p.m. Friday, March 17, 2023 - 12:00 a.m. Saturday, March 18, 2023 and 8:00 a.m. Saturday, March 18, 2023 - 12:00 a.m. Sunday, March 19, 2023; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi Valley Fair, Inc; 2815 West Locust Street; various dates and times (no later than 11:00 p.m.) March through October 2023 (see attached list of

- events); Outdoor races/music, over 50 dBA. [Ward 4]  
26. Motion approving beer and liquor license applications.

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

### **Ward 3**

Rodriguezhope (Alfredo Rodriguez) - 226 West 3rd Street - New License - License Type: Class C Retail On-Premises

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

-

### **Ward 3**

Double Tree (Bucktown Lodging, LLC) - 111 East 2nd Street - License Type: Class B Retail On-Premises

Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 West 2nd Street - License Type: Class C Retail On-Premises

Kcbrothers (Kc 2 Brothers, Inc) - 214 Myrtle Street - License Type: Class E Retail Carryout

### **Ward 4**

Circle Tap, The (Circle Tap, Inc) - 1345 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

The Pour House (Boss Lady, Inc) - 1502 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

SC Mini Mart (SC Minimart, LLC) - 1511 West Locust Street - License Type: Class B Retail Carryout

Wise Guys Pizza & Pub (PB&B, LLC) - 2824 West Locust Street Unit 3A - Outdoor Area - License Type: Class C Retail On-Premises

### **Ward 5**

Stadium Club (Sis, Inc) - 2828 Brady Street - License Type: Class C Retail On-Premises

### **Ward 6**

Homewood Suites (Davenport Lodging Group, LLC) - 4750 Progress Drive - License Type: Beer/Wine On-Premises

Mart Stop No 1 (Mart Stop #1) - 3527 Spring Street - License Type: Class E Retail Carryout

Rave Davenport 53 & Imax (Cinemark USA, Inc) - 3601 East 53rd Street -  
License Type: Beer/Wine On-Premises

## **Ward 8**

Davenport Chapter Izaak Walton League of America (Davenport Chapter  
IWLA) - 8402 North Harrison Street - Outdoor Area - License Type: Class C  
Retail On-Premises

27. Motion approving the Disadvantaged Business Enterprise (DBE) Program for the Davenport Transit Division. [All Wards]
28. Motion approving the payment for VMWare licensing annual renewal to CDW-G of Chicago, Illinois in the amount of \$80,044 using National Association of State Procurement Officers (NASPO) contract #ADSPO16-130652. [All Wards]
29. Motion approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term beginning July 1, 2023 through June 30, 2027. [All Wards]

## **XI. Other Ordinances, Resolutions and Motions**

## **XII. Public with Business**

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

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

## **XIII. Reports of City Officials**

## **XIV. Adjourn**

City of Davenport

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

**Action / Date**  
**2/8/2023**

Subject:  
Approval of the City Council Meeting minutes for January 25, 2023.

ATTACHMENTS:

Type	Description
▣ Exhibit	CC Min 012523

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/2/2023 - 10:30 AM

**City of Davenport, Iowa**  
**City Council Meeting Minutes**  
**Wednesday, January 25, 2023**

The City Council of Davenport, Iowa met in regular session on Wednesday, January 25, 2023 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 West 4th Street, Davenport, Iowa with Mayor Matson presiding and all Aldermen present (*In person*: Alderman Dunn, Alderman Kelly, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Cornette, Alderman Jobgen, and Alderman Ortiz; *Via telephone*: Alderman Condon and Alderwoman Dickmann).

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

**APPROVED**

Approval of the City Council Meeting minutes for January 11, 2023.

VI. City Administrator Update

VII. Report on Committee of the Whole

**APPROVED**

Approval of the Report on Committee of the Whole for January 18, 2023.

*CITY HALL, 226 WEST 4TH STREET, COUNCIL CHAMBERS, Davenport, Iowa, Wednesday, January 18, 2023 -- The Davenport City Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding. The Council observed a moment of silence. Pledge of Allegiance led by Alderman Cornette. Upon the roll being called, all Aldermen were present except Alderman Jobgen (Alderman Dunn, Alderman Kelly\*, Alderwoman Meginnis, Alderwoman Lee, Alderman Gripp, Alderman Condon, Alderman Cornette, Alderwoman Dickmann, and Alderman Ortiz).*

*\*Arrived at 5:37 p.m.*

*The following Public Hearings were held: **Public Works:** 1. on the proposed Resolution of Necessity covering the FY 2023 Alley Resurfacing Program. **Finance:** 1. on the plans, specifications, form of contract, and estimate of cost for the installation of multi-sport courts at Cork Hill, Herington, and Van Buren Parks, CIP #ARP10.*

*Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderman Gripp reviewed all items listed. On motion by Alderwoman Lee, second by Alderman Condon item #1, Third Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF Multi-Family Residential District (35 acres), and C-2 Corridor Commercial District (16 acres); item #2, Third Consideration: Ordinance for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition; and item #3, Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District, moved to the Discuss*

*Agenda and all other items moved to the Consent Agenda. **Public Safety:** Alderwoman Dickmann reviewed all items listed. On motion by Alderman Ortiz, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Kelly, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Cornette, second by Alderman Dunn all items moved to the Consent Agenda. Council adjourned at **6:52 p.m.***

## VIII. Appointments, Proclamations, Etc.

### A. Proclamations

**ISSUED 2023-27**

#### 1. Center for Active Seniors, Inc 50th Anniversary

## IX. Presentations

**HELD**

### A. Davenport Fire Department Recognition

- Truck 3, A Shift Recognition | 1600 West 42nd Street Response
  - Lieutenant Jeff Pilgrim
  - Firefighter Cory Schaeckenbach
  - Firefighter Trevor Dodson

## X. Petitions and Communications from Council Members and the Mayor

## XI. Individual Approval of Items on the Discussion Agenda

*1. Alderwoman Lee introduced a motion to amend the Ordinance for Case REZ22-07 by adding "The developer shall" to condition #4, thereby changing it to read "The developer shall install a roundabout on Veterans Memorial Parkway located midway between the east and west boundaries of the subject property." The motion was seconded by Alderman Gripp, and upon the roll being called, all Aldermen present voted aye and the motion to amend passed.*

*On motion by Alderman Gripp, second by Alderwoman Meginnis and all Aldermen present voting aye, the Ordinance was adopted as amended:*

Third Consideration: Ordinance for Case REZ22-07 being the request of High Properties on behalf of Shamrock Properties LC to rezone approximately 104.57 acres of land bounded by Veterans Memorial Parkway, Eastern Avenue, Interstate 80, and Jersey Ridge Road from S-AG Agricultural District to R-1 Single-Family Residential District (33 acres), R-4 Single-Family and Two-Family Residential District (20 acres), R-MF MultiFamily Residential District (35 acres), and C-2 Corridor Commercial District (16 acres). [Ward 8]

**ADOPTED 2023-28**

### ORDINANCE NO. **2023-28**

AN ORDINANCE FOR CASE REZ22-07 BEING THE REQUEST OF HIGH PROPERTIES ON BEHALF OF SHAMROCK PROPERTIES LC TO REZONE APPROXIMATELY 104.57 ACRES OF LAND BOUNDED BY VETERANS MEMORIAL PARKWAY, EASTERN AVENUE, INTERSTATE 80, AND JERSEY RIDGE ROAD FROM S-AG AGRICULTURAL DISTRICT TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (33 ACRES), R-4 SINGLE-FAMILY AND TWO-FAMILY

RESIDENTIAL DISTRICT (20 ACRES), R-MF MULTI-FAMILY RESIDENTIAL DISTRICT (35 ACRES), AND C-2 CORRIDOR COMMERCIAL DISTRICT (16 ACRES).

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-1 Single-Family Residential District;" "R-4 Single-Family and Two-Family Residential District;" "R-MF Multi-Family Residential District;" and "C-2 Corridor Commercial District."

Legal Description of the R-1 Single-Family Residential District portion of the property:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°34'52"W, 857.67 FEET; THENCE S01°43'19"W, 589.46 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE S46°27'51"E, 29.12 FEET; THENCE N87°54'00"E, 113.71 FEET; THENCE N02°31'19"W, 2156.29 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 33.00 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the R-4 Single-Family and Two-Family Residential District portion of the property:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER S82°34'52"W, 857.67 FEET; THENCE S82°34'52"W, 747.34 FEET; THENCE S81°47'02"W, 720.56 FEET; THENCE S02°00'19"E, 142.25 FEET; THENCE N87°45'31"E, 300.00 FEET; THENCE S02°00'19"E, 438.50 FEET; THENCE S87°46'01"W, 300.00 FEET; THENCE S02°00'19"E, 341.61 FEET; THENCE N87°57'31"E, 239.77 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE NORTHWESTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE N01°43'19"E, 589.46 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 20.73 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the R-MF Multi-Family Residential District portion of the property:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°00'19"W, 512.17 FEET; THENCE N02°00'19"W, 506.22 FEET; THENCE N87°57'31"E, 239.77 FEET; THENCE N66°31'14"E, 250.33 FEET; THENCE 52.16 FEET ALONG A 330.00 RADIUS CONCAVE EASTERLY (CHORD BEARING S28°00'26"E, 52.10 FEET); THENCE 60.02 FEET ALONG A 1712.02 RADIUS CONCAVE NORTHWESTERLY (CHORD BEARING N58°42'42"E, 60.02 FEET); THENCE 112.65 FEET ALONG A 230.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N74°26'57"E, 111.53 FEET); THENCE N02°02'32"W, 381.63 FEET; THENCE N87°57'28"E, 765.92 FEET; THENCE S25°08'27"E, 627.34 FEET; THENCE S18°52'33"E, 674.64 FEET; THENCE S55°57'25"E, 414.61 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CONCAVE NORTHERLY (CHORD BEARING N77°32'44"W, 346.76 FEET); THENCE N70°54'38"W, 808.70 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CONCAVE SOUTHERLY (CHORD BEARING N81°27'54"W, 551.54 FEET); THENCE S87°054'33"W, 567.01 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 35.27 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

Legal Description of the C-2 Corridor Commercial District portion of the property:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER N02°00'19"W, 512.17 FEET; THENCE N87°54'33"E, 567.01 FEET; THENCE 554.56 FEET ALONG A 1534.16 RADIUS CURVE CONCAVE SOUTHERLY (CHORD BEARING S81°27'54"E, 551.54 FEET); THENCE S70°54'38"E, 808.70 FEET; THENCE 347.50 FEET ALONG A 1529.55 RADIUS CURVE CONCAVE NORTHERLY (CHORD BEARING S77°32'44"E, 346.76 FEET); THENCE S46°27'51"E, 29.12 FEET; THENCE S87°31'28"W, 216.38 FEET; THENCE; THENCE S87°39'14"W, 2003.57 FEET TO THE POINT OF BEGINNING.

DESCRIBED AREA CONTAINS ABOUT 17.48 ACRES AND IS SUBJECT TO EASEMENTS AND OTHER RESTRICTIONS OF RECORD.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General and Open Space and Public Land. The C-2 Corridor Commercial District is consistent with the Commercial Node identified at the intersection of Veterans Memorial Parkway and Eastern Avenue.
2. The proposed zoning map amendment to R-1 Single-Family Residential District, R-4 Single-Family and Two-Family Residential District, R-MF Multi-Family Residential District, and C-2 Corridor Commercial District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the area to be developed in a manner consistent with the surrounding area.
4. With conditions requiring transportation improvements, the proposed zoning map amendment will promote the public health, safety, and welfare of the City.
5. The proposed amendment will not create any nonconformities following development.

Conditions:

1. No lot shall be platted to contain more than one zoning district.
2. A traffic study is required. Additional traffic safety measures may be required as development occurs.
3. Eastern Avenue shall be extended to the south property line of 7219 Eastern Avenue. Provide a minimum of one street connection to the subject property from Eastern Avenue.
4. The developer shall install a roundabout on Veterans Memorial Parkway located midway between the east and west boundaries of the subject property.
5. Right-of-way shall be dedicated, as determined by the City of Davenport, for the purpose of constructing a roundabout at the intersection of Eastern Avenue and Veterans Memorial Parkway.
6. A landscape buffer yard shall be installed in accordance with Section 17.11.080 of the Davenport Zoning Ordinance along the south lot line, where abutting property zoned R-1 Single-Family Residential District.
7. Provide a 40-foot setback along the north lot line, where abutting Interstate-80.
8. A minimum of .5 acres shall be reserved as a pocket park within the western half of the RMF Multi-Family Residential District.
9. The principal use "Billboard" shall be prohibited on property zoned C-2 Corridor Commercial District.
10. The maximum building height in the C-2 District shall be 35 feet.

Section 3. At its November 15, 2022 meeting, the Plan and Zoning Commission voted to forward Case REZ22-07 to the City Council with a recommendation for approval subject to the listed findings and conditions.

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.

Adopted 1/25/2022: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. *On motion by Alderman Dunn, second by Alderman Jobgen and all Aldermen present voting aye, the Ordinance was adopted:*

Third Consideration: Ordinance for Case ROW22-05 being the request of Corn Belt Capital, LLC to vacate unimproved right-of-way located south of Research Parkway and to the west of Interstate 80 Airport Industrial Park 12th Addition. [Ward 8]

**ADOPTED 2023-29**

ORDINANCE NO. **2023-29**

AN ORDINANCE FOR CASE ROW22-05 BEING THE REQUEST OF CORN BELT CAPITAL, LLC TO VACATE UNIMPROVED RIGHT-OF-WAY LOCATED SOUTH OF RESEARCH PARKWAY AND TO THE WEST OF INTERSTATE 80 AIRPORT INDUSTRIAL PARK 12TH ADDITION.

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

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

Part of Section 33, Township 79 North, Range 3 East of the 5th Principal Meridian, more particularly described as follows:

Beginning at the southwest corner of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition; Thence North 88°37'49" East, along the south line of said Lot 2, said line also being the north right of way line of 83rd Street, a distance of 471.80 feet; Thence along a curve concave to the northwest, with a radius of 278.33 feet, and arc length of 442.75 feet, and a central angle of 91°08'35" to the westerly right of way line of Hillandale Road, said line also being the easterly line of Lot 1 in said Interstate 80 Industrial Park 8th Addition; Thence continuing along said westerly right of way line, South 87°29'14" West, a distance of 10.00 feet; Thence continuing along said westerly right of way line, North 02°30'46" West, a distance of 272.66 feet; Thence along a curve concave to the southwest, with a radius of 25.00 feet, an arc length of 31.65 feet, and a central angle of 72°32'37", to the southerly right of way line of Research Parkway; Thence along a southeasterly extension of said southerly right of way line, on a curve concave northerly, having a radius of 1445.00 feet, an arc length of 121.71 feet, and a central angle of 04°49'33", to the northwest corner of Lot 1 of Interstate 8- Airport Industrial Park 12th Addition and the easterly right of way line of Hillandale Road; Thence South 02°30'46" East, along the west line of said Lot 1 and said easterly right of way line, a distance of 590.52 feet; Thence continuing along said easterly right of way line, South 02°03'07" East, a distance of 40.15 feet to the south right of way line of 83rd Street; Thence South 88°37'49" West, along said south right of way line, a distance of 841.95 feet to the east line of Lot 2 of Love's First Addition; Thence North 05°00'24" West, along said east line, a distance of 80.16 feet to the Point of Beginning.

The above described parcel contains 3.18 acres, more or less.

For the purpose of this legal description, the south line of Lot 2 of Interstate 80 Airport Industrial Park 8th Addition has an observed bearing of North 88°37'49" East.

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.

Adopted 1/25/2023: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

3. *Second consideration of the Ordinance for Case REZ22-08 was moved by Alderman Jobgen and seconded by Alderwoman Lee. Alderwoman Meginnis moved a motion to table second consideration of the Ordinance for one cycle, seconded by Alderman Dunn, and upon the roll being called, the following Aldermen voted aye: Meginnis, Gripp, Condon, Dunn, and Cornette; and the following Aldermen voted nay: Jobgen, Kelly, Lee, Dickmann, and Ortiz. Mayor Matson broke the tie by voting aye, and second consideration of the Ordinance was tabled for one cycle:*

Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

**TABLED**

## XII. Approval of All Items on the Consent Agenda

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

1. Second Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections thereto by adding Lombard Street at Jebens Avenue. [Ward 4]

**MOVED TO THIRD CONSIDERATION**

2. First Consideration: Ordinance amending Schedule XIV Intersection Traffic Signals of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding three intersections thereto. [Wards 2 & 6]

**MOVED TO SECOND CONSIDERATION**

3. Resolution approving Case F22-15 being the request of S.A.M.S. on behalf of Petersen Properties LC for a final plat of North Welcome Way Subdivision 3rd Addition, a 2-lot subdivision on 13.79 acres located on Brady Street south of East 90th Street. [Ward 8]

**ADOPTED 2023-30**

4. Resolution approving Case F23-01 being the request of Traver Properties LLC for a final plat of Traver Oaks, a 3-lot subdivision on 41 acres located at the southwest corner of 145th Street and 110th Avenue in unincorporated Scott County. [Adjacent to Ward 1]

**ADOPTED 2023-31**

5. Resolution approving street, lane, or public ground closures for the listed dates and times.

**ADOPTED 2023-32**

Center for Active Seniors, Inc; 41st Annual St. Patrick's Day Race; Downtown; 5:00 a.m. - 12:00 p.m. Saturday, March 18, 2023; **Closures:** 5:00 a.m. - 12:00 p.m. 2nd Street from Harrison Street to Brady Street; 8:00 a.m. - 11:00 a.m. 2nd Street from Harrison Street to Ripley Street; 8:30 a.m. - 11:00 a.m. two westernmost travel lanes and parking lane on Brady from 2nd to 3rd; 3rd Street from Brady

Street to Gaines Street; 9:30 a.m. - 11:00 a.m. 3rd Street from Gaines Street to Division Street; 9:50 a.m. - 10:10 a.m. all lanes of Brady Street from River Drive to 3rd Street. [Ward 3]

St. Patrick's Society; Grand Parade XXXVII; Downtown; 12:00 p.m. - 2:00 p.m. Saturday, March 18, 2023; **Closures:** Gaines Street from the Centennial Bridge to 3rd Street; 3rd Street from Gaines Street to the RiverCenter where the parade disbands. [Ward 3]

6. Resolution accepting work completed under the City Hall Exterior Repairs project by Bi-State Masonry Inc of Rock Island, Illinois in the amount of \$539,533.50, CIP #23067. [Ward 3] **ADOPTED 2023-33**

7. Resolution accepting work completed under the Partial Roof Replacement at Public Works project by White Roofing Co, Inc of Eldridge, Iowa in the amount of \$583,566.84, CIP #23033. [Ward 7] **ADOPTED 2023-34**

8. Resolution accepting work completed under the CY 2022 ADA Ramp Program project by Centennial Contractors of the Quad Cities, Inc of Moline, Illinois in the amount of \$263,247.58, CIP #28024. [All Wards] **ADOPTED 2023-35**

9. Resolution adopting the final assessment schedule for the FY 2022 Alley Resurfacing Program in accordance with the Alley Cost Share Program, and amending, confirming, and levying the assessments, CIP #35038. [Wards 3 & 5] **ADOPTED 2023-36**

10. Resolution awarding a contract for 2023 nuisance mowing services with Quad City Lawn & Landscape Inc of Davenport, Iowa as the primary provider, and Oak and Maker Design Co of Davenport, Iowa as the backup provider. [All Wards] **ADOPTED 2023-37**

11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the installation of multi-sports courts at Cork Hill, Herington, and Van Buren Parks, CIP #ARP10. [Wards 1 & 3] **ADOPTED 2023-38**

12. Resolution adopting the Internal Revenue Service mileage rate to reimburse employees for use of a personal vehicle for City business. [All Wards] **ADOPTED 2023-39**

13. Motion approving a noise variance request on the listed date and time for an outdoor event. **PASSED 2023-40**

St. Patrick's Society; Grand Parade XXXVII; Downtown (see parade route); Saturday, March 18, 2023 12:00 p.m. - 2:00 p.m.; Outdoor music/performances, over 50 dBA. [Ward 3]

14. Motion approving beer and liquor license applications. **PASSED 2023-41**

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

**Ward 1**

Brew 64 (Brew Mex, LLC) - 3624 West Locust Street - New License/New Owner - License Type: Class "B" Retail (LG)

**Ward 4**

Brew 59 (Brew Mex, LLC) - 1732 Marquette Street - New License/Owner - License Type: Class "B" Retail (LG)

Brew 69 (Brew Mex, LLC) - 303 West Locust Street - New License/Owner - License Type: Class "B" Retail (LG)

**Ward 5**

Brew 61 (Brew Mex, LLC) - 2242 East 12th Street - New License/Owner - License Type: Class "B" Retail (LG)

Brady Mart (Warehouse Goods, LLC) – 3107 Brady Street – New License/Owner - License Type: Class "E" Retail (LE)

**Ward 6**

El Compita (El Compita Mexican Bar & Grill in Kimberly, Inc) - 1720 East Kimberly Road – New License/Owner – License Type: Class "C" Retail (LC)

**Ward 7**

Brew 65 (Brew Mex, LLC) - 201 West 53rd Street - New License/Owner - License Type: Class "B" Retail (LG)

Brew 66 (Brew Mex, LLC) - 1670 West Kimberly Road - New License/Owner - License Type: Class "B" Retail (LG)

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

**Ward 3**

Chucks Tap (White T Corporation) - 1731 West 6th Street - License Type: Class "C" Retail (LC)

15. Motion approving the Public Transportation Agency Safety Plan (PTASP) for Davenport Transit as required by the Federal Transit Administration (FTA). [All Wards]

**PASSED 2023-42**

16. Motion approving a four-year collective bargaining agreement between the City of Davenport and the Davenport Association of Professional Firefighters, Local #17 for the term beginning July 1, 2023 through June 30, 2027. [All Wards] **PASSED 2023-43**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of December 2022:

Property Taxes	\$1,693,315
Other City Taxes	\$5,407,618
Special Assessments	\$ -
Licenses & Permits	\$88,478
Intergovernmental	\$3,031,953
Charges for Services	\$3,797,923
Use of Monies & Property	\$119,865
Fines & Forfeits	\$141,781
Bonds/Loan Proceeds	\$779,312
Miscellaneous	\$400,033

XVI. Adjourn **6:48 p.m.**



Brian J. Krup  
Deputy City Clerk

City of Davenport

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

**Action / Date**  
**2/8/2023**

Subject:  
Approval of the Report on Committee of the Whole for February 1, 2023.

REVIEWERS:			
Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	2/2/2023 - 10:48 AM

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Second Consideration: Ordinance for Case REZ22-08 being the request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

**Recommendation:**

Consider the Ordinance.

**Background:**

At its December 20, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

**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 R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

**Conditions:**

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

The full staff report is attached as background materials.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Staff Report
▣ Backup Material	Zoning & Future Land Use Map
▣ Backup Material	Application
▣ Backup Material	Scott County Parcel Report
▣ Backup Material	Spot Zoning Fact Sheet
▣ Backup Material	Public Hearing Notice-Plan & Zoning

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

Commission  
 Public Hearing Notice-Committee of the Whole  
 Neighborhood Meeting Sign-In Sheet  
 Public Comments  
 Additional Public Comment

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	12/30/2022 - 8:42 AM

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE FOR CASE REZ22-08 BEING THE REQUEST OF ECUMENICAL HOUSING DEVELOPMENT GROUP TO REZONE 1112 BRIDGE AVENUE FROM R-4C SINGLE-FAMILY AND TWO-FAMILY CENTRAL RESIDENTIAL 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."

Beginning at the Northeast corner of said Out Lot; thence South 145 feet along the West Line of Bridge Avenue; thence West 137 feet more or less along a line parallel to the South line of an alley on the North end of said Out Lot, to an alley on the West side of said Out Lot; thence North along the East line of said alley 145 feet to the alley on the North end of said Out Lot; thence East along the south line of said alley 137 feet more or less to the place of beginning. Subject to easements and restrictions of record.

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

Findings:

1. The zoning map amendment is consistent with the Davenport +2035 Land Use Plan, which identifies the property as Residential General.
2. The proposed zoning map amendment to R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

Conditions:

1. The maximum building height shall be 35 feet.

2. The maximum number of dwelling units shall be four.

Section 3. At its December 20, 2022 meeting, the City Plan and Zoning Commission voted to forward Case REZ22-08 to the City Council with a recommendation for approval subject to the listed findings and conditions.

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

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

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

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

Published in the *Quad-City Times* on \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

**City of Davenport**  
**Plan & Zoning Commission-Staff Report**  
**December 20, 2022**

**Case RE222-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]**

**Background:**

The purpose is to redevelopment the existing building into a three unit multi-family dwelling. Prior to the current ownership, the building was operating as an adult day care center. The single-story structure was built in 1991.

**Why is a Zoning Map Amendment Required?**

The Zoning Ordinance does not permit multi-family residential dwellings in the R-4C Single-Family and Two-Family Central Residential District. Pending approval of the rezoning by City Council, the applicant intends to convert the existing structure into three residential units.

**Comprehensive Plan:**

Within Urban Service Area 2035: Yes

**Future Land Use Designations:**

The subject property is designated Residential General in the Davenport +2035 Land Use Plan.

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 property is currently zoned **R-4C Single-Family and Two-Family Central Residential District**. This district is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.

The applicant is requesting a rezoning to **R-MF Multi-Family Residential District**. This district is intended to accommodate a high-density neighborhood environment characterized by a mixture of housing types including semi-detached dwellings, two-family dwellings, townhomes and multi-family dwellings. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-MF District.

**Technical Review:**

City Departments reviewed the proposed Zoning Map Amendment Application for compliance with city ordinances and impacts to the existing neighborhood.

**Approval Standards for Map Amendments (Chapter 17.14.040)**

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

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

Staff Response: The property is designated as Residential General (RG) in the Davenport +2035 Land Use Plan. Since the Comprehensive Plan designated neighborhoods as a whole, the Bridge Avenue corridor is classified as Residential General from River Drive to Locust Street.

Established 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.

Rezoning the property to R-MF Multi-Family Residential District does not require an amendment to the Future Land Use Map.

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

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

Staff Response: The existing neighborhood consists of properties zoned both R-4C Single-Family and Two-Family Central Residential District and R-MF Multi-Family Residential District. There are two lots on the same block bounded by Bridge Avenue, 10th Street, Oneida Avenue, and 12th Street zoned R-MF District. This includes the parcel located two lots to the south, or 140 feet, of the subject site on Bridge Avenue.

Carriage Hill Apartments, located on the northwest corner of Bridge Avenue and 11th Street, is approximately 110 feet southeast of the rezoning request. In addition, traveling west through the alley 237 feet, there is a property on Oneida Avenue zoned R-MF District.

Due to the close proximity of nearby property zoned R-MF Multi-Family Residential District, it is staff's opinion the proposed zoning amendment is not considered spot zoning. The request is compatible with the zoning of nearby property.

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

Staff Response: The established neighborhood character of Bridge Avenue, between 13th Street and 10th Street, is a mixture of housing types ranging from single-family dwellings to multi-family apartment complexes.

With the exception of the four-story apartment building at 1011 Bridge Avenue, the neighborhood consists of single and two-story structures. The existing building on the subject site is one level. Staff are recommending a condition to limit the maximum building height to 35 feet. This matches the maximum building height of the R-4C District. The R-MF District has a maximum building height of 70 feet. Staff believe a building over 35 feet in height at this site would not fit the context and scale of the surrounding neighborhood.

The subject site is located a block and a half, or 700 feet, north of the Bridge Avenue National Historic District. It is also approximately 1,060 feet west of Prospect Park Historic District. While there are older homes in this area of Davenport, the existing building was constructed in 1991. The building does not possess the same architectural details of other historic homes in the vicinity. Instead, the sprawling ranch features a hipped roof and vinyl siding. Since the original use of the building was nonresidential, it was designed to blend with the homes immediately adjacent.

If the property were to be redeveloped, the current Zoning Ordinance contains design standards that ensure compatibility with the neighborhood character. The standards require facades to incorporate a unifying architectural theme, including windows, prominent entrances, projections, and quality building materials.

With the condition restricting building height, it is staff's opinion the proposed zoning district is compatible with the established neighborhood character with the recommended conditions.

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

Staff Response: Rezoning the property to create three multi-family dwellings will not be detrimental to the surrounding area, which currently has a mixture of housing types. The petitioner is removing a nonresidential use (day care home) from an established neighborhood. With the condition limiting the number of multi-family units permitted on the site, the density of housing will have minimal impact on adjacent property owners.

Residents have expressed a desire for single-family owner-occupied housing, rather than rental properties. It should be noted that the Zoning Ordinance does not regulate owner occupancy of a housing unit.

It is staff's opinion that the proposed zoning map amendment will not negatively impact the public health, safety, and welfare of the City.

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

Staff Response: The building originally operated as a group home and was later converted to an adult day care. Both of these uses are permitted within the R-4C and R-MF District. However, the applicant

intends to convert the structure into three dwelling units. The conversion from a nonresidential use to housing is more compatible with the character of the area than the previous uses.

Based on conversations with the applicant, the footprint of the building will not be altered. Rather the 3,650 square foot floor plan will be remodeled to create two four-bedroom units and one two-bedroom unit.

The R-MF Multi-Family Residential District permits one dwelling unit per 1,500 square feet of lot area. Based on this calculation, a total of 13 units are permitted at 1112 Bridge Avenue. In comparison, the Carriage Hill Apartments have a total of 44 units and the buildings at 1011 Bridge Avenue have a total of 16 units.

Staff are recommending a condition that no more than four dwelling units be established at the property. This will keep the use of the building more aligned with the character of abutting single and two-family homes, rather than the larger apartment complexes.

As conditioned, it is staff's opinion that the proposed zoning map amendment will enable the existing building to be used in a manner consistent with surrounding neighborhood.

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

Staff Response: The existing site and building are in compliance with the R-MF Multi-Family Residential District dimensional standards. The parcel is .46 acres and 145 feet in width.

Any redevelopment of the site shall be in accordance with applicable city codes and meet the standards of the R-MF District.

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

**Public Input:**

The applicant held a neighborhood meeting at the subject property on December 1, 2022. Addresses within 200 feet of the request were invited to the meeting. City staff and elected officials were present to observe the discussion. Two members of the public were in attendance.

Letters were sent to property owners within 200 feet of the proposed request notifying them of the December 6, 2022 Plan and Zoning Commission Public Hearing. Two members of the public spoke in opposition to the request. Concerns raised were related to neighborhood stabilization, promoting home ownership, impacts on historic districts, and density.

To date, staff have received multiple written comments in opposition to the rezoning request all from residents outside the 200 foot notification boundary. Residents have expressed a desire for owner-occupied single-family homes, rather than rental properties. There have also been concerns about protecting the historic character of the neighborhood.

Staff will apprise the Commission of any additional correspondence at the December 20, 2022 Plan and Zoning Commission meeting.

**Staff Recommendation:**

Staff recommends Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

**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 R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

**Conditions:**

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

# Vicinity Map

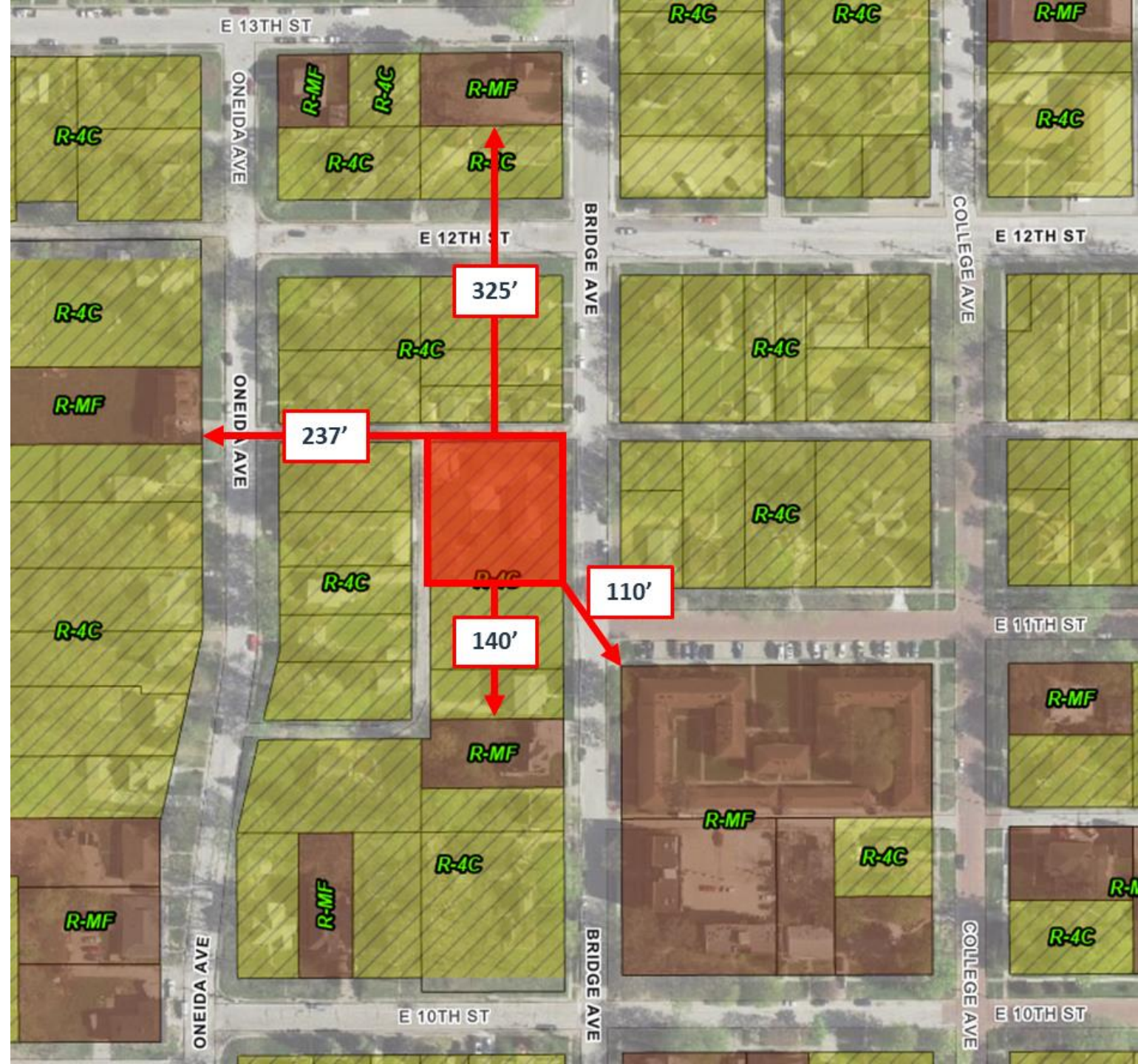
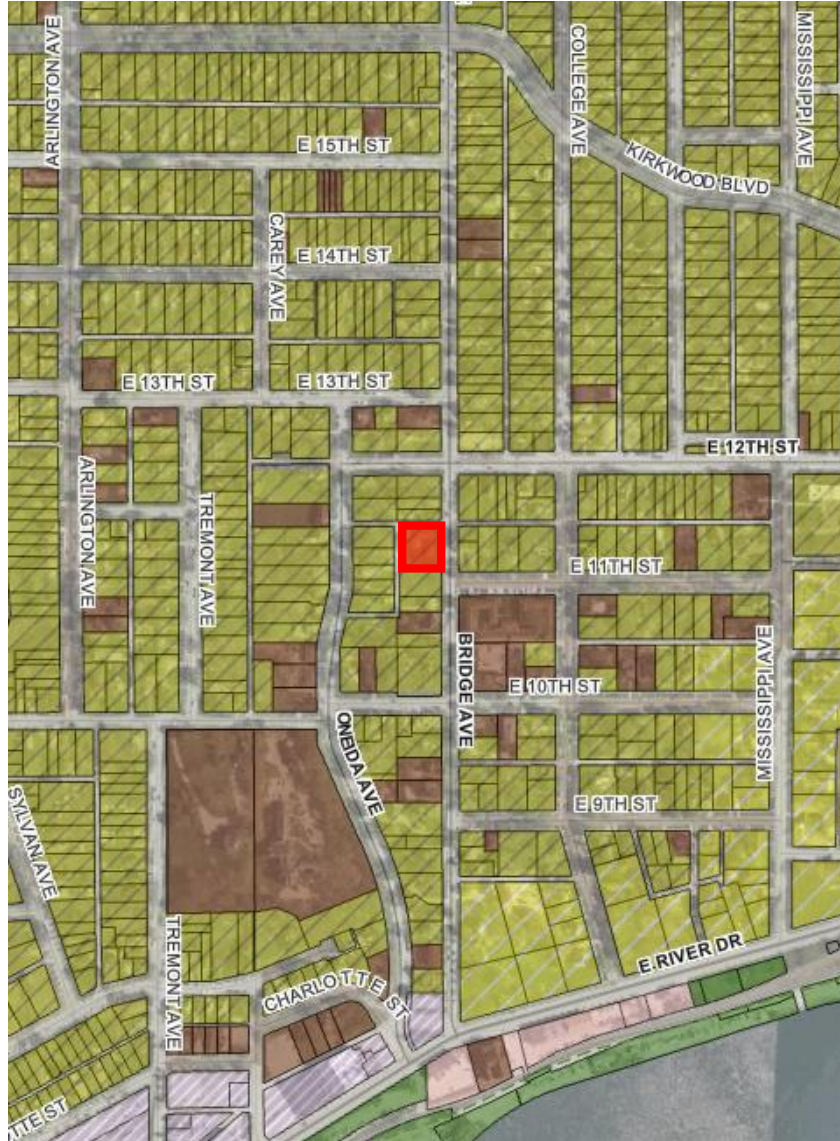
- **Purpose:** Redevelop the existing building into a 3 unit multi-family dwelling.
- **Former Uses:** Adult Day Care Center & Group Home



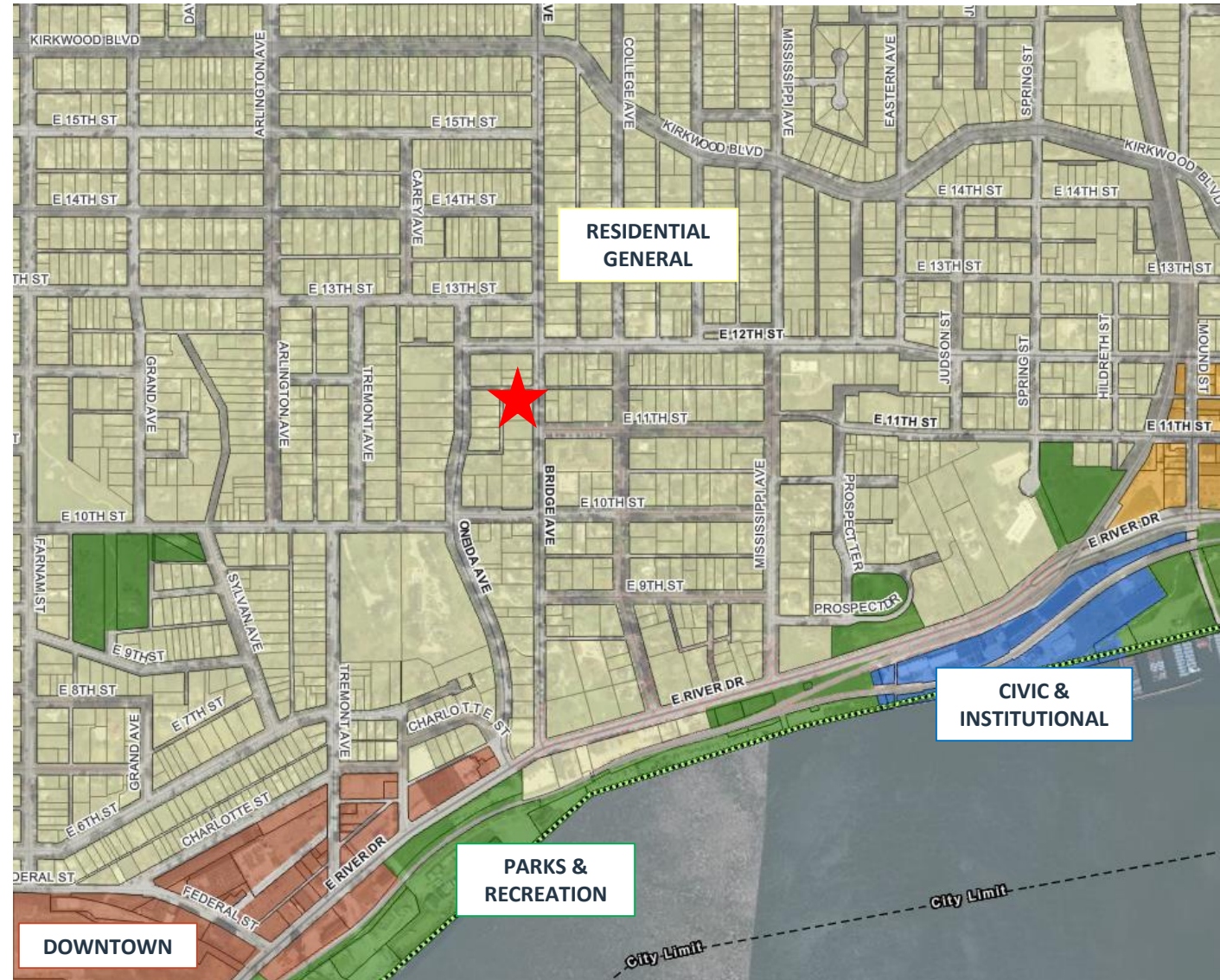
View from Bridge Avenue



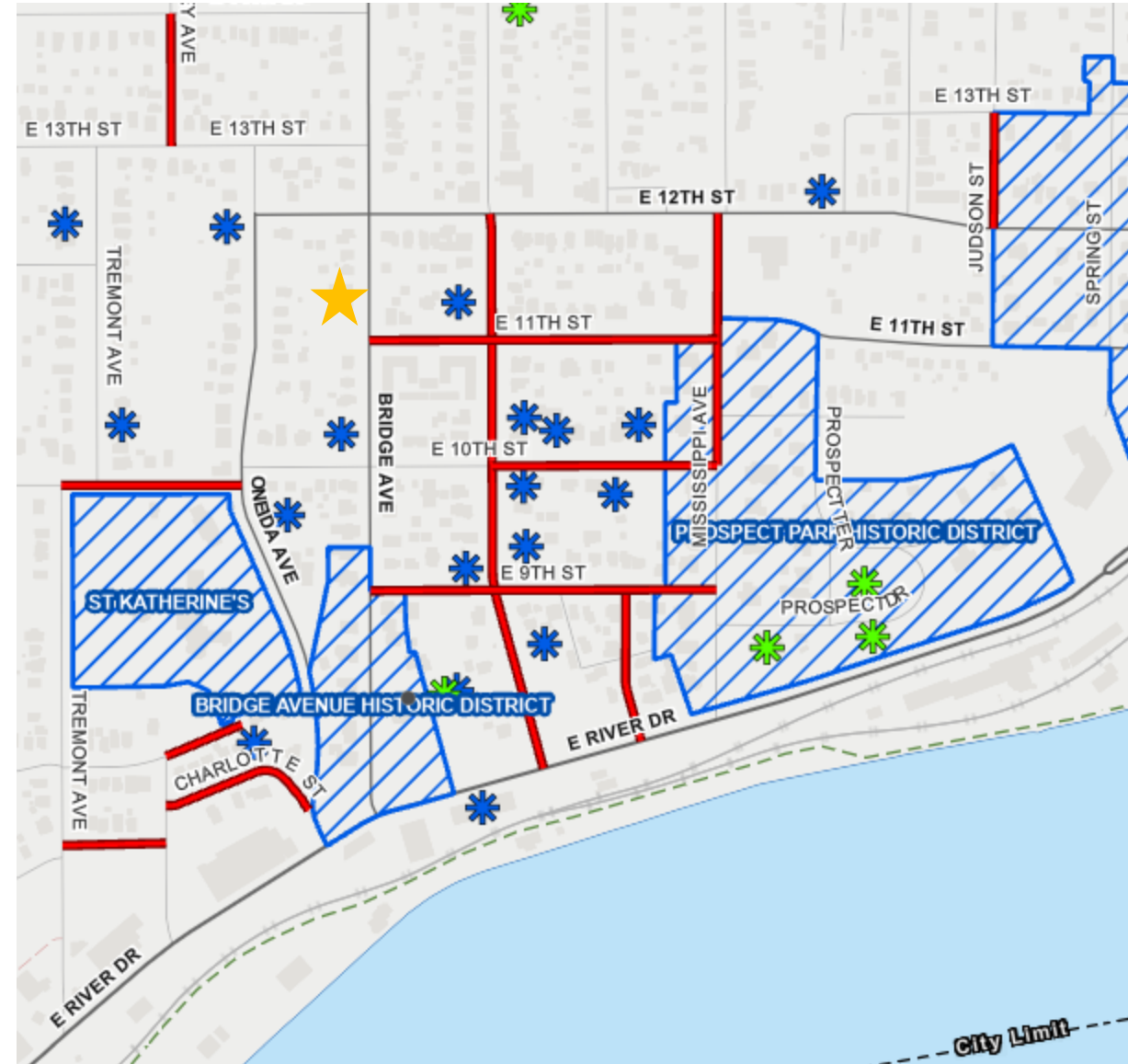
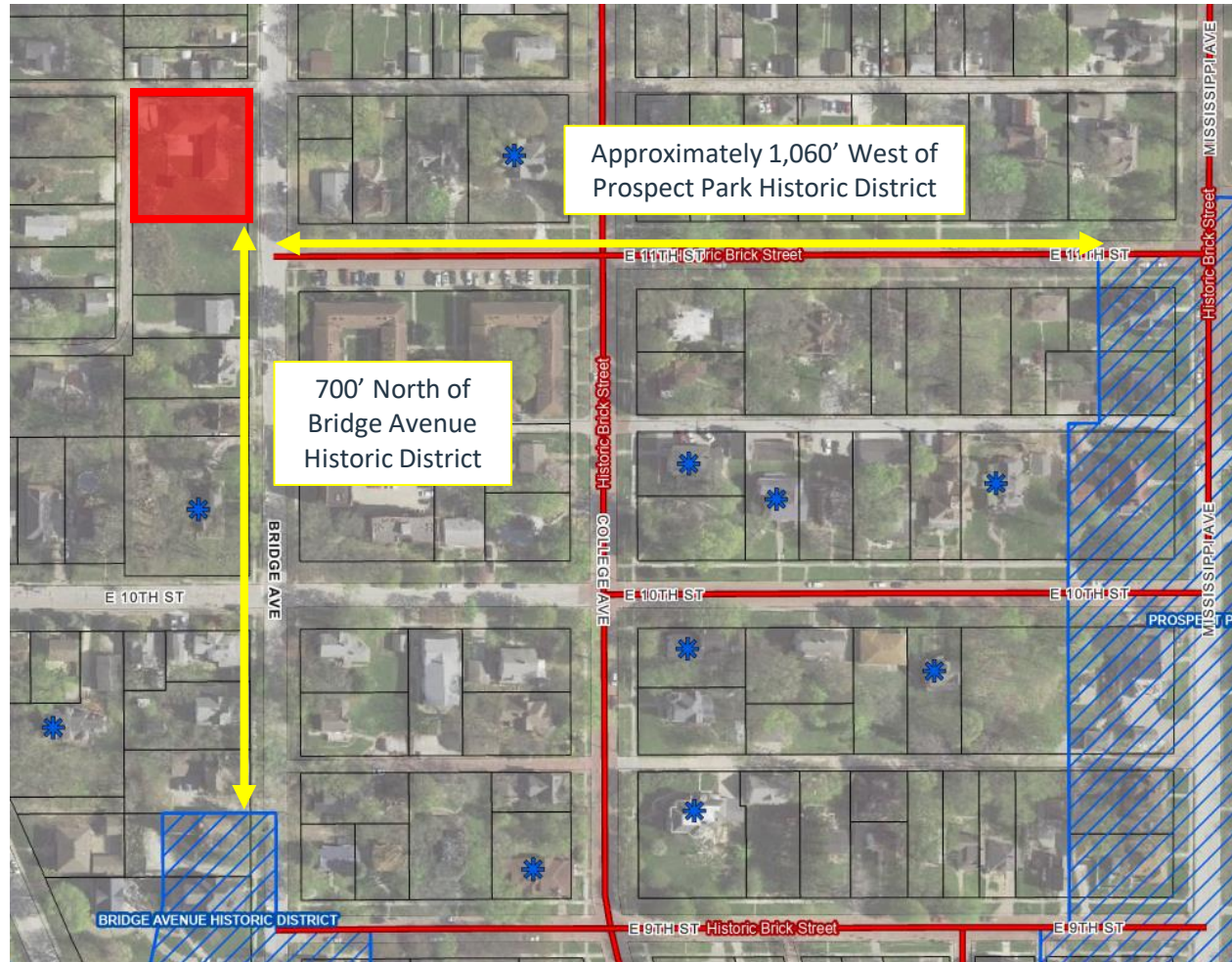
# Zoning Map

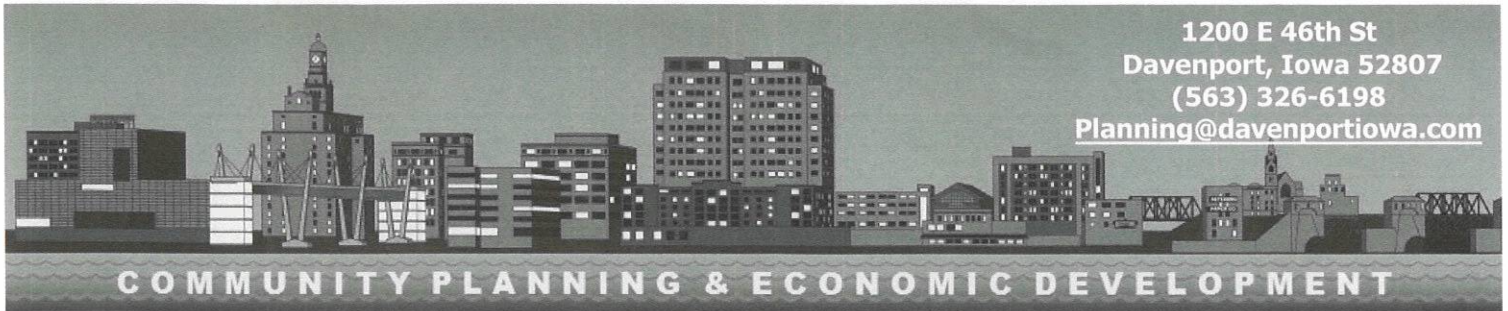


# Future Land Use Map



# Proximity to Historic Districts





1200 E 46th St  
Davenport, Iowa 52807  
(563) 326-6198  
[Planning@davenportiowa.com](mailto:Planning@davenportiowa.com)

Complete application can be emailed to: [planning@davenportiowa.com](mailto:planning@davenportiowa.com)

Property Address\*

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

**Applicant (Primary Contact)\*\***

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

*Application Form Type:*

**Plan and Zoning Commission**

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

**Owner** (if different from Applicant)

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

**Zoning Board of Adjustment**

Zoning Appeal ☐  
Special Use ☐  
Hardship Variance ☐

**Engineer** (if applicable)

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

**Design Review Board**

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

**Architect** (if applicable)

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

**Historic Preservation Commission**

Certificate of Appropriateness ☐  
Landmark Nomination ☐  
Demolition Request ☐

**Administrative**

Administrative Exception ☐  
Health Services and Congregate Living Permit ☐

**Attorney** (if applicable)

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

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

**Request:**Existing Zoning: Proposed Zoning Map Amendment: **Purpose of the Request:**

Change current R-4C zoning to R-MF zoning. As highlighted in the attached document, the change would be consistent with the neighboring uses, and the adjacent multifamily housing just diagonally across the street from the parcel. We would like to convert this former Adult Care facility into a Three Unit multi-family dwelling. Two units would have four bedrooms and the third will be two or three bedrooms. All units will be ADA accessible. The building will be substantially rehabilitated using Low Income Housing Tax Credits.

Total Land Area:  Does the Property Contain a Drainage Way or is it Located in a Floodplain Area: ☐ Yes ☒ No**Submittal Requirements:**

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

**Formal Procedure:****(1) Application:**

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

**(2) Plan and Zoning Commission public hearing:**

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

**(3) Plan and Zoning Commission's consideration of the request:**

- Planning staff will perform a technical review of the request and present its findings and recommendation to the Plan and Zoning Commission.
- The Plan and Zoning Commission will vote to provide its recommendation to the City Council.
- If the Plan and Zoning Commission recommends denial, the request may only be approved by a favorable 3/4 vote of the City Council.

**Formal Procedure (continued):**

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

- The Committee of the Whole (COW) will hold a public hearing on the request. Planning staff will send a public hearing notice to surrounding property owners.
- If property owners representing 20% or more of the area within 200 feet of the exterior boundaries of the request submit a written protest, the request may only be approved by a favorable 3/4 vote of the City Council. For the purpose of the 20% protest rate, formal protests will be accepted until the public hearing is closed.
- The City Council will vote on the request. For a zoning map amendment to be approved three readings of the Ordinance are required; one reading at each Council Meeting. In order for the Ordinance to be valid it must be published. This generally occurs prior to the next City Council meeting.

Applicant:

Date:

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

Received by:

Planning staff

Date:

Date of the Public Hearing:

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

**Authorization to Act as Applicant**

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

\_\_\_\_\_  
\_\_\_\_\_  
Signature(s)

State of ,  
County of   
Sworn and subscribed to before me

This  day of  20 \_\_\_\_\_  
Form of Identification

\_\_\_\_\_  
Notary Public

My Commission Expires:

ARTICLES OF INCORPORATION  
OF  
ECUMENICAL HOUSING DEVELOPMENT GROUP

TO: The Secretary of State of the State of Iowa:

The undersigned, acting as incorporators of the Corporation under the Iowa Nonprofit Corporation Act, Chapter 504A of the Code of Iowa (1989), adopt the following Articles of Incorporation for such Corporation:

ARTICLE I

The name of the Corporation shall be Ecumenical Housing Development Group. The Corporation is incorporated under Chapter 504A of the Iowa Code (1993).

ARTICLE II

The period of existence of the Corporation is perpetual.

ARTICLE III

The purposes and objects for which the Corporation is organized and the powers of the Corporation shall be:

1. To develop and construct housing units for low income persons.
2. To operate exclusively for religious, charitable, literary, scientific and/or educational purposes, including, for such purposes, the making of distributions to organizations which qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding provisions of any subsequent federal tax law, with all of its activities so conducted.
3. To possess and exercise all of the rights, powers and privileges now or hereafter conferred upon non-profit corporations by Section 504A of the Code of Iowa (1993), as amended from time to time.

#### ARTICLE IV

The Corporation shall be subject to the following limitations and conditions:

1. The Corporation shall be operated exclusively for those purposes allowed an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 and its regulations as they now exist or the corresponding provisions of any future United States Internal Revenue Tax Law.
2. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered.
3. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and 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.
4. Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law).

#### ARTICLE V

Section 1. Membership in the Corporation shall be limited to churches and other religious organizations, transitional housing agencies, financial institutions, local governments and other organizations concerned with providing low income rental housing in the Quad-City area. Such an organization may be granted membership upon the receipt of a letter from the appropriate officer of that organization indicating a desire for membership and nominating a

representative of the organization to serve on the board of directors. Membership shall be granted upon an affirmative vote by the Board of Directors and the election of the organization's representative to the Board of Directors.

Section 2. The powers, duties, and rights reserved to the members shall be, but are not limited to, the following:

- (a) To establish or amend the philosophy and purpose of the Corporation.
- (b) To amend, revise, or alter the Articles of Incorporation or the bylaws of the Corporation.
- (c) To appoint, evaluate and remove, with or without cause, members of the Board of Directors of the Corporation.
- (d) To approve any merger or consolidation of this Corporation into or with any other corporation, organization, or association, and the dissolution or otherwise wrapping up of the affairs of the Corporation.
- (e) To approve the sale, lease, exchange, mortgage, pledge, or other disposition of all, or substantially all, of the Corporation's assets.
- (f) To incorporate or establish new or affiliated entities, organization, or associations.
- (g) To receive the annual report of the Board of Directors.

#### ARTICLE VI

The affairs of the Corporation shall be managed by a Board of Directors consisting of not more than twenty-four (24) directors. The initial Board of Directors, who shall serve until the first annual meeting of the Corporation and until their successors are duly elected and qualified, shall be:

- |   |   |
|---|---|
| 1. Richard Pokora<br>Redeemer Lutheran Church<br>1107 Tanglefoot Lane<br>Bettendorf, IA 52722       | 3. Mr. Jim Slavens<br>Northwest Bank & Trust<br>100 East Kimberly Road<br>Davenport, IA 52806 |
| 2. Sister Pauline Tursi<br>Humility of Mary Shelter<br>820 West Central Park<br>Davenport, IA 52804 | 4. Margaret Murphy<br>City of Davenport<br>226 West Fourth Street<br>Davenport, IA 52801      |

#### ARTICLE VII

The Corporation may be dissolved by a two-thirds vote of the Board of Directors with concurrent approval of a two-thirds vote of the membership of the Corporation.

Upon the dissolution of the Corporation, the Board of Directors 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 organized and operated exclusively for charitable, educational, or religious purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States Internal Revenue law), as the President and Cabinet shall determine.

#### ARTICLE VIII

In the event that this Corporation shall become a "private foundation" within the meaning of Section 509, then the Corporation's income for each taxable year shall be distributed at such time and in such manner as not to subject it to tax under Section 4942, and the Corporation shall be prohibited from engaging in any act of self-dealing as defined in Section 4941(d), from retaining any excess business holdings as defined in Section 4943(c), from making any investments in such manner as to subject this Corporation to tax under Section 4944, and from making any taxable expenditures as defined in Section 4945(d), and in all sections of the Internal Revenue Code of 1986 or the corresponding provisions of any future United States Internal Revenue Law.

#### ARTICLE IX

The principal place of business of the Corporation shall be in the County of Scott, State of Iowa. The registered office shall be located at 220 North Main Street, #600, Davenport, Scott County, Iowa 52801, and the name of its initial registered agent at such address shall be David A. Dettmann.

#### ARTICLE X

The corporate existence shall commence upon the date of issuance by the Secretary of State of Iowa of a Certificate of Incorporation.

ARTICLE XI

The Corporation shall indemnify any present or former director, officer, employee, member or volunteer of this Corporation, and each such person who is serving or who has served, at the request of this Corporation, as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, other enterprise or employee benefit plan to the fullest extent possible against expenses, including attorneys' fees, judgments, fines, settlements and reasonable expenses, actually incurred by such person relating to his conduct as a director, officer, employee, member or volunteer of this Corporation or as a director, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, other enterprise or employee benefit plan, except that the mandatory indemnification required by this sentence shall not apply (i) to a breach of the duty of loyalty to the Corporation, (ii) for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law, or (iii) for a transaction from which such person derived an improper personal benefit.

ARTICLE XII

The name and address of the incorporator of the Corporation is as follows:

Richard Pokora  
1107 Tanglefoot Lane  
Bettendorf, IA 52722

ARTICLE XIII

These Articles of Incorporation and the By-Laws of the Corporation may be altered, amended, or repealed and the initial By-Laws adopted by a two-thirds vote of the Board of Directors at any regular or special meeting and with concurrent approval of a two-thirds vote of the membership of the Corporation.

IN WITNESS WHEREOF, the incorporators have executed and acknowledged these Articles of Incorporation this 5 day of July, 1994.

  
Richard Pokora

STATE OF IOWA

COUNTY OF SCOTT

) SS:  
)

On this 5th day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Pokora to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(Notary Seal)

  
Notary Public in and for said County  
and State



-6-

STATE OF IOWA  
SECRETARY OF STATE  
FILED 07/11/1994 AT 03:24 PM  
FILING # 000177005W00048464  
\*WQ: 94419294 -WS: 94419296

# OFFER TO PURCHASE REAL ESTATE

Dated: May 10, 2022

To: Family Resources, Inc. ("Seller")

Ecumenical Housing Development Group ("Purchaser"), hereby offers to purchase for the total sum of One Dollar (\$1.00) the real estate and improvements (collectively "Property") located at 1112 Bridge Avenue, Davenport, Iowa 52803, and legally described as: The North 145 feet of Out Lot in Block 7, Churchill's Addition to the City of Davenport, more particularly described as follows: Beginning at the Northeast corner of said Out Lot; thence South 145 feet along the West Line of Bridge Avenue; thence West 137 feet more or less along a line parallel to the South line of an alley on the North end of said Out Lot, to an alley on the West side of said Out Lot; thence North along the East line of said alley 145 feet to the alley on the North end of said Out Lot; thence East along the south line of said alley 137 feet more or less to the place of beginning. Subject to easements and restrictions of record. Upon the following terms and conditions:

A. CASH by payment of the sum of One Dollar (\$1.00) upon delivery of a Warranty Deed as hereinafter provided.

B. OTHER TERMS:

The Property will be conveyed in "AS IS" condition without warranty, express or implied, as of Closing, except warrant of title and as expressly provided in this Offer.

This Offer includes all furniture, appliances, and fixtures located in the property owned by Seller.

1. Seller shall furnish to Purchaser satisfactory evidence of title to the Property which shall be an Abstract of Title in accordance with title standards of the Scott County Bar Association. The title to be conveyed to Purchaser shall be free and clear of all liens and encumbrances not herein specifically waived or agreed to be assumed by Purchaser, except existing easements of record. Conveyance of title shall be by Warranty Deed.

2. Seller's Abstract of Title, shall be submitted to Purchaser's attorney for examination as soon after this date as reasonably possible, and any objections to title raised by Purchaser's attorney shall be made in writing as soon thereafter as reasonably possible, so that same may be cured on or before date of closing, which shall be on or before May 31, 2022.

3. Possession of said real estate is to be given to Purchaser at closing free of any leases, leasehold interests or tenants in possession.

4. All State, County and City Taxes shall be pro-rated between Seller and Purchaser (based on the current established mill rate) to the date of closing unless the real estate is exempt from taxation. All prior real estate taxes, if any, shall be paid by Seller.

5. Special assessments to be levied for improvements, either completed or in process previous to date hereof, shall be paid by Seller. Seller shall pay all existing and pending water and sewer charges and other liens on the property for brush, weed cutting or any other lien as of the closing.

6. Roller shades, venetian blinds, curtain rods, brackets and fixtures, linoleum cemented to floors, storm doors, storm windows and sashes, window and door screens, electric light fixtures, bathroom fixtures and accessories, furnaces, oil or gas heaters and burners, water heaters, all shrubs and trees, and all other fixtures not excepted on back hereof are to be left as belonging to the Property.

7. Seller agrees to maintain existing comprehensive insurance in the amount of the insurable value of the Property until closing. Buyer may purchase additional insurance if it so desires.

8. If this offer is not accepted by Seller on or before May 12, 2022, it shall become null and void without liability on the part of either party.

**THIS OFFER IS ACCEPTED**

Dated: May 10, 2022

Dated: May 11, 2022

PURCHASER:

SELLER:

Ecumenical Housing Development Group

Family Resources, Inc.

By: Mary M-S  
Name: Mary Macumber-Schmidt  
Title: President, Board Chair

By: Ashley Schwalm  
Name: Ashley  
Title: COO

Address: P.O. Box 1673  
Bettendorf, IA 52722

Address: 2800 Eastern Avenue  
Davenport, IA 52803

Telephone #: (563) 508-4835

Telephone #: 563 468 2318

Unique Doc ID: 1691106  
Recorded: 6/21/2022 at 2:14:20.0 PM  
County Recording Fee: \$17.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$20.00  
Revenue Tax: \$0.00  
Rita A. Vargas RECORDER  
Number: 202200017438  
Scott County, Iowa

Prepared by & Return to: Joseph C. Judge, Lane & Waterman LLP, 220 N. Main St., Suite 600, Davenport,  
IA 52801-1953 (563) 324-3246  
Address Tax Statement: Ecumenical Housing Development Group, P.O. Box 1673, Bettendorf, IA 52722

**WARRANTY DEED  
(CORPORATE GRANTOR)**

For the consideration of Ten and 00/100----(\$10.00)---- Dollar(s) and other valuable consideration, **FAMILY RESOURCES, INC.**, a corporation organized and existing under the laws of Iowa, does hereby Convey to **ECUMENICAL HOUSING DEVELOPMENT GROUP**, the following described real estate in Scott County, Iowa:

The North 145 feet of Out Lot in Block 7 Churchill's Addition to the City of Davenport, more particularly described as follows: Beginning at the Northeast corner of said Out Lot, thence South 145 feet along the West line of Bridge Avenue; thence West 137 feet; thence North 145 feet to the alley on the North end of said Out Lot; thence East long the South line of said alley 137 feet more or less to the place of beginning.

Subject to easements and restrictions of record.  
Exempt from transfer tax pursuant to Iowa Code Section 428A.2(21).

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

Dated: 6/21, 2022

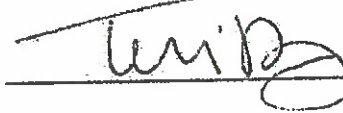
**FAMILY RESOURCES, INC.**

By

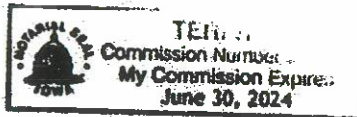
  
Nicole Cisne Durbin, President & CEO

STATE OF IOWA, SCOTT COUNTY, SS:

This instrument was acknowledged before me on June 21, 2022 by  
Nicole Cisne Durbin as President & CEO of FAMILY RESOURCES, INC.



Notary Public



Prepared by & Return to: Joseph C. Judge, Lane & Waterman LLP, 220 N. Main St., Suite 600, Davenport, IA 52801-1953 (563) 324-3246

Address Tax Statement: Ecumenical Housing Development Group, P.O. Box 1673, Bettendorf, IA 52722

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Dated: 6/21, 2022

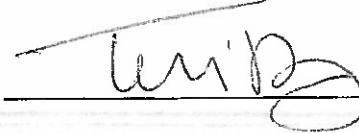
**FAMILY RESOURCES, INC.**

By

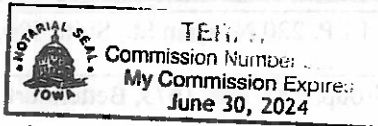
  
Nicole Cisne Durbin, President & CEO

STATE OF IOWA, SCOTT COUNTY, SS:

This instrument was acknowledged before me on June 21, 2022 by  
**Nicole Cisne Durbin as President & CEO of FAMILY RESOURCES, INC.**



Notary Public





# Scott County / City of Davenport, Iowa

## Summary - Auditor's Office

**Parcel ID** F0027-22A  
**Alternate ID** F22006  
**Property** 1112 BRIDGE AV  
**Address** DAVENPORT IA 52803  
**Sec/Twp/Rng** N/A  
**Brief** CHURCHILL'S RESURVEY Lot: 007 CHURCHILL'S RESURVEY OF CHURCHILL'S ADD  
**Tax Description** N145' OF OL IN BLK 7 COM NE COR OF SD OL -S 145' ALG W LN OF BRIDGE AV -W  
 137' M/L -N 145' -E 137' TO POB  
 (Note: Not to be used on legal documents)  
**Deed Book/Page** 2022-17438  
**Contract Book/Page**  
**Gross Acres** 0.46  
**Net Acres** 0.46  
**Adjusted CSR Pts** 0  
**District** DAD - DAVENPORT DAVENPORT  
**School District** DAVENPORT SCHOOL  
**Subdivision** CHURCHILL'S RESURVEY



## Owners - Auditor's Office

**Deed Holder**  
[ECUMENICAL HOUSING DEVELOPMENT GROUP](#)  
[PO BOX 1673](#)  
 DAVENPORT IA 52803  
**Contract Holder**  
**Mailing Address**  
 ECUMENICAL HOUSING DEVELOPMENT GROUP  
 PO BOX 1673  
 DAVENPORT IA 52803

## DBA (Doing Business As) - Assessor's Office

FKA: ANNIE- RU DAYCARE CENTER LLC

## Land - Assessor's Office

**Map Area** C-412  
**Lot Area** 0.46 Acres ; 19,865 SF

Land Sizes Used For Assessment Purposes Only. Not A Survey Of The Property.

## Commercial Buildings - Assessor's Office

**Total GBA** 3,650 SF  
**Total Units** 0  
**Building 1:** Child Day Care Center, Vinyl - Frame, 1 Story, Built - 1991, 3650 SF, Bsmt - 0 SF,  
 HVAC - Combination FHA - AC, Roof - Asph. Shingle/ Wood Dk  
**Adjustments:** Sprinkler - exposed wet, 3650 SF  
**Plumbing:**  
 1 - Adequate  
 2 - 3-Fixture Bathroom  
 1 - Toilet Room  
 2 - Sink-Kitchen  
 1 - Sink-Service (Fiberglass)  
 4 - Lavatory  
**Building Extras:** #1- Porches, Decks, Patios, etc., 36 SF, Porch, Average Pricing, 1991, Qty1

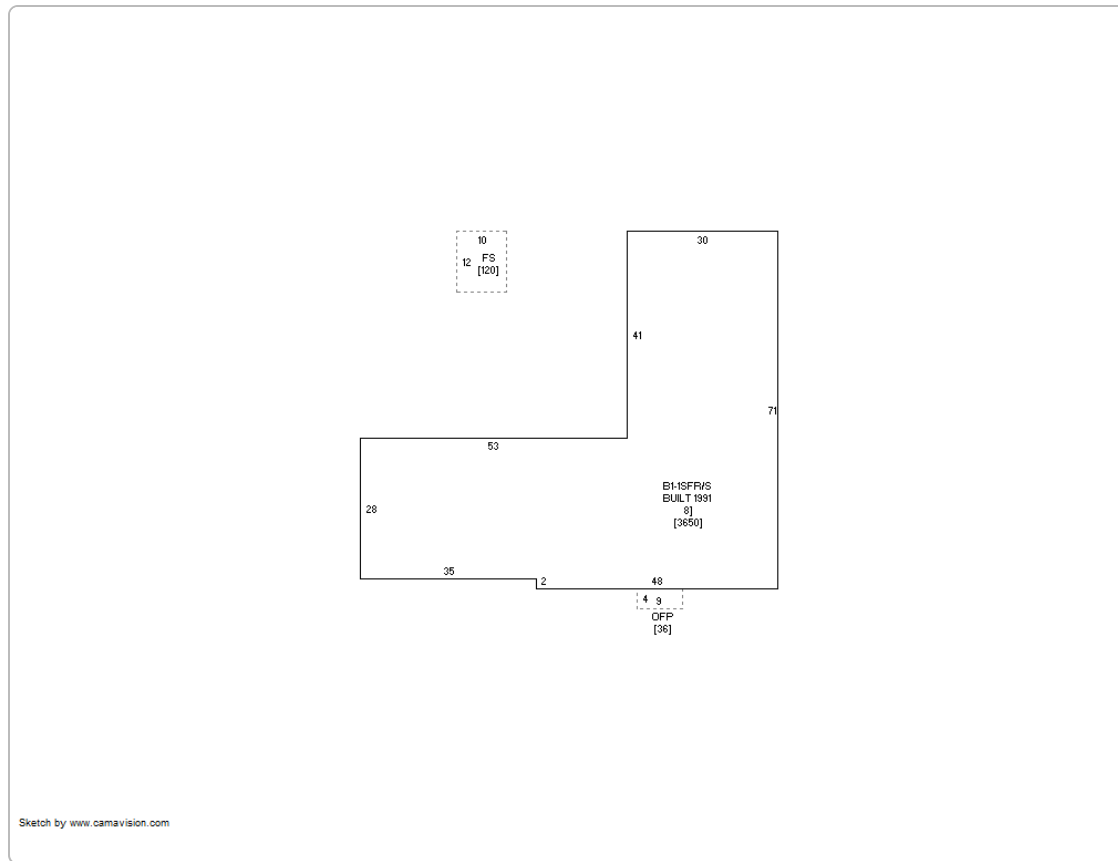
## Yard Extras - Assessor's Office

#1 - (1) Paving - Asphalt 920 SF, Asphalt Parking, Average Pricing, Built 1991  
 #2 - (1) Paving - Concrete 1,160 SF, Concrete Parking, Average Pricing, Built 1991  
 #3 - (1) Fencing - Chain No Barbs, 6 Ft-Hgh, 85 LF, 0 LF-Gates, Built 1991  
 #4 - (1) Shed W10.00 x L12.00 120 SF, Frame, Average Pricing, Built 1991

## Photos - Assessor's Office



Sketches - Assessor's Office



### Permits - Assessor's Office

Permit #	Date	Description	Amount
M019131	06/25/2018	HVAC	6,425
P007211	06/04/2014	Plumb/Elec	7,000
B019722	03/17/2014	Int-Remodel	3,500
198855	11/14/2005	Roof	8,000
175090	09/01/1998	Int-Remodel	8,894

### Sales - Assessor's Office

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
6/21/2022	FAMILY RESOURCES, INC	ECUMENICAL HOUSING DEVELOPMENT GROUP	<a href="#">2022-17438</a>	No consideration	WD		\$0.00
8/21/2017	DAVENPORT FAMILY HOMES LTD	FAMILY RESOURCES, INC	<a href="#">2017-24810</a>	Quit Claim Deed	QCD		\$0.00
8/16/1991		DAVENPORT FAMILY HOMES LTD	<a href="#">1991-17814</a>	NONE	X		\$7,500.00

## Recent Sales in Area

## Sale date range:

From:

12/13/2012

To:

12/13/2022

Sales by Neighborhood

Sales by Subdivision

1500

Feet



Sales by Distance

## Valuation - Assessor's Office

	2022	2021	2020
Classification	Commercial	Commercial	Commercial
+ Assessed Land Value	\$39,730	\$39,730	\$39,730
+ Assessed Building Value	\$246,680	\$293,680	\$293,680
+ Assessed Dwelling Value	\$0	\$0	\$0
= Gross Assessed Value	\$286,410	\$333,410	\$333,410
- Exempt Value	\$0	\$0	\$0
= Net Assessed Value	\$286,410	\$333,410	\$333,410

## Taxation - Auditor\Treasurer's Office

	2021 Pay 2022-2023	2020 Pay 2021-2022
x Rollback (estimated)	90	90
+ Taxable Land Value	\$35,757	\$35,757
+ Taxable Building Value	\$264,312	\$264,312
+ Taxable Dwelling Value	\$0	\$0
= Gross Taxable Value	\$300,069	\$300,069
- Military Credit	\$0	\$0
= Net Taxable Value	\$300,069	\$300,069
x Levy Rate (per \$1000 of value)	39.64283	39.37037
= Gross Taxes Due	\$11,895.58	\$11,813.83
- Ag Land Credit	\$0.00	\$0.00
- Family Farm Credit	\$0.00	\$0.00
- Homestead Credit	\$0.00	\$0.00
- Disabled and Senior Citizens Credit	\$0.00	\$0.00
- Business Property Credit	\$0.00	\$0.00
= Net Taxes Due	\$11,896.00	\$11,814.00

## Tax History - Treasurer's Office

Year	Due Date	Amount	Paid	Date Paid	Receipt
2021	March 2023	\$5,948	No		<a href="#">633677</a>
	September 2022	\$5,948	No		
2020	March 2022	\$5,907	Yes	3/25/2022	<a href="#">638580</a>
	September 2021	\$5,907	Yes	9/30/2021	
2019	March 2021	\$5,918	Yes	5/13/2021	<a href="#">633852</a>
	September 2020	\$5,918	Yes	5/13/2021	
2018	March 2020	\$5,812	Yes	5/13/2021	<a href="#">635486</a>
	September 2019	\$5,812	Yes	5/13/2021	
2017	March 2019	\$0	No		<a href="#">642025</a>
	September 2018	\$0	No		
2016	March 2018	\$0	No		607920
	September 2017	\$0	No		

Year	Due Date	Amount	Paid	Date Paid	Receipt
2015	March 2017 September 2016	\$0 \$0	No No		788964
2014	March 2016 September 2015	\$0 \$0	No No		709487
2013	March 2015 September 2014	\$0 \$0	No No		623786
2012	March 2014 September 2013	\$0 \$0	No No		630896
2011	March 2013 September 2012	\$0 \$0	No No		630483
2010	March 2012 September 2011	\$0 \$0	No No		633639
2009	March 2011 September 2010	\$0 \$0	No No		630262
2008	March 2010 September 2009	\$0 \$0	No No		633422

### Special Assessments - Treasurer's Office

**Project:**

20191204 - Davenport Utility Fee

**Accepted Date:**

12/4/2019

**Parcel Number:**

F0027-22A

**Amortization Date:**

12/1/2020

**Amortized Interest:**

0

**Number of Years:**

0

**Payoff:**

\$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2020	\$124.74	\$124.74	\$0.00	\$0.00	\$5.00	\$129.74	162885	1/7/2020
<b>Total</b>			<b>\$124.74</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$129.74</b>		

**Project:**

20190830 - Davenport Utility Fee

**Accepted Date:**

8/30/2019

**Parcel Number:**

F0027-22A

**Amortization Date:**

12/1/2020

**Amortized Interest:**

0

**Number of Years:**

0

**Payoff:**

\$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2020	\$185.70	\$185.70	\$0.00	\$0.00	\$5.00	\$190.70	156511	9/26/2019
<b>Total</b>			<b>\$185.70</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$190.70</b>		

**Project:**

20190531 - Davenport Utility Fee

**Accepted Date:**

5/31/2019

**Parcel Number:**

F0027-22A

**Amortization Date:**

12/1/2020

**Amortized Interest:**

0

**Number of Years:**

0

**Payoff:**

\$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2020	\$171.68	\$171.68	\$0.00	\$0.00	\$5.00	\$176.68	148637	6/14/2019
<b>Total</b>			<b>\$171.68</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$176.68</b>		

**Project:**  
 20181130 - DAVENPORT UTILITY FEES  
**Accepted Date:**  
 11/30/2018  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2019  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2019	\$171.68	\$171.68	\$0.00	\$41.00	\$5.00	\$217.68	136436	5/13/2021
<b>Total</b>			<b>\$171.68</b>	<b>\$0.00</b>	<b>\$41.00</b>	<b>\$5.00</b>	<b>\$217.68</b>		

**Project:**  
 20180830 - Davenport Utility Fee  
**Accepted Date:**  
 8/30/2018  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2019  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2019	\$193.59	\$193.59	\$0.00	\$46.00	\$5.00	\$244.59	129923	5/13/2021
<b>Total</b>			<b>\$193.59</b>	<b>\$0.00</b>	<b>\$46.00</b>	<b>\$5.00</b>	<b>\$244.59</b>		

**Project:**  
 20180228 - Davenport Utility Fee  
**Accepted Date:**  
 2/28/2018  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2018  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2018	\$407.62	\$407.62	\$0.00	\$0.00	\$5.00	\$412.62	117802	3/23/2018
<b>Total</b>			<b>\$407.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$412.62</b>		

**Project:**  
 20171130 - Davenport Utility Fees  
**Accepted Date:**  
 11/30/2017  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2018  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2018	\$315.89	\$315.89	\$0.00	\$0.00	\$5.00	\$320.89	111371	1/11/2018
<b>Total</b>			<b>\$315.89</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$320.89</b>		

**Project:**  
 20170831 - Davenport Utility Fees  
**Accepted Date:**  
 8/31/2017  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2018  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2018	\$315.96	\$315.96	\$0.00	\$0.00	\$5.00	\$320.96	105427	9/28/2017
<b>Total</b>			<b>\$315.96</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$320.96</b>		

**Project:**  
 20161129 - Davenport Utility Fees  
**Accepted Date:**  
 11/29/2016  
**Parcel Number:**  
 F0027-22A  
**Amortization Date:**  
 12/1/2017  
**Amortized Interest:**  
 0  
**Number of Years:**  
 0  
**Payoff:**  
 \$0.00

Payment ▾	Due Date ⇅	Principal Left ⇅	Tax Billed ⇅	Amortized Interest ⇅	Interest ⇅	Admin Fees ⇅	Total ⇅	Receipt Number	Date Paid ⇅
1	9/30/2017	\$107.53	\$107.53	\$0.00	\$0.00	\$5.00	\$112.53	087002	12/30/2016
<b>Total</b>			<b>\$107.53</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5.00</b>	<b>\$112.53</b>		

## Davenport Data Correction Feedback Form

[Link to Data Correction Feedback Form](#)

## Treasurer Data Correction Feedback Form

[Link to Treasurer Data Correction Feedback Form](#)

## Pay Property Taxes

[Click here to pay your Property Taxes online for this parcel](#)

## Davenport Tax Credit Applications

[Apply for Homestead, Sales Questionnaire, Military or Business Property Tax Credits](#)

## Iowa Land Records

Data for Scott County between Beacon and Iowa Land Records is available on the Iowa Land Records site beginning in 1989.  
 For records prior to 1989, contact the County Recorder or Customer Support at [www.iowaLandRecords.org](http://www.iowaLandRecords.org).

## Spot Zoning

Spot zoning is when a rezoning decision results in a single parcel, or small island of property, with restrictions on its use different from those imposed on the surrounding property. Spot zoning can be valid if there is a reasonable basis to treat the spot-zoned property differently from the surrounding property. For example, a parcel or two designated as neighborhood commercial in a residential area is perfectly appropriate if it provides needed retail services to residents. However, zoning is not appropriate if it is for the financial benefit of an individual property owner but detrimental to the surrounding area. According to the Iowa courts, the factor of primary importance is whether the rezoned tract has a peculiar adaptability to the new classification as compared to the surrounding property. Spot zoning for the sole benefit of the landowner and contrary to the comprehensive plan is unreasonable.

The case for creating these “spot zones” is best made through the comprehensive planning process, where the community can explain the benefits that such differential treatment brings to the area.





## PUBLIC HEARING NOTICE | PLAN AND ZONING COMMISSION

**To:** All property owners within 200 feet of the subject property located at 1112 Bridge Avenue.

### Neighborhood Meeting

Date: 12/1/2022

Time: 7 PM

Location: 1112 Bridge Avenue

### Plan & Zoning Commission Public Hearing Meeting

Date: 12/6/2022

Time: 5:00 PM

Location: Council Chambers | City Hall | 226 West 4<sup>th</sup> 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 R-4C Single-Family and Two-Family Central Residential District. The property owner is requesting a rezoning to R-MF Multi-Family Residential District. The purpose is to redevelopment the existing building into a three unit multi-family dwelling.

### Request/Case Description

**Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]**

### 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 December 6, 2022. The Plan and Zoning Commission will vote (provide a recommendation) to the City Council at their meeting on December 20, 2022. The Commission's recommendation will be forwarded to the City Council, which will then hold its own public hearing. You will receive a notice of the City Council's public hearing. 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](mailto:planning@davenportiowa.com) (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46<sup>th</sup> St, Davenport IA 52807.

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

### Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Matt Werderitch) at [matt.werderitch@davenportiowa.com](mailto: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](mailto:planning@davenportiowa.com) for updates.

Rezone from R-4C Single-Family & Two-Family Central Residential District to R-MF Multi-Family Residential District





## **PUBLIC HEARING NOTICE | COMMITTEE OF THE WHOLE**

Date: 1/4/2023  
Time: 5:30 PM

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

**To: All property owners within 200 feet of the subject property located at 1112 Bridge Avenue.**

### **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 R-4C Single-Family and Two-Family Central Residential District. The property owner is requesting a rezoning to R-MF Multi-Family Residential District. The purpose is to redevelopment the existing building into a three unit multi-family dwelling.

### **Request/Case Description**

**Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]**

At its December 20, 2022 meeting, the Plan and Zoning Commission recommended Case REZ22-08 be forwarded to the City Council with a recommendation for approval subject to the listed findings and conditions.

### **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 R-MF Multi-Family Residential District is compatible with the zoning of nearby developed property.
3. With conditions recommended by staff, the proposed zoning map amendment will enable the existing building be used in a manner consistent with the surrounding area.
4. As conditioned, the rezoning request is compatible with the established neighborhood character.
5. The proposed amendment will not negatively impact the public health, safety, and welfare of the City.
6. Rezoning the property to R-MF Multi-Family Residential District does not create any nonconformities.

### **Conditions:**

1. The maximum building height shall be 35 feet.
2. The maximum number of dwelling units shall be four.

### **What are the next steps?**

The public hearing on the above matter is scheduled for 5:30 p.m. or as soon thereafter as possible on Wednesday, January 4, 2023 in the Council Chambers of the Davenport City Hall, 226 West 4th Street, Davenport, Iowa.

### **Would you like to submit an official comment?**

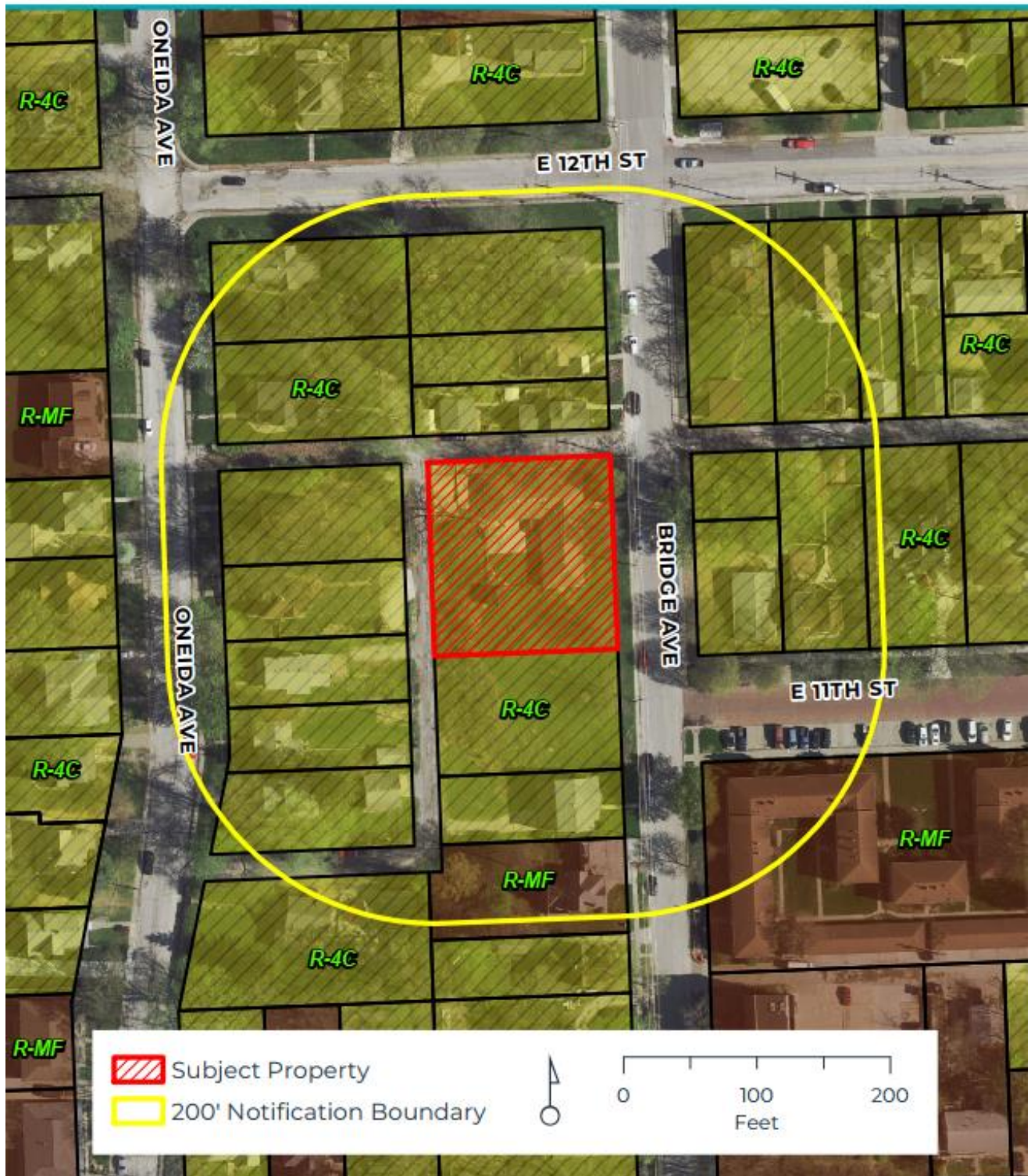
You may submit written comments on the above item or attend the public hearing to express your views, or both. Written comments may be sent via email to [mayor.info@davenportiowa.com](mailto:mayor.info@davenportiowa.com) or mailed to the Development and Neighborhood Services Department, at the below 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](http://www.davenportiowa.com/watchlive).

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

## Rezoning Request | Case REZ22-08 | Public Hearing Notice

Rezone from R-4C Single-Family & Two-Family Central Residential District to  
R-MF Multi-Family Residential District



# Neighborhood Meeting Attendance List

Date: 12/1/2022

Time: 7:00 PM

Location:

1112 Bridge Ave

Case: Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

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	Jim Richardson	jarichardson1954@gmail.com	(563) 340-3767	5124 N. Richmond Circle Bettendorf, IA 52722
2	DAVE SPINNER		563-322-8237	1033 ONCIDA
3	Allie Kelly		3092924908	1203 E 11 <sup>th</sup> St
4				
5				
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## Werderitch, Matt

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**From:**  
**Sent:** Wednesday, December 14, 2022 1:54 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Case REZ 22-08 1112 Bridge Avenue Rezoning

ATTENTION: This is an external email.

Good afternoon, Matt!

My husband, Marshall and I are writing to you in order to express our opposition to the multi-family spot rezoning request for the property at 1112 Bridge Avenue.

We live at 812 Bridge Avenue. Marshall was born and raised in Davenport and he remembers clearly when the neighborhoods along Bridge Avenue were in a very depressed state. After living and working in Phoenix, Arizona for over 30 years, Marshall and I were committed to investing in his hometown upon retiring. We bought our home in 1999 and have been in the process of restoring this house to its original grandeur ever since. Over these past several years we have seen a slow, but mostly steady improvement in our neighborhood which we believe can be directly contributed to the increase of owner-occupied single family homes lining Bridge Avenue from River Drive.

In order to promote this trend, new families are warmly welcomed and encouraged to participate in the neighborhood. We even reach out to listing agents to inform them about the Bridge Avenue Historic District Neighborhood Association. Many have responded enthusiastically and even included information about the neighborhood in their real estate postings. It is our sincere hope that the Development and Neighborhood Services and the Planning and Zoning Commission will deny this multi-family rezoning request and in so doing, partner with us in keeping this revitalization process going. Sadly, there are very few surviving neighborhoods in Davenport with their historic integrity left intact. Most have succumbed to multi-family rental properties that have negatively impacted the character of these fine old communities. We are trying to save our neighborhood from that fate.

We compel you as you review the Residential Zoning Districts Map, that you will visualize individual streets, homes and the families who live inside them, rather than just a mosaic of yellow, green, brown and gray squares. Ultimately, your decision will set a significant precedent moving forward and will reinforce your commitment to promoting neighborhood integrity and improving the quality of life in our community.

Thank you for your consideration.

Regards,  
Carol and Marshall Daut  
812 Bridge Avenue  
Davenport, IA 52803  
563-322-1319

**Werderitch, Matt**

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**From:** Robert Kirk  
**Sent:** Tuesday, December 13, 2022 9:51 AM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Zoning 1112 Bridge Avenue

**ATTENTION: This is an external email.**

I want to voice my concerns over this issue for plans at Zoning 1112 Bridge Avenue. The neighborhood already has far too many multi family dwellings and this locale has been a considerable and failed use location for far too long creating both parking and driving issues for all concerned. In my opinion the best use would be the intended use as a permanent single family dwelling.

Regards,  
Robert Kirk  
1017 MISSISSIPPI AVE

Case KE222-08

Request to change 1112 Bridge Ave. from R-4C  
to multi-family (Ward 5)

From:

Date: Dec 6, 2022 at 2:08:04 PM

To: Lamar Buckelew [lamarbuckelew@yahoo.com](mailto:lamarbuckelew@yahoo.com)

My name is Juliana Buckelew and I live at 1206 E. River Drive. I am against this change because it would go against the goals of the new code that was implemented in 2018 to stabilize the area. The property is surrounded by R 4C except on one side, and that's <sup>SW kitty corner</sup> across the street. Allowing up zoning in the middle of our neighborhood is spot zoning and discourages owner occupants, who remain after the rental property owners leave.

We have worked hard to stabilize our neighborhood. My neighbors and I formed a neighborhood association group officially with the the city. Our group has fought hard for neighborhood safety and marketed our historical district to attract homebuyers. We have done extensive historical research at the library and online to promote its rich history. We have fought hard and up zoning to make this lot multifamily discourages home buying which gives stability, and the desire to invest in our neighborhood. We have 3 new families recently and need to keep this direction, not take a step back.

Thank you for your time today.

Sent from my iPhone

## Werderitch, Matt

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**From:** Lamar Buckelew  
**Sent:** Thursday, December 15, 2022 2:18 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]

Dear Mr. Werderitch,

Hello, my name is Lamar Buckelew and I live at 1206 East River Drive. Together with Prospect Park and Bridge Avenue neighborhoods, we make up the larger neighborhood south of E. 12th that was once called Mt. Ida Neighborhood.

I am writing you to voice my disapproval of the spot zone change request for 1112 Bridge Avenue from R-4C to R-MF. This neighborhood has suffered through many years of neglect, irregular zoning and manipulation by developers and landlords. This created a neighborhood instability due to the large number of temporary residents. While there are still many multiple family apartment options in this neighborhood, the city re-zoning that occurred around 2018 was thought to be a step in the direction of neighborhood stability and away from the past Davenport approach of patchwork zoning that negates the intent of the zoning process and does not match the character of the neighborhood.

The goal of the city zoning rewrite in 2018 was to protect the character of these central neighborhoods south of Locust. These neighborhoods have had a history of "spot zoning" resulting in unequal application of the city zoning ordinances. This patchwork approach allows multifamily units to grow in single family areas and therefore should not be approved. Please share these comments with the Planning and Zoning Commission prior to their meeting on the subject.

Regards,

Lamar Buckelew

## Werderitch, Matt

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**From:**  
**Sent:** Monday, December 5, 2022 7:59 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Petition for Rezoning

Hi Matt,

I'm not sure who to address my concerns over this petition Case REZ22-08: Request of Ecumenical Housing Development Group to rezone 1112 Bridge Avenue from R-4C Single-Family and Two-Family Central Residential District to R-MF Multi-Family Residential District. [Ward 5]. I live just outside the perimeter of the legal notification zone but I am opposed to this change.

We formed a neighborhood group and took action a few years ago to change the zoning in this area so that developments like this could no longer destabilize our historic district. A change like this would be a form of spot zoning and contrary to our goal to make our neighborhood attractive to home buyers. While there may be apartments nearby, increasing the number of them will have a negative impact on the density of occupancy of our district and quality of life for the homeowners.

Will you please tell me who to forward this to or can you? I will be out of town during the hearing or I would attend it and speak out.

Thank you very much,

John Higgins

## Werderitch, Matt

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**From:** Adam Hoke  
**Sent:** Tuesday, December 13, 2022 11:13 PM  
**To:** Werderitch, Matt  
**Cc:** Evan Hoke; Eileen Yeates;  
**Subject:** [EXT] Case REZ22-08

Dear Matt,

My name is Adam Hoke and my husband's name is Evan Hoke. We own the Theodore Eldridge House at 1404 E 10<sup>th</sup> St.

I am writing you today to make you aware that we oppose the rezoning of the property at 1112 Bridge Ave. We purchased our home in Sept of 2016. We have two apartment buildings and a rental property directly behind us. We believe that our neighborhood is already saturated with rental properties.

We understand the need for affordable housing and we believe that the rental properties in the area would fit that description. We do not believe that adding more rental properties will help the neighborhood.

We have had countless issues with renters. We hear domestic disputes, loud cars, and police being called for multiple reasons including a tenant having a guest staying with them that was driving a stolen vehicle. And our HVAC Contractor had his vehicle stolen from the alley, not even 10mins after he arrived. There are many rental properties in the area that are not maintained. There are properties near us that are believed to house someone that sells drugs. They have visitors all hours of the day and night just long enough for someone to run in and return within minutes back to their car.

We have spent a significant amount of money restoring our home along with many others in the area. The house down the street was on the market for over 2yrs before it sold and I believe it's because of some of the properties that are behind the house. Adding more rentals would only hinder people from wanting to fix up the homes in this area as the number of rentals can turn off potential buyers or buyers willing to pay a fair market value.

Continuing to add rentals in the area will not help the efforts of the homeowners to change the neighborhood. A great deal has changed for the better since we have lived here. Our home was empty for two years and we had a home on Mississippi Ave that had been on the market for 6yrs. Our home was on the market for 4yrs. There is a home on Mississippi Ave that is for sale that was at one point turned into multiple rental units and has been converted back to a single-family home but a great deal of damage was done to the home during that process and is proving to deter people from wanting to buy it.

Thank you for your time,  
Evan and Adam Hoke

**Werderitch, Matt**

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**From:**  
**Sent:** Sunday, December 11, 2022 4:46 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Zoning 1112 Bridge Avenue

**ATTENTION: This is an external email.**

Matt

We wish to offer our concerns as to CASE REZ22-08...

We want to go on the record of preferring that the city maintain the zoning plans that we suspect were quite expensive. We would like to have the structure sold to a family, maybe a first-time home owner. Many have worked to stabilize this neighborhood and changing the zoning with the result of more multiple resident housing does not match the character of the surrounding properties.

**Joel and Diane E. Franken**  
**1610 Prospect Terrace**

## Werderitch, Matt

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**From:** Elizabeth Hodges  
**Sent:** Wednesday, December 14, 2022 5:07 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Fwd: Zoning 1112 Bridge Avenue

----- Forwarded message -----

**From: Elizabeth Hodges**  
1725 E, 11th Street  
Davenport, Iowa 52803  
**Subject:** Re: Zoning 1112 Bridge Avenue

**Subject: Zoning 1112 Bridge Avenue CASE # REZ22-08**

I am not in favor of 1112 Bridge Avenue being re-zoned to a multi family unit.

Surrounding neighbors and neighborhood groups have worked for years to improve the area.

To rewrite the 2018 zoning is a disservice to the neighbors, and groups who have worked to improve this area.

The person requesting the zoning change should not be granted the re-zoning. The neighbors have worked for years to create stability in this area..

There are becoming more rental properties where I live. Most of the landlords do not take care about their properties, and do not follow up with their tennents. This creates issues and problems for the home owners .

Another rental unit is not what this area needs or the city.

Regards,

Elizabeth Hodges  
1725 E. 11th Street  
Davenport, Iowa 52803

## Werderitch, Matt

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**From:** Mike Miller  
**Sent:** Wednesday, December 14, 2022 7:46 AM  
**To:** Werderitch, Matt; Meginnis, Marion  
**Subject:** [EXT] Spot zoning for 1112 Bridge Ave.

Matt,

This plan to rezone a single building to multi family in an area that has been designated single family would be a mistake. I realize that this would mean increase tax basis on the property, and would satisfy a single entity, but at the same time be against the will of the remaining residents in this community. And if I am not mistaken we still live in a majority rule country.

This area has for years been trying to recover from the mistake of turning classic family homes to multi dwelling facilities. Almost every homeowner here has been trying or has accomplished this goal with the understanding that the neighborhood would continue on this path. The city has aided in this effort by returning the zoning to single family and establishing that it would remain so.

We are in the "downtown" ward. Recently in this ward, and only a few blocks away from us, the city has allowed a 4 story, 180 low income apartment complex to be built. This complex is too high a density living for the space it is on. It most likely will be a majority of section 8 housing. That alone will put a burden on our district and will cause a major decrease in the quality of life for our community that is not being placed on other areas of Davenport. Rezoning this single unit will further exacerbate the downward trend.

My thought is the same as the broken window theory. Before a window is broken in a house the thought of doing so is not brotched. But once the first window is smashed with a rock it becomes OK to break all of the windows.

Taking the first step on the wrong path is always the most crucial after which the rest of the mistakes become easy.

**Werderitch, Matt**

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**From:** Eileen Yeates  
**Sent:** Friday, December 16, 2022 7:23 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] Case REZ22-08

ATTENTION: This is an external email.

My name is Eileen Yeates and I live on Mississippi Avenue. I strongly object to the proposed zoning change to 1112 Bridge Avenue. This property should not be changed to a multi family unit. Parking is already tight on Bridge and this proposed unit could add 6-10 cars to the street. I do not believe the owner can provide adequate off street parking for these extra vehicles. There is not room for that many more cars.

I am also concerned about population density in this area. We already have an over abundance of multi family units in our neighborhood. It is not necessary to add to the overcrowding in our neighborhood.

The proposed multi family unit does nothing to enhance the character of our neighborhood. My family, along with many of our neighbors, work hard to maintain the beauty of this old Davenport neighborhood. This proposed unit does not contribute to the neighborhood character that we all work so hard to maintain.

Thank you so much,  
Eileen Yeates

Sent from my iPad

## Werderitch, Matt

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**From:** Dan Darland <dandarland@yahoo.com>  
**Sent:** Monday, December 19, 2022 3:02 PM  
**To:** Werderitch, Matt  
**Subject:** [EXT] 1112 Bridge Ave

**ATTENTION: This is an external email.**

Matt,

I want to express my objection to the proposed multi-family use of the property at 1112 Bridge Ave.

Our neighborhood is already inundated with multi-family dwellings, and although that would seem to mean that the use is established, the population density in the Bridge to Ridge neighborhood is becoming too great. Traffic and parking is already an issue. Sometime traversing is a problem when people don't park appropriately.

You know me as the current President of the City's Zoning Board of Adjustment. I understand use, established practice, etc. However, most of the multi-family dwellings in the area were built as such, referencing the apartments between College and Bridge and 10th to 11th Streets, and along 12th St and Eastern Ave. Planning was done for those units and the impact thereof to the neighborhood back when they were built, with whatever rules were used at that time. Now we are seeing single-family dwellings being converted to multi-family dwellings, and I must express my objection to this practice. I know studies have been performed that demonstrate the population density, so if we don't use those studies to help determine questions like this, why do we do them?

Let's try to preserve what historic value and appearance we have left in our beautiful historic neighborhood.

Thanks,  
Dan

COL Daniel D. Darland, US Army (Ret)  
930 Mississippi Ave  
Davenport, IA 52803  
dandarland@yahoo.com  
563.210.0350

I Paul ~~Burroughs~~ <sup>Burroughs</sup>

I vote NO

1118 BRIDGE AVE

I Paul Burroughs.

~~I~~ THIS LETTER  
I VOTE NO

1118 BRIDGE AVE

~~D~~ DAVENPORT IA.

VOTE NO

563 326 6198 3

PROPOSED ZONING CHANGES TO 1112 BRIDGE COULD LEAD TO THE DEVELOPMENT OF UNIT TO 14 UNIT MULTI-FAMILY DEVELOPMENT WITH 21 PARKING POSITIONS.

WE ALL NEED TO COME TOGETHER AS A NEIGHBORHOOD TO EXPRESS OUR VIEWS AT THE NEXT FIVE CITIY COUNCIL MEETINGS.

Questions: no-r-mf1112bridge@outlook.com

326 7785 326 7923

Dear Neighbors

As you are already aware, the Planning and Zoning Board for Davenport approved rezoning 1112 Bridge Ave from R-4C (Single or dual family) to R-MF (multi-family). This means that in the future, the owner of the property could potentially build 14 units with 21 parking places. ECUMENICAL Development has purchased the property and asked for the zoning change. This is not about ECUMENICAL because they are a good organization with a very good track record of buying vacant homes and turning them in affordable housing. They are good landlords.

The city spent a lot of our tax money and spent several years developing a new Zoning Code released in 2019. The R-4C and R-3C was created during this complete rewrite to protect the transitional, central, and historic neighborhoods of Central Davenport. I have provided the definition below.

*R-4C Single-Family and Two-Family Central Residential Zoning District. The R-4C Single-Family and Two-Family Central Residential Zoning District is intended to preserve and protect Davenport's dense, centrally located, established urban residential neighborhoods. Standards of the R-4C District are intended to ensure that new development is complementary to the existing developed character of these neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the R-4C District.*

While ECUMENICAL Development is planning two 4-bedroom units and one 2-bedroom unit at this time, there is no approved guarantee this could be turn into a 14-unit development in 15 or 20 years. The property was purchased from the city for \$1 and will be enrolled as a package for a federal tax credit program. The Zoning Board is making a recommendation to constrain the development to no more than 4 units. The contention with the neighbors has not been with the development of affordable housing. In fact, we welcome the development but in alignment with the current zone structure of the 1112 Bridge Ave which is R-4C just as ECUMENICAL purchased it.

For the next 5 Wednesdays at 530 PM (Jan 11, Jan 18, Jan 25, Feb 1, Feb 8), we are asking that residents from the immediate neighborhood attend city council meetings and if comfortable express their views on this zoning change – for or against. We believe talking points should be very focused on welcoming the addition and investment to provide family oriented affordable housing. We are just asking for that to be done within its current restriction of dual family as zoned today.

If you live within 200 ft of 1112 Bridge Ave, your comments are taken with much more weight than others due to ordinance, but all comments are valuable from anyone in the neighborhood. If you live in a home that was rezoned from R-MF to R-4C or 3C and were told you could never go back to R-MF, then we ask that you share that the council meetings. All comments will be heard and based on the meeting on 4 January, all comments are driving considerable conversation with the City Council. THEY NEED TO HEAR FROM YOU!

**THIS IS THE TIME FOR US TO PROTECT THIS SMALL BUT AWESOME NEIGHBORHOOD.** If the City Council approves this rezoning, they will set a precedent that could be applied to others which directly undermines, the work completed, intent of the Zoning rewrite, and creation of R-4C and R-3C for the central part of the city.

THIS LETTER I VOTE NO SCOTT

THIS LETTER I VOTE NO

THIS LETTER I VOTE NO Paul Burroughs 1112 BRIDGE AVE

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Third Consideration: Ordinance amending Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by amending Schedule V Four-Way Stop Intersections by adding Lombard Street at Jebens Avenue thereto. [Ward 4]

**Recommendation:**

Adopt the Ordinance.

**Background:**

Residents near the intersection of Lombard and Jebens have requested a four-way stop to help improve the intersection. Only Jebens (north-south) has stop signs now. There is a dip in the road on Lombard at the intersection with warning signs in advance of the dip. A four-way stop would help eliminate the impact of the dip because everyone would be stopping at the intersection. Both streets have about the same volume, which is preferable when all-way stop signs are installed. The Manual on Uniform Traffic Controls states that multi-way stop control could be used when it would improve the traffic operational characteristics of an intersection of two residential through streets of similar design and operating characteristics.

With adoption of this Ordinance, flashing stop signs on Lombard will be installed and left there for at least one year. There will also be warning signs on Lombard in advance of the intersection.

**ATTACHMENTS:**

Type	Description
▢ Ordinance	Ordinance

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	12/28/2022 - 10:28 AM
Public Works Committee	Moses, Trish	Approved	12/28/2022 - 10:28 AM
City Clerk	Admin, Default	Approved	12/28/2022 - 1:31 PM

ORDINANCE NO. \_\_\_\_\_

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

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

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

Lombard Street at Jebens Avenue

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

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

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

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

Published in the *Quad-City Times* on \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Second Consideration: Ordinance amending Schedule XIV Intersection Traffic Signals of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding three intersections thereto. [Wards 2 & 6]

**Recommendation:**

Adopt the Ordinance.

**Background:**

The intersections of 53rd Street at Lakeview Parkway, 76th Street at Northwest Boulevard, and Hillandale Road at Research Parkway became signalized recently and were all installed and paid for by private companies as part of development plans. These signals were previously approved as part of those plans so adding them to Schedule XIV is a formality.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/11/2023 - 10:40 AM
Public Works Committee	Moses, Trish	Approved	1/11/2023 - 10:40 AM
City Clerk	Admin, Default	Approved	1/11/2023 - 6:02 PM

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SCHEDULE XIV INTERSECTION TRAFFIC SIGNALS OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING THREE INTERSECTIONS THERETO.

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

Section 1. That Schedule XIV Intersection Traffic Signals of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa be and the same is hereby amended by adding the following:

53rd Street at Lakeview Parkway  
76th Street at Northwest Boulevard  
Hillandale Road at Research Parkway

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

**Action / Date**  
**2/8/2023**

**Subject:**

First Consideration: Ordinance amending Schedule VII No Parking of Chapter 10.96 entitled "Schedules" of the Municipal Code of Davenport, Iowa by adding Fairmount Street along the east side from Locust Street to Garfield Street thereto. [Ward 1]

**Recommendation:**

Adopt the Ordinance.

**Background:**

Fairmount Street is 29-feet wide between Locust Street and Garfield Street and currently allows parking along the east side of the street. Most of the streets of that width that allow parking are residential streets. Fairmount has a volume of about 9,000 vehicles per day. When a vehicle is parked in this corridor, northbound traffic typically waits for southbound traffic to pass before proceeding past the parked vehicle. This is not good for traffic flow on a busy collector street. Rarely are vehicles parked in this corridor, so this change should not be a problem for the residents. Most of the residents along the east side of Fairmount have driveways that are 80 feet or longer.

**ATTACHMENTS:**

Type	Description
▣ Ordinance	Ordinance

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 1:50 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 1:50 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 4:54 PM

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SCHEDULE VII NO PARKING OF CHAPTER 10.96 ENTITLED "SCHEDULES" OF THE MUNICIPAL CODE OF DAVENPORT, IOWA BY ADDING FAIRMOUNT STREET ALONG THE EAST SIDE FROM LOCUST STREET TO GARFIELD STREET THERETO.

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

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

Fairmount Street along the east side from Locust Street to Garfield Street.

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

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

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

First Consideration \_\_\_\_\_

Second Consideration \_\_\_\_\_

Approved \_\_\_\_\_

Published in the *Quad-City Times* on \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving Case P23-01 being the request of RY Holdings LLC for a preliminary plat of Ryder Villas, a 16-lot subdivision on 3.73 acres located at 4600 Eastern Avenue. [Ward 7]

**Recommendation:**

Adopt the Resolution.

**Background:**

The request is for a preliminary plat for a 16-lot subdivision on 3.73 acres of property to facilitate residential development. The intention is to develop the site for single-family homes.

The Plan and Zoning Commission reviewed Case P23-01 at its January 17, 2023 meeting and 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) would achieve consistency with subdivision requirements.

**Conditions:**

1. Label street names for Eastern Avenue and the dedicated right-of-way for East 46th Street.
2. Revise the south lot line label to state, "25' Building Setback".
3. The final grade of the development shall not conflict with the future extension of 46th Street.
4. Relabel the easement between Lots 8 and 9 as a "Storm, Drainage, and Access Easement".
5. Revise the typical pavement section to reflect Davenport's SUDAS Supplemental.
6. Indicate the location of the sump pump collection system.
7. Revise Note 9 to state, "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. Sidewalks along Eastern Avenue street frontage shall be constructed prior to the completion of roadway paving operations."
8. Revise Note 11 to state, "Outlet A shall be maintained as a drainage easement and stormwater detention easement. Containing the 1% chance annual flood. Outlot A shall also serve as a sewer, access, and greenway easement."

**Comprehensive Plan:**

Within existing Urban Service Area: Yes

Within Urban Service Area 2035: Yes

Future Land Use Designation: Residential General (RG)

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

The proposed preliminary plat would comply with the Davenport +2035 proposed land use section.

**Zoning:** The property is currently zoned R-MF Multi-Family Residential District.

**Technical Review:**

- Zoning: The proposed lots exceed the minimum lot area (4,000 SF) and lot width (40 FT) requirements. The maximum allowed building coverage is 50% of a lot. With the dedication of right-of-way along the south property line, Lots 1-7 are considered double frontage lots, which increases the south setback to 25 feet.
- Streets: The lots will be accessed from Eastern Avenue via a new street. Due to the topography and abutting railroad, Lucky Joseph Court will terminate in a cul-de-sac. The new street is 27 feet from back of curb to back of curb. A 5 foot wide sidewalk will also be installed on Lucky Joseph Court and Eastern Avenue. The preliminary plat will vacate the 30 foot roadway easement along the south property line. The southern 40 feet will then be dedicated as public right-of-way to ensure the ability for future connection of 46th Street across the railroad tracks. However, additional right-of-way will be needed to the south.
- Storm Water: The R-MF District permits a maximum impervious surface of 70% for each lot. The development of the property will need to comply with the City's stormwater requirements.
- 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.
- Other Utilities: Other normal utility services are available.

**Public Input:**

No Public Hearing is required for a preliminary plat.

**ATTACHMENTS:**

Type	Description
<input type="checkbox"/> Resolution Letter	Resolution
<input type="checkbox"/> Backup Material	Preliminary Plat-Ryder Villas
<input type="checkbox"/> Backup Material	Maps-Vicinity, Zoning, & Future Land Use
<input type="checkbox"/> Backup Material	Application

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Berkley, Laura	Approved	1/25/2023 - 12:44 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp.

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

RESOLUTION approving Case P23-01 being the request of RY Holdings, LLC for a preliminary plat of Ryder Villas, a 16-lot subdivision on 3.73 acres located at 4600 Eastern Avenue.

WHEREAS, the Plan and Zoning Commission reviewed Case P23-01 at the January 17, 2023 regularly scheduled meeting with a recommendation for approval subject to eight conditions; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the preliminary plat of Ryder Villas to the City of Davenport, Iowa be and the same is hereby approved and accepted subject to all conditions as stated in the January 17, 2023 Plan and Zoning Commission's recommendation for approval.

Passed and approve this 8th day of February, 2023.

Approved:

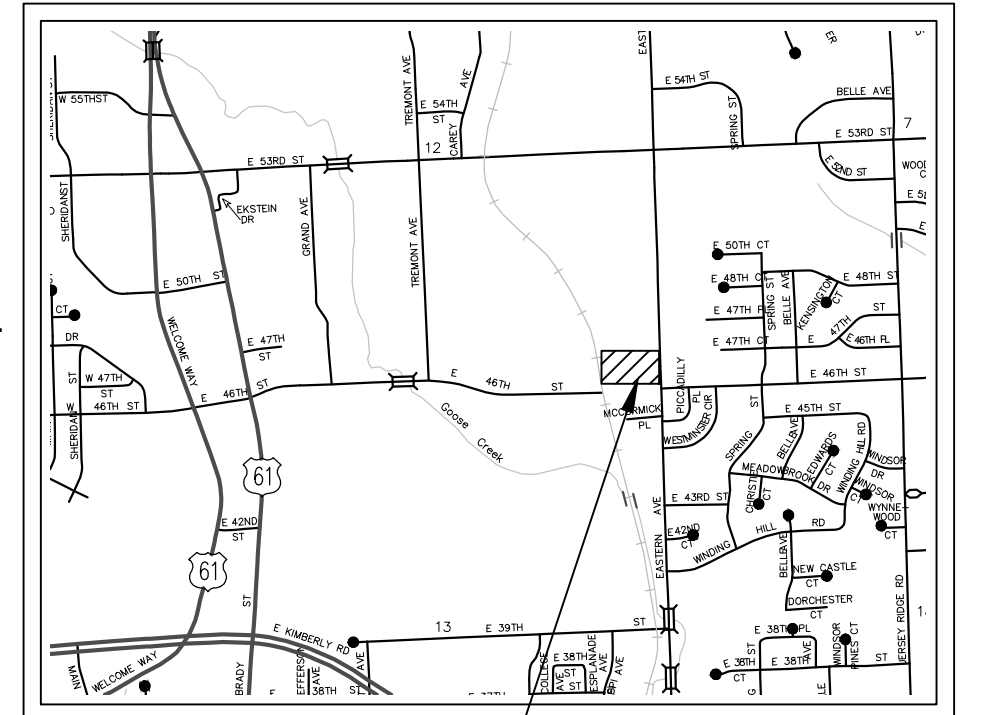
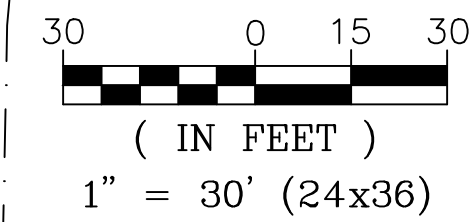
Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

# RYDER VILLAS










TO THE CITY OF DAVENPORT, IA



- NOTES:**
1. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
  2. ALL PUBLIC UTILITIES SHALL BE LOCATED WITHIN EASEMENTS OR PUBLIC RIGHT-OF-WAY.
  3. 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.
  4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.
  5. ALL IMPROVEMENTS TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF DAVENPORT STANDARD SPECIFICATIONS.
  6. 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.
  7. 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 #19163C03600 EFFECTIVE DATE MARCH 23, 2021.
  8. 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.
  9. 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.
  10. STORMWATER DETENTION AND WATER QUALITY TREATMENT WILL BE REQUIRED WITH THIS SUBDIVISION. OUTLOTS A-C SHALL BE RESERVED FOR REGIONAL STORM WATER DETENTION FACILITIES SERVING THE SUBDIVISION AND SHALL BE RESERVED AS STORMWATER DETENTION EASEMENTS. SAID FACILITIES SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
  11. OUTLOT A SHALL BE MAINTAINED AS A DRAINAGE EASEMENT AND STORMWATER DETENTION EASEMENT. CONTAINING THE 1% CHANCE ANNUAL FLOOD PLAIN.
  12. THE EASEMENT FOR STREETS SHALL BE VACATED WITH THE RECORDING OF THE FINAL PLAT.
  13. GRADING FOR LOTS 1 AND 16 SHALL ALLOW FOR FUTURE WIDENING OF EASTERN AVE.
  14. DEVELOPER IS NOT RESPONSIBLE FOR THE CONSTRUCTION OF 46TH STREET.

Dwelling - Single-Family Residential in Multi Family Zoning District
<u>Minimum Front Setback: 25'</u> <u>Minimum Interior Side Setback: 5'</u> <u>Minimum Corner Side Setback: 20'</u> <u>Minimum Reverse Corner Side Setback: 25'</u> <u>Minimum Rear Setback: 25' or 20% of Lot Depth,</u> whichever is less

## LEGEND:

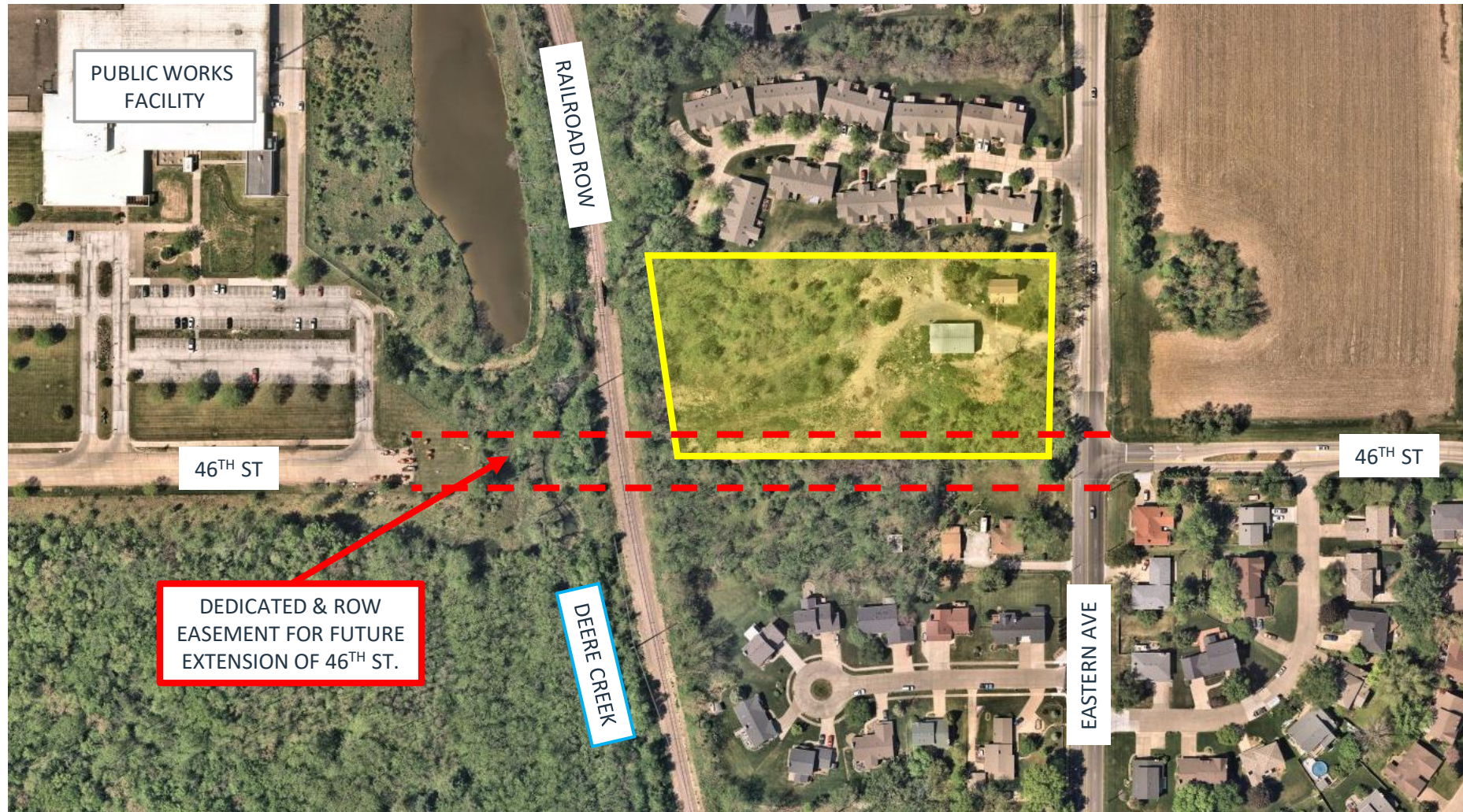
-----	EASEMENT		EXISTING GAS VALVE
-----	SETBACK LINE		EXISTING WATER VALVE
-----	CENTERLINE		EXISTING UTILITY POLE
-----	PROPERTY BOUNDARY		EXISTING LIGHT POLE
—○—○—	EXISTING FENCE		EXISTING TREE
> > >	EXISTING SANITARY		EXISTING BUSH
> > >	PROPOSED SANITARY		EXISTING MANHOLE
stn stn	EXISTING STORM SEWER		EXISTING FIRE HYDRANT
stn stn	PROPOSED STORM SEWER	●	FOUND PROPERTY PIN
— w —	EXISTING WATER		CONTROL POINT
— w —	PROPOSED WATER		
— GAS — GAS —	EXISTING GAS LINE		
— ELEC — ELEC —	EXISTING ELECTRIC		



<div><div>TOWNSEND</div><div>ENGINEERING</div><div>CIVIL • STRUCTURAL • LAND DEVELOPMENT</div></div>	DATE: 1/11/2023	DRAWN BY: BJB	CHECKED BY: CRT		REVISIONS:		PROJECT	SITE PLAN RYDER VILLAS 4600 Eastern Avenue Davenport, Iowa	DEVELOPER SCOTT RYDER 221 E. 2nd Street Davenport, Iowa	SHEET NO.  1 of 1
	563 386.4236 office 386.4231 fax	DRAWING LOCATION		DESCRIPTION	DATE					
	2224 East 12th Street, Davenport, IA 52803	S:\Ryder-Scott\Drawings								

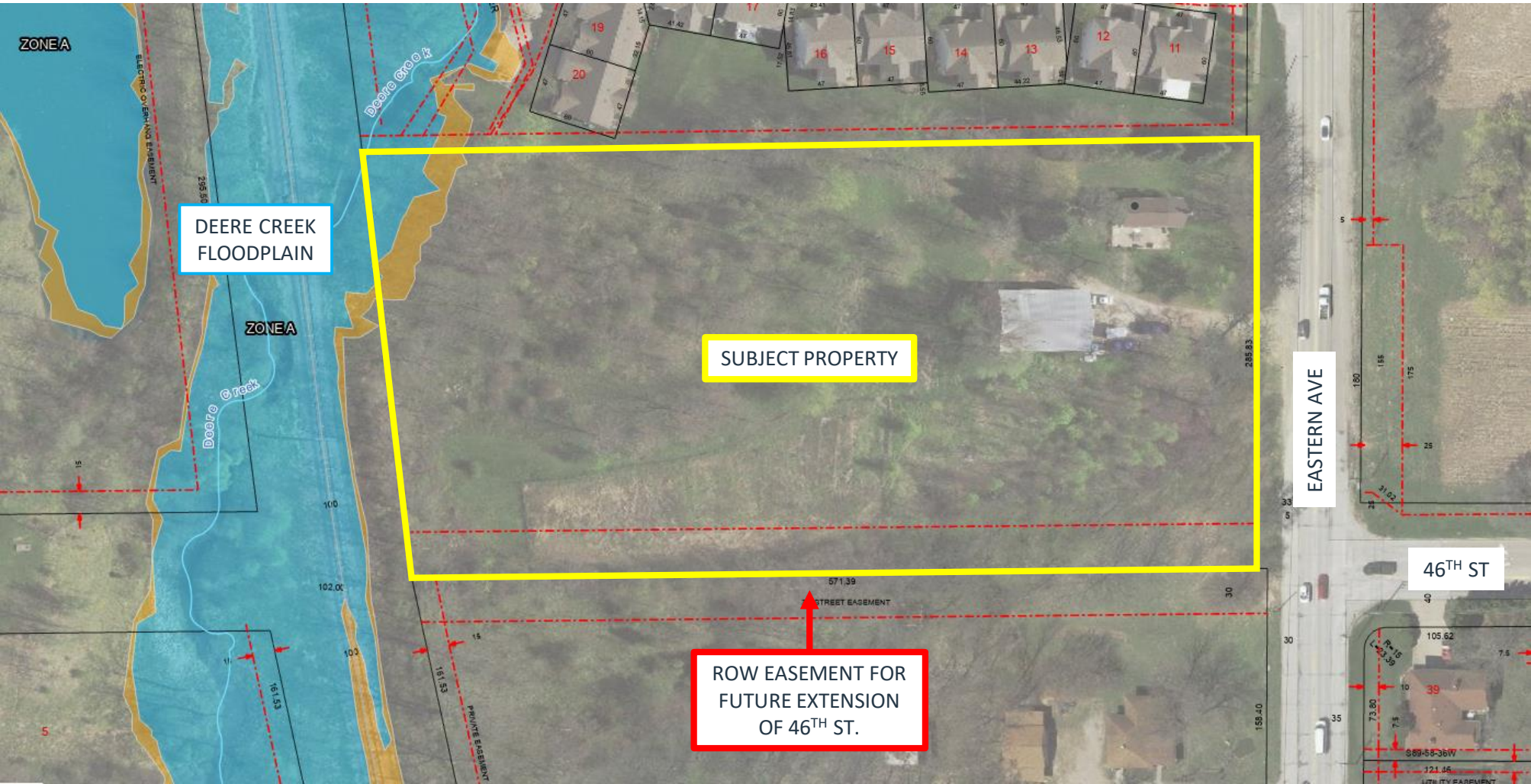
# Vicinity Map

DAVENPORT  
IOWA | USA



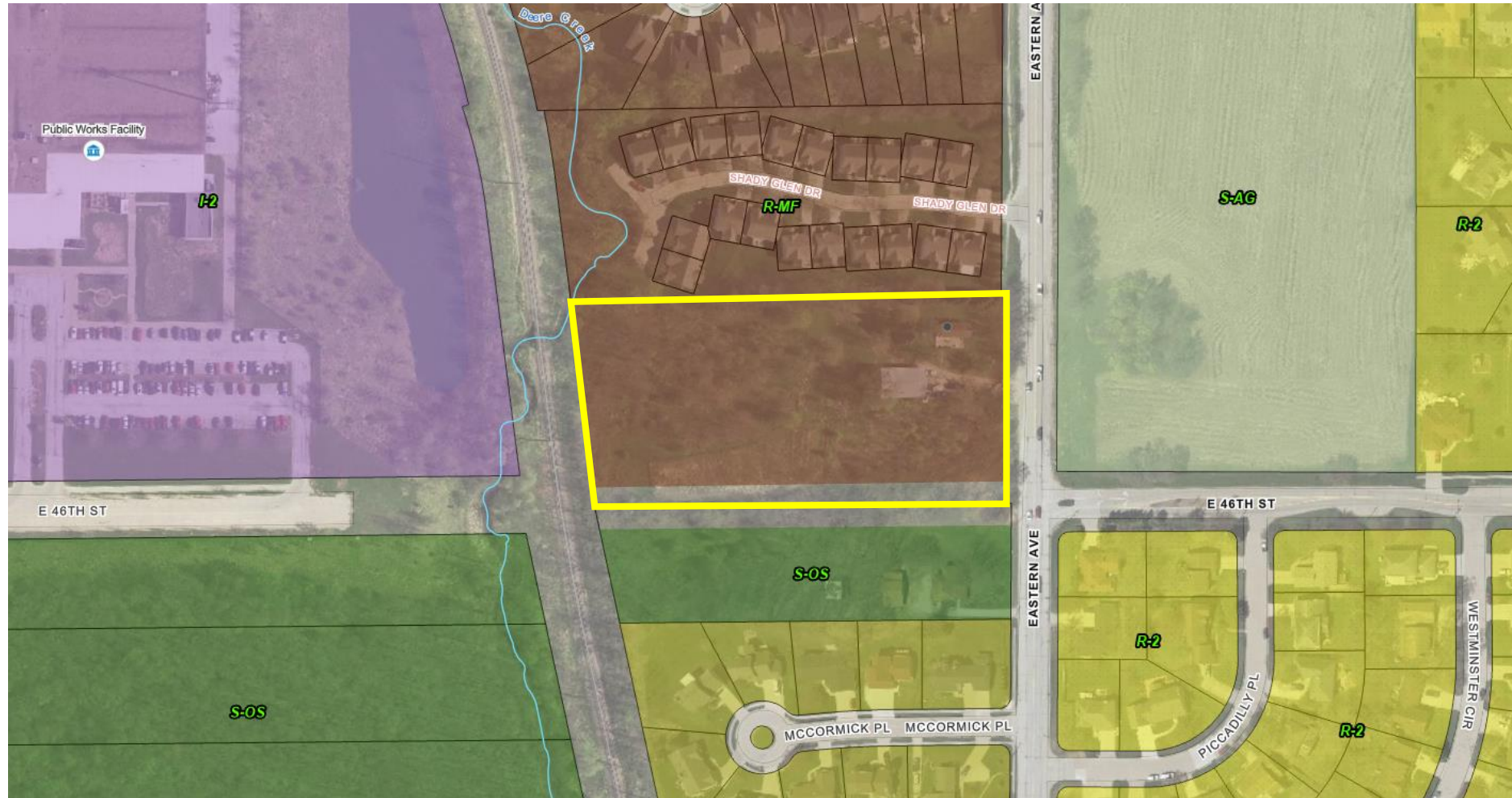
# Vicinity Map

DAVENPORT  
IOWA | USA

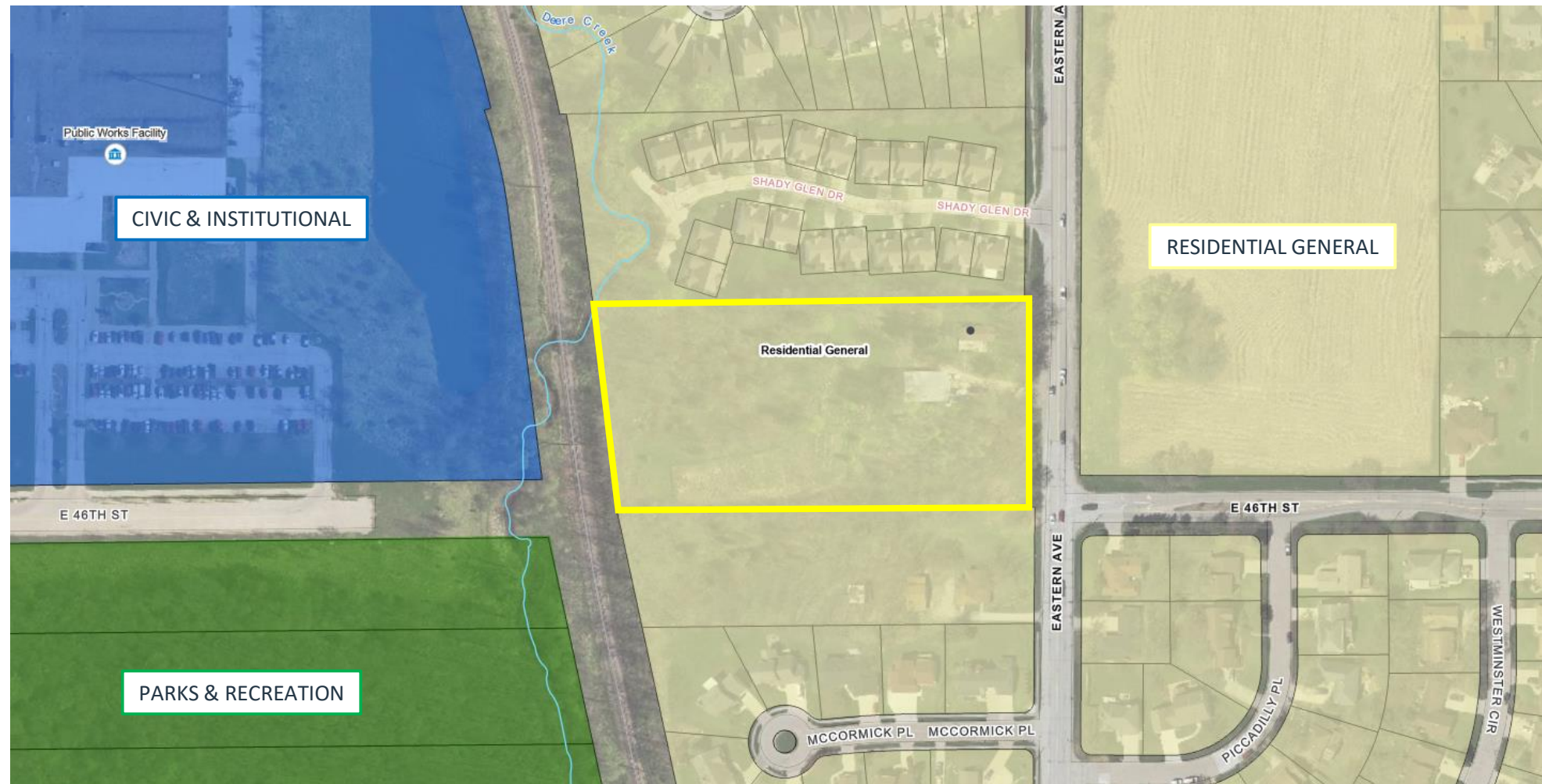


# Zoning

City Council adopted Ordinance 2023-05 on January 11, 2023, which amended the Zoning Ordinance to allow "Dwelling - Single-Family" as a permitted use in the R-MF Multi-Family Residential District.



# Future Land Use





Complete application can be emailed to [planning@davenportiowa.com](mailto:planning@davenportiowa.com)

**Property Address\***

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

**Applicant (Primary Contact)**

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

*Application Form Type:*

**Plan and Zoning Commission**

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

**Owner** (if different from Applicant)

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

**Zoning Board of Adjustment**

Zoning Appeal  
Special Use  
Hardship Variance

**Engineer** (if applicable)

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

**Design Review Board**

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

**Architect** (if applicable)

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

**Historic Preservation Commission**

Certificate of Appropriateness  
Landmark Nomination  
Demolition Request

**Administrative**

Administrative Exception  
Health Services and Congregate  
Living Permit

**Attorney** (if applicable)

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

**Preliminary Plat – Required for subdivisions of four lots or more.**

Property Location:

Total Land Area:

Total Number of Lots:

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

**Submittal Requirements:**

- The completed application form.
- Required fee:  
Ten or fewer lots - \$400 plus \$25 per lot.  
Eleven to twenty-five lots - \$700 plus \$25 per lot.  
More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed plat at a scale of not less than one inch per one hundred feet, which depicts the following:
  - The location of existing property lines, section lines, easements, corporate limits and other legally established districts, streets, buildings, watercourses, tree masses and other existing features within the area to be subdivided and similar facts regarding existing conditions on the land.
  - The proposed location and width of streets, alleys, lots, building setback lines and easements.
  - Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet shall be indicated in a general way upon the plat.
  - Proposed name of the subdivision (which shall not duplicate any previously filed plat), the name of the land owner, land developer, and land surveyor.
  - The names and adjoining boundaries of all adjacent subdivisions and the names of record owners of adjoining parcels of unsubdivided land.
  - Existing contours with intervals of five feet or less.
  - North point, scale and date.
  - A vicinity sketch showing the proposed subdivision in relationship to surrounding development and street systems.

## **Final Plat – Required for subdivisions of two lots or more.**

Property Location:

Total Land Area:

Total Number of Lots:

Linear Feet of Streets Added:

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

### **Submittal Requirements:**

- The completed application form.
- Required fee:
  - Ten or fewer lots - \$400 plus \$25 per lot.
  - Eleven to twenty-five lots - \$700 plus \$25 per lot.
  - More than twenty-five lots - \$1,000 plus \$25 per lot.
- A PDF of the proposed final plat at a scale of not less than one inch per one fifty feet, which depicts the following:
  - The boundary lines of the area being subdivided with accurate distances and bearings.
  - The lines of all proposed streets and alleys with their width and names.
  - The accurate outline of any property which is offered for dedication for public use.
  - The lines of all adjoining lands and the lines of adjacent streets and alleys with their width and names.
  - All lot lines and an identification system for lots and blocks.
  - Building lines and easements for any right-of-way provided for public use, services or utilities, or excess storm water passageways with figures showing their dimensions.
  - All dimensions, both linear and angular, necessary for locating subdivision boundaries, lots, streets, alleys, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
  - Radii, arcs and chords, points of tangency, central angles for all curvilinear streets, and radii and tangents for all rounded corners.
  - All survey monuments and bench marks together with their descriptions.
  - Name of subdivision and description of property subdivided showing its location by distance and bearing to the nearest quarter section monument; points of compass; graphic scale of map; and name and address of owner or owners or the subdivider, or in the case of corporate ownership, the name and address of the registered agent of said corporation shall also appear on the plat;
- Prior to forwarding the proposed final plat to City Council:
  - One full size copy of corrected final plat with the original mylar/sepia and one reduced copy signed/stamped by the utility companies.
  - Executed platting certificates acceptable to the City of Davenport:
    - Acceptance by the City of Davenport.
    - Hold Harmless Agreement.
    - Assessment waiver (sidewalks and subdivision improvements).
    - Dedication of Owner.
    - Consent to platting where applicable.
    - Certificate of Attorney.
    - Surveyor's Certificate.
    - Certificate of County Treasurer.
    - Certificate of Subdivision Name by Scott County Auditor.

**The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Preliminary Plat:**

- (1) Application:
  - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed preliminary plat:
  - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
  - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the proposed preliminary plat:
  - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.

**The petitioner hereby acknowledges and agrees to the following procedure and requirements for submission and approval of a Final Plat:**

- (1) Application:
  - The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.
- (2) Plan and Zoning Commission's consideration of the proposed final plat:
  - Planning staff will perform a technical review of the petition and present its findings and recommendation to the Plan and Zoning Commission.
  - The Plan and Zoning Commission will vote to provide its recommendation to the City Council. The Plan and Zoning Commission's recommendation is forwarded to the City Council.
- (3) City Council's consideration of the final plat:
  - Prior to forwarding the petition to the City Council, the following must be provided to the Community Planning and Economic Development Department:
    - One full size copy of the corrected final plat and one reduced copy of the corrected final plat signed/stamped by the utility companies.
    - Executed platting certificate.
  - The Committee of the Whole (COW) will consider the petition. Subsequently, the City Council will vote on the petition.
- (4) Recordation:
  - After the Mayor signs the approved final plats and Acceptance by the City of Davenport, the final will be released to the Surveyor to obtain and return 21 full size copies to the Community Planning and Economic Development Department.
  - After the 21 copies are returned, two copies of the final plat and platting certificates will be released to the petitioner.
  - It is the petitioner's responsibility to record the final plat with the Scott County Recorder's Office.

Petitioner: *Scott Ryder*

Date:

By typing your name, you acknowledge and agree to the aforementioned procedure and requirements.

Received by:

Date:

Planning staff

Date of Plan and Zoning Commission Public Hearing:

Plan and Zoning Commission meetings are held the Tuesday prior to City Council Committee of the Whole meetings at 5:00 p.m. in City Hall Council Chambers, 226 West 4<sup>th</sup> Street, Davenport, Iowa.

**Authorization to Act as Applicant**

I, \_\_\_\_\_ authorize  
to act as applicant, representing me/us before the Plan and Zoning Commission and City Council for  
the property located at \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature(s)

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

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_

Form of Identification

\_\_\_\_\_

Notary Public

My Commission Expires:

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the issuance of the National Finance Authority bonds for the purpose of acquiring, rehabilitating, and equipping the Heritage Apartments (Flagstone Community Foundation, Inc, Petitioner). [Ward 3]

**\*THESE BONDS ARE BEING ISSUED UNDER FEDERAL LAW AND DO NOT CREATE A FINANCIAL OBLIGATION FOR THE CITY.\***

**Recommendation:**

Adopt the Resolution.

**Background:**

Flagstone Community Foundation, Inc (or an affiliate thereof) is seeking the issuance of qualified 501(c)(3) bonds through the National Finance Authority. The bonds are defined in Section 145 of the Internal Revenue Code (IRC) of 1986 and invoke no obligation or risk to the City.

As part of the public approval requirement in the IRC, the local government wherein the proposed project is located must be informed of the project and approve the National Finance Authority's issuance of the bonds for the said purpose.

The proposed project will involve the substantial rehabilitation of the Heritage building located at 501 West 3rd Street in downtown Davenport. This project would be one of up to 68 projects across multiple states. The maximum amount of bond financing in the plan submitted by Flagstone Community Foundation is \$36 million. This building was owned and managed by the City until July 2021 when it was sold to Foundation Housing. Foundation is now seeking to refinance to secure capital for the rehabilitation.

Approval of this Resolution does not obligate the City to pay the bonds or otherwise incur any liability. It is simply required by federal law to allow a project in our community to be eligible for this form of financing.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	1/24/2023 - 8:08 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Gripp.

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

RESOLUTION approving the issuance of the National Finance Authority bonds for the purpose of acquiring, rehabilitating, and equipping the Heritage Apartments (Flagstone Community Foundation, Inc., petitioner).

WHEREAS, Flagstone Community Foundation, Inc., or an affiliate thereof (the "Borrower"), has requested that the National Finance Authority (the "Authority") adopt a plan of financing providing for the issuance of qualified 501(c)(3) bonds as defined in Section 145 of the Internal Revenue Code of 1986 (the "Code") in one or more series or issues issued from time to time, including bonds issued to refund such qualified 501(c)(3) bonds in one or more series or issues from time to time, not to exceed \$36,000,000 in aggregate principal amount (the "Bonds"), to: (1) finance or refinance the acquisition, rehabilitation, improvement and equipping of a 120-unit multifamily rental housing project located at 501 W. 3rd Street, Davenport, Iowa (the "Project"); and (2) pay certain expenses incurred in connection with the issuance of the Bonds; and

WHEREAS, the Project is or will be owned and operated by the Borrower which is an organization described in Section 501(c)(3) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the issuance of the Bonds by the Authority must be approved by the City of Davenport (the "City") because the Project is located within the territorial limits of the City; and

WHEREAS, the City Council of the City (the "City Council") is the elected legislative body of the City and is one of the "applicable elected representatives" required to approve the issuance of the Bonds under Section 147(f) of the Code; and

WHEREAS, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, the Authority has, following notice duly given, held a public hearing on behalf of the City Council regarding the issuance of the Bonds, and the City Council now desires to approve the issuance of the Bonds by the Authority.

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

Section 1. The foregoing resolutions are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this Resolution constitute approval of the issuance of the Bonds by the Authority, for the purposes of Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f).

Section 3. The issuance of the Bonds shall be subject to the approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.

Section 4. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, installation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

Section 5. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.

Section 6. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Davenport, Iowa this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved:

Attest:

---

Mike Matson  
Mayor

---

Brian Krup  
Deputy City Clerk

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving street, lane, or public ground closure requests for the listed dates and times.

Cornbelt Running Club; Chili Chase 4-Mile Run/Walk; 11:00 a.m. - 3:00 p.m. Sunday, February 26, 2023; **Closures (only one lane of each street):** East Pleasant Street from Fernwood Avenue to Forest Road; Forest Road from East Pleasant Street to East George Washington Boulevard; East George Washington Boulevard from Forest Road to Jersey Ridge Road. [Ward 6]

The Office; St. Patrick's Day Celebration; 116 West 3rd Street; approximately 2:00 p.m. (after the parade) until 8:30 p.m. Saturday, March 18, 2023; **Closure:** northernmost parking lane and two travel lanes on West 3rd Street from Main Street to 116 West 3rd Street. [Ward 3]

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; St. Patrick's Day Celebration; Downtown; approximately 2:00 p.m. (after the parade) Saturday, March 18, 2023 - 6:00 a.m. Sunday, March 19, 2023; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [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.

Chili Chase | Only one lane on each street will be closed. Vehicles will be allowed to cross when safe to do so at the direction of Police or volunteers.

The Office St. Patrick's Day | This closure request is just the northernmost parking lane and two travel lanes in front of their establishment to provide additional room for patrons until the early evening.

Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus St. Patrick's Day Celebration | Nothing will be set up in the street. The closure is to accommodate large crowds anticipated after the parade.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Chili Chase Letter to Residents
▣ Backup Material	Chili Chase Map
▣ Backup Material	The Office St. Patrick's Day Map
▣ Backup Material	St. Patrick's Day Post-Parade Celebration Closure Map

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/27/2023 - 8:05 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Jobgen.

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

RESOLUTION approving street, lane, or public ground closure requests for the listed dates and times.

*Cornbelt Running Club; Chili Chase 4-Mile Run/Walk; 11:00 a.m. - 3:00 p.m. Sunday, February 26, 2023; **Closures (only one lane of each street):** East Pleasant Street from Fernwood Avenue to Forest Road; Forest Road from East Pleasant Street to East George Washington Boulevard; East George Washington Boulevard from Forest Road to Jersey Ridge Road. [Ward 6]*

*The Office; St. Patrick's Day Celebration; 116 West 3rd Street; approximately 2:00 p.m. (after the parade) until 8:30 p.m. Saturday, March 18, 2023; **Closure:** northernmost parking lane and two travel lanes on West 3rd Street from Main Street to 116 West 3rd Street. [Ward 3]*

*Daiquiri Factory, Mac's Tavern, Kilkenny's, and Carriage Haus; St. Patrick's Day Celebration; Downtown; approximately 2:00 p.m. (after the parade) Saturday, March 18, 2023 - 6:00 a.m. Sunday, March 19, 2023; **Closure:** West 3rd Street from Ripley Street to Harrison Street. [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 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

Cornbelt Running Club  
315 E. George Washington Blvd.  
Davenport, IA 52803  
563-326-1942

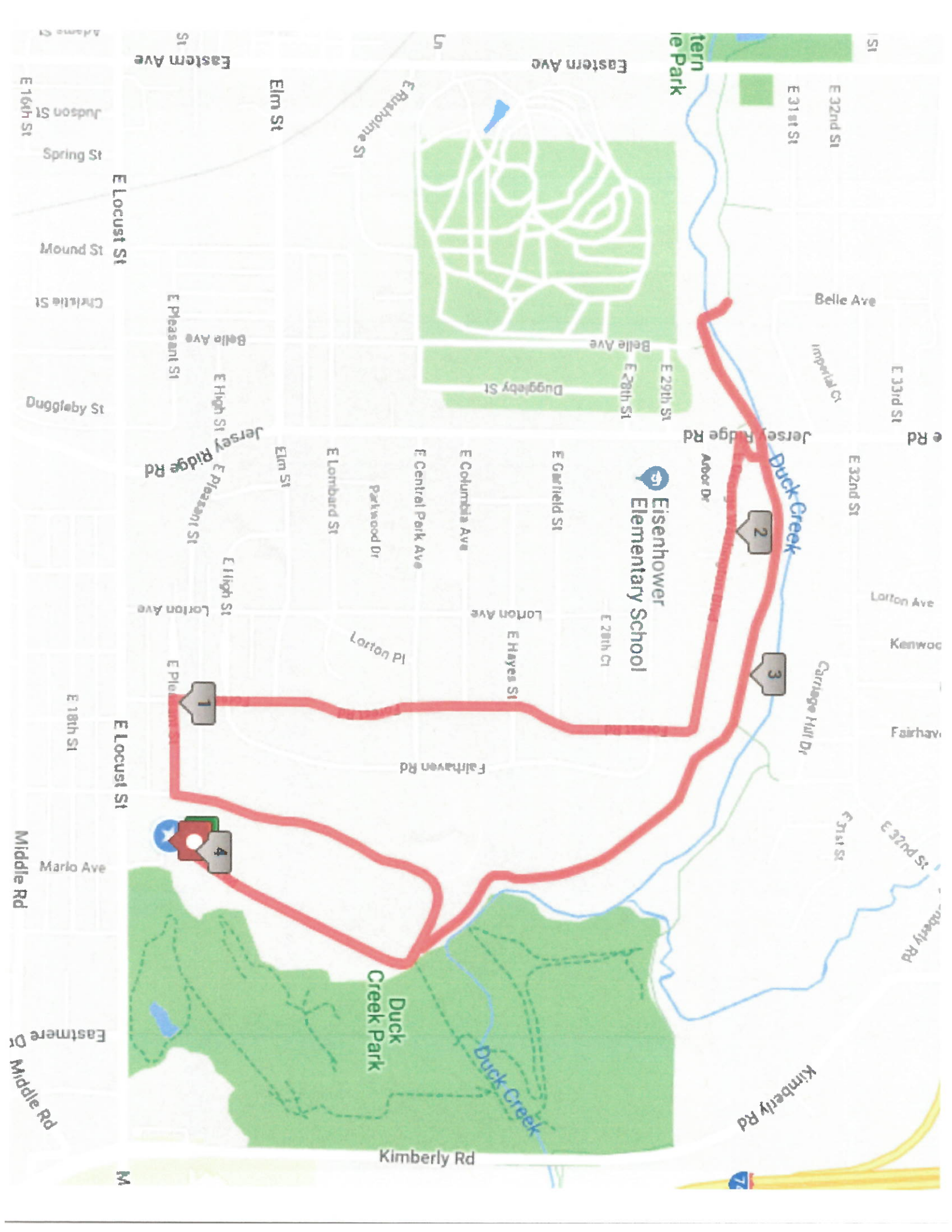
Feb 20, 2023

Dear Residents,

On February 26, 2023 we will be having our 20<sup>th</sup> Annual CBRC Chili Chase 4 mile run/walk from Duck Creek Park. We will be using the streets of East Pleasant, Forest Road, and George Washington Blvd. We will be using one lane of roadway between 1 and 2 pm. Residents should be able to cut across or use one lane to get around. You may experience temporary delays and we will get you thru once safe. If you have any question please feel free to contact the Cornbelt Running Club office at 563-326-1942 or by email [info@cornbelt.org](mailto:info@cornbelt.org).

Thank you,

John Parker  
CBRC





## Barricades

Level 1

Kahl Lofts

Mac's Tavern

Kilkenny's Pub  
Gill's

Carriage Haus

W 3rd St

Quad Cities Chamber  
of Commerce

Pastrnak Law Firm

Daiquiri Factory

## St. Patrick's Day Post-Parade Celebration

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Sidewalk Repair Program, CIP #28028. [All Wards]

**Recommendation:**

Adopt the Resolution.

**Background:**

This sidewalk program will be used to repair existing sidewalks throughout the City. Locations are based on citizens that have elected to utilize the 50/50 cost share program, areas where City tree roots have caused problems, and Cartegraph requests.

Funding for this from the CY 2023 Sidewalk Program CIP #28028 from the sale of General Obligation Bonds.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:08 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:08 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:04 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the specifications, form of contract, and estimate of cost for the CY 2023 Sidewalk Repair Program, CIP #28028.

WHEREAS, specifications, form of contract, and estimate of cost were filed with the City clerk of Davenport, Iowa for the CY 2023 Sidewalk Repair 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 CY 2023 Sidewalk Repair Program.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 ADA Ramp Program, CIP #28024. [All Wards]

**Recommendation:**

Adopt the Resolution.

**Background:**

This project will provide for ADA compliant curb ramps at various locations throughout the City. This project includes the construction of curbs, associated sidewalk, hydro-seeding, erosion controls, and other work required to construct ADA compliant curb ramps. This project is estimated at \$225,000 and funded through CIP #28024.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:08 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:08 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:05 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the specifications, form of contract, and estimate of cost for the CY 2023 ADA Ramp Program, CIP #28024.

WHEREAS, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the CY 2023 ADA Ramp 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 CY 2023 ADA Ramp Program.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the specifications, form of contract, and estimate of cost for the CY 2023 Contract Milling Program, CIP #35041. [All Wards]

**Recommendation:**

Adopt the Resolution.

**Background:**

This program is a partnership effort with local contractors to provide pavement scarification ahead of the City's in-house asphalt resurfacing crew. The expectation is that this work will reduce costs and increase efficiency, allowing more neighborhood streets to be resurfaced in a given year.

Funds for the CY 2023 Contract Milling Program are projected to be budgeted in CIP Project #35041 at \$200,000.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	1/25/2023 - 3:14 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:14 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:05 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION approving the specifications, form of contract, and estimate of cost for the CY 2023 Contract Milling Program, CIP #35041.

WHEREAS, on the 27th day of January, 2023, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the CY 2023 Contract Milling 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 CY 2023 Contract Milling Program.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the FY 2024 State Patching Program, CIP #35045. [1, 2, 3, 6, & 7]

**Recommendation:**

Adopt the Resolution.

**Background:**

This program is an Iowa Department of Transportation reimbursable program that is administered by the City to repair pavement on State routes. Construction is expected to begin late summer of 2023. The program contains \$150,000 for FY 2024, which is anticipated to be 100% reimbursable. Funding for the FY 2024 State Patching Program is established within CIP #35045.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 3:17 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:18 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:07 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 FY 2024 State Patching Program, CIP #35045.

WHEREAS, the City of Davenport has a maintenance agreement with the Iowa Department of Transportation regarding State routes within City limits; and

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa for the FY 2024 State Patching Program; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the FY 2024 State Patching Program.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 54th Street (Kelling Street to North Howell Street) Reconstruction project, CIP #35062. [Ward 8]

**Recommendation:**

Adopt the Resolution.

**Background:**

This project will cover the reconstruction of West 54th Street from Kelling Street to North Howell Street. The project will also involve work associated with the reconstruction.

Funding is available through CIP #35062.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 3:16 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:16 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:07 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 54th Street (Kelling Street to North Howell Street) Reconstruction project, CIP #35062.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 54th Street (Kelling Street to North Howell Street) Reconstruction 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 54th Street (Kelling Street to North Howell Street) Reconstruction project.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project, CIP #35053. [Wards 1 & 3]

**Recommendation:**

Adopt the Resolution.

**Background:**

This project will combine both reconstruction and resurfacing treatments to Waverly Road from Schuetzen Lane to North Lincoln Avenue. The project will also involve work normally associated with this type of construction.

Funding is available through CIP #35053.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 3:23 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:24 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:08 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project, CIP #35053.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the Deputy City Clerk of Davenport, Iowa for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Waverly Road (Schuetzen Lane to North Lincoln Avenue) Reconstruction project.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Independence Drive Reconstruction project, CIP #35062. [Ward 7]

**Recommendation:**

Adopt the Resolution.

**Background:**

This is a pavement reconstruction project including the roadway from approximately 636 Independence Drive to around 5226 Candlelight Drive. Western Avenue intersection work includes bringing existing sidewalks into compliance with ADA requirements and adding additional connectivity to sidewalks already at the intersection.

This project will be funded by Capital Improvements Program funds for local roads using a combination of Local Option Sales Tax, Road Use Tax, and General Obligation Bond proceeds.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 3:15 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:15 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:09 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 Independence Drive Reconstruction project, CIP #35062.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Independence Drive Reconstruction project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Independence Drive Reconstruction project.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 75th Place Mill and Overlay project, CIP #35054. [Ward 8]

**Recommendation:**

Approve the Resolution.

**Background:**

This is a pavement rehabilitation project including the roadway from about 2116 West 75th Place to and including the Pacific Street intersection. Rehabilitation area also includes short segments of Cedar Street, Volquardson Avenue, and Kelling Street. Pacific Street intersection work includes bringing existing sidewalks into compliance with ADA requirements and adding additional connectivity to sidewalks already at the intersection.

This project will be funded by Capital Improvements Program funds for local roads using a combination of Local Option Sales Tax, Road Use Tax, and General Obligation Bond proceeds.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 3:16 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:16 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:09 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 75th Place Mill and Overlay project, CIP #35054.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the West 75th Place Mill and Overlay project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the West 75th Place Mill and Overlay project.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the plans, specifications, form of contract, and estimate of cost for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project, CIP #35038. [Ward 5]

**Recommendation:**

Adopt the Resolution.

**Background:**

This design is for full reconstruction of the alley from Fulton Court to East Locust Street located between Mississippi and Adams Streets. The deteriorated condition of this alley creates a burden on Public Works' maintenance staff for not only potholing/ surfacing repairs, but also removal of gravel and deteriorated pavement materials from the bottom of the hill on the intersecting street. It is located in a low-to-moderate income neighborhood.

The engineer's project estimate is \$258,071. The project will be completed using Capital Improvement Project funds originating from the proceeds of General Obligation Bonds.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Resolution Letter	location map

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:07 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:07 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:12 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman 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 Alley Reconstruction from East Fulton Court to 1517 East Locust Street project, CIP #35038.

WHEREAS, plans, specifications, form of contract, and estimate of cost were filed with the City Clerk of Davenport, Iowa for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project; and

WHEREAS, notice of Hearing on plans, specifications, and form of contract was published as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that said plans, specifications, form of contract, and estimate of cost are hereby approved as the plans, specifications, form of contract, and estimate of cost for the Alley Reconstruction from East Fulton Court to 1517 East Locust Street project.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

**PROJECT LOCATION**

## PROJECT LOCATION

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution amending the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]

**Recommendation:**

Adopt the Resolution.

**Background:**

Costs for the alley program are according to the following percentages.

Residential | 25% property owner/75% City funds

Commercial | 50% property owner/50% City funds

The below alleys have requested to be included in the upcoming program.

1. east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

During the process, if greater than 50% of the adjacent property owners declare they wish to opt out of the program, that alley will be removed from the program. Alleys removed during the process are eligible to participate in future years. The total estimated cost of these improvements is \$600,000.

**ATTACHMENTS:**

Type	Description
 Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:10 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:10 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:14 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION amending the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038.

WHEREAS, this Council heretofore provisionally adopted a Resolution of Necessity for the construction of the FY 2023 Alley Resurfacing Program; and

WHEREAS, this Council, after full investigation, deems it advisable to amend the proposed Resolution of Necessity for the said project.

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

A. the Resolution of Necessity provisionally adopted by this Council for the improvement project referred to in the preamble hereof, be amended as follows:

**- None -**

B. the plat and schedule of assessments are hereby amended to conform to Part A hereof, and the engineers are instructed to make necessary changes therein.

C. except as hereinabove determined, all objections are found to be without merit and are denied.

Passed and approved this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution overruling objections for the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]

**Recommendation:**

Adopt the Resolution.

**Background:**

Costs for the alley program are according to the following percentages.

Residential | 25% property owner/75% City funds

Commercial | 50% property owner/50% City funds

The below alleys have requested to be included in the upcoming program.

1. The east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. The east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. The north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. The east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. The east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

During the process, if greater than 50% of the adjacent property owners declare they wish to opt out of the program, that alley will be removed from the program. Alleys removed during the process are eligible to participate in future years. The total estimated cost of these improvements is \$600,000.

**ATTACHMENTS:**

Type	Description
□ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:11 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 3:13 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:15 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION overruling objections for the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038.

WHEREAS, this Council heretofore provisionally adopted a Resolution of Necessity for the construction of the FY 2023 Alley Resurfacing Program; and

WHEREAS, this Council, after full investigation, has determined that it is in the best interest of the municipality to construct such improvement, all as described in said Resolution as amended.

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

A. any objections against the making of the aforementioned improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a Resolution of Necessity are found by this Council to be without merit, and that the said objections be and the same are hereby denied and overruled.

B. all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7786

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution adopting the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038. [Wards 3, 5, & 6]

**Recommendation:**

Adopt the Resolution.

**Background:**

Costs for the alley program are according to the following percentages.

Residential | 25% property owner/75% City funds

Commercial | 50% property owner/50% City funds

The below alleys have requested to be included in the upcoming program.

1. east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

During the process, if greater than 50% of the adjacent property owners declare they wish to opt out of the program, that alley will be removed from the program. Alleys removed during the process are eligible to participate in future years. The total estimated cost of these improvements is \$600,000.

**ATTACHMENTS:**

Type	Description
□ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:09 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:09 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:22 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION adopting the Resolution of Necessity covering the FY 2023 Alley Resurfacing Program, CIP #35038.

WHEREAS, this Council heretofore provisionally adopted a Resolution of Necessity covering the FY 2023 Alley Resurfacing Program; and

WHEREAS, this Council held a Public Hearing, as required by law, and heard all objections to the FY 2023 Alley Resurfacing Program; and

WHEREAS, this Council previously amended the proposed Resolution of Necessity, as deemed necessary, for the FY 2023 Alley Resurfacing Program; and

WHEREAS, this Council has overruled all objections regarding the FY 2023 Alley Resurfacing Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa, that the Resolution of Necessity for the FY 2023 Alley Resurfacing Program, as provisionally adopted on January 11, 2023, and as previously amended, is hereby adopted.

Passed and approved this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract, and publication of the notice to bidders and notice of hearing covering the FY 2023 Alley Resurfacing Program. [Wards 3, 5, & 6]

**Recommendation:**

Adopt the Resolution.

**Background:**

Public Works has revised the previous alley program to better align the process with the construction season and to provide incentive for additional participation. The process now begins alley reconstruction/resurfacing requests by receiving a petition signed by 30% of the property owners on the block face. Staff will then provide cost estimates based on the following updated cost sharing:

Residential | 25% property owner/ 75% City funds

Commercial | 50% property owner/ 50% City funds

If over 50% of the property owners wish to 'opt out' of the program, then the alley does not move forward in the assessment process. This 'opt out' period has occurred and the following alleys have been identified to participate in the reconstruction program:

1. east-west residential alley between Elm Street and East High Street from Lorton Avenue to alley end.
2. east-west residential alley from Kenwood Avenue to Forest Road between East Locust Street and East 18th Street.
3. north-south residential alley between Bridge Avenue and College Avenue from East Locust Street to Kirkwood Boulevard.
4. east-west residential alley from Kenwood Avenue to Forest Road between East 18th Street and Middle Road.
5. east-west named commercial alley (Emerson Place) from Pershing Avenue to Iowa Street between East River Drive and East 2nd Street.

The total estimated cost of these improvements is \$300,000.

**ATTACHMENTS:**

Type	Description
□ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/25/2023 - 2:10 PM
Public Works Committee	Moses, Trish	Approved	1/25/2023 - 2:11 PM
City Clerk	Admin, Default	Approved	1/25/2023 - 5:26 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION ordering preparation of detailed plans, specifications, notice of hearing, notice to bidders, form of contract and publication of the notice to bidders and notice of hearing covering the FY 2023 Alley Resurfacing Program, CIP #35038.

WHEREAS, this Council has adopted the final Resolution of Necessity covering the FY 2023 Alley Resurfacing Program; and

WHEREAS, detailed plans and specifications, notice of hearing, notice to bidders, and form of contract should be prepared and filed with the Clerk; and

WHEREAS, said notice of hearing should now be published and the hearing held; and

WHEREAS, said notice to bidders should now be published for the letting date determined.

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

Section 1. the Project Engineer be and is hereby instructed to prepare and file with the Clerk detailed plans and specifications covering the aforementioned Improvement Project.

Section 2. the Project Engineer and the City's Attorney be and they are hereby instructed to prepare, file with the Clerk notice of hearing, notice to bidders, and form of contract covering the aforementioned Improvement Project; publish said notice of hearing and notice to bidders; and hold the hearing and the letting.

Section 3. 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 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

City of Davenport

Department: Public Works - Admin  
Contact Info: Brian Schadt | 563-326-7923

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution accepting work completed under the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project by Langman Construction Inc of Rock Island, Illinois in the amount of \$957,367.07, CIP #BG250. [Ward 3]

**Recommendation:**

Adopt the Resolution.

**Background:**

This project was a full reconstruction of two local roadways downtown:

- East 7th Street from Iowa Street to LeClaire Street (historic brick street)
- LeClaire Street from East 6th Street to East 8th Street (concrete street)

Additionally, all sidewalks were replaced as part of this project. Project costs are 100% reimbursable from the City's Community Development Block Grant (CDBG) funds.

Work has been satisfactorily completed by Langman Construction, Inc. of Rock Island, Illinois at a final cost of \$957,367.07.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Location Map

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Engineering	Moses, Trish	Approved	1/26/2023 - 7:14 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION accepting work completed under the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project by Langman Construction Inc of Rock Island, Illinois in the amount of \$957,367.07, CIP #BG250.

WHEREAS, the City entered into a contract with Langman Construction, Inc of Rock Island, Illinois; and

WHEREAS, the project location was East 7th Street between Iowa Street and LeClaire Street, and LeClaire Street between East 6th Street and East 8th Street; and

WHEREAS, the scope of the project included new curbs, new subbase aggregate, re-laid historic bricks (East 7th Street), new concrete pavement (LeClaire Street), and new sidewalks and ADA-accessible curb ramps; and

WHEREAS, work of constructing the above-named project has been duly and fully completed by the contractor in accordance with the terms of the contract at a final cost of \$957,367.07.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that work completed under the CDBG Group 2: East 7th Street and LeClaire Street Reconstruction project by Langman Construction Inc of Rock Island, Illinois in the amount of \$957,367.07 is hereby accepted.

Passed and approve this 8th day of February, 2023.

Approved:

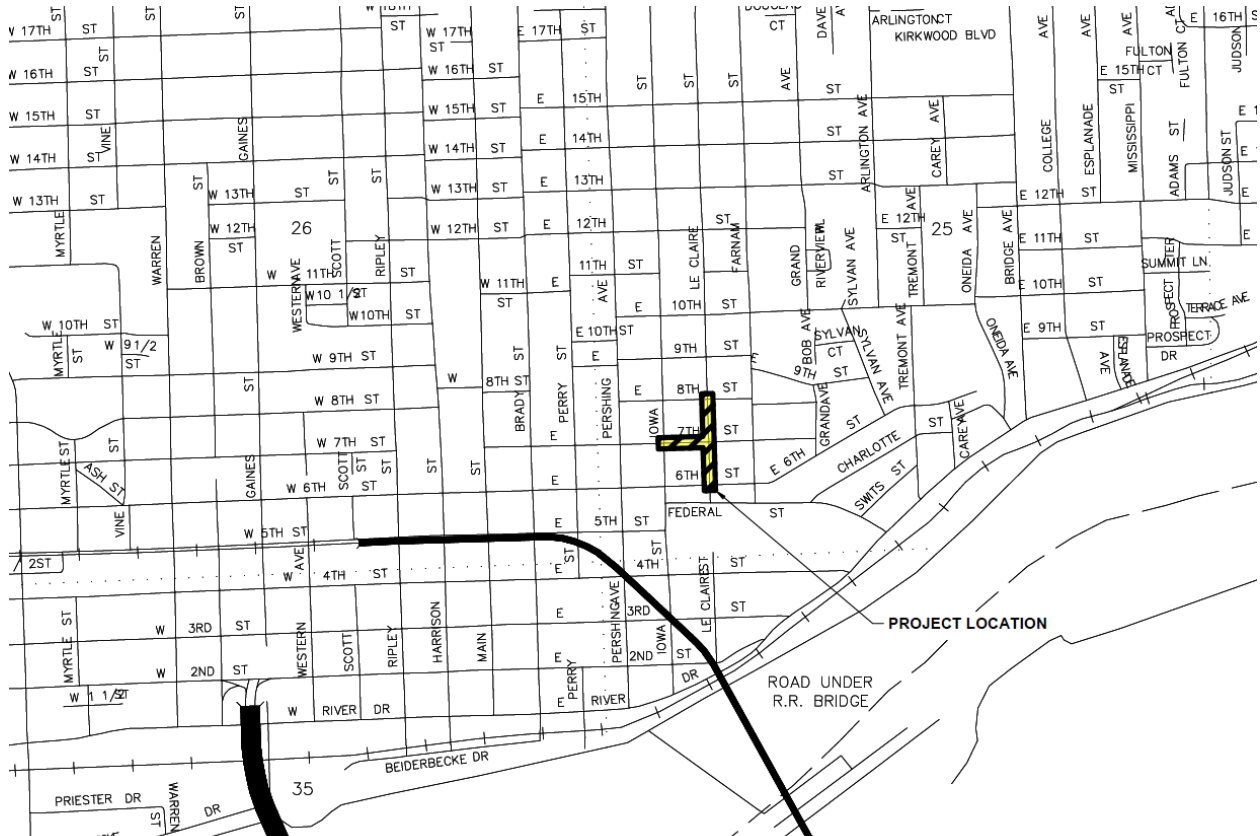
Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

## CDBG Replenishment Group 2

### E. 7<sup>th</sup> Street and LeClaire Street



City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings, if necessary, for right-of-ways and easements associated with the Duck Creek Sewer Interceptor Extension project, #ARP18. [Wards 1 & 2]

**Recommendation:**

Adopt the Resolution.

**Background:**

The City of Davenport is extending the existing Duck Creek Interceptor Sewer from its present end point (near Silver Creek) to the current wastewater treatment lagoon located northwest of Locust Street and Interstate 280. The proposed construction will consist of installing approximately four miles of sanitary sewer pipe, with size ranging from 72 inches in diameter at the east end down to 18 inches in diameter at the lagoon. This work will require both open-cut excavation and underground tunneling at select locations. The sewer extension will allow the City to abandon the lagoon system, which is a requirement of Davenport's latest NPDES Wastewater permit with the Iowa Department of Natural Resources.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	1/27/2023 - 9:05 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Dunn.

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

RESOLUTION authorizing and approving the use of condemnation and commencement of condemnation proceedings, if necessary, for rights-of-way and easements associated with the Duck Creek Sewer Interceptor Extension Project, #ARP18.

WHEREAS, City Council has authorized the Duck Creek Sewer Interceptor Extension project and budgeted money for said project; and

WHEREAS, this project requires that additional permanent sewer and temporary construction easements be acquired in accordance with the design plans and the associated construction for said project; and

WHEREAS, Section 6B.2C of the Code of Iowa requires that the governing body specifically provide and confer prior authority and approval to the acquiring agency to condemn and/or commence with the condemnation proceedings associated with such public improvement project; and

WHEREAS, by adopting this Resolution, in accordance with Section 6A.5 of the Code of Iowa, authority and approval is automatically conferred, unless otherwise declared, upon the acquiring agency to also purchase property at its fair market value for permanent sewer and temporary construction easements necessary for this project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the City Engineer or his representative is hereby authorized and approved to acquire the property interest as additional permanent sewer and temporary construction easements required for the construction of the Duck Creek Sewer Interceptor Extension project by means of condemnation, and may commence with condemnation proceedings, as may be necessary.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

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Mike Matson  
Mayor

---

Brian Krup  
Deputy City Clerk

City of Davenport

Department: Finance

Contact Info: Mallory Merritt | 563-326-7792

**Action / Date**

**2/8/2023**

Subject:

Resolution approving the FY 2024 maximum property tax levy rate and amount. [All Wards]

Recommendation:

Adopt the Resolution.

Background:

The City has developed a proposed maximum levy for affected property tax levies of \$14.46000 per \$1,000 of taxable value for FY 2024 which equals \$73,366,642.

Under the law of the State of Iowa, the City is required to adopt the maximum property tax levy prior to the adoption of the annual budget.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	Notice Publication

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	1/26/2023 - 12:13 PM
Finance Committee	Merritt, Mallory	Approved	1/26/2023 - 12:13 PM
City Clerk	Admin, Default	Approved	1/26/2023 - 12:52 PM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Condon.

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

RESOLUTION approving the FY 2024 maximum property tax levy rate and amount.

WHEREAS, the City Council of the City of Davenport, Iowa has considered the proposed FY 2024 City maximum property tax dollars for the affected levy total; and

WHEREAS, a notice concerning the proposed City maximum property tax dollars was published in the *Quad-City Times* on January 16, 2023 and posted on the City website and all social media accounts on January 17, 2023 as required by State law; and

WHEREAS, a Public Hearing concerning the proposed City maximum property tax dollars was held on Wednesday, February 1, 2023.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the maximum property tax dollars for the affected tax levies for FY 2024 shall not exceed the following total:

maximum levy for affected property tax levies - \$14.46000 per \$1,000 of taxable value which equals \$73,366,642.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk

**NOTICE OF PUBLIC HEARING - CITY OF DAVENPORT - PROPOSED PROPERTY TAX LEVY**  
**Fiscal Year July 1, 2023 - June 30, 2024**

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

**Meeting Date:** 2/1/2023 **Meeting Time:** 05:30 PM **Meeting Location:** 226 West 4th Street, Davenport, Iowa, 52801 City Council Chambers

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)  
[www.davenportiowa.com](http://www.davenportiowa.com)

City Telephone Number  
 (563) 326-7772

	Current Year Certified Property Tax 2022 - 2023	Budget Year Effective Property Tax 2023 - 2024	Budget Year Proposed Maximum Property Tax 2023 - 2024	Annual % CHG
Regular Taxable Valuation	4,976,226,877	5,073,765,008	5,073,765,008	
Tax Levies:				
Regular General	40,307,438	40,307,438	41,097,497	
Contract for Use of Bridge			0	
Opr & Maint Publicly Owned Transit	4,528,366	4,528,366	4,617,126	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.			0	
Opr & Maint of City-Owned Civic Center			0	
Planning a Sanitary Disposal Project			0	
Liability, Property & Self-Insurance Costs	1,244,057	1,244,057	1,268,441	
Support of Local Emer. Mgmt. Commission			0	
Emergency	1,343,581	1,343,581	1,369,917	
Police & Fire Retirement	6,065,217	6,065,217	5,921,544	
FICA & IPERS	2,873,713	2,873,713	3,037,437	
Other Employee Benefits	15,593,869	15,593,869	16,054,680	
<b>Total Tax Levy</b>	<b>71,956,241</b>	<b>71,956,241</b>	<b>73,366,642</b>	<b>1.96</b>
<b>Tax Rate</b>	<b>14.46000</b>	<b>14.18202</b>	<b>14.46000</b>	

**Explanation of significant increases in the budget:**

The FY 2024 Budget increases include primarily negotiated wages, contract escalations, and other miscellaneous operational needs.

**If applicable, the above notice also available online at:**  
[www.davenportiowa.com](http://www.davenportiowa.com)

\*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.  
 \*\*Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year

City of Davenport

Department: Finance  
Contact Info: Jim Erwin | 563-326-7922

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the purchase of a John Deere 320 P-Tier Backhoe Loader from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC. [All Wards]

**Recommendation:**

Adopt the Resolution.

**Background:**

The Streets Division has a need to replace a 20-year-old backhoe. The John Deere 320 P-Tier Backhoe Loader will meet that need and will be purchased from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC.

**ATTACHMENTS:**

Type	Description
▢ Resolution Letter	Resolution
▢ Backup Material	City of Davenport 320 Quote

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	1/26/2023 - 7:16 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Condon.

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

RESOLUTION approving the purchase of a John Deere 320 P-Tier Backhoe Loader from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC.

WHEREAS, the Streets Division needs to replace a 20-year-old backhoe; and

WHEREAS, Martin Equipment of Rock Island, Illinois was awarded Sourcewell contract #032119-JDC as the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of a John Deere 320 P-Tier Backhoe Loader from Martin Equipment of Rock Island, Illinois in the amount of \$141,735 using Sourcewell contract #032119-JDC is hereby approved.

Passed and approve this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk



Martin Equipment  
3720 85th Avenue West  
Rock Island, IL 61201  
**(309) 787-6108**

**Quote Issued To : CITY OF DAVENPORT**

226 WEST FOURTH STREET  
DAVENPORT , IA , 52801  
(563)326-7718

**Quote Issued By : Mueller, Brian**

**QUOTATION**

**Quote # :** 4015643  
**Issue Date :** 1/16/2023  
**Expire Date :** 2/15/2023  
**Est Delivery :** 6/1/2023  
**FOB :**

**ITEMS LISTED FOR SALE**

Item #	Year	Make	Model	Serial #	Hours	List Price	Sale Price
	2023	JD	320	(TBD)	0	226,793.00	141,735.00

320 P-tier Backhoe Loader  
Translated Text Labels  
English  
Cab  
Premium Mirror Option - Exterior Rear View Mirrors (2) and Front View Mirror (1)  
Radio, Bosch Basic Package  
Seat, Cloth Air-Suspension  
JDLink  
Autoshift Transmission - Mechanical Front Wheel Drive (MFWD) with Limited Slip  
Differential  
John Deere PowerTech EWL 4.5L (276 cu. in.) Engine Meets Final Tier 4 and Stage IV  
Emissions  
Diagnostic Oil Sampling Ports  
Dual Maintenance Free Batteries With Disconnect, Jump Post, and Engine Block  
Heater  
LED Light Package  
Extendible Dipperstick  
1250 lb. (567 kg.) Front Counterweight  
Heavy-Duty Stabilizer Pads  
Auxiliary Hydraulics with One & Two Way Flow (Hammer & Thumb/Swinger)  
Pilot Controls, Two Lever, with Pattern Selection  
Two-Function Loader Hydraulics, Single Lever  
Heavy-Duty Backhoe Bucket Cylinder  
Auto Ride Control  
24 in. (610 mm.) Wide, Heavy-Duty, 8.8 cu. ft. (0.25 cu. m.) Bucket  
Deere Standard Quick Coupler - 42 in. Thumb Ready  
Thumb - 42 in. 4 Tine  
MFWD Driveshaft Guard  
Heavy-Duty Grille Frame  
18 in. Heavy Duty BKH Pin-on Bucket (457 mm); 5.1 Cu. Ft. (0.14 Cu. Mt.)  
BKH Pin-on Bucket 36 In. (914 mm) Heavy-Duty 12.5 Cu. Ft. (0.35 Cu. M.)  
2 Main Pins for Extra Backhoe Buckets  
Hyd Quick Couplers for Aux Hyds.

**Total: 141,735.00**

**Notes**

This quote was made using Sourcewell Pricing

## QUOTE SUMMARY

<b>Total Sale Price :</b>	<b>141,735.00</b>
<b>Less Trade Allowance :</b>	<b>0.00</b>
<b>Additional Taxable Items :</b>	<b>0.00</b>

<b>Subtotal:</b>	<b>141,735.00</b>
<b>Sales Tax :</b>	<b>0.00</b>
<b>Additional Nontaxable Items :</b>	<b>0.00</b>

<b>Total :</b>	<b>141,735.00</b>
----------------	-------------------

**Acceptance Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

All quotations contingent upon strikes, delays, and conditions beyond our control. Prices subject to change with or without notice.

All prices are subject to expiration of any current sales programs and incentives.

City of Davenport

Department: Finance  
Contact Info: Jim Erwin | 563-326-7922

**Action / Date**  
**2/8/2023**

**Subject:**

Resolution approving the purchase of three chassis and three bodies for solid waste trucks, with three trade-ins, from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN. [All Wards]

**Recommendation:**

Adopt the Resolution.

**Background:**

The Solid Waste Division has a need to replace three 8-year old automated side loading solid waste trucks. These new units will meet that need and will be purchased from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN.

**ATTACHMENTS:**

Type	Description
▣ Resolution Letter	Resolution
▣ Backup Material	City of Davenport Solid Waste Quote_1
▣ Backup Material	City of Davenport Solid Waste Quote_2

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works - Admin	Moses, Trish	Approved	1/26/2023 - 7:15 AM

Resolution No. \_\_\_\_\_

Resolution offered by Alderman Condon.

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

RESOLUTION approving the purchase of three chassis and three bodies for solid waste trucks, with three trade-ins, from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN.

WHEREAS, the City needs to purchase three trucks for the Solid Waste Division; and

WHEREAS, Elliot Equipment was awarded Sourcewell contracts #091219-NWY and #060920-CRN as the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davenport, Iowa that the purchase of three chassis and three bodies for solid waste trucks, with three trade-ins, from Elliot Equipment Company of Davenport, Iowa in the amount of \$761,780.55 using Sourcewell contracts #091219-NWY and #060920-CRN is hereby approved.

Passed and approved this 8th day of February, 2023.

Approved:

Attest:

\_\_\_\_\_  
Mike Matson  
Mayor

\_\_\_\_\_  
Brian Krup  
Deputy City Clerk



3100 West 76th Street  
Davenport, IA 52806  
Ph: 563-391-4840

Elliott Sanitation Equip. Co.  
1245 Dawes Avenue  
Lincoln, NE 68521  
Ph: 402-474-4840

4000 SE Beisser Drive  
Grimes, IA 50111  
Ph: 515-986-4840  
Fx: 515-986-9530

14001 Botts Rd.  
Grandview, MO 64030  
Ph: 816-761-4840

4400 E 60th Ave  
Commerce City, CO 80022  
Ph: 303-853-4840

## Quote

Date	Quote #
1/24/2023	18387
Proposed Shipping Date	
300 to 350 days ARO	
Terms	
Due on receipt	
Rep	
RV	

City of Davenport  
226 W 4th Street  
Davenport, IA 52801

### Here is our quotation on the goods named, subject to the conditions noted:

**CONDITIONS:** The prices and terms on this quotation are not subject to verbal changes or other agreements unless approved in writing by the Home Office of the Seller. Prices are based on costs and conditions existing on date of quotation and are subject to change by the Seller before final acceptance. All quotations and agreements are contingent upon strikes, accidents, fires, availability of materials and all other causes beyond our control.

Typographical and stenographic errors subject to correction. Purchaser agrees to accept either overage or shortage not in excess of ten percent to be charged for pro-rata. Purchaser assumes liability for patent and copyright infringement when goods are made to Purchaser's specifications. When quotation specifies material to be furnished by the purchaser, ample allowance must be made for reasonable spoilage and material must be of suitable quality to facilitate efficient production. Quoted Prices are good for 60 days.

Conditions not specifically stated herein shall be governed by established trade customs. Terms inconsistent with those stated herein which may appear on Purchaser's formal order will not be binding on the Seller.

**TERMS:** Equipment is due on receipt. Carts, Containers, Parts & service are Net 30 unless otherwise noted on your account. Balances over 30 days from the date of invoice are subject to finance charges up to 1.5% per month.

Qty	Item	Description	Price	Total
2	Sidewinder	Quote per New Way Sourcewell contract #091219-NWY for the City of Davenport, IA Sourcewell member #58282.  New Way Sidewinder 24 cu yd automated side loader body with all standard equipment including white paint, mounting on suitable chassis, Intec 6.5" color monitor with three Intec cameras, all body lights are shock proof moisture sealed LED, includes mid body back up lights, work light in hopper and work light pointing toward arm, includes four strobe lights on rear of body integrated in with turn signals, precrusher panel in hopper area, hopper access ladder, joystick mounting that allows left/right up/down and forward/back adjustment for operator.	160,737.85	321,475.70

**Total**

TO CONFIRM ORDER, SIGN AND RETURN

X \_\_\_\_\_



3100 West 76th Street  
Davenport, IA 52806  
Ph: 563-391-4840

Elliott Sanitation Equip. Co.  
1245 Dawes Avenue  
Lincoln, NE 68521  
Ph: 402-474-4840

# Quote

Date	Quote #
1/24/2023	18387
Proposed Shipping Date	
300 to 350 days ARO	
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City of Davenport  
226 W 4th Street  
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Qty	Item	Description	Price	Total
2	LET2	This chassis is considered a sourced good under the New Way Sourcewell contract and is a new 2023 Battle Motors/Crane Carrier LET 2 single axle chassis model LET2 with Watson Chalin non-steerable tag axle, right side drive, Cummins L9 350 HP diesel engine, Allison 3000RDS automatic transmission, air conditioning, solid doors, painted white, with all standard and optional equipment per spec sheet.  NOTE: Chassis will be invoiced at time of shipment to body company with full payment for chassis due at shipment. Chassis lead time is about 275 to 300 days at this time.	173,625.00	347,250.00
	Trade In	Less trade allowance for City of Davenport truck T135, a 2015 Crane Carrier with New Way Sidewinder 24yd automated side loader body. VIN: 1H9AACAC6F1674077..	-80,000.00	-80,000.00
	Trade In	Less trade allowance for City of Davenport truck T136, a 2015 Crane Carrier with New Way Sidewinder 24yd automated side loader body. VIN: 1H9AACAC6F1674080.	-80,000.00	-80,000.00
		Customers Exempt From Sales Tax	0.00%	0.00

**Total** \$508,725.70

TO CONFIRM ORDER, SIGN AND RETURN

X \_\_\_\_\_



3100 West 76th Street  
Davenport, IA 52806  
Ph: 563-391-4840

Elliott Sanitation Equip. Co.  
1245 Dawes Avenue  
Lincoln, NE 68521  
Ph: 402-474-4840

4000 SE Beisser Drive  
Grimes, IA 50111  
Ph: 515-986-4840  
Fx: 515-986-9530

14001 Botts Rd.  
Grandview, MO 64030  
Ph: 816-761-4840

4400 E 60th Ave  
Commerce City, CO 80022  
Ph: 303-853-4840

## Quote

Date	Quote #
1/23/2023	17770
Proposed Shipping Date	
300 to 350 days ARO	
Terms	
Due on receipt	
Rep	
RV	

City of Davenport  
226 W 4th Street  
Davenport, IA 52801

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Qty	Item	Description	Price	Total
1	Sidewinder	Quote per New Way Sourcewell contract #091219-NWY for the City of Davenport, IA Sourcewell member #58282.  New Way Sidewinder 24 cu yd automated side loader body with all standard equipment including white paint, mounting on suitable chassis, Intec 6.5" color monitor with three Intec cameras, all body lights are shock proof moisture sealed LED, includes mid body back up lights, work light in hopper and work light pointing toward arm, includes four strobe lights on rear of body integrated in with turn signals, precrusher panel in hopper area, hopper access ladder, joystick mounting that allows left/right up/down and forward/back adjustment for operator.	160,737.85	160,737.85

**Total**

TO CONFIRM ORDER, SIGN AND RETURN

X \_\_\_\_\_



3100 West 76th Street  
Davenport, IA 52806  
Ph: 563-391-4840

Elliott Sanitation Equip. Co.  
1245 Dawes Avenue  
Lincoln, NE 68521  
Ph: 402-474-4840

# Quote

Date	Quote #
1/23/2023	17770
Proposed Shipping Date	
300 to 350 days ARO	
Terms	
Due on receipt	
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RV	

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Ph: 515-986-4840  
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City of Davenport  
226 W 4th Street  
Davenport, IA 52801

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Qty	Item	Description	Price	Total
1	LET2	This chassis is considered a sourced good under the New Way Sourcewell contract and is a new 2023 Battle Motors/Crane Carrier LET 2 single axle chassis model LET2 with Watson Chalin AL2200 20,000lb pusher axle installed in front of drive wheels, right side drive, Cummins L9 350 HP diesel engine, Allison 3000RDS automatic transmission, air conditioning, solid doors, painted white, with all standard and optional equipment per spec sheet.  NOTE: Chassis will be invoiced at time of shipment to body company with full payment for chassis due at shipment. Chassis lead time is about 275 to 300 days at this time.	172,317.00	172,317.00
	Trade In	Less trade allowance for City of Davenport truck T134, a 2015 Crane Carrier with New Way Sidewinder 24yd automated side loader body. VIN: 1H9AACAC7F1674072.	-80,000.00	-80,000.00
		Customers Exempt From Sales Tax	0.00%	0.00

**Total** \$253,054.85

TO CONFIRM ORDER, SIGN AND RETURN

X \_\_\_\_\_

City of Davenport

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

**Action / Date**  
**2/8/2023**

**Subject:**

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

Kilkenny's; St. Patrick's Day Celebration; 300 West 3rd Street; 8:00 p.m. Friday, March 17, 2023 - 12:00 a.m. Saturday, March 18, 2023 and 8:00 a.m. Saturday, March 18, 2023 - 12:00 a.m. Sunday, March 19, 2023; Outdoor music/band, over 50 dBA. [Ward 3]

Mississippi Valley Fair, Inc; 2815 West Locust Street; various dates and times (no later than 11:00 p.m.) March through October 2023 (see attached list of events); Outdoor races/music, over 50 dBA. [Ward 4]

**Recommendation:**

Pass the Motion.

**Background:**

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

**ATTACHMENTS:**

Type	Description
▢ Backup Material	MVF Noise Variance Request
▢ Backup Material	MVF Tentative Schedule

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	1/27/2023 - 8:42 AM



**Shawn Loter**  
**General Manager**

## **Mississippi Valley Fair, Inc.**

2815 West Locust Street • Davenport, IA 52804

(563) 326-5338

[www.mvfair.com](http://www.mvfair.com)

January 16, 2023

Brian Krup  
City Administration  
226 West Fourth Street  
Davenport, Iowa 52801

Dear Brian,

On behalf of the Mississippi Valley Fair, I would like to request our 2023 noise variance for summer activities for the attached tentative dates.

I am requesting a variance until 11:00 p.m. for our quarter mile track events, and a variance that allows us to finish the feature race as long as the race is started before 10:00 p.m..

I am enclosing a list of events scheduled to date and will update you on any new events or changes to the schedule.

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

Regards,

Shawn Loter  
General Manager  
Mississippi Valley Fair

CC: Mayor Mike Matson

**Mississippi Valley Fair**

August 1st - August 6th, 2023

MISSISSIPPI VALLEY FAIR  
TENTATIVE 2023 GRANDSTAND EVENTS

March 23 Stock Car Practice  
March 24 Stock car races  
March 25 Stock car races  
March 31 Stock car races  
April 13 Stock car races  
April 14-15 Demo Derby  
April 21 Stock car races  
April 28 Stock car races  
May 5 Stock car races  
May 12 Stock car races  
May 17 Stock car races  
May 19 Stock car races  
May 26 Stock car races  
June 2 Stock car races  
June 9 Stock car races  
June 16 Stock car races  
June 17 Tractor Pull  
June 21 Stock car races  
June 23 Stock car races  
June 30 Stock car races  
July 7 Stock car races  
July 11 Stock car races  
July 14 Stock car races  
July 21 Stock car races  
July 25 Stock car races  
July 31 – August 6 MISSISSIPPI VALLEY FAIR  
August 11 Stock car races  
August 18 Stock car races  
August 24 -26 Stock car races  
September 9 Stock car races  
September 22 Stock car races  
September 23 Stock car races  
September 30 Monster trucks  
October 28 Demo Derby

City of Davenport

Department: Public Safety  
Contact Info: Jamie Swanson | 563-326-7795

**Action / Date**  
**2/8/2023**

Subject:  
Motion approving beer and liquor license applications.

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

**Ward 3**

Rodriguezhope (Alfredo Rodriguez) - 226 West 3rd Street - New License - License Type: Class C Retail On-Premises

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

**Ward 3**

Double Tree (Bucktown Lodging, LLC) - 111 East 2nd Street - License Type: Class B Retail On-Premises

Embers of Phoenix (Jai Mata Lakshmi, Inc) - 111 West 2nd Street - License Type: Class C Retail On-Premises

Kcbrothers (Kc 2 Brothers, Inc) - 214 Myrtle Street - License Type: Class E Retail Carryout

**Ward 4**

Circle Tap, The (Circle Tap, Inc) - 1345 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

The Pour House (Boss Lady, Inc) - 1502 West Locust Street - Outdoor Area - License Type: Class C Retail On-Premises

SC Mini Mart (SC Minimart, LLC) - 1511 West Locust Street - License Type: Class B Retail Carryout

Wise Guys Pizza & Pub (PB&B, LLC) - 2824 West Locust Street Unit 3A - Outdoor Area - License Type: Class C Retail On-Premises

**Ward 5**

Stadium Club (Sis, Inc) - 2828 Brady Street - License Type: Class C Retail On-Premises

**Ward 6**

Homewood Suites (Davenport Lodging Group, LLC) - 4750 Progress Drive - License Type: Beer/Wine On-Premises

Mart Stop No 1 (Mart Stop #1) - 3527 Spring Street - License Type: Class E Retail Carryout

Rave Davenport 53 & Imax (Cinemark USA, Inc) - 3601 East 53rd Street - License Type: Beer/Wine On-Premises

## **Ward 8**

Davenport Chapter Izaak Walton League of America (Davenport Chapter IWLA) - 8402 North Harrison Street - Outdoor Area - License Type: Class C Retail On-Premises

Recommendation:  
Pass the Motion.

## **Background:**

These applications have been reviewed by the Police, Fire, and Zoning Departments.

## **REVIEWERS:**

Department	Reviewer	Action	Date
Public Safety	Merritt, Mallory	Approved	1/26/2023 - 12:19 PM
Public Safety Committee	Merritt, Mallory	Approved	1/26/2023 - 12:19 PM
City Clerk	Admin, Default	Approved	1/26/2023 - 1:07 PM

City of Davenport

Department: Public Works - Admin  
Contact Info: Marla Miller | 563-888-2099

**Action / Date**  
**2/8/2023**

**Subject:**

Motion approving the Disadvantaged Business Enterprise (DBE) Program for the Davenport Transit Division. [All Wards]

**Recommendation:**

Pass the Motion.

**Background:**

Under the policies of the U.S. Department of Transportation (USDOT), the City of Davenport Transit Division must establish a Disadvantaged Business Enterprise (DBE) program that adheres to DOT regulations. As a condition of receiving Federal Funding, Davenport Transit has signed an assurance that it will comply with the regulations outlined in 49 CFR Part 26 and ensure that its DBEs have an equal opportunity to receive and participate in DOT-assisted contracts.

The City of Davenport Chief Financial Officer is responsible for adherence to this DBE Program, is the designed Disadvantaged Business Enterprise Liaison Officer (DBELO), and has an overall obligation for directing the development and implementation of this Program. The designated DBELO plays a vital role in the implementation of all aspect of the program through the commitment of City employees, committees and contractors.

With final approval, the DBE Program will remain on file with the City of Davenport Purchasing Division and Transit Division, will be distributed to DBE and non-DBE businesses that perform work on DOT-assisted contracts, and available with all bidding processes.

**ATTACHMENTS:**

Type	Description
▣ Backup Material	Transit DBE Program

**REVIEWERS:**

Department	Reviewer	Action	Date
Public Works Committee	Moses, Trish	Approved	1/26/2023 - 7:15 AM

**1822 – CITY OF DAVENPORT  
TRANSIT DIVISION**

**DISADVANTAGED BUSINESS  
ENTERPRISE (DBE) PROGRAM**

**AMENDED PROGRAM  
SUBMITTED TO FTA**

**JANUARY 25, 2023**

## Policy Statement

As a provider of public transportation, the City of Davenport has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The City has received Federal financial assistance from the DOT and as a condition of receiving this assistance, the City has signed an assurance that it will comply with 49 CFR Part 26.

Under 49 CFR Subtitle A Part 26, the City hereby affirms this policy to utilize, to the maximum extent feasible, businesses owned and controlled by socially and economically disadvantaged individuals in the procurement of goods and services, and the award of contracts. The City will, in follow the authority granted by DOT regulations, and other federal, state, and local laws and ordinances, act affirmatively to ensure that DBEs have the maximum practicable opportunity to participate in procurement activities.

The City will energetically implement this plan through the commitment of all City employees, committees, and contractors.

In addition, it is the policy of the City to not:

Exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by this program based on race, color, sex, or national origin.

Directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing the accomplishment of the objectives of the program with respect to individuals of a particular race, color, sex, or national origin through DBE Program administration.

The City of Davenport Chief Financial Officer (CFO) has been designated as the DBE Liaison Officer. In that capacity, the CFO is responsible for implementing all aspects of the DBE Program. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by the City in its financial assistance agreements with the Department of Transportation.

The City has disseminated this policy statement to the Mayor and City Council of the City of Davenport and all the components of our organization. We will distribute this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. The statement will be distributed through the bidding process, posted on the City's website at [www.davenportiowa.com](http://www.davenportiowa.com), and distributed through local media.

\_\_\_\_\_  
Mayor, City of Davenport                      Date

\_\_\_\_\_  
CFO/Assistant City Administrator                      Date

\_\_\_\_\_  
Administrative Services Manager                      Date

\_\_\_\_\_  
Transit Operations Manager                      Date

## **Subpart A – General Requirements**

### **Section 26.1 – Objectives**

The objectives are found in the policy statement on Page 2 of this Program.

### **Section 26.3 - Applicability**

The City of Davenport is the recipient of Federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, III, and V of the TEA-21, Pub. L. 105-178. Titles I, III, and V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, 119 Stat. 1144; Divisions A and B of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, 126 Stat. 405; and Title III of the Fixing America's Surface Transportation (FAST) Act, Pub. L. 114-94, 129 Stat.1312.

### **Section 26.5 - Definitions**

The City of Davenport will adopt the definitions contained in CFR 49 §26.5 for this program.

### **Section 26.7 - Non-discrimination Requirements**

The City of Davenport will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE Program, the City of Davenport will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing the accomplishment of the objectives of the DBE Program with respect to individuals of a particular race, color, sex, or national origin.

### **Section 26.11 - Recordkeeping Requirements**

**Reporting to DOT 26.11(b):** The City of Davenport will provide data about its DBE Program to the DOT as directed by DOT operating administrations.

The Accounting Division will report DBE participation on a semi-annual basis, in the Transit Integrated Appian System (TrAMS) using the DBE Semi-Annual Report. This report is also known as Form 4630 or the "Uniform Report of DBE Awards or Commitments and Payments". This report will be filled out using guidance provided by the FTA, including instructions found in Appendix B of Part 26.

The City of Davenport requests and collects detailed DBE information for both the contractors and subcontractors during the bidding process and before the bid award.

### **Section 26.13 - Federal Financial Assistance Agreement Assurance**

The City of Davenport has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

**Assurance:** The City of Davenport shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. The City of Davenport shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The City of Davenport DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation, and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the City of Davenport of its failure to carry out its approved program, the Department may impose sanction as

provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U. S.C. 3801 et seq.).

This language will appear in financial assistance agreements with sub-recipients.

**Contract Assurance:** The City of Davenport will ensure that the following clause is placed in every DOT-assisted contract it signs with a contractor (and each subcontract the prime contractor signs with a subcontractor).

The contractor, sub-recipient, or subcontractor shall not discriminate based on race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- Withholding monthly progress payments;
- Assessing sanctions;
- Liquidated damages; and/or
- Disqualifying the contractor from future bidding as non-responsible

## **SUBPART B - ADMINISTRATIVE REQUIREMENTS**

### **Section 26.21 - DBE Program Updates**

The City of Davenport is required to have a DBE Program meeting the requirements of 49 CFR Part 26 as it will award prime contracts, the cumulative total value of which exceeds \$250,000 in FTA funds in a federal fiscal year. The City is not eligible to receive DOT financial assistance unless DOT has approved this DBE Program and the City is following it and Part 26. The City will continue to carry out this program until all funds from DOT financial assistance have been expended. The City does not have to submit regular updates of the DBE Program document, as long as it remains in compliance; however, significant changes in the program, including those required by regulatory updates, will be submitted for DOT approval.

### **Section 26.25 - DBE Liaison Officer (DBELO)**

The City of Davenport has designated the individual with the following job title as the DBE Liaison Officer concerning DBE Program matters and who is responsible for implementing all aspects of the DBE Program along with the appropriate direct-report staff members:

Chief Financial Officer, Finance Department, City of Davenport, 226 West 4<sup>th</sup> Street, Davenport, Iowa 52801, telephone (563) 326-7789, and email [finance.info@davenportiowa.com](mailto:finance.info@davenportiowa.com).

In that capacity, the DBELO is responsible for implementing all aspects of the DBE Program and ensuring that the City of Davenport complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the City Administrator concerning DBE Program matters. An organizational chart displaying the DBELO's position in the organization is found in Attachment 1 of this Program.

As the DBELO is responsible for developing, implementing, and monitoring the DBE Program in coordination with other appropriate City Officials or staff members. The duties and responsibilities include the following:

1. Directs the Purchasing Division and the Transit Division to annually review the list of all contractors available to perform work for the City of Davenport.

2. Directs the Purchasing Division and the Transit Department to annually ensure that all DBE contractors available to perform work for the City of Davenport and listed on the State of Iowa DBE Directory have been invited to register as a vendor in the City's electronic bidding system.
3. Directs the Transit Division, working with the Finance Department to produce an annual DBE participation goal by the first week of January, and upon reviewing the goal will direct the Transit Division to make public the goal for 60 days and to receive comments on the goal for 60 days before submitting the goal to the FTA.
4. The DBELO directs the Purchasing Division to ensure that on all Transit contracts, all appropriate clauses are included and all procurement regulations are followed, if possible, such as ensuring large projects are unbundled to the greatest degree possible, bid notices and requests for proposals are available to DBEs in a timely manner, and that all transit bidding and RFP opportunities are open for at least thirty (30) days.
5. At the end of each calendar year after the submission of the second Semi-Annual Uniform Report, the Transit Division will prepare the Shortfall Analysis and Corrective Action Report. If the Transit Division did not meet its DBE goal, a report similar in style and form to the Shortfall Analysis and Corrective Action Report with a goal will be submitted to the DBELO. Upon receiving the report, the DBELO will analyze the City's efforts toward the DBE goal and determine what further actions, if any, need to be taken.
6. Advises the Mayor and City Administrator directly on DBE matters and achievements annually.
7. Directs the Purchasing Division to annually hold a workshop open to all on how to participate in City procurements as well as information on the DBE Program and how to become a DBE.
8. Directs the Accounting Division and the Transit Division to complete the Semi-Annual Uniform Report and ensure that the DBELO receives a copy of the report or is notified when the report is complete and available to view in TrAMS.
9. Upon request, directs the Purchasing Division to aid DBEs and provide informational resources on community organizations that may assist with potential opportunities.

#### **Section 26.27 - DBE Financial Institutions**

It is the policy of the City of Davenport to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions by way of pre-award information collection. Upon request, the City of Davenport can make available local agencies that may assist DBE firms.

#### **Section 26.29 - Prompt Payment Mechanisms/Responsibilities**

The City of Davenport requires that all subcontractors performing work on DOT-assisted contracts be promptly paid for work performed pursuant to their agreements, in accordance with all relevant federal, state, and local laws.

In accordance with 49 CFR Section 26.29, the City of Davenport established a contract clause implementing this requirement and requires prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from the prime contractor's receipt of each payment from the City of Davenport. The City of Davenport ensures prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed.

Pursuant to Section 26.29, the City has selected the following method to comply with this requirement:

The City will decline to hold retainage from prime contractors and require a contract clause obligating prime contractors to make prompt and full payment of any retainage kept by the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed.

The City of Davenport has established the following mechanisms to monitor and enforce that prompt payment and return of retainage is in fact occurring:

The City of Davenport Purchasing Division maintains a compliance process for any subcontractor that has not been paid in a timely manner. Once the complaint is received, the City of Davenport Purchasing Division will conduct a review of the work status, payments made to the prime contractor, payments made to the subcontractor, document compliance, and the allegations put forth by the complainant. A written response will be prepared and provided to the prime contractor and the subcontractor.

The City of Davenport Purchasing Division will continue to monitor the situation. When the prime contractor submits final payment documentation, if any payment remains outstanding, the justification must be noted as an amendment to the assurance of satisfaction of all claims. If there is no amendment and any claims remain outstanding, the prime contractor will not receive final payment until satisfactory justification has been submitted.

All contractors and subcontractors must retain records of all payments, made or received, for three (3) years from the date of the final payment and must be available for inspection, upon request, by any authorized representative of the City of Davenport.

The City of Davenport Purchasing Division may perform random audits of contract payments to firms. The audits will review payments to all subcontractors to ensure that payments were made and that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the contractor's final affidavit of DBE participation.

### **Section 26.31 - Directory**

The City of Davenport is a non-certifying member of the Iowa Unified Certification Program (UCP); the Iowa Department of Transportation Directory of Certified Disadvantaged Business Enterprises identifies all firms eligible to participate as DBEs, most firms on the directory are located in Iowa; however, there are firms in other states that are listed on the Iowa Department of Transportation Directory of Certified Disadvantaged Business Enterprises. This directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE; the Iowa DOT revises the directory periodically.

The directory is available through:  
Iowa Department of Transportation  
Phone (515) 239-1422 or (515) 239-1304  
Fax (515) 817-6502

Email [civil.rights@iowadot.us](mailto:civil.rights@iowadot.us) or access online at <https://secure.iowadot.gov/dbe/directory>

In an effort to further expand the number of DBE's aware of the City of Davenport contracts, the City may also elect to use the DBE Directories maintained by bordering states including Illinois, Wisconsin, Minnesota, Missouri, Nebraska, and South Dakota to search for DBEs.

### **Section 26.33 - Overconcentration**

If the City of Davenport determines that DBE firms are overconcentrated in a certain type of work as to unduly burden the opportunity of non-DBE firms to participate in this type of work, the Transit Division and the Purchasing Division will work together to devise appropriate measures to address this overconcentration.

### **Section 26.35 - Business Development Programs**

The City of Davenport has not established a business development program. The DBELO will re-evaluate the need for such a program on an as-needed basis.

### **Section 26.37 - Monitoring Responsibilities**

The Transit Division implements and carries out appropriate mechanisms to ensure compliance with 49 CFR Part 26 Program requirements by all participants. The City will take the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26:

1. The City will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program so that the DOT can take the appropriate steps, i.e. referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment, or Program Fraud and Civil Penalties rules provided in 26.109.
2. The City will consider similar action under legal authorities, including responsibility determinations in future contracts.
3. The City will provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs; this will be accomplished by a collaboration of Transit Division staff and Fleet Maintenance staff depending on the scope of work.
4. The City will keep a running tally of payments to DBE firms for work committed to them at the time of contract award.

The City of Davenport requires prime contractors to maintain records and documents of payments to subcontractors, including DBEs, for a minimum of three (3) years unless otherwise provided by applicable record retention requirements. The records will be made available for inspection upon request by any authorized representative of the City of Davenport or DOT; this reporting requirement extends to all subcontractors, both DBE, and non-DBE.

## **SUBPART C- GOALS, GOOD FAITH EFFORTS, AND COUNTING**

### **Section 26.43 - Set-asides or Quotas**

The City of Davenport does not use quotas in any way in the administration of this DBE Program.

### **Section 26.45 - Overall Goals/Fiscal Responsibilities**

The City of Davenport begins the budget process annually during the month of November.

The City of Davenport will publish a notice publicly in local media and on the City of Davenport's website by the second week in January.

The notice will inform the public that the proposed budget and its rationale are available for inspection during normal business hours at our principal office for 60 days following the date of the notice.

The notice will include addresses to which comments may be mailed, City of Davenport office locations, and the City's website where the proposal may be reviewed.

The Transit Division will submit its overall DBE goal to the Bi-State Regional Commission and the Federal Transit Administration (FTA). The City of Davenport will also request the use of project-specific DBE goals as appropriate, and establish project-specific DBE goals as directed by FTA.

If the City of Davenport Transit Division reasonably anticipates awarding \$250,000 or less of FTA funds (excluding Transit vehicle purchases) in prime contracts in a Federal fiscal year, no overall goal will be

developed for that particular fiscal year per Section 26.45(a)(2). The existing DBE Program, however, will remain in effect and the City of Davenport will continue to seek to fulfill the objectives outlined in Section 26.1(b). If the City of Davenport reasonably anticipates awarding \$250,000 or more of FTA funds (excluding transit vehicle purchases) in prime contracts in a Federal fiscal year, an overall goal for DBE participation in DOT-assisted contracts will be developed. Per Section 26.45, the overall goal is based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing and able to participate in DOT-assisted contracts. This goal reflects a determination of the level of DBE participation the City of Davenport would expect absent the effects of discrimination.

The City of Davenport uses the goal-setting process to attempt to come up with a measurement of the actual availability of DBEs to perform the types of contracts (both prime and sub) that the City intends to let and then using that measurement determine how much they can reasonably expect DBEs to perform.

The Transit Division will determine if the goal needs to be adjusted or if any other data could assist in measuring the percentage of work that DBEs would be likely to obtain in the absence of discrimination.

Following this determination, the City of Davenport will submit to the DBELO and publish a notice of the proposed overall goals. The notice will inform the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for 60 days following the date of the notice. The notice will also inform the public that the City of Davenport will accept comments on the goals for 60 days from the date of the notice. The notice will be posted in media outlets, newspapers, available minority-focus media, and on the City of Davenport website.

The City of Davenport's overall goal submission to DOT will include the goal, a copy of the methodology used to develop the goal, a summary of information along with comments received during public participation and responses, and proof of publication.

The City of Davenport will begin using the overall goal annually during January, after final approval by the FTA, of the relevant period, unless other instructions from DOT are received. If the City establishes a goal on a project basis, the City will begin using our goal by the time of the first solicitation for a DOT-assisted contract for the project. The City goal will remain effective for the three-years established and approved by FTA.

#### **Section 26.47 - Goal Setting and Accountability**

At the end of each Fiscal Year, the Transit Division will prepare a report on DBE goal attainment and, at a minimum, will include the following sections:

- The race-conscious/race-neutral breakdown
- All race-neutral measures used in the previous fiscal year to achieve the DBE goal
- Projects took over during the previous fiscal year
- DBE participation in these projects
- Reasons for the shortfall, meeting the goal or exceeding the goal
- Specific steps to achieve the goal in the upcoming fiscal year
- Milestones for implementing the steps

This report will be submitted to the DBELO and uploaded into TrAMS no later than the end of the calendar year.

#### **Section 26.49 - Awards to Transit Vehicle Manufacturers (TVMs)**

Awards to transit vehicle manufacturers (TVMs) will not be included in the overall DBE goal calculation.

The City of Davenport will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, to certify that it has complied with the requirements of Section 26.49. Said requirements are as follows:

1. The Transit Division will confirm that only those TVMs listed on the FTA's certified list of Transit Vehicle Manufacturers, or that have submitted a goal methodology to the FTA that has been approved or has not been disapproved, at the time of submission are eligible to bid.
2. A TVMs failure to implement the DBE Program in the manner as prescribed in 49 CFR Section 26.49 and throughout Part 26 will be deemed as non-compliant, which will result in removal from FTA's certified TVMs list, resulting in that TVM becoming ineligible to bid.
3. The City of Davenport is aware that failure to comply with the requirements outlined in 49 CFR Section 26.49(a) may result in formal enforcement action or appropriate sanction as determined by FTA.
4. The Transit Administrator will submit, within 30 days of making an award, the name of the successful bidder and the total dollar value of the contract in the manner prescribed in the grant agreement.

The City of Davenport may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles instead of complying with the procedures of 49 CFR Section 26.49.

### **Section 26.51 - Meeting Overall Goals/Contract Goals**

The City of Davenport will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

Race-neutral means that the City of Davenport includes, but are not limited to, the following:

1. The Purchasing Division ensures that bidding and contract requirements facilitate participation by DBEs and other small businesses (e.g. arrange solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small business participation);
2. Upon request, the Purchasing Division will provide technical assistance and other services;
3. Carrying out information and communications programs on contracting procedures and specific contract opportunities in the way of an annual Purchasing Workshop;
- 4.
5. Ensuring the distribution of the DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;
6. Unbundle large contracts to make them more accessible to small businesses; and
7. Encourage prime contractors to subcontract portions of the work that they might otherwise perform themselves.

### **Race Conscious Methods – Contract Goals**

If the DBELO, in their determination of the City's progress toward the DBE goal does not project being able to meet using race-neutral means, may direct the City of Davenport to use contract goals to meet any portion of the overall goal.

The City of Davenport will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. The City of Davenport will not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g. type and location of work, availability of DBEs to perform the particular type of work).

## **Section 26.51 - Good Faith Efforts Procedures in Situations where there are Contract Goals**

### **Demonstration of Good Faith Efforts (Pre-Award)**

In cases where a contract goal has been established, the contract in question will only be awarded to a bidder or offeror that has made good faith efforts to meet the contract goal. The bidder or offeror can demonstrate that it has made good faith efforts by either meeting the contract goal or documenting that it has made adequate good faith efforts to do so. The DBELO is responsible for determining whether a bidder or offeror who has not met the contract goal has documented sufficient good-faith efforts to be regarded as Responsive.

The Purchasing Division will ensure that all information is complete and accurate and adequately documents the bidder or offeror's good faith efforts before committing to the performance of the contract by the bidder or offeror; which entails bidders completing all of the necessary documentation.

In all solicitations for DOT-assisted contracts for which a contract goal has been established, the following information will be required of every bidder or offeror:

The award of the contract will be conditioned on meeting the requirements of 49 CFR Section 26.53. All bidders or offerors will be required to submit the following information to the Purchasing Division:

- a. The names and addresses of DBE firms that will participate in the contract;
- b. A description of the work that each DBE will perform and count toward meeting a goal, each DBE firm must be certified in a NAICS code applicable to the kind of work the firm would perform on the contract;
- c. The dollar amount of the participation of each DBE firm participating;
- d. Written documentation of the bidder or offeror's commitment to using a DBE subcontractor whose participation it submits to meet a contract goal;
- e. Written confirmation from each listed DBE firm that it is participating in the contract in the kind and amount of work provided in the prime contractor's commitment; and
- f. If the contract goal is not met, evidence of good-faith efforts is elaborated in Appendix A of 49 CFR Part 26. The documentation of good-faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

### **Administrative reconsideration**

Within ten (10) days of being informed by the City of Davenport that it is not responsive because it has not documented sufficient good faith efforts, a bidder or offeror may request administrative reconsideration. Bidders or offerors should make this request in writing to the reconsideration official, the City Administrator. The reconsideration official will not have played any role in the original determination that the bidder or offeror did not document sufficient good-faith efforts.

As part of this reconsideration, the bidder or offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder or offeror will have the opportunity to meet in person with our reconsideration official to discuss the issue of whether it met the goal or made adequate good-faith efforts to do so. The bidder or offeror will be sent a written decision on reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good-faith efforts to do so. The result of the reconsideration process is not administratively appealable to the Department of Transportation.

### **Good Faith Efforts Procedural Requirements**

The awarded contractor will be required to make available, upon request, a copy of all DBE subcontracts. The contractor shall ensure that all subcontracts or agreements with DBEs to supply

labor or materials include all required contract provisions and mandate that the subcontractor and all lower-tier subcontractors perform per the provisions of Part 26.

Prime contractors will be prohibited from terminating a DBE subcontractor listed on a bid or contract with a DBE contract goal without the prior written consent of the DBELO. This includes, but is not limited to, instances in which a prime contractor seeks to perform work originally designated for a DBE subcontractor with its forces or those of an affiliate, a non-DBE firm, or another DBE firm.

Such written consent will be provided only if the DBELO agrees, for reasons stated in a concurrence document to be created and kept with all documentation related to the overall contract, that the prime contractor has good cause to terminate the DBE firm. For purposes of this paragraph, good cause includes the following circumstances:

1. The listed DBE subcontractor fails or refuses to execute a written contract;
2. The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor;
3. The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, non-discriminatory bond requirements;
4. The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
5. The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings under 2 CFR Parts 180, 215, and 1,200 or applicable state law;
6. The DBELO determined that the listed DBE subcontractor is not a responsible contractor;
7. The listed DBE subcontractor voluntarily withdraws from the project and provides the DBELO written notice of its withdrawal;
8. The listed DBE is ineligible to receive DBE credit for the type of work required;
9. A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract; and
10. Other documented good cause that the DBELO has determined compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

Before transmitting to the DBELO its request to terminate and/or substitute a DBE subcontractor, the prime contractor must give notice in writing to the DBE of its intent to do so; a copy of this notice must be provided to the DBELO. The DBE will then have five (5) days to respond and advise the DBELO of why it objects to the proposed termination and this five (5) day period may be reduced if the matter is one of public necessity, for example, if there is a safety issue.

In addition to post-award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms put forward by offerors in negotiated procurements.

In those instances where "good cause" exists to terminate a DBE's contract, the City of Davenport will require the prime contractor to make good faith efforts to replace the DBE that was terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet

the contract goal. The good faith efforts must be documented by the contractor and if the DBELO requests the documentation the prime contractor will submit the documentation within seven (7) days unless the contractor requests an extension which may be granted for no more than seven (7) additional days. The DBELO will provide a written determination to the contractor stating whether or not good faith efforts have been demonstrated.

If the contractor fails or refuses to comply in the time specified, the DBELO may issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the contracting officer may issue a termination for default proceeding.

#### **Section 26.55 - Counting DBE Participation**

DBE participation will be counted toward overall and contract goals as provided in Section 26.55. The participation of a DBE subcontractor will not be counted toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has been paid to the DBE.

In the case of post-award substitutions or additions, if a firm is not currently certified as a DBE in per the standards of Subpart D of Part 26 at the time of the execution of the contract, the firm's participation will not be counted toward any DBE goals, except as provided for in Section 26.87(j).

### **SUBPART D - CERTIFICATION STANDARDS**

#### **Section 26.61 - Certification Process**

The City of Davenport is a non-certifying member of the Iowa Unified Certification Program (UCP); the Iowa DOT's Office of Contracts coordinates the Unified Certification Process (UCP) program.

For information about the certification process or to apply for certification, firms should contact:

Civil Rights Bureau, Iowa DOT  
800 Lincoln Way  
Ames, Iowa 50010  
Phone (515) 239-1111  
Email [civil.rights@iowadot.us](mailto:civil.rights@iowadot.us)

### **SUBPART E - CERTIFICATION PROCEDURES**

#### **Section 26.81 - Unified Certification Programs**

The City of Davenport is a member of a Unified Certification Program (UCP) administered by the Iowa Department of Transportation (IDOT). The Iowa Department of Transportation, Ames, Iowa, as the designated UCP Administrator, will meet all of the requirements of this section. The City of Davenport will use and count for DBE credit on those DBE firms certified by the IADOT UCP.

### **SUBPART F - COMPLIANCE AND ENFORCEMENT**

#### **Section 26.101 - Compliance Procedures**

The City of Davenport understands that if it fails to comply with any requirement of Part 26, the City may be subject to formal enforcement action under Section 26.103 or Section 26.105 or appropriate program sanctions by the concerned operating administration, such as the suspension or termination of Federal funds, or refusal to approve projects, grants or contracts until deficiencies are remedied. Program sanctions may include, in the case of the FTA Program, any actions permitted under 49 U.S.C. Chapter 53 or applicable FTA program requirements.

## **Section 26.109 - Information, confidentiality, cooperation**

Information that may reasonably be regarded as confidential business information, consistent with federal, state, and local law will be safeguarded from disclosure to third parties.

In responding to requests for information concerning any aspect of the DBE Program, the City of Davenport complies with provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). The City of Davenport may make available to the public any information concerning the DBE Program release which is not prohibited by federal law.

The City of Davenport shall safeguard from disclosure to unauthorized personal information that may reasonably be considered confidential business information, consistent with Federal, state, and local law.

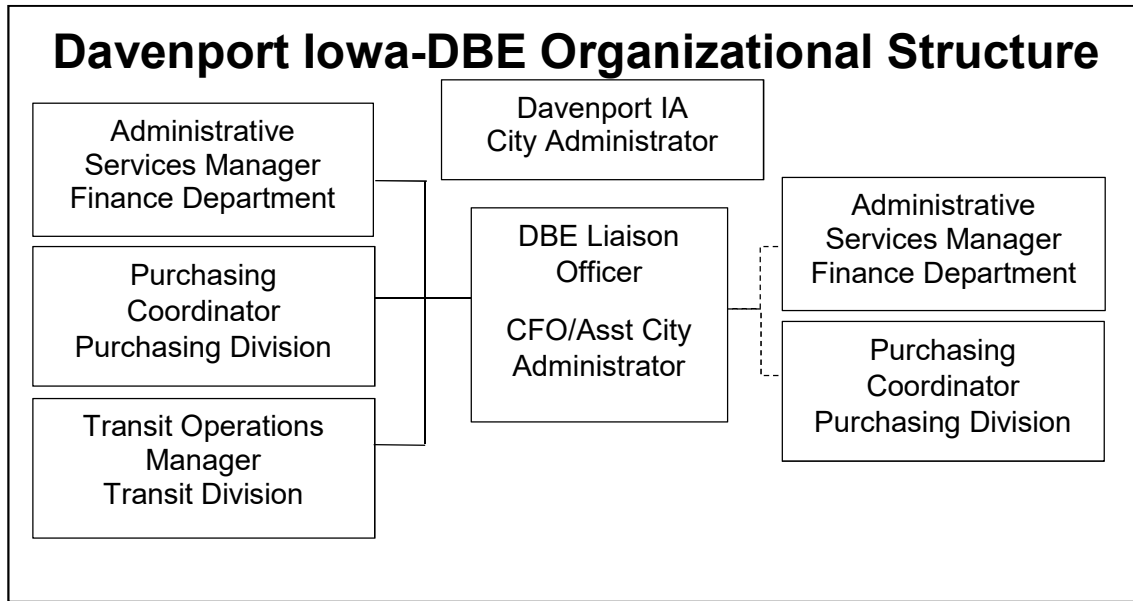
Notwithstanding any provision of federal or state law, information that may reasonably be construed as confidential business information will not be released to any third party without the written consent of the firm that submitted the information, including applications for DBE certification and supporting information. However, this information will be transmitted to DOT in any certification appeal proceeding under Section 26.89 or to any other state to which the individual's firm has applied for certification under Section 26.85.

All participants in DOT's DBE Program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be grounds for appropriate action against the party involved, i.e. with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment.

The City of Davenport, the contractor, or any other participant in the program will not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by Part 26 or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Part 26. The City of Davenport understands that it is in noncompliance with Part 26 if it violates this prohibition.

## Attachments

### Attachment 1: DBELO Organizational Chart



### Attachment 2: DBE Directory- Purchasing /Iowa Department of Transportation Unified DBE Directory

By business name and by work type: <https://secure.iowadot.gov/DBE/Directory/Index/>

City of Davenport

Department: Finance  
Contact Info: Cory Smith | 563-888-2162

**Action / Date**  
**2/8/2023**

**Subject:**

Motion approving the payment for VMWare licensing annual renewal to CDW-G of Chicago, Illinois in the amount of \$80,044 using National Association of State Procurement Officers (NASPO) contract #ADSPO16-130652. [All Wards]

**Recommendation:**

Pass the Motion.

**Background:**

NASPO is a cooperative purchasing program facilitating public procurement solicitations and agreement contracts. By using the purchasing power of all 50 states, they improve the quality of purchasing and procurement, and attain greater efficiency and economy.

Funding for this purchase is from IT Department account #50450530 520226 Maintenance Machinery & Equipment.

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	1/26/2023 - 11:53 AM
Finance Committee	Merritt, Mallory	Approved	1/26/2023 - 11:54 AM
City Clerk	Admin, Default	Approved	1/26/2023 - 1:05 PM

City of Davenport

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

**Action / Date**  
**1/25/2023**

**Subject:**

Motion approving a four-year collective bargaining agreement between the City of Davenport and the Union of Professional Police, Inc of Davenport, Iowa for the term beginning July 1, 2023 through June 30, 2027. [All Wards]

**Recommendation:**

Pass the Motion.

**Background:**

Beginning in November, the City and the Union have worked cooperatively through good faith negotiations to renegotiate the current contract ending on June 30, 2023.

The parties have voluntarily agreed to a number of compensation and operational contract modifications. Some of the main components include agreement to 3.5% general wage increases applied on 7/1/2023, 1/1/2024, 7/1/2025, and 7/1/2026 and the implementation of a revised salary schedule that tops out at twelve years of service. Additionally, the contract includes an annual 1.5% critical demand incentive and longevity incentive for those employed after 25 years or more. The tentative agreement provides for modest increases in uniform allowances, replacement allowances, fitness program incentives, shift differentials, and education incentives. Current benefits were reviewed, and the agreement also reflects modest increases in group insurance premiums and prescription co-pays, a maximum annual dental benefit of \$3,000, and an escalated RHSP contribution schedule.

A full summary of the tentative agreement is attached for review.

The City thanks the Union of Professional Police, Inc for their cooperation and professionalism during the course of these negotiations. It is anticipated that this tentative agreement will be ratified by union membership on or before January 9, 2023 and is subject to full ratification by both entities before its implementation. A full contract will be prepared and posted as a public document by May 1, 2023.

**ATTACHMENTS:**

Type	Description
▣ Exhibit	Tentative Agreement

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Merritt, Mallory	Approved	12/20/2022 - 2:41 PM
Finance Committee	Merritt, Mallory	Approved	12/28/2022 - 3:57 PM
City Clerk	Admin, Default	Approved	12/30/2022 - 9:10 AM

## **Tentative Agreement January 27, 2023**

This document contains major language changes to the July 2023 – June 2027 collective bargaining agreement between the City of Davenport, Iowa and the Union of Professional Police, Inc. Additional language clean-up related to scrivener's errors that was discussed and agreed upon during negotiations will be included in the final collective bargaining agreement.

All language changes will be reviewed by legal counsel for both parties before the collective bargaining agreement is finalized on or before May 1, 2023.

### **AGREEMENT**

THIS AGREEMENT is entered into this 1<sup>st</sup> day of July, ~~2023~~ ~~2019~~ between the CITY OF DAVENPORT, IOWA (hereinafter called the "City") and the UNION OF PROFESSIONAL POLICE, INC., DAVENPORT, IOWA, (hereinafter called the "Union").

\* \* \* \*

#### **Section 1.1. Recognition.**

The City recognizes the Union as the sole and exclusive bargaining unit consisting of police officers, corporals and sergeants, but excluding the Chief of Police, Majors, Captains, and Lieutenants along with all other City employees excluded under ~~Iowa Public Employment Relations Act Section IV of the Act.~~ **Iowa Public Employment Relations Act**

\* \* \* \*

#### **Section 2.1. Management Rights.**

The City shall retain the sole right and authority to operate and direct the affairs of the City and the Police Department in all its various aspects, including, but not limited to, all rights enumerated by ~~Iowa Public Employment Relations Act Section 7 of the Public Employment Relations Act~~ **Iowa Public Employment Relations Act** and all rights and authority exercised by the City prior to the execution of this Agreement. Among the rights retained by the City are the City's rights to direct the working forces; to plan, direct and control all operations and services of the Police Department; to schedule and assign work; to establish normal work hours; to assign overtime within reason; to determine the methods, means, organization and number of personnel by which such operations and services are to be conducted; to determine whether goods or services shall be made or purchased; to make and enforce reasonable rules and regulations; to change or eliminate existing methods, equipment or facilities; provided, however, that the exercise of any of the above rights shall not conflict with any of the express written provisions of this Agreement. The City shall submit changes in the aforesaid rules and regulations to a duly elected official of the Union, in person, no less than three (3) workdays prior to the effective date of any such change. If an emergency(s) would necessitate an immediate issuance of a rule or regulation, the Union shall be so notified as soon as reasonably possible.

#### **Section 2.2. Union's Right to Grieve.**

(a) Any dispute with respect to rules and regulations may be subject to the grievance procedure as defined in Section 4.2; provided, however, that nothing contained herein shall supplant the lawful authority of the Davenport Civil Service Commission. Nothing in this Article shall be deemed to deny the right of any employee to submit a grievance claiming or charging violation of any provision hereof.

(b) Three (3) workdays notice of any new or amended rule or regulation shall be provided to a duly elected official of the Union, and the City shall provide the Union with one (1) complete copy of same for the use of Union members, except that such distribution may be subject to Section 2.1 of the Agreement. It is understood that rules and regulations may be contained in City Administrative Policy, ~~Department Documents~~ or General Orders.

\* \* \* \*

**Section 6.1. Definition.**

The seniority of employees covered by this Agreement shall be defined in accordance with the provisions of ~~Section 400.42~~, Iowa Code **Chapter 400**.

\* \* \* \*

**Section 6.3. Layoffs and Recalls.**

Layoffs and recalls shall be in accordance with ~~Chapter 400.28~~, Iowa Code **Chapter 400**.

\* \* \* \*

**Section 7.11. Transfer Privileges.**

When an opening occurs by transfer, promotion, the creation of a position, or otherwise, the Division Commander involved will meet with the Chief of Police to determine if the position is to be retained and the skills/education experience that will be required to fill the open position. The Personnel Officer will post the opening for a period not less than ~~10~~ **7** days on **City email and** administration bulletin board with a copy directed to all Supervisory or Commanding Officers responsible for conducting roll call. Qualifications shall be consistent for postings for the same opening. Officer who wishes to be considered for that position shall submit **an electronic transfer request via the employee intranet**, ~~in writing, his/her request to the Personnel Officer or Chief of Police.~~

When posting the position opening, the Chief of Police will specify: (1) the anticipated Division/Bureau/Unit and hours; (2) any other requirement, special skills and/or training. The opening shall be filled by a person who meets the specifications, which have been posted for that position. Each person who has applied for the transfer shall be advised of the decision and, upon request, shall meet with the Chief or his designee to review those aspects of the decision, which are individual to that person.

**Section 7.12. On-Call Status**

Employees in the Criminal Investigation Division (CID), Emergency Services Team (EST), Bomb Squad, and the Traffic Safety ~~Unit Bureau~~ who are placed on an "on-call" status and required to carry a designated department cellular telephone, shall be credited with **eight (8)** ~~six (6)~~ hours of compensatory time for each week of "on-call" duty. This supplement shall be in addition to any other compensation provided in this Agreement.

\* \* \* \*

**Section 7.14. Shift Picks.**

**Employees shall be allowed to select the shifts on which they will work subject to the following:**

**(a) Employees shall express their shift preference twice per year and shall be assigned to shifts based upon the staffing requirements established by the City and the**

seniority of the employees pursuant to Article VI – Seniority and Department General Orders.

(b) The City may move an employee from the shift to which his seniority would otherwise entitle him if the City can establish that said employee requires specialized training, remediation, supervision, other necessary hardship (limited to thirty days, subject to re-evaluation), or ADA accommodation. Other employees may be involuntarily displaced from their shift by reason of such a move in the event that all shift employees have refused to voluntarily fill the vacancy.

\* \* \* \*

**Section 8.1. Salaries.**

All bargaining unit employees shall be paid in accordance with the salary schedule attached hereto as Appendix C and made a part of this Agreement, with the wages reflecting the following:

Effective Date	Percentage
7/1/2019	2.5%
7/1/2020	2.5%
7/1/2021	2.0%
3/1/2022	2.0%

Effective Date	Percentage
7/1/2023	3.5%
1/1/2024	3.5%
7/1/2025	3.5%
7/1/2026	3.5%

**Section 8.2. Promotions.**

If an employee is promoted to ~~the rank of Corporal a higher ranking position within the Union~~, he shall begin receiving, upon the effective date of promotion, ~~a five percent (5%) increase to the salary rate applicable as reflected in Appendix C the salary rate applicable in Appendix C such higher ranking position, including the longevity rate of which he may be entitled by reason of his length of continuous service with the Police Department.~~ **Beginning July 1, 2023, if an employee is promoted to the rank of Sergeant, he shall begin receiving, upon the effective date of promotion, a ten percent (10%) increase to the salary rate applicable as reflected in Appendix C.**

**Section 8.3. Step Increases and Longevity Lump Sum Payment.**

~~The City shall maintain the current longevity system as reflected in Appendix C. Effective July 1, 2023, longevity shall be removed from the salary schedule, and the salary schedule shown in Appendix C shall be implemented.~~ **Step increases shall be awarded to employees annually on January 1 in accordance with Appendix C, excluding probationary employees. Probationary employees shall be eligible for a step increase upon successful completion of their probationary period and then shall be eligible for annual step increases on January 1 thereafter, in accordance with this Section and Appendix C.**

**Employees who have 25 years or more of service in a sworn position as of February 1 in a given year shall receive 2.0% in a one-time lump sum payment each year based on**

their current salaries as shown in Appendix C. This shall be payable in the first pay period in March.

**Section 8.4. Group Insurance.**

The City shall contribute to the cost of single employee and dependent coverage for the insurance plans provided herein. The employee shall make the following contributions each month based on the table below:

	Single	Employee +1	Family
1/1/2020	\$35.09	\$61.41	\$87.74
1/1/2021	\$36.14	\$63.25	\$90.37
1/1/2022	\$37.23	\$64.71	\$93.08
1/1/2023	\$37.23	\$64.71	\$93.08

Effective Date	Single	Employee +1	Family
1/1/2023	\$37.23	\$64.71	\$93.08
1/1/2024	\$37.23	\$64.71	\$93.08
1/1/2025	\$39.09	\$67.95	\$97.73
1/1/2026	\$39.09	\$67.95	\$97.73
1/1/2027	\$39.09	\$67.95	\$97.73

Hearing aids will be covered, subject to co-insurance (90% in-network, 70% out-of-network, up to \$3,000 every five years).

(a) Health Insurance.

The City will continue the current health insurance plan for all Union employees and their **eligible** dependents. Also in accordance with these changes, the City shall provide single employee coverage and **eligible** dependent coverage for those electing same for out-patient Diagnostic, X-ray and Laboratory (DXL) insurance and prescription insurance. The health insurance plan shall be a Directed PPO with a 90/10 **co-insurance co-pay** within the PPO and a 70/30 **co-insurance ee-pay** outside of the PPO. Pursuant to the term of this labor agreement, the Cost Containment Committee shall continue to investigate cost containment measures and shall participate in the drafting of any Requests for Proposals (RFP) regarding the Directed PPO and Prescription PPO and in the review of any bids in order to make every effort of ensuring that coverage and service are substantially the same as which is being provided under the 1999 – 2000 contract.

The health insurance plan shall include a Three Tier prescription plan. ~~Tier I prescriptions will be subject to a five dollar (\$5) copay, Tier II will be subject to a fifteen dollar (\$15.00) copay and Tier III will be subject to a thirty dollar (\$30) copay. Effective 1/1/2023, the tier prescription copays will be modified to the following:~~ Tier I prescriptions will **be remain** subject to a five dollar (\$5.00) copay, Tier II will be subject to a twenty dollar (\$20.00) copay, and Tier III will be subject to a forty dollar (\$40.00) copay. **Effective January 1, 2024, Tier I prescriptions will remain subject to a five dollar (\$5.00) copay, Tier II will be subject to a twenty-five dollar (\$25.00) copay, and Tier III will be subject to a forty-five dollar (\$45.00) copay.** An optional mail order plan is available for Prescription maintenance drugs at 2x the monthly copay for a 90 day supply. The prescription copayment is not a covered expense under major medical. Medications considered preventative **under applicable federal law** shall be covered at 100% and not subject to a copay.

Chiropractic care shall be subject to the following limitation: after initial charges totaling \$1,500.00 per insured person ~~per each~~ calendar year, all claims for additional chiropractic

services shall be reviewed for medical necessity. The plan includes a fifteen dollar (\$15.00) **copay office access fee**. This fee will track towards the out-of-pocket maximum ~~and the applicable deductible~~.

If an employee identifies an error that would result in an overpayment to a care provider, the employee will be paid twenty-five percent of the savings.

**Corrective vision surgery will be covered at a 50% co-insurance under the medical insurance plan. Additional details are provided in the Summary Plan Document.**

~~All employees shall be permitted to receive one biennial physical by a physician of their choice. The reimbursement cost to the physician for the physical shall be capped at \$250, with 100% of the cost to be paid by insurance. Any cost in excess of the \$250 for one employee physical may be submitted to the health insurance plan. Employees and other plan participants shall be permitted to receive physicals on a more frequent basis by submitting these claims through the health insurance plan.~~

Coverage for **eligible** dependents will be provided in accordance with applicable state law.

Health and major medical coverage is more specifically described in **the Summary Plan Document available from the Human Resources Department Appendix B of this Agreement.**

Deductibles will be \$250.00 individual and \$500.00 for family per calendar year.

The maximum out of pocket will be \$1,000.00 per individual in-network and \$2,000.00 per individual out-of-network per calendar year; The maximum out of pocket will be \$2,000.00 per family in-network and \$4,000.00 per family out-of-network per calendar year. The out of pocket maximums include deductibles and will be tracked concurrently.

Pursuant to federal law, there shall be no lifetime maximum.

(b) Life Insurance.

The City will provide each employee life insurance coverage in the minimum amount of Twenty Thousand Dollars (\$20,000.00) or one times their base salary whichever is greater. **Effective January 1, 2024, the City will provide each employee life insurance coverage in the minimum amount of Twenty Thousand Dollars (\$20,000.00) or two times their base salary whichever is greater.** The City retains the right to self-insure the above life insurance benefit or contract for its provision. ~~Sworn officers hired on or after July 1, 1988 shall also have the option of accepting the City's long term disability insurance or of applying the cost of such long term disability insurance toward the purchase of life insurance (term or whole life) for the employee or his/her dependents as an alternative to participating in the long term disability program. The purchase of optional life insurance shall be dependent upon the insurability of the applicant.~~

(c) Dental Insurance.

The City will provide single employee coverage and dependent coverage for employees electing the family plan. The plan shall provide one hundred percent (100%) U.C.R. coverage for checkups and teeth cleaning; eighty percent (80%) U.C.R. coverage for cavity repair, tooth extractions, root canals, high cost fillings, orthodontia, dentures and gum diseases. The plan will allow oral examinations and prophylaxis (teeth cleaning, including scaling and polishing) three (3) times per calendar year. Topical application of fluorides shall be afforded to all plan participants once **per calendar year every 12 months**. The plan will specify a maximum deductible of Twenty-five Dollars (\$25.00) for single members and Seventy-five Dollars (\$75.00) for family units, with a contract maximum of Two Thousand Five Hundred Dollars (\$2,500.00) per member per year. **Effective January 1, 2024, the contract maximum per member per year will be three thousand dollars (\$3,000.00).**

(d) Vision Insurance.

The City will provide single employee coverage for vision insurance and dependent coverage for those employees electing the family plan. Such insurance shall pay **one hundred percent (100%) U.C.R. coverage** for a visual eye exam and an additional maximum of \$350 per insured per calendar year as vision care benefit. The maximum amount includes lenses, contact lenses, frames, prescription sunglasses, ~~lasik~~ or other related charges with usage rules eliminated. **Effective January 1, 2024, the maximum amount per insured per calendar year will be four hundred dollars (\$400.00).** In addition, the City shall increase the benefit for employees by Twenty-five Dollars (\$25.00) for prescription safety lenses.

\* \* \* \*

(f) A difference between an employee (or his beneficiary) and the insurance carrier(s) or the processor of claims shall not be subject to the grievance procedure provided for in any collective bargaining agreement between the City and the Union unless the City insures all or a portion of the plan involved. ~~The City will, however, designate specific representatives of the Union so that a full explanation may be given with respect to the basis of the disposition of claims. Said representatives shall assist employees in the processing of claims, the explanation of benefits, and provide them such related service.~~

\* \* \* \*

(i) Long-Term Disability Insurance.

Sworn officers ~~hired on or after July 1, 1988,~~ shall be provided long-term disability insurance which shall pay sixty (60%) percent of regular gross wages, during a period of continuing disability from work, after an initial elimination period of ninety (90) calendar days. Such insurance is for the purpose of non job-related injuries or illnesses.

~~Sworn officers eligible for long term disability insurance may, at their option, choose to apply the annual cost of said long term disability insurance toward the purchase of life insurance (term or whole life insurance) for themselves or their dependents. The employees shall be the owners of such life insurance policies. This option must be selected by the employee no later than April 15<sup>th</sup> for the upcoming fiscal year.~~

\* \* \* \*

(k) Health Care Containment Committee

The City and this Union shall continue to jointly investigate cost containment measures regarding the cost of providing group insurance, including costs of medical, dental, **vision optical** and prescription services, to each employee in this Union. Both parties recognize that it is in their mutual interest to seek to contain health costs. This Union will appoint one member to participate in a City-wide Insurance Committee charged with the responsibility of reviewing the usage, cost, and benefits provided, along with cost containment alternatives. The Committee shall make substantive recommendations as the Committee deems appropriate to the City. The City shall review the recommendations and implement those that are administrative in nature. Any other recommendations that are made by the Insurance Committee will be negotiated with this Union; no such recommendations will be implemented regarding Union members without the agreement of this Union. Changes made shall not breach any of the provisions of this Union's contract language.

\* \* \* \*

**Section 8.6. Uniform Allowance.**

All Union employees shall be provided a uniform allowance as follows:

Effective Date	Allowance Amount
7/1/2019	\$1,125
7/1/2020	\$1,125
7/1/2021	\$1,125
7/1/2022	\$1,200

Effective Date	Allowance Amount
1/1/2024	\$1,300
1/1/2025	\$1,400
1/1/2026	\$1,400
1/1/2027	\$1,500

Uniform allowance payments shall be made the second accounts payable cycle in July and January. Newly hired employees who qualify for this allowance shall receive an advance of one-half the annual allowance at the halfway point through the Iowa Police Academy (basic training). Prior to the date of the first eligible payment the probationary officer will signify in writing which of the following payments he/she will forego in lieu of the advance payment.

In addition, all sworn officers who are newly assigned to K-9 duty will receive One Hundred Dollars (\$100), newly assigned motorcycle officers will receive **six hundred fifty dollars (\$650.00)** ~~Three Hundred Fifty Dollars (\$350.00)~~ and the newly assigned bicycle patrol officers will receive Two Hundred Fifty Dollars (\$250.00), **newly assigned members of the Emergency Services Team (EST) will receive one thousand one hundred dollars (\$1,100.00) and newly assigned members of the Quad City Bomb Squad will receive one thousand dollars (\$1,000.00) as of the effective date of this Agreement** as a one-time **lump sum** payment **payable upon the commencement of such assignment** to defray the cost of special clothing needed in both of these assignments during the term of this Agreement, provided that such duty continues to require or necessitate the wearing of this special clothing. (Such as leather jackets, boots and pants for motorcycle officers; heavy shoes/boots and jump-suits for K-9 officers; helmets, bicycle shorts and safety gear for bicycle patrol officers). **In the event an employee separates from the assignment and is later reassigned to the same role, the employee will be eligible for the allowance so long as the separation was for a period of three or more years.**

Uniform clothing (including clothing worn on duty by plain clothes or special assignment officers), articles, or any article listed on Davenport Police Department ~~Form #95, Personnel Officer~~ Inspection ~~F~~form, including flashlights, which are damaged in the line of duty will be repaired or replaced at no expense to the officer upon presentation to the Chief of Police or his designee of adequate certification that the damage, in fact, occurred in the line of duty. In order to be eligible for repair or replacement of uniform articles under this paragraph, prompt reporting of the damage to the Chief of Police is required. ~~Davenport Police Department Form Letter #95 is attached hereto and made a part of this Agreement as Appendix "D".~~

The City shall provide each sworn employee with body armor, including the soft vest and one cover, every four years at no cost to the employee. The employee will be responsible for replacing the cover, if necessary, during this period. The City shall allow the employee to order additional vest covers at cost. At the end of the four years, the vest shall become the property of the City. The City will not reissue vests that are returned after use by an officer. Vests and/or covers damaged in the line of duty, and adequately verified, shall be replaced by the City.

Any attachments to the current uniform, such as decorations or patches and safety equipment as listed **in Department General Orders on Appendix P**, shall be provided to the

employee by the City at no cost to the employee. The first issue of any mandatory changes made to the required uniform shall be provided by the City at no cost to the employee.

The City will make available to employees combat medical supplies as needed at no cost to the employee. Combat medical supplies shall include shears, compression bandages, and tourniquets.

**Section 8.7. Allowance for Personal Items.**

In the event of the loss or destruction of, or damage to personal items of the employee, in the performance of their official duties, an employee shall be reimbursed for same for repair or replacement according to the following schedule. The employee must present adequate verification that the damage, in fact, occurred in the line of duty, and to be eligible for reimbursement, must promptly report the incident to the Chief of Police. All items listed on the **Davenport Police Department Officer Personnel Inspection Form** (~~appendix D of this contract~~), and any other item required by the Department, will be replaced at 100 percent of the present cost of the item being replaced. Other items not required by the Department will be replaced to a maximum of \$50.00 per item. Loss or damage caused by an employee's negligence shall not be reimbursable; negligence shall be determined based upon the circumstances particular to each case.

Exceptions: 1) Dentures . . . . .100%  
2) Glasses . . . . .100%  
3) Watches . . . . .**\$100.00** ~~\$60.00~~  
4) Flashlights . . . . **\$200.00** ~~\$150.00~~  
5) Urban Rifle . . . . **\$1,500.00** ~~\$1,000.00~~  
6) Shotgun . . . . . \$500.00  
7) **Cell Phone. . . . \$200.00**

\* \* \* \*

**Section 8.9. Incentive**

Each employee in the Union shall receive an annual educational incentive after completion of the probationary period, and for study and/or a degree in an approved area of study related to police work.

All payments for educational incentive shall be paid on the Friday following the second City Council meeting in July and after proper proof of the appropriate degree is received by the Chief of Police or his designated representative. Payments made in July shall be based upon the degree held as of July 1 of the respective year.

Employees qualifying for the thirty (30) hour payment as of July 1, 1988, must maintain a minimum of one additional accredited hour each calendar year to remain eligible for said payment. This requirement does not affect those employees currently receiving the thirty (30) hour payment.

Effective ~~July 1, 2008~~ **July 1, 2023**, pursuant to the following table:

Minimum of 30 hours. . . . .	\$ 400.00
A.A. and A.S. Degrees . . . . .	<b>\$ 1,100.00</b> <del>\$ 1,000.00</del>
B.A. and B.S. Degrees . . . . .	<b>\$ 1,500.00</b> <del>\$ 1,400.00</del>
M.A. and M.S. Degrees. . . . .	<b>\$ 1,900.00</b> <del>\$ 1,800.00</del>

**Section 8.10. Tuition Reimbursement.**

Employees will be reimbursed up to a maximum of **four thousand dollars (\$4,000.00)** ~~Three Thousand Dollars (\$3,000.00)~~ annually for tuition, books, materials or any other registration costs for police service related courses and for courses required for a degree in a police service related field approved pursuant to department general order **and City Administrative Policy.** ~~in effect at the time this Agreement was entered into and the Administrative Policy attached hereto~~

~~as Appendix 0. The prorata reimbursement required under Administrative Policy 2.4 does not apply to any retirement or to any termination after 22 years of service. Approval shall not be unreasonably denied.~~

**Section 8.11. Shift Differential.**

The following scheduled percentages of the one year step hourly rate shall be used to calculate the shift differential for employees regularly assigned to work the various shifts:

Second Shift . . . . . ~~2.5%~~ **2.2%**

Third Shift . . . . . ~~3.0%~~ **2.5%**

~~Power Shift . . . . . 2.8%~~

First shift is defined as commencing between the hours of 6:00 AM and 1:59 PM; Second shift commences between the hours of 2:00 PM and ~~9:44~~ **5:59** PM; Third shift commences between the hours of 9:45 PM and 5:59 AM. ~~The Power Shift commences between the hours of 6:00 PM and 9:44 PM.~~ Shift differential shall be utilized in the computation of overtime, holiday and vacation pay.

Employees involved in trading time will not be eligible for a change in their shift differential.

\* \* \* \*

**Section 8.13. Training Officers.**

Police Officers and Corporals assigned as Field Training Officer (FTO) will be paid an additional ~~7.0%~~ **5.0%** above their regular rate of pay for the period of such training assignments and ~~2.0%~~ **1%** while on stand by. Management retains the right to maintain lists of active and stand by employees. No pyramiding, does not apply to overtime or deferred compensation.

**Section 8.14. Evidence Technician.**

A maximum of one employee per shift assigned as the certified evidence technician and performing such duties will receive an additional ~~6.0%~~ **5%** above their regular rate of pay for the period of such assignment and 1% while on stand by. Management retains the right to maintain lists of active and stand by employees. No pyramiding, does not apply to overtime or deferred compensation.

**Section 8.15. Special Assignment Pay.**

Employees who are assigned to the following units and are performing the special functions of these units shall be paid 1% above their regular rate of pay when they are doing so: CID/Vice, Tactical Operations Bureau officers (TOB), ~~Traffic Safety Unit Officers (TSU), Accident Investigation officers assigned to Accident Investigation Unit, Training Bureau, Computer Forensic Officer,~~ Certified Instructors at In-Service Training (CPR, Active Countermeasures, Firearms, ~~PR-24~~), MEG, HIDE, ~~Community Impact Team (CIT) NETS,~~ and ~~Federal Gang~~ Task Force. There shall be no pyramiding of these supplemental pay increments.

**Section 8.16. Deferred Compensation**

If an employee contributes 1%, the City will contribute to an individual's City's 457 deferred compensation plan ~~a match of up to~~ 5.0% on an individual's annual income. The City's ~~5.0%~~ **4%** contribution will be based on the same calculations currently being used to determine the individual's 1% contribution. The City ~~matching~~ contribution shall be made bi-weekly and reflected on the individual's payroll check. The City contribution shall cease if the individual reaches the maximum contribution allowed by law, is no longer employed with the City, or at any time the individual terminates participation in the City's 457 deferred compensation program. The contribution will be made to one provider selected by the individual ~~and as approved by the City.~~ Should the individual's contribution cease mid year and a partial payment is required, the

individual will make the first 1%, the City the second 5.0% and the remaining contribution will be considered the individual's contribution.

**Section 8.17 Retirement Health Plan**

Effective July 1, 2009, the City will make available to employees a Retirement Health Savings Plan with terms and conditions agreed to by the parties. ~~Effective July 1, 2009, the City will contribute to an individual plan one percent (1.0%) of the individual's annual income as defined by all regular and overtime hours worked. Effective July 1, 2010, the City will contribute to an individual plan one and one-half percent (1.5%) of the individual's annual income as defined by all regular and overtime hours worked. Effective July 1, 2011, the City will contribute to an individual plan two percent (2.0%) of the individual's annual income as defined by all regular and overtime hours worked. Effective July 1, 2015, the City will contribute to an individual plan three percent (3.0%) of the individual's annual income as defined by all regular and overtime hours worked.~~ **Effective July 1, 2023, the City will contribute to an individual plan four percent (4.0%) of the individual's annual income as defined by all regular and overtime hours worked. Effective July 1, 2025, the City will contribute to an individual plan five percent (5.0%) of the individual's annual income as defined by all regular and overtime hours worked.**

**Section 8.18. Fitness Program**

An employee may volunteer to participate in this program. All volunteers will be required to participate in & complete all steps of the program to receive a **five hundred dollars (\$500.00)** incentive. In addition, employees will receive an additional incentive of **seven hundred dollars (\$700.00)** ~~1% of the Step 2 police officer annual rate of pay~~ for passing all steps of the program.

All testing will commence in August of each year. If an employee does not pass any portion of the Fitness Assessment, they will have until January 31 to retest. If they do not pass the Fitness Assessment, no additional incentive will be given; however, no adverse employment action will be taken. Incentives will be paid the second pay period in February. **Employees who have completed the Fitness Assessment but leave employment prior to the second pay period in February must request payment in writing to the Human Resources Director prior to their last day in order to receive the incentives outlined above.**

**Section 8.19. Hazardous Duty Pay**

EST, Crisis Negotiators, and Bomb Squad members shall be paid **6.0%** ~~5%~~ above their regular rate of pay when called out for a unit response or when attending scheduled unit training. There shall be no pyramiding of these supplemental pay increments.

**Section 8.20. Critical Demand Incentive**

Employees shall receive an annual 1.5% incentive based on their current salaries as shown in Appendix C. Payments will be dispersed in a one-time lump sum payment in the first pay period in February. This provision will sunset on June 30, 2027.

\* \* \* \*

## ARTICLE X HOLIDAYS

### Section 10.1. Number of Holidays.

The following shall be considered paid holidays for eligible regular full-time employees:

New Year's Day	<b>Labor Day</b>
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Eve Day
<b>Juneteenth</b>	Christmas Day
Independence Day	<b>Labor Day</b>

In addition to the above schedule, any other day that the Mayor designates as a special holiday for the City employees shall be considered a holiday for purposes of this Section.

~~Note — during the July 1, 2009 — June 30, 2012 contract the following provision is not in effect: Employees using **forty-three (43)** ~~forty (40)~~ hours or less of sick leave in a fiscal year will be permitted an additional eight (8) hours floating holiday. The employee may opt to take the holiday or have the cash equivalent placed in their deferred compensation account. This provision will be reinstated effective July 1, 2012, unless the parties agree to a continuation of the provision regarding payment for unused sick leave contained in Section 12.5.~~

### Section 10.2. Holiday Pay.

(a) When a holiday falls on an employee's regularly scheduled day off, or on a day of vacation, and said holiday is not worked, an eligible employee shall accumulate eight (8) hours of holiday time off or eight and one-half hours (8 ½) for those who are regularly assigned to a 5-2, 5-3 schedule. Said holiday time off shall be granted insofar as practicable on the day requested by each employee, with the determination on preference being made on a first come basis. It is expressly understood that the final right to designate said day off is exclusively reserved by the Chief of Police in order to ~~ensure~~ **insure** the orderly and efficient performance of services.

(b) When a holiday falls on an employee's regularly scheduled work day which the employee, in fact, works, an eligible employee shall be paid for the time actually worked that day at their overtime rate of pay pursuant to Section 7.3(a) rate of pay, and in addition shall accumulate hour per hour holiday time off for all such hours worked. Such holiday time off shall be granted as set forth in Section 10.2(a).

(c) When an employee who is scheduled to be off duty on a holiday is called back to work on that holiday, that employee shall be paid at their overtime rate of pay pursuant to Section 7.3(a) for all hours worked plus employee will accumulate hour per hour holiday time off for all such hours worked. The provisions of Section 7.4 shall apply.

~~(d) When an employee is required to work past the end of his shift subject to Section 7.2 and those "hold over" hours take place on a holiday, that employee shall be paid at his overtime rate of pay pursuant to Section 7.3(a) for all "holdover" hours worked plus employee will accumulate hour per hour holiday time off for all such hours worked. When an employee's shift starts on a holiday and ends the following day and that employee is "held over" past the end of his shift, that employee will not be eligible to be paid at the overtime rate of pay and will not accumulate holiday time for "holdover" hours worked.~~

~~(1) Example: Third shift officer begins work at 10:30 PM on July 3<sup>rd</sup>, and his shift ends at 6:30 AM on July 4<sup>th</sup>. He then "holds over" until 11:00 AM on July 4<sup>th</sup>. That officer would be paid pursuant to Section 7.3(a) rate of pay and accumulate hour per hour holiday time off for the additional "holdover" hours worked.~~

~~(2) Example: Third shift officer begins work at 10:30 PM on July 4<sup>th</sup>, and his shift ends at 6:30 AM. He then "holds over" until 11:00 AM on July 5<sup>th</sup>.~~

**That officer would not be paid pursuant to Section 7.3(a) rate of pay and accumulate hour per hour holiday time off for the additional "holdover" hours worked.**

**Section 10.3. Eligibility Requirements.**

In order to be eligible for holiday time off under Section 10.2(b), an employee must have worked or been paid for his last regularly scheduled workday in the three (3) days preceding, and his first regularly scheduled workday in the three (3) days following the holiday. An employee who is scheduled to work on a holiday and who fails to report to work as scheduled, except in cases of sick leave taken in accordance with provisions of Section 12.5, shall not receive holiday time off. An employee on layoff or suspension on or over a holiday shall not be eligible for holiday time off.

An otherwise eligible employee will not be disqualified for holiday pay solely because he failed to work his last regularly scheduled workday in the three (3) days preceding or his first regularly scheduled workday in the three (3) days following a holiday due to a suspension provided that he worked or was paid for his last scheduled workday prior to or subsequent to (whichever is appropriate) his suspension. Accumulation of holiday time off shall be governed by the **Department General Orders** ~~Divisional Directive in effect at the time this Agreement was entered into.~~

\* \* \* \*

**Section 11.1. Amount of Vacation.**

Employees covered by this agreement shall be entitled to vacations as of their anniversary date of employment in any year as follows:

Years of Service	Amount of Vacation Pay	<del>Workday Off for Vacations</del>
1-5	80 Hours	<del>10 Workdays</del>
6-11	120 Hours	<del>15 Workdays</del>
12-17	160 Hours	<del>20 Workdays</del>
18-23	200 Hours	<del>25 Workdays</del>
24 & over	240 Hours	<del>30 Workdays</del>

If a holiday falls within the period that an employee is on vacation, such holiday will not be charged as vacation time. In transition years, accrual at the next higher rate shall begin in the first pay period following the anniversary date which marks completion of the fifth, eleventh, seventeenth or twenty-third years of service.

\* \* \* \*

**Section 11.3. Vacation Pay.**

~~For each workday of vacation entitlement, an~~ An employee shall receive ~~eight (8) hours~~ **vacation pay for each hour used** at his regular straight-time hourly rate at the time **vacation leave is used** ~~he leaves for vacation.~~

**Section 11.4. Vacation Scheduling.**

Vacations shall be scheduled insofar as practicable at times most desired by each employee, with the determination of preference being made on the basis of an employee's seniority **based on date of hire with the Department** ~~within their class or grade.~~ In making a "first pick" for vacation, an employee shall be limited to a first selection equal to his upcoming

year's annual accrual. It is expressly understood that the final right to designate the vacation period is exclusively reserved by the Chief of Police in order to ensure the orderly and efficient performance of services.

\* \* \* \*

**Section 11.6. Minimum Vacation Period.**

Vacation which has been scheduled for **four (4)** ~~six (6)~~ consecutive days during the first round of the annual vacation pick shall take preference over lesser periods of time chosen during that pick. Vacation of less than a full working day may be granted at the discretion of the Chief of Police ~~or designee~~; consent ~~by the Chief~~ shall not be unreasonably withheld.

**Section 11.7. Vacation Rights in Case of Separation.**

~~Any employee who is separated from employment with the City for any reason shall be paid for any unused vacation at the time of separation at his hourly rate at the time of separation. Said payment shall be made to the employee in one of the following ways, with the selection of said option being at the sole discretion of the employee:~~

- ~~1) A one time payment of the full amount; or,~~
- ~~2) Annual payments of equal amounts up to five years. Payments will be provided in January of each year; or~~
- ~~3) At the time that an employee is selecting either option 1 or option 2 above, the employee may also elect to designate a specific portion of the full amount due him, which portion shall be held by the City for the purpose of maintaining that employee's health insurance programs.~~
- ~~4) If death would occur during the utilization of options 2 or 3, the balance remaining will be paid to the designated beneficiary or the former employee's estate if no beneficiary is designated.~~

\* \* \* \*

**Section 12.2. Military Leave.**

Military leave and pay shall be granted **and administered** in accordance with applicable law. ~~However, regularly scheduled days off shall not be included as days of Military Leave.~~

**Section 12.3. Maternity/Paternity Leave.**

(a) Female personnel shall not be arbitrarily forced to stop work because of pregnancy and shall be given the opportunity to accept other appropriate duty in the Department until such time that she is required to cease work for the welfare of her and/or her child and maternity leave shall commence at such time.

(b) Duty uniforms will not be required when and if the employee avails herself of (a) above.

(c) When maternity/paternity leave commences, such leave shall be administered **as** ~~any other disability~~ under the Family and Medical Leave Act and the rules and regulations promulgated under said legislation.

~~(d) Male personnel shall be entitled to utilize paternity leave under the same policies and guidelines as female personnel.~~

**(de)** Leave granted under this section will count toward an employee's total eligibility for leave under the Family and Medical Leave Act and the rules and regulations promulgated under said legislation.

\* \* \* \*

**Section 12.5. Sick Leave.**

(a) ~~Sworn officers hired prior to July 1, 1988, shall be credited with ten (10) hours of sick leave per month, credited each pay period in which they receive pay for hours worked or earned. If, for more than forty five (45) consecutive calendar days, an employee is on sick leave, then sick leave accrual shall cease on the 46<sup>th</sup> consecutive calendar day of such leave and shall resume when the employee returns to active duty. Sick leave shall accumulate to a maximum of 2970 hours for said previously hired officers. Officers hired on or after July 1, 1988, shall be credited with ten (10) hours of sick leave per month~~ **shall accrue one hundred twenty (120) hours per year on a biweekly basis** and their sick leave shall only accumulate to a maximum of 960 hours. Where the City has legitimate reason to suspect abuse of sick leave privileges, the City may, at its option, require the employee to provide a doctor's statement at the employee's expenses, in case of any or all future absences for which sick leave is claimed within a period not to exceed six (6) months from the date of suspected abuse. In addition, the sick leave guidelines set forth in the Department ~~General Orders Documents in effect at the time of this agreement~~ shall apply to all employees on sick leave, and the disciplinary rules set forth in the Department ~~General Orders Documents~~ shall apply to the extent of actual abuse of sick leave.

(b) If as a result of an extended illness or injury that is not work-related, an employee having used all accrued sick leave, holiday, vacation and compensatory time, may, at the discretion of the Police Chief, borrow against future time. The amount of time available shall not exceed eighty (80) hours. The employee, upon return to work, will not accrue leave benefits until such time as the borrowed amount has been repaid to the City. The employee will be required to complete the application for Family and Medical Leave and comply with the Rules and Procedures established in the City Administrative Policy on the FMLA.

Probationary employees or employees whose disability appears to be permanent shall not be considered eligible for this benefit.

(c) Sick leave may be used for the following conditions:

- (1) Incapacitation for duty because of sickness, injury or pregnancy related disability.
- (2) Absence for physical, dental or optical examination or treatment. Employees shall not abuse this privilege.
- (3) Attendance upon a member of the employee's immediate family who is seriously ill and requires the care and attention of such employee. Immediate family is defined as husband, wife, mother, father, sister, brother, son, daughter, step-child, or legal ward, or other resident family member of the employee's immediate household.
- (4) No person shall be entitled to sick leave with pay while absent from duty on account of disability resulting from any sickness or injury purposely inflicted or caused by that person, unless the person can provide written documentation from a licensed physician or licensed psychologist that his conduct was the result of an illness or disability.
- (5) No person shall be permitted to convert excused leave of absence or annual leave into sick leave by reason of illness or injury which occurs during such leave of absence or annual leave; however, if such illness or injury should persist beyond the termination of the leave of absence or annual leave, sick leave may be taken, if otherwise permitted, at that time.
- (6) No employee shall be permitted to work at secondary employment within twelve (12) hours after the use of sick leave unless authorized by the Chief or his designee.

- (7) Sick leave may be used for any other illness or injury that would qualify an individual to obtain leave under the Family Medical Leave Act.

**Section 12.6. Pay for Accumulated Sick Leave.**

~~Upon retirement in accordance with the terms of the applicable retirement system, termination, except for cause, or death, the employee or his heirs shall receive payment for seventy five percent (75%) of the employee's accumulated sick leave in excess of seven hundred twenty (720) hours computed at the employee's then hourly rate of pay. Employees hired on or after July 1, 1988, shall not be eligible for pay for accumulated sick leave.~~

\* \* \* \*

**Section 13.1. Rules and Regulations.**

The Union agrees that the employees shall comply with all Department **General Orders and City Administrative Policies Documents** presently in effect or subsequently promulgated by the City and/or the Police Department, pursuant to Section 2.1.

\* \* \* \*

**Section 13.3. Employees' Rights.**

The ~~Department General Order current Divisional Directive in effect at the time of this agreement~~ governing employee rights, shall remain in effect for the duration of the Agreement.

**Section 13.4. Evaluation Procedures.**

Evaluations shall be conducted annually pursuant to ~~the~~ Department **General Orders Documents presently in effect**. The evaluation process shall be subject to the following principles:

- A. Evaluations shall be conducted in a fair manner;
- B. Each employee shall receive a copy of his complete evaluation, including all comments made by all of the evaluators;
- C. Any employee who disagrees with his evaluation may submit his written objections, which shall be attached to the evaluation report. Whenever said evaluation report is utilized, the employee's objections shall accompany said report;
- D. Evaluations shall be subject to challenge through the grievance procedure. In the event that such a grievance is not resolved at Step 3 of the grievance procedure and the Union does not elect to proceed to arbitration, the grieving employee may do so. The City shall pay half of the fees and expenses of the arbitrator. If the arbitrator upholds the grievance the Union shall pay the remaining half of the fees and expenses of the arbitrator; if the arbitrator denies the grievance, the employee shall be responsible for half of the arbitrator's fees and expenses.

\* \* \* \*

**Section 14.11. Payout.**

All accrued pay and benefits, including accumulated vacation, holiday, compensatory time ~~and sick leave as provided in Section 12.6~~ shall be paid either to the employee upon the termination of employment or upon the employee's death, to his heirs, next of kin, or designated beneficiary **in a one-time lump sum payment, if applicable under one of the following options:**

- ~~1) A one-time payment of the full amount; or~~
- ~~2) Annual payments of equal amounts up to five years. Payments will be provided in January of each year; or,~~

~~3) At the time that an employee is selecting either option 1 or option 2 above, the employee may also elect to designate a specific portion of the full amount due him, which portion shall be held by the City for the purpose of maintaining that employee's health insurance programs.~~  
~~If death would occur during the utilization of options 2 or 3, the balance remaining will be paid to the designated beneficiary.~~

\* \* \* \*

**Section 14.14 Union/Management Meetings.**

Representatives of the Union and the employer shall meet upon request of either side at a mutually agreeable time. The purpose of the meeting is to discuss matters of mutual interest, resolve potential conflicts, and propose changes which would generate cost savings and increased service without adversely affecting the safety of the employees. Neither this contract nor the prevailing rights of the parties shall be modified without the written agreement of the parties. Agenda items shall be exchanged at least one week in advance of the meeting **or by a mutually agreed upon time**. Status updates on all pending grievances shall be provided at each meeting. Employees who are not on duty at the time of the meetings shall be paid at their overtime rate or receive compensatory time at the employees' option. Section 7.4 of this Agreement will not apply to this provision.

\* \* \* \*

**Section 15.1. Regular and Special Meetings.**

Up to five (5) elected officers of the Union, **and Davenport Police Association, and Davenport Fraternal Order of Police** shall be given adequate time off without loss of pay to conduct regular and special meetings provided, however, that three (3) days written notice is provided to the Chief of Police **or designee**.

\* \* \* \*

**Section 15.3. Use of City Facilities by Union.**

Upon reasonable notice, the City shall permit the Union, **Davenport Police Association, and Davenport Fraternal Order of Police** to hold special or emergency meetings (for off-duty employees) within the Police Department in a room designated by the Chief of Police **or designee**, whose consent shall not be arbitrarily denied.

**Section 15.4. Conventions and Conferences.**

Each elected and appointed Association delegate who attends the Iowa State Police Conference and/or Iowa Association of Women Police **Conference and/or Fraternal Order of Police National Conference** shall be granted up to three (3) paid days to attend. Employees will only be paid for the three days of attendance when they coincide with their regularly scheduled work day. **The number of paid days may be extended in the discretion of the Chief of Police.** The number of elected and appointed association delegates shall not exceed the number of delegates authorized by the Iowa State Police Association. The City shall not arbitrarily deny these requests provided the Chief of Police or his designee receives written notice of the dates required thirty (30) days in advance of such dates, notice to be delivered by the Secretary of the Association.

**Section 15.5. State and National Offices.**

A Union member elected to an office in ~~either of the above two~~ **the three** organizations **above**, shall be allowed up to three (3) days off per month without loss of pay for the purpose of attending monthly meetings. Attendance at the monthly meetings requires advance written approval, and release from work is contingent upon non-interference with operations. Such approval shall not be unreasonably denied.

\* \* \* \*

**ARTICLE XVII**  
**OFF-DUTY ACTION/EMPLOYMENT**

Officers shall be permitted to engage in off-duty employment, whether in or out of uniform, provided that such employment is not a conflict of interest, does not conflict with the normal duty hours of the officer, conflict with satisfactory or impartial performance of duties as a police officer for the City, or conflict with **Department General Orders** ~~the Divisional Directive in effect at the time of this agreement.~~

Any action taken by an employee on his/her time off, which would have been taken by an officer on active duty if present or available, shall be considered police action, and the employee shall have the rights and benefits regarding such action as if he/ she were on duty. An employee not engaged in off-duty employment when he/she takes such action shall be reimbursed for personal items damaged during the course of said police action. Police officers shall be reimbursed at the current overtime rate for time spent performing off duty arrests or other emergency police actions, subsequent reports and time spent in court unless otherwise compensated by an off-duty employer during these periods. Personal items damaged during these off-duty actions will be treated as though the action were taken on duty, excluding off duty misdemeanor traffic arrests.

Probationary officers shall not engage in any off-duty employment related to law enforcement.

\* \* \* \*

**Section 18.5. Examination Review.**

To assist employees in self-improvement, the **Human Resources Department personnel** ~~department~~ will review the results of promotional examinations with employee(s) requesting same. **Any examination review requests shall be submitted to the Human Resources Department and will be conducted in accordance with Civil Service Commission Rules and Regulations.** ~~To maintain valid test batteries, specific test answers and the test document itself will not be discussed or distributed. This review shall be based on the general categories of the examination, and will, to the extent possible, provide the employee with an overview of his strengths and weaknesses, thereby advising him of areas where additional study or experience would be of assistance.~~

\* \* \* \*

**ARTICLE XXIII**  
**TERMINATION**

This Agreement shall be effective as of the 1st day of July, **2023** ~~2019~~, and shall remain in full force and effect until and including the 30th day of June, **2027** ~~2023~~. It shall be automatically renewed from year to year thereafter unless either party shall notify the other in writing sixty (60)

days prior to the anniversary date that it desires to modify this Agreement, or sixty (60) days prior to the date that impasse procedures under the Iowa Public Employment Relations Act must be initiated, whichever is earlier. In the event that such notice is given, negotiations shall begin no later than thirty (30) days prior to the date that impasse procedures under the Iowa Public Employment Relations Act must be initiated, whichever is earlier. This Agreement shall remain in full force and effect during the period of negotiations and until notice of termination of this Agreement is provided to the other party in the manner set forth in the following paragraph. In the event that either party desires to terminate this Agreement, written notice must be given to the other party not less than ten (10) days prior to the desired termination date, which shall not be before the anniversary date as set forth in the preceding paragraph

THIS AGREEMENT is executed as of \_\_\_\_\_, to become effective as of the day and year first written by the duly authorized representatives of the parties.

### **Side Letter of Agreement**

The undersigned parties agree that as part of the negotiations that led to the July 2023 – June 2027 collective bargaining agreement between the City of Davenport, Iowa and the Union of Professional Police, Inc., the following provisions are agreed upon:

1. The implementation date for the new compressed salary schedule as reflected in Appendix C of the 2023-2027 collective bargaining agreement will be June 25, 2023.
2. The implementation date for the July 1, 2023 general wage increase (GWI) reflected in Section 8.1 and Appendix C of the 2023-2027 collective bargaining agreement will be June 25, 2023.
3. Employees holding the rank of Sergeant as of June 25, 2023 will receive a 5% increase to their base salary as reflected in Appendix C of the 2023-2027 collective bargaining agreement.
4. An appeal process will be added to Appendix V – DPD After-Injury Process, Paragraph 2 – On-the-Job Injuries as outlined below:

“If a police officer is dealing with a matter involving a life/safety situation and believes the treating physician is not providing an appropriate level of care, he/she may appeal to the Human Resources Director to request review and referral to another treating physician. Approval shall not be unreasonably denied and will be determined expeditiously.”

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For the City of Davenport

---

For the Union

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Other conditions:**

This tentative agreement shall also include all previously agreed upon language clean-up items related to scrivener's errors.

This tentative agreement is subject to ratification by both entities.

Parties agree to review and finalize a final contract on or before May 1, 2023 and will include legal review by both entities.

**Principal Negotiators:**

Union of Professional Police, Inc.

City of Davenport

Sgt. [Signature] 647  
Signature

1-27-2023  
Date

[Signature] J. Merritt  
Signature

01/27/2023  
Date

Witness:

[Signature]  
Signature

1-27-2023  
Date

Witness:

[Signature] Allison Fleming  
Signature

1/27/23  
Date