Subject to change as finalized by the City Clerk. For a final official copy, contact the City Clerk's Office 356-5041

If you will need disability-related accommodations in order to participate in this program/event, please contact Kellie Grace at 319-356-5041, kgrace@iowa-city.org. Early requests are strongly encouraged to allow sufficient time to meet your access needs.

Iowa City
City Council - Formal Agenda
Regular Formal Meeting
June 2, 2026 - 6:00 PM
Emma J. Harvat Hall
410 E. Washington St.

CITY OF IOWA CITY

www.icgov.org

City of Iowa City Land Acknowledgment can be found at: icgov.org/landacknowledgement

Meeting Rules can be found at: icgov.org/meetingrules

You can watch the meeting on cable channel 4 (118.2 QAM) in Iowa City, University Heights and Coralville, or you can watch it online at any of the following websites:

- https://citychannel4.com/live
- https://www.youtube.com/user/citychannel4/live
- https://facebook.com/CityofIowaCity

In order to encourage greater input from the public, the Iowa City Council intends to offer the opportunity to participate in the meeting remotely. However, this meeting is an in-person meeting. In the event of technological problems, the meeting will continue in-person, so those wishing to ensure their ability to participate should attend the meeting in-person.

If you wish instead to participate remotely, you may attempt to do so by joining the meeting via Zoom by going to the link below to visit the Zoom meeting's registration page and submit the required information.

Once the registration is complete, you will receive an email message with a link to join the meeting. If you are asked for a meeting or webinar ID, enter the ID number found in the email.

If you have no computer or smartphone, or a computer without a microphone, you can call in by phone by dialing (312) 626-6799 and entering the meeting ID below when prompted.

Zoom link: https://us06web.zoom.us/webinar/register/WN_cfjv1drbRPOenK_F8Fk9Jg
Meeting ID: 851 6804 3456

If you wish to use presentation materials with your comments, please provide them to the City Clerk at kgrace@iowa-city.org at least 24 hours before the meeting. Your materials will be presented for you.

Public Comment for items on the agenda:

Council cannot engage in discussion or debate until the appropriate time for Council discussion. However, once the commenter has left the podium, Council may ask staff to respond to a concern or question posed by the public, or to follow up with the speaker.

1. Call to Order

2. Proclamations

   2.a National Gun Violence Awareness Day

   2.b Pride Month

   2.c Waste and Recycling Workers Week

3. Consent Calendar - Approval of Council Actions (subject to corrections, as recommended by the City Clerk)

   3.a Special Formal Executive Session Summary of Minutes: May 19

   3.b Work Session Minutes: May 19

   3.c Formal Summary of Minutes: May 19

4. Consent Calendar - Receive and File Minutes

   4.a Historic Preservation Commission: March 12

   4.b Historic Preservation Commission: April 9

   4.c Housing & Community Development Commission: April 20

   4.d Public Art Advisory Committee: January 8

   4.e Public Art Advisory Committee: February 5

   4.f Public Art Advisory Committee: March 5

   4.g Public Art Advisory Committee: April 2

5. Consent Calendar - Permit Motions and Resolution (as recommended by the City Clerk)

   5.a Liquor License - New [Council approval of a liquor license does not imply approval of associated Sidewalk Cafes and Rooftop Patios; separate staff approval is required for each.]
      1. Special Class C Retail Alcohol License (6.27.26 - 7.1.26) for Iowa City Downtown Self Supported Municipal Improvement District (App. 0-009-902-198), dba Downtown Block Party, 125 S. Dubuque St.
      2. Special Class C Retail Alcohol License (6.09.26 - 6.13.26) for Summer of the Arts Inc (0-010-281-530), dba Beverage garden - Riverfront Crossings Park,1001 S. Clinton St.

5.b Liquor License - Renewal [Council approval of a liquor license does not imply approval of associated Sidewalk Cafes and Rooftop Patios; separate staff approval is required for each.]

1. Class E Retail Alcohol License for Crown Liquor LLC (LE0004050), dba Crown Liquor & Smoke, 19 Highway 1 W
2. Class C Retail Alcohol License for Highlander Hotel LLC (LC0049092), (Outdoor Service Area), dba Highlander Hotel, 2525 Highlander Pl.
3. Outdoor Service Area for Highlander Hotel LLC (LC0049092), dba Highlander Hotel, 2525 Highlander Pl.
4. Special Class C Retail Alcohol License for Thai Spice Inc (BW0099101), dba Thai Spice, Inc., 1210 S. Gilbert St., Ste 101
5. Class E Retail Alcohol License for Walgreen Co. (LE0002175), dba Walgreens #05077, 2214 Muscatine Ave.
6. Class C Retail Alcohol License for Weekes-Van Eck VFW Post #3949 (LC0028665), (Outdoor Service Area), dba Weekes-Van Eck Post #3939 Veterans of Foreign Wars, 609 Highway 6 East
7. Outdoor Service Area for Weekes-Van Eck VFW Post #3949 (LC0028665), dba Weekes-Van Eck Post #3939 Veterans of Foreign Wars, 609 Highway 6 East
8. Class C Retail Alcohol License for Graduate Iowa City Lessee LLC (LC0049040), (Sidewalk Cafe & Outdoor Service Area), dba Graduate Iowa City, 210 S. Dubuque St.
9. Outdoor Service Area for Graduate Iowa City Lessee LLC (LC0049040), dba Graduate Iowa City, 210 S. Dubuque St.
10. Class C Retail Alcohol License for One Louder LLC (LC0040132) (Sidewalk Cafe), dba Micky's Irish Pub, 11 S. Dubuque St.
11. Outdoor Service Area for One Louder LLC (LC0040132), dba Micky's Irish Pub, 11 S. Dubuque St.
12. Class E Retail Alcohol License for Hartig Drug Company, (LE0000886), dba Hartig Drug Store #10, 701 Mormon Trek Blvd.

5.c Tobacco/Device Permit(s) - New

1. Tobacco Permit for Zorawar Aulakh LLC, dba 220 E., 220 E. Washington St.
2. Device Permit for Zorawar Aulakh LLC, dba 220 E., 220 E. Washington St.

6. Consent Calendar - Resolutions and Motions

6.a April 2026 Disbursements

Motion to approve disbursements in the amount of $13,089,733 for the period of April 1 through April 30, 2026, as recommended by the Finance Director subject to audit. Disbursements are published and permanently retained in the City Clerk’s office in accordance with State.

6.b Block Party Alcohol Agreement

Resolution approving an agreement with the Iowa City Downtown District to allow the temporary and limited consumption and possession of beer and wine during the Downtown Block Party.

Comment: This Agreement allows for the the consumption of alcohol on certain downtown rights-of-way and the Blackhawk Mini Park for the Block Party, subject

to limitations.

6.c Aid agreement for fire protection services to the City of University Heights
Resolution authorizing the Mayor to sign and the City Clerk to attest Amendment Number 2 to the 28E agreement for fire protection services between the City of Iowa City and University Heights.

Comment: This agreement is an updated amendment to the 2016 28E agreement that outlines provisions to provide fire protection through contracted mutual aid to the City of University Heights during times of need. Amendment number 1 extended service to June 30, 2026. The update in the proposed amendment extends the fire protection contract to June 30, 2031. All other provisions remain unchanged.

6.d Wheel Loader Procurement
Resolution authorizing the procurement of two (2) wheel loaders for Landfill Operations.

Comment: This Resolution will approve the procurement of two (2) new Case 721 GXT wheel loaders for Landfill Operations. Sourcewell cooperative contract 011723-CNH will be utilized for this procurement. Total purchase price is $451,578.57 which exceeds the $200,000.00 spending authority of the City Manager, thereby requiring City Council approval.

6.e Dodge Street Reconstruction Project from Burlington Street to Governor Street.
Resolution authorizing the acquisition of property interests necessary for construction of the Dodge Street Reconstruction Project from Burlington Street to Governor Street.

Comment: Preliminary design for the Dodge Street Reconstruction Project from Burlington Street to Governor Street has been completed including identifying the easement and right-of-way needs within the corridor. These acquisitions are needed for the construction of the Dodge Street Reconstruction Project.

6.f FY2025 Pavement Rehabilitation Project
Resolution accepting the work for the FY2025 Pavement Rehabilitation Project.

Comment: Work on the project was recently completed by L.L. Pelling Company, Inc. of North Liberty, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$2,460,000.00
Project Bid Received:	$2,483,512.75
Project Actual Cost:	$1,579,993.06

6.g Traffic Calming 2025 Project
Resolution accepting the work for the Traffic Calming 2025 Project.

Comment: Work on the project was recently completed by Hansen Asphalt of Iowa

City, IA in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Engineer.

Project Estimated Cost:	$40,940.00
Project Bid Received:	$45,940.00
Project Actual Cost:	$65,512.65

6.h 2025 Water Pavement Patching Project

Resolution accepting the work for the 2025 Water Pavement Patching Project.

Comment: Work on the project was recently completed by Eastern Iowa Excavating and Concrete, LLC of Cascade, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$360,000.00
Project Bid Received:	$303,709.80
Project Actual Cost:	$455,792.64

6.i Fire Station 1 and City Hall 3rd Floor Renovation Project

Resolution accepting the work for the Fire Station 1 and City Hall 3rd Floor Renovation Project.

Comment: Work on the project was recently completed by Swanson Construction Co. of Bettendorf, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$900,000.00
Project Bid Received:	$575,000.00
Project Actual Cost:	$660,328.87

6.j Ashton House REAP Grant Improvement Project

Resolution accepting the work for the Ashton House REAP Grant Improvement Project.

Comment: Work on the project was recently completed by All American Concrete, Inc. of West Liberty, IA in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$170,000.00
Project Bid Received:	$200,776.75
Project Actual Cost:	$206,530.57

Work on the project was recently completed by All American Concrete, Inc. of West Liberty, IA in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

6.k 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project

Resolution accepting the work for the 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project.

Comment: Work on the project was recently completed by Municipal Pipe Tool Co., LLC of Hudson, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$550,000.00
Project Bid Received:	$565,239.63
Project Actual Cost:	$535,000.51

6.l Equalization Basin Surface Sealing 2026 Project

Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the Equalization Basin Surface Sealing 2026 Project.

Comment: This item awards the contract for construction of the Equalization Basin Surface Sealing 2026 Project. The engineer's estimated cost for construction of the project was $168,000 and two (2) responsive/responsible bids were received prior to the May 26, 2026 deadline:

Bidder Name	City	Bid
Gee Asphalt Services, Inc.	Cedar Rapids, Iowa	$124,000.00
Taylor Ridge Paving & Construction, Inc.	Davenport, Iowa	$166,000.00

Gee Asphalt Services Inc., of Cedar Rapids, Iowa submitted the lowest responsive, responsible bid and staff recommends awarding the Contract for Equalization Basin Surface Sealing 2026 Project to Gee Asphalt Services, Inc.

6.m Workforce Housing Tax Credits

Resolution in support of the Iowa City Affordable Housing Inc. application for Workforce Housing Tax Incentives from the Iowa Economic Development Authority (IEDA) to construct residential housing at 1002-1006 N. Summit St. and committing local funds to the project.

Comment: Iowa City Affordable Housing Inc. is applying for Workforce Housing Tax Incentives from the Iowa Economic Development Authority to assist with financing for construction of residential housing that will include 36 dwelling units at 1002-1006 N. Summit St. The application requires a resolution of support by the local government as well as a commitment of at least $1,000 per dwelling unit to the project. The City has committed $4,686,800 to the project, representing $130,189 per unit. This resolution also authorizes the City Manager to enter into a

funding agreement with Iowa City Affordable Housing Inc.

6.n Orchard Court Occupant Transition Plan
Resolution approving the Orchard Court Occupant Transition Plan.

Comment: The Annex Group intends to purchase and redevelop approximately 3.3 acres of land at Orchard Court and West Benton Street for a LIHTC project. They have submitted a major site plan for administrative review and approval. Because this redevelopment will result in the demolition of over 12 residential units, they are obligated to submit an occupant transition plan for Council approval. In accordance with City Code, written notice has been mailed to all current occupants of the development property informing them of the application and intention to develop on the site, the anticipated construction timeline, and phasing of the project. Furthermore, evidence has been provided to the City that the redevelopment has been addressed in the current leases. Staff recommends approval.

7. Consent Calendar - Setting Public Hearings

7.a Sale of 1002-1006 N. Summit St. to Iowa City Affordable Housing Inc. (ICAH)
Resolution setting a public hearing for June 16, 2026 on a proposal to convey 1002-1006 N. Summit St. to Iowa City Affordable Housing Inc.

Comment: This resolution sets a public hearing on the proposed conveyance of a vacant City-owned lot on N. Summit Street to Iowa City Affordable Housing Inc. (ICAH) for $750,000. ICAH intends to develop 36 multifamily units serving households earning below 50% of the area median income. The City previously entered into a Loan Agreement with the Housing Trust Fund of Johnson County for this property. Upon conveyance, the City will assign all obligations and requirements under that agreement to ICAH, which will be responsible for the development and long-term management of the project consistent with its terms.

7.b Protected Bike Lane Pilot Project
Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the Protected Bike Lane Pilot Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Comment: This agenda item begins the bidding process for the Protected Bike Lane Pilot Project. This project generally includes the installation of flexible delineators on Dodge Street between Brown Street and Market Street, and on Governor Street between Brown Street and Jefferson Street.

7.c Napoleon Park Softball Fields 5-8 Renovation Project
Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the Napoleon Park Softball Fields 5-8 Renovation Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Comment: This agenda item begins the bidding process for the Napoleon Park Softball Fields 5-8 Renovation Project. This project generally includes laser grading infields, the addition of drainage tile, new outfield turf, backstop hoods, and

replacement of the path system throughout the park.

7.d North Dodge Street and ACT Circle Intersection Improvements Project.
Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the North Dodge Street and ACT Circle Intersection Improvements Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Comment: This agenda item begins the bidding process for the North Dodge Street and ACT Circle Intersection Improvements Project. This project generally includes removal of existing and installation of new storm sewer; installation of subdrain; removal of existing and installation of new sanitary sewer; abandonment, capping and removal of existing water main; installation of new water main, hydrants, fittings and services; removal of existing and installation of new street and sidewalk pavement; and installation of a traffic signal at the intersection of N Dodge Street and ACT Circle.

End of Consent Calendar

8. Community Comment [items not on the agenda (until 7 PM)]
Public comment is intended so that members of the public may be heard by Council. Because Community Comment is for items not properly noticed on the agenda, Council cannot engage in discussion or debate due to open meetings laws.

Only in-person comments will be allowed for Community Comment. Public comment for specific agenda items, which must be directly related to that agenda item, may be made in-person or remotely.

Individuals will be provided 3 minutes to speak. The Community Comment period will end at 7:00 p.m. unless an extension is needed to meet a minimum 30 minutes of total time allocated for the Community Comment period.

The Mayor reserves the right to reduce the 3 minute period based on the number of individuals desiring to speak. Additional comments can be sent to the City Council via council@iowa-city.org or through the City Clerk's Office.

9. Planning & Zoning Matters

9.a Zoning Code Text Amendment - Code Clean Up and State Preemptions
Ordinance amending Title 14, Zoning Code and Title 15, Land Subdivisions to clarify requirements and ensure compliance with changes in state law related to communication tower facilities and accessory dwelling units. (REZ26-0004)

Comment: At its May 6 meeting, the Planning and Zoning Commission recommended approval of this text amendment by a vote of 7-0, including the removal of the planned development overlay provision requiring attached single-family uses in the RS-5 and RS-8 zones to be located only on corner lots, as presented at the meeting. Adoption of the text amendment would clarify requirements and bring the zoning code into alignment with state law.

1. Public Hearing

2. Consider an Ordinance (First Consideration)

10. Regular Formal Agenda

10.a Convey Gas Pipeline Easement

Resolution conveying a gas pipeline easement on and under portions of City property near the Wastewater Treatment Facility to accommodate distribution of renewable natural gas.

Comment: The City is working to facilitate the production of renewable natural gas at its Wastewater Treatment Facility. The City is working with MidAmerican Energy as part of this project. This easement will enable MidAmerican to distribute renewable natural gas from the Facility on behalf of the City. A public hearing was held on May 19, 2026.

1. Public Hearing
2. Consider a Resolution

10.b Human Rights Ordinance Amendment

Ordinance amending Title 2, Human Rights, Chapter 1, General Provisions, Section 1, Definitions: to add a definition of “Sex Stereotyping”, and Title 2, Human Rights, Chapter 2, Human Rights Commission, Section 3, Structure: to amend the Human Rights Commissioner terms to two years in accordance with State law. (First Consideration)

Comment: This ordinance amends the Human Right ordinance to add a definition of sex stereotyping to make clear that discrimination based on sex stereotyping constitutes sex discrimination. It also changes the term length for Commissioners from three years to two, in accordance with a recent change to State law.

10.c MidAmerican Energy Electric Franchise

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants for a period of five years.(Second Consideration)

Comment: The current electric franchise with MidAmerican Energy codified at Title 12, Chapter 1 of the City Code was granted by ordinance effective December 4, 2007, and renewed by ordinance passed November 1, 2016. The ordinance embodies the terms of the agreement reached by the City and MidAmerican in the negotiations preceding its adoption. The franchise has a maximum 25 year term as allowed by Iowa law but provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the twentieth anniversary the franchise will terminate. Thus, the franchise will terminate unless Council acts to renew it before December 4, 2026. A public hearing is required by state law prior to any renewal. Staff is requesting expedited action.

10.d MidAmerican Energy Gas Franchise

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and

operate in the City of Iowa City, a natural gas system to furnish, deliver, and sell natural gas to said City and its inhabitants for a period of five years. (Second Consideration)

Comment: The current gas franchise with MidAmerican Energy codified at Title 12, Chapter 2 of the City Code was granted by ordinance effective December 4, 2007, and renewed by ordinance passed November 1, 2016. The ordinance embodies the terms of the agreement reached by the City and MidAmerican in the negotiations preceding its adoption. The franchise has a maximum 25 year term as allowed by Iowa law but provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the twentieth anniversary the franchise will terminate. Thus, the franchise will terminate unless Council acts to renew it before December 4, 2026. A public hearing is required by state law prior to any renewal. Staff is requesting expedited action.

10.e Eastern Iowa Light and Power Cooperative Electric Franchise
Ordinance granting to Eastern Iowa Light and Power Cooperative, its successors and assigns, the right and franchise to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants, and to enact a two percent (2%) franchise fee on the gross revenue derived from the distribution, delivery, and retail sale of electricity by franchisees to customers within the current or future corporate limits of the City of Iowa City. (Second Consideration)

Comment: Eastern Iowa Light and Power is a rural electric cooperative (REC) that provides electricity in several counties in southeast Iowa, including within Iowa City limits. Eastern Iowa REC previously operated under a license agreement rather than under a franchise agreement, though the license agreement expired in 2008. The proposed ordinance grants Eastern Iowa a franchise for an electric and power system until December 4, 2032 which coincides with the maximum extension for the City's franchise agreements with MidAmerican Energy Company. The proposed ordinance also applies the City's 2% franchise fee on electricity to include Eastern Iowa REC. A public hearing is required by state law when a municipality is considering whether to grant a franchise. Staff is requesting expedited action.

11. Announcement of Vacancies - Previous (The Boards, Commissions and Committee Application can be found at the following: https://www.icgov.org/government/boards-commissions-and-committees/boards-commissions-and-committee-application)

11.a Announcement of Vacancies - Previous
Human Rights Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2028 (Mark Pries resigned).

Applications must be received by 5:00 p.m., Tuesday, July 7, 2026.

Climate Action Commission - One vacancy to fill an unexpired term, upon appointment - 12/31/2027 (Emma Bork resigned).

Applications must be received by 5:00 p.m., Tuesday, June 9, 2026.

Airport Zoning Board of Adjustment - One vacancy to fill a five-year term, January 1, 2026 - December 31, 2030 (Term expires for Andreas Wilz).

Airport Zoning Board of Adjustment - One vacancy to fill a five-year term, January 1, 2024 - December 31, 2028 (Term expired for Heather Flynn).

Board of Appeals - One vacancy for a Licensed Electrician to fill a five-year term, January 1, 2026 - December 31, 2030 (Term expired for Gt Karr). (If a qualified trade representative does not submit an application within three (3) months of the announcement of the vacancy, a member may be appointed who is qualified by experience and training to pass on matters pertaining to building construction).

Board of Appeals - One vacancy for an HVAC Professional to fill an unexpired term, upon appointment - December 31, 2028 (Nicolas Yost resigned). (If a qualified trade representative does not submit an application within three (3) months of the announcement of the vacancy, a member may be appointed who is qualified by experience and training to pass on matters pertaining to building construction).

Historic Preservation Commission - One vacancy for a Brown St representative to fill a three-year term, July 1, 2025 - June 30, 2028 (Term expired for Christina Welu-Reynolds).

Historic Preservation Commission - One vacancy for a Jefferson St representative to fill a three-year term, July 1, 2025 - June 30, 2028 (Formerly advertised as an unexpired term and a full term - Lyndi Kiple resigned).

Historic Preservation Commission - One vacancy for a Woodlawn Ave representative to fill a three-year term, July 1, 2024 - June 30, 2027 (formerly advertised as unexpired term - Kevin Larson resigned).

Vacancies will remain open until filled.

12. City Council Information

13. Report on Items from City Staff
    - City Manager's Office
    - City Attorney
    - City Clerk

14. Adjourn

Item Number: 2.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

National Gun Violence Awareness Day

Attachments: National Gun Violence Awareness Day proclamation

City of Iowa City
PROCLAMATION

Whereas, every day, nearly 130 people in the United States are killed by gun violence and more than 200 are shot and wounded, with an average of more than 19,000 gun homicides every year and people in the United States are 26 times more likely to die by gun homicide than people in other high-income countries; and

Whereas, in Iowa an average year has 362 gun deaths, with a rate of 11.2 deaths per 100,000 people, a crisis that costs the state $4.2 billion each year, of which $53 million is paid by taxpayers. Iowa has the 41st highest rate of gun deaths in the US; and

Whereas, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from those who are a danger to themselves or others; and

Whereas, in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 5, 2026 to recognize the 29th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to Hadiya Pendleton and other victims of gun violence and the loved ones of those victims; and

Whereas, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods, and orange is a color that symbolizes the value of human life; and

Whereas, by wearing orange on June 5, 2026 people across the United States will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

Whereas, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the hands of people who should not have access to them and encourage responsible gun ownership to help keep our families and communities safe.

Now, therefore, I, Bruce Teague, Mayor of Iowa City, do hereby proclaim the first Friday in June, June 5, 2026 to be

National Gun Violence Awareness Day

in Iowa City and encourage all residents to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and to save lives.

_____

Mayor
Signed in Iowa City, Iowa,
this 2nd day of June 2026.

Item Number: 2.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Pride Month

Attachments: Pride Month proclamation

City of Iowa City
PROCLAMATION

Whereas, June 2026 is the 57th anniversary of the Stonewall Uprising in New York City, which is recognized as a catalyst for the modern LGBTQ+ Civil Rights movement; and

Whereas, Iowa City has a diverse Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ+) community and is committed to supporting visibility, dignity and equality for all its residents; and

Whereas, Iowa City has been at the forefront of advancing civil rights for LGBTQ+ people, beginning with leading the nation in adding sexual orientation to its Human Rights Ordinance in 1977 and gender identity in 1995; and while steps have been made toward full LGBTQ+ community equality, members of our national, state, and local community still face discrimination, exclusion and prejudice simply for being who they are and for whom they love; and

Whereas, discrimination against people from the LGBTQ+ community around the world make it imperative for cities like Iowa City to stand up and show support for our LGBTQ+ residents; and

Whereas, Iowa City celebrates LGBTQ+ individuals this month while also recognizing the continued work necessary to build a more just and equitable state for LGBTQ+ people; and

Whereas, June has become a symbolic month in which LGBTQ+ community members and allies come together in various celebrations of Pride, and during which Iowa City will recognize Pride Month by displaying the Pride flag at City Hall throughout the month of June.

Now, therefore, I, Bruce Teague, Mayor of Iowa City, Iowa, do hereby proclaim the month of June 2026 to be

LGBTQ+ Pride Month

in Iowa City, and encourage all community members to participate in Iowa City Pride events and continue working toward a future where everyone is valued, respected, and included.

_____

Mayor
Signed in Iowa City, Iowa,
this 2nd day of June 2026.

Item Number: 2.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Waste and Recycling Workers Week

Attachments: Waste and Recycling Workers Week proclamation

City of Iowa City
PROCLAMATION

Whereas, according to the Center for Disease Control and Prevention, the eradication of many diseases in the Western World is due in large part to higher public sanitation standards resulting from effective garbage disposal; and

Whereas, the proper collection and disposal of waste, recycling and organic waste are integral to preventing litter and dump heaps; and

Whereas, the City of Iowa City values and celebrates dozens of workers in the public and private trash, recycling and organic waste industry in our community; and

Whereas, the City of Iowa City promotes environmental sustainability through reducing waste and increasing recycling and composting.

Now Therefore, I, Bruce Teague, Mayor of Iowa City, Iowa hereby proclaim the week of June 17, 2026, as

Waste and Recycling Workers Week

in Iowa City and urge our community members to recognize the valuable role that collection and removal services for trash, recycling and organic waste play in our daily lives.

_____

Mayor
Signed in Iowa City, Iowa,
this 2nd day of June 2026.

Item Number: 3.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Special Formal Executive Session Summary of Minutes: May 19

Attachments: Special Formal Executive Session Summary of Minutes: May 19

Subject to change as finalized by the City Clerk. For a final official copy, contact the City Clerk's Office 356-5040.

Summary of Minutes
May 19, 2026

Iowa City City Council special formal meeting, 4:00 p.m. held at City Hall – Emma J. Harvat Hall, 410 E. Washington Street. Mayor Teague presiding. Council members present: Alter, Bergus, Harmsen, Salih, Teague, Weilein. Council members absent: Moe. Staff members present: Fruin, O'Brien, Lehmann, Goers, Caro. Unless otherwise noted, all actions were affirmative and unanimous.

Moved by Harmsen, seconded by Salih, to adjourn to executive session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. The Mayor declared the motion carried and adjourned into executive session 4:01p.m.

Council returned to open session 4:17 p.m.

Moved by Bergus, seconded by Alter, to adjourn special meeting 4:18 p.m.

_____
Bruce Teague, Mayor

_____
Yulissa Caro, Deputy Clerk

Item Number: 3.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Work Session Minutes: May 19

Attachments: Work Session Minutes: May 19

CITY OF IOWA CITY
MEMORANDUM

Date: May 26, 2026

To: Mayor and City Council

From: Yulissa Caro, Deputy City Clerk

Re: Council Work Session, May 19, 2026 – 4:18 p.m. at City Hall in Emma J Harvat Hall

Council: Alter, Bergus, Harmsen, Moe (absent), Salih, Teague, Weilein

Staff: Fruin, O'Brien, Lehmann, Goers, Caro, Davies, Knoche, Nagle-Gamm, Carter, Hightshoe, Sovers, Havel

(A transcription is available in the City Clerk's Office and the City website.)

1. Clarification of Agenda Items

No discussion.

2. Information Packet Discussion [May 7, May 14]

- May 7 – No discussion.

- May 14
  1. (IP5 – 2025 Office of Human Rights Annual Review) Councilor Weilein noted the report and his appreciation for all the work they do.

3. Summit Street Development Update

Tracy Hightshoe, Neighborhood and Development Services Director and Rachel Carter, Housing Authority Executive Director presented a PowerPoint on the Summit Street Development. Mark Seabold Architect at Shive-Hattery, Inc., Neil Griffin and Elizabeth Murphy from Baker Tilly were also present. Discussion covered the following:

- Staff presented an update on the North Summit Street affordable housing project, a 36-unit development funded through PRO Housing and ARPA funds.

- Unit mix options presented:
  - **Option 1 (recommended):** 18 one-bed / 6 two-bed / 12 three-bed
    - Lowest cost, strongest financial stability, aligns with funding plan
  - **Option 2 (12/12/12):**
    - Increased construction cost, higher debt risk
  - **Option 3 (equal square footage):**
    - Slight cost increase, weaker long-term revenue (fewer 3-beds)

- Staff recommended Option 1 (18 one-bedroom, 6 two-bedroom, 12 three-bedroom units), saying it best balanced affordability needs, construction costs, and long-term financial stability.

- Housing Authority staff emphasized strong demand for one-bedroom units, especially among elderly and disabled residents, many of whom are currently renting larger units because smaller affordable units are unavailable.

- Architects presented a revised site plan with:
  - Two townhouse-style three-bedroom buildings along Summit Street.
  - A three-story apartment building set farther back on the site.
  - Accessible units, expanded parking, and shared open space.

- Staff clarified the apartments would be open to everyone, not just voucher holders, though a majority of tenants would likely be voucher holders because of demand.

Individual Council members asked questions and expressed their views. City Manager Fruin provided additional information

Action: The City Council selected the unit mix represented as option number 1 in the work session presentation on the Summit Street affordable housing project. Staff will proceed to the next phase of design accordingly.

4. Council updates on assigned boards, commissions, and committees

Council members reported on various assigned boards, commissions, and committees.

Adjourn 5:47 p.m.

Item Number: 3.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Formal Summary of Minutes: May 19

Attachments: Formal Summary of Minutes: May 19

Summary of Minutes
May 19, 2026 - 6:00 PM

Iowa City City Council formal meeting, held at City Hall - Emma J. Harvat Hall, 410 E. Washington St., Mayor Teague presiding. Council members present: Bergus, Harmsen, Salih, Teague, Weilein. Council members absent: Alter, Moe. Staff members present: Fruin, O'Brien, Lehmann, Goers, Caro, Knoche, Havel, Sovers, Olsson, Hightshoe, Thul, Nagle-Gamm, Worrell, Davies, Schmadeke, Riedinger.

1. Call to Order

2. Proclamations

2.a Mississippi River Day

Nancy Porter, Co Vice President of the League of Women Voters Upper Mississippi River Region which includes the states of Iowa, Minnesota, Illinois, Wisconsin and Missouri, accepting.

Motion to accept correspondence from Nancy Porter. Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

3. Consent Calendar - Approval of Council Actions (subject to corrections, as recommended by the City Clerk)

3.a Work Session Minutes: May 5
3.b Formal Summary of Minutes: May 5

4. Consent Calendar - Receive and File Minutes

4.a Airport Commission: March 12
4.b Board of Adjustment: April 8
4.c Climate Action Commission: April 6
4.d Parks & Recreation Commission: April 8
4.e Planning & Zoning Commission: March 4 [See Recommendations]

5. Consent Calendar - Permit Motions and Resolution (as recommended by the City Clerk)

5.a Liquor License - New

1. **Special Class C Retail Alcohol License (6.3.26-6.7.26) for Summer of the Arts Inc. (App. 0-010-274-402), dba Beverage Garden- Arts & Jazz Festivals, 9 N. Clinton St.**
2. **Special Class C Retail Alcohol License (7.1.26-7.5.26) for Summer of the Arts Inc. (App. 0-010-418-802), dba Beverage Garden- Arts & Jazz Festivals, 9 N. Clinton St.**

5.b Liquor License - Renewal

1. **Class C Retail Alcohol License for Big Grove Iowa City LLC (LC0043132), dba Big Grove Brewery & Tap Room,1225 S. Gilbert St.**
2. **Outdoor Service Area for Big Grove Iowa City LLC (LC0043132), dba Big Grove Brewery & Tap Room,1225 S. Gilbert St.**
3. **Class E Retail Alcohol License for G & M Sarsa LLC (LE0004422), dba Hawks Mighty Mart, 504 E. Burlington St.**
4. **Class E Retail Alcohol License for Wise Food LLC (LE0003440), dba City Liquor, 425 S. Gilbert St.**
5. **Class E Retail Alcohol License for Linn Food LLC (LE0003506), dba Hawkeye Smoke and Liquor,108 E. College St.**
6. **Class C Retail Alcohol License for Christian Retirement Services Inc. (LC0041694), Oaknoll Retirement Residence, 735 George St.**

5.c Cigarette Permit – New

1. **Cigarette Permit for Warehouse Goods LLC, dba Essentials Iowa City, 560 Highway 1 W**
2. **Device Permit for Warehouse Goods LLC, dba Essentials Iowa City, 560 Highway 1 W** (Resolution 26-141)

5.d Cigarette Permit – Refund

1. **Resolution to refund an unused portion of a Cigarette Permit for Kwik Trip Inc. (871096027), dba Kwik Spirits 537, 923 S. Riverside Dr.** (Resolution 26-142)

6. Consent Calendar - Resolutions and Motions

6.a Motion to approve disbursements in the amount of $11,503,072.14 for the period of March 1 through March 31, 2026, as recommended by the Finance Director subject to audit. Disbursements are published and permanently retained in the City Clerk's office in accordance with State.

6.b Motion approving the appointment of Eden Coy as the City Council Liaison from the Iowa Undergraduate Student Government (USG) to the City Council until May 1, 2027.

6.c Resolution authorizing the Mayor to sign and the City Clerk to attest the FY27 28E Agreement between the City of Iowa City and Johnson County for the Mobility Coordinator position. (Resolution 26-143)

6.d Resolution accepting the work for the Asphalt Resurfacing 2024 Project. (Resolution 26-144)

6.e Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the Camp Cardinal Road Extension Project. (Resolution 26-145)

6.f Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the North Market Square Park Improvements Project. (Resolution 26-146)

6.g Resolution approving a loan agreement with the Housing Trust Fund of Johnson County for 1002-1006 N. Summit St. (Resolution 26-147)

6.h Resolution accepting payment of $300.00 civil penalty and waiver of right to hearing from Hartig Drug #10. (Resolution 26-148)

6.i Resolution accepting payment of $300.00 civil penalty and waiver of right to hearing from Hawks Mighty Mart. (Resolution 26-149)

6.j Resolution accepting payment of $300.00 civil penalty and waiver of right to hearing from Hy-Vee Drugstore. (Resolution 26-150)

6.k Resolution accepting payment of $300.00 civil penalty and waiver of right to hearing from Hy-Vee Fast & Fresh #3. (Resolution 26-151)

6.l Resolution accepting payment of $300.00 civil penalty and waiver of right to hearing from The Konnexion. (Resolution 26-152)

6.m Resolution accepting payment of $1,500.00 civil penalty and waiver of right to hearing from Almost Paradise Mini. (Resolution 26-153)

6.n Resolution accepting use of Section 453A.22(3) affirmative defense to tobacco civil penalty by Almost Paradise Mini.(Resolution 26-154)

6.o Resolution approving an agreement with the Summer of the Arts, Inc. to allow the sale and possession of beer and wine during the Arts Fest and Jazz Fest. (Resolution 26-155)

6.p Resolution Authorizing the Procurement of Columbaria Design and Installation (Resolution 26-156)

7. Consent Calendar - Setting Public Hearings

7.a Motion setting a public hearing for June 2, 2026 on an ordinance amending Title 14, Zoning Code and Title 15, Land Subdivisions to clarify requirements and ensure compliance with changes in state law related to communication tower facilities and accessory dwelling units. (REZ26-0004)

7.b Resolution of Intent to Consider the proposed conveyance of a gas pipeline easement on and under portions of City property near the Wastewater Treatment Facility to accommodate distribution of renewable natural gas and setting a Public Hearing on said conveyance for June 2, 2026. (Resolution 26-157)

End of Consent Calendar

Motion to approve consent calendar, items 3-7, removing item 6.g for separate consideration. Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

Motion to accept correspondence for item 6.b. Moved by Mazahir Salih, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

Motion to approve item 6.g. Moved by Oliver Weilein, seconded by Shawn Harmsen. **Motion Passed. (4 Ayes) Salih recused. Alter and Moe absent.**

8. Community Comment [items not on the agenda (until 7 PM)]
The following Individual appeared: Chris Lawrence.

9. Regular Formal Agenda

9.a Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants for a period of five years.

Assistant City Manager Lehmann presented information on items 9.a and 9.b.

Motion to give first consideration . Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.b Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, a natural gas system to furnish, deliver, and sell natural gas to said City and its inhabitants for a period of five years.

Presentation was given with item 9.a by Assistant City Manager Lehmann.

Motion to give first consideration . Moved by Shawn Harmsen, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.c Ordinance granting to Eastern Iowa Light and Power Cooperative, its successors and assigns, the right and franchise to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants, and to enact a two percent (2%) franchise fee on the gross revenue derived from the distribution, delivery, and retail sale of electricity by franchisees to customers within the current or future corporate limits of the City of Iowa City.

Assistant City Manager Lehmann presented information. Individual Council members asked questions and expressed their views.

Motion to give first consideration . Moved by Shawn Harmsen, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.d Resolution amending the current budget for fiscal year ending June 30, 2026.

Finance Director Nicole Davies presented information.

Motion to approve resolution 26-158. Moved by Mazahir Salih, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.e Resolution approving project manual and estimate of cost for the construction of the Robert A Lee Recreation Center Roof Replacement Project 2026, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Facilities Manager Worrell presented a PowerPoint. Individual Council members asked questions and expressed their views.

Motion to approve resolution 26-159. Moved by Oliver Weilein, seconded by Mazahir Salih. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.f Resolution approving project manual and estimate of cost for the construction of the Water Pavement Patching 2026 Project, establishing amount of bid security to accompany each bid, directing City Clerk to post notice to bidders, and fixing time and place for receipt of bids.

Civil Engineer Schmadeke presented a PowerPoint. Individual Council members asked questions and expressed their views.

Motion to approve resolution 26-160. Moved by Laura Bergus, seconded by Mazahir Salih. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.g Resolution conveying an Electric Easement on and under portions of City Property near Willow Creek Drive.

City Attorney Goers presented information.

Motion to approve resolution 26-161. Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.h Ordinance amending Title 3, entitled "Finance, Taxation and Fees," Chapter 4, entitled "Schedule of Fees, Rates, Charges, Bonds, Fines and Penalties". (Pass and Adopt)

Motion to pass and adopt ordinance 26-4985. Moved by Oliver Weilein, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.i Resolution Adopting the Human Rights Grant Allocations for Fiscal Year 2026

Human Rights Commissioners Doug Kollasch and Emily Harkin presented information. Individual Council members asked questions and expressed their views.

Motion to approve resolution 26-162. Moved by Mazahir Salih, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

9.j Resolution adopting Iowa City's FY27 Annual Action Plan which is a sub-part of Iowa City's 2026-2030 Consolidated Plan (City Steps 2030).

Senior Community Development Planner Thul presented a PowerPoint.

Motion to approve resolution 26-163. Moved by Oliver Weilein, seconded by Laura Bergus. **Motion Passed. (4 Ayes) Salih recused. Alter and Moe absent.**

9.k Resolution allocating Aid to Agencies funding for Fiscal Year 2027. Senior

Community Development Planner Thul presented a PowerPoint. Individual Council members asked questions and expressed their views.

Motion to approve resolution 26-164. Moved by Oliver Weilein, seconded by Laura Bergus. **Motion Passed. (4 Ayes) Salih recused. Alter and Moe absent.**

9.l Resolution approving, authorizing and directing the Mayor to execute and the City Clerk to attest Amendment 1 to an Agreement by and between the City of Iowa City and Neumann Monson Architects Inc., of Iowa City to provide architecture and engineering consultant services for the Transit and Equipment Facilities Replacement Project.

Transportation Director Nagel-Gamm, Senior Facilities Designer Riedinger, and Architect Jesse Bulman from Neumann Monson Architects presented a PowerPoint. Individual Council members asked questions and expressed their views.

Motion to approve resolution 26-165. Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10. Council Appointments

10.a Airport Commission - Two vacancies to fill four-year terms, July 1, 2026 - June 30, 2030 (Terms expire for Judith Pfohl and Warren Bishop). Correspondence included in Council packet.

Motion to appoint Warren Bishop and Judith Pfohl. Moved by Mazahir Salih, seconded by Shawn Harmsen. **Motion Passed. (5 Ayes) Alter and Moe absent.**

Motion to accept correspondence . Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.b Historic Preservation Commission - Two vacancies for At-Large representatives to fill three-year terms, July 1, 2026 - June 30, 2029 (Terms expire for Frank Wagner and Andrew Lewis).

Motion to appoint Andrew Lewis and Hannah Snyder . Moved by Shawn Harmsen, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.c Historic Preservation Commission - One vacancy for a Longfellow representative to fill a three-year term, July 1, 2026 - June 30, 2029 (Term expires for Carl Brown).

Motion to appoint Adam Clore. Moved by Oliver Weilein, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.d Historic Preservation Commission - One vacancy for a Northside representative to fill a three-year term, July 1, 2026 - June 30, 2029 (Term expires for Deanna Thomann).

Motion to appoint Deanna Thomann . Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.e Housing & Community Development Commission - Two vacancies to fill three-year terms, July 1, 2026 - June 30, 2029 (Terms expire for Kyle Vogel and Sarah Murray).

Motion to appoint Sarah Murray and Nicholas Bargren . Moved by Shawn Harmsen, seconded by Mazahir Salih. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.f Parks & Recreation Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2027 (Virginia Hayes resigned).

Motion to appoint Sabrina James Vorhies. Moved by Laura Bergus, seconded by Oliver Weilein. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.g Planning & Zoning Commission - Two vacancies to fill five-year terms, July 1, 2026 - June 30, 2031 (Terms expire for Colette Atkins and Steven Miller).

Motion to appoint Colette Atkins and Steven Miller . Moved by Mazahir Salih, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

10.h Public Art Advisory Committee - One vacancy for an At-Large representative to fill a three-year term, July 1, 2026 - June 30, 2029 (Term expires for Anita Jung). [This vacancy will be changed from an Art or Design Professional to an At-Large representative to match the updated bylaws, Resolution 26-59.]

Motion to appoint Anita Jung. Moved by Laura Bergus, seconded by Mazahir Salih. **Motion Passed. (5 Ayes) Alter and Moe absent.**

11. Announcement of Vacancies - New (The Boards, Commissions and Committee Application can be found at the following: https://www.icgov.org/government/boards-commissions-and-committees/boards-commissions-and-committee-application)

11.a Human Rights Commission - One vacancy to fill an unexpired term, upon appointment - December 31, 2028 (Mark Pries resigned). Correspondence included in Council packet.

Applications must be received by 5:00 p.m., Tuesday, July 7, 2026.

Motion to accept correspondence from Mark Pries. Moved by Oliver Weilein, seconded by Laura Bergus. **Motion Passed. (5 Ayes) Alter and Moe absent.**

12. **Announcement of Vacancies - Previous (The Boards, Commissions and Committee Application can be found at the following: https://www.icgov.org/government/boards-commissions-and-committees/boards-commissions-and-committee-application)**

12.a Climate Action Commission - One vacancy to fill an unexpired term, upon appointment - 12/31/2027 (Emma Bork resigned).

Applications must be received by 5:00 p.m., Tuesday, June 9, 2026.

Airport Zoning Board of Adjustment - One vacancy to fill a five-year term, January 1, 2026 - December 31, 2030 (Term expires for Andreas Wilz).

Airport Zoning Board of Adjustment - One vacancy to fill a five- year term, January 1, 2024 - December 31, 2028 (Term expired for Heather Flynn).

Board of Appeals - One vacancy for a Licensed Electrician to fill a five-year term, January 1, 2026 - December 31, 2030 (Term expired for Gt Karr). (If a qualified trade representative does not submit an application within three (3) months of the announcement of the vacancy, a member may be appointed who is qualified by experience and training to pass on matters pertaining to building construction).

Board of Appeals - One vacancy for an HVAC Professional to fill an unexpired term, upon appointment - December 31, 2028 (Nicolas Yost resigned). (If a qualified trade representative does not submit an application within three (3) months of the announcement of the vacancy, a member may be appointed who is qualified by experience and training to pass on matters pertaining to building construction).

Historic Preservation Commission - One vacancy for a Brown St representative to fill a three-year term, July 1, 2025 - June 30, 2028 (Term expired for Christina Welu-Reynolds).

Historic Preservation Commission - One vacancy for a Jefferson St representative to fill a three -year term, July 1, 2025 - June 30, 2028 (Formerly advertised as an unexpired term and a full term - Lyndi Kiple resigned).

Historic Preservation Commission - One vacancy for a Woodlawn Ave representative to fill a three-year term, July 1, 2024 - June 30, 2027 (formerly advertised as unexpired term - Kevin Larson resigned).

Vacancies will remain open until filled.

13. **City Council Information**
Council members reported on various meetings attended, upcoming meetings, community events, and items of interest.

14. **Report on Items from City Staff**
Deputy Clerk Caro provided information.

15. Adjourn

Motion to adjourn 7:31 pm. Moved by Mazahir Salih, seconded by Oliver Weilein.
Motion Passed. (5 Ayes) Alter and Moe absent.

_____
Mayor

_____
Deputy City Clerk

Item Number: 4.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Historic Preservation Commission: March 12

Attachments: Historic Preservation Commission: March 12

MINUTES APPROVED
HISTORIC PRESERVATION COMMISSION
MARCH 12, 2026 – 5:30 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL

MEMBERS PRESENT: Margaret Beck, Kevin Burford, Austin Curfman, Andrew Lewis, Deanna Thomann, Nicole Villanueva, Frank Wagner

MEMBERS ABSENT: Carl Brown,

STAFF PRESENT: Jessica Bristow, Anne Russett

OTHERS PRESENT:

CALL TO ORDER:

Lewis called the meeting to order at 5:30 p.m.

PUBLIC DISCUSSION OF ANYTHING NOT ON THE AGENDA:

None.

CERTIFICATE OF APPROPRIATENESS:

HPC26-0008: 714 East College Street - College Green Historic District (rear stair and canopy demolition and door to window alteration):

Bristow stated this house was built in 1895 and had a fire in 1910, she showed an image of what the house looked like prior to the fire and noted all of the roof pitch, the gable on the hip roof, as well as the configuration of the dormer roof were changed and it is now much lower. This current project is to remove a door and stairs and some awnings. Bristow also noted after the fire the house became a fraternity, and then in the 1930s it became an apartment building, and she is assuming that the door that they're removing was put in when it was an apartment building. There's a modern roof canopy over the stairs to the apartment and the door that will be removed. She pointed out a window aligned below that and noted a lot of these houses tend to have a window pattern where if there's one below then there's one above or the other way around. Therefore, it's highly likely, even though they don't have any photos that show that, there had been a window there in the past. Bristow stated the owner said that he might have found a header or something for that in the wall. Bristow stated this house had its synthetic siding removed after the tornado in 2006 and also pointed out the addition that was probably added when it became a fraternity. She noted the new window will match the neighboring windows, it will have the same head height and sill location. Another one of the past projects after the tornado was they were approved to replace deteriorated siding with either wood or a smooth cement board and therefore will patch the area below the windowsill with matching siding and it would also have trim to match the other windows.

Bristow reviewed the guidelines regarding replacing the siding and how the windows will match the others as well as adding new windows in a location that is consistent with the window pattern. The guidelines also talk about the material for new windows and about duplicating the historic trim. Bristow stated that even though there are technically no guidelines related to removing non-historic doors, in the in the demolition section there is a point about removing non-historic alterations. The door, the canopy and the stairs are all non-historic alterations. She also noted the applicant did submit window product, and staff is looking at it and are checking to make sure they weren't installing a window that

had integral trim, like brick mold or something.

So therefore, staff recommends approval a Certificate of Appropriateness for the project at 714 East College Street as presented in the staff report with the following conditions:

- The window product is approved by staff

The owner, John Rummelhart, stated he worked with staff and this Commission in the past for the siding replacement after the tornado and ended up using cement board. While the paint has faded a bit it still looks pretty good. Noted he's been working with Knebel Windows and they know what is needed for the guidelines. He noted the house next door on the corner at 706 College which was a huge renovation that Frank Wagner was part of, and they replaced some windows over there too that had been vinyl. The profile of the new windows will match the existing windows.

MOTION: Beck moves to approve a Certificate of Appropriateness for the project at 714 East College Street as presented in the staff report with the following conditions:

- The window product is approved by staff

Villanueva seconded the motion.

Burford noted it looks like a great improvement and wanted to recognize that the owner has always been a good steward of that property.

Thomann noted it's a big structure and visually it will really improve the property by getting rid of that that added on structure. She noted these are the types of projects she likes to approve and feel good about.

A vote was taken and the motion passed 7-0.

REPORT ON CERTIFICATES ISSUED BY CHAIR AND STAFF:

Certificate of No Material Effect- Chair and Staff Review:

HPC26-0008: 1322 Muscatine Avenue - Longfellow Historic District (pointing of stone cladding):

Bristow stated this is the northern most of the Moffat cottages. It will be for sale soon, so they are pointing the stone first as it has some pretty big cracks in it.

CONSIDERATION OF MINUTES FOR FEBRUARY 23, 2026:

MOTION: Thomann moves to approve the minutes of the Historic Preservation Commission's February 23, 2026. Wagner seconded the motion. The motion carried on a vote of 7-0.

COMMISSION INFORMATION:

None.

COMMISSION DISCUSSION:

Historic Preservation Awards - Save the Date: Wednesday, March 25, 2026
Bristow stated they have heard back from everyone and are working on writing the program. She discussed who will be presenting each section of the program and Villanueva, Beck, and Burford volunteered to

speak. Bristow will send out a press release soon regarding the time of the event and details, all are invited to attend.

ADJOURNMENT:

The meeting was adjourned at 5:53pm.

HISTORIC PRESERVATION COMMISSION ATTENDANCE RECORD
2025-2026

NAME	TERM EXP.	2/13	3/13	4/10	5/8	6/12	7/10	8/14	10/9	11/20	12/11	2/23	3/12
BECK, MARGARET	6/30/27	X	X	X	O/E	X	X	X	X	X	X	X	X
BROWN, CARL	6/30/26	X	X	O/E	O/E	X	X	O/E	O/E	X	O/E	X	O/E
BURFORD, KEVIN	6/30/27	O/E	X	X	X	X	X	X	X	X	O/E	X	X
CURFMAN, AUSTIN	6/30/2028	---	---	---	---	---	X	O/E	X	O/E	X	X	X
LEWIS, ANDREW	6/30/26	X	X	X	X	O/E	X	X	X	X	X	X	X
RUSSELL, RYAN	6/30/27	X	X	X	X	X	X	X	O/E	O/E	X	---	---
SELLERGREN, JORDAN	6/30/25	X	X	X	X	X	---	---	---	---	---	---	---
THOMANNN, DEANNA	6/30/26	X	O/E	X	X	X	X	X	X	X	X	X	X
VILLANUEVA, NICOLE	6/30/25	O/E	X	X	X	X	X	X	X	X	X	X	X
WAGNER, FRANK	6/30/26	O/E	X	O/E	X	O/E	O/E	X	X	X	X	X	X
WELU-REYNOLDS, CHRISTINA	6/30/25	X	X	O/E	X	X	---	---	---	---	---	---	---

KEY: X = Present
O = Absent
O/E= Absent/Excused
--- = Not a member

Item Number: 4.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Historic Preservation Commission: April 9

Attachments: Historic Preservation Commission: April 9

MINUTES APPROVED
HISTORIC PRESERVATION COMMISSION
APRIL 9, 2026 – 5:30 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL

MEMBERS PRESENT:	Margaret Beck, Carl Brown (via zoom), Kevin Burford, Trista Carlson, Austin Curfman, Andrew Lewis, Deanna Thomann, Nicole Villanueva
MEMBERS ABSENT:	Frank Wagner
STAFF PRESENT:	Jessica Bristow, Anne Russett
OTHERS PRESENT:	Bethany Berger, David Villanueva, Ray Werner, Isobel Perez

CALL TO ORDER:

Lewis called the meeting to order at 5:30 p.m.

PUBLIC DISCUSSION OF ANYTHING NOT ON THE AGENDA:

None.

CERTIFICATES OF APPROPRIATENESS:

HPC26-0009: 431 South Summit Street - Summit Street Historic District (Rear porch addition, deck removal, door changes):

Lewis stated for this application Villanueva would need to recuse and then there would not be a quorum so they will move this application to later in the agenda because they are waiting on another member to arrive at the meeting (Brown was not present yet).

HPC26-0011: 817 South 7th Avenue - Dearborn Street Conservation District (Install vinyl siding and aluminum coil stock on front facade):

Russett stated the applicant has withdrawn this application so there is no action that the Commission needs to take tonight.

HPC26-0014: 314 Church Street- Northside Historic District (window alteration and skylight installation):

Bristow stated this house is an asymmetrical Queen Anne with a very complicated roof, it's basically a hip roof with a gable on hip and it has a wing on each side. From the Sanborn Fire Insurance Map they can see the main form with the wings on each side and a wraparound porch. She noted the cross gable wing on the back of the house and pointed that out because part of what they will be looking at is an addition to this wing. Bristow does not know when this addition was put on, the house was purchased about 1968 by one of the sororities who used it as their national or regional office and they filled in an area with a two story addition, and then later, in 1992, they added a one story addition across the back, taking off the open porch seen in the Sanborn Map. Bristow stated the house is clad in synthetic siding right now but they can see the fish scales on the tower, which is one of the more architecturally interesting things about this house. Another thing that's interesting is that it's almost a twin to the house next door, which has been completely altered with the tower cut off and the one next door doesn't have quite the same amount of additions. Bristow shared photos of the house from various angles noting the additions from 1899, the late 1960s and the one from 1992. Bristow noted the project has two parts,

one part is taking two windows, which are located right behind the stairs in that 1992 addition and raising the sill. The new owner is turning this into a single-family home again, which it hasn't been for at least 60 years or more, and that will be the kitchen area. Raising the sill allows the kitchen counter to pass underneath. Another thing that's interesting about this whole situation is the window sizes, most of the windows on the house tend to be a similar proportion to the upper floor windows in this addition. The windows that will be altered are the only paired windows on the house, and they're also much longer and thinner than the rest of the windows. Bristow showed a mockup of the proposed windows which are more similar to the proportion of the windows above, because they're not quite as long and thin. She noted at the time that the owners put in the application that was roughly the size of the windows that they wanted to install but after talking to them she found out that they actually wanted to widen each of those windows. Typically, when the sill is raised, the overall width of the opening remains the same, but here they are proposing to widen them. Staff originally thought that it made it look a little bit too much like a midcentury type of window (more horizontally oriented), however this would be up to the Commission to decide. The window is not visible from the street because it's back behind the stairs.

Bristow stated the other part of the project was adding a skylight in the back because there is a restroom on the second floor with no windows, so part of the project would be to put a skylight there. However, they did not actually include this as part of the application as it is something that could be staff approvable, but she went ahead and included it because it is easy thing to approve with product information. The guidelines for the skylight state using a metal frame skylight, as opposed to something like a vinyl or a PVC type product, it is not recommended to put them on prominent street elevations, and this would be on the back. For windows the guidelines recommend using wood windows or metal clad solid wood windows, and when they are synthetic material or metal, the sashes need to be dark because they won't be painted. The guidelines also state to add windows that match the type, size, sash width, trim, use of divided lights and overall appearance of the historic windows. If a window opening is to be relocated, it should not detract from the overall fenestration pattern. In this case they are not really relocating, they are resizing and staff thinks that the changes are towards the rear of the house and in a portion that is an addition, and as originally proposed the new windows would match the proportion of the other windows on the house. Bristow noted raising a sill for a kitchen counter has gained consensus over time, and the Commission has approved it repeatedly. Staff does recommend approval for the trim and siding on this project to match the synthetic trim and siding because there's not a plan right now to remove all the rest of it. This is also an addition of an unknown date, maybe the late 1960s, and it might be that the synthetic siding and trim was put on when that addition happened, so there might not be any historic trim under there. The new proposal would widen the windows and give them a more square proportion and staff does not recommend approval of that, but again, the Commission can approve it. Staff does recommend approval of the skylight in the rear slope, with the condition that product information is submitted and reviewed.

Lewis asked between the original plan windows versus the new wider windows which ones match the width of the other windows in the house. Bristow stated all the rest of the historic windows on the house are 30 by 64 and the two windows that will be altered are only 24 inches wide but 70 inches tall. The original proposal would keep a 24 inch window, but it would be reduced to 48 inches high. What they want to put in instead is a 30 by 48 so one and a half times the width for the height.

Villanueva noted what the applicants are proposing would match the width of their other windows.

{Carl Brown joined the meeting}

Villanueva asked why the 30 by 48 windows would look midcentury. Bristow explained that Victorian windows tend to be very long and thin vertically, at least twice as tall as they are wide and then later in the middle of the century the emphasis went horizontal, so a double hung window in a house anywhere

from the 1940s on it tends to be squarer instead of being more vertically rectangular. That's why staff felt these windows to be more midcentury, but it is a fact that they would match the width of the historic windows on the house. The originally proposed windows are more narrow than the other windows on the house but are the same proportion, twice as tall as they are wide. The recent proposal would match the width but would only be 1 ½ times as tall as they are wide.

Bethany Berger (314 Church Street) stated that to have the wider windows will make it look more similar to the windows above, and obviously it would create more interior window space. She was talking to the contractor and asked if there's any way they could have a window that's a bit taller than 48 inches and he said they could possibly add about six inches if that would make any difference.

Bristow noted they wouldn't want them to raise the head height, because typically that's going to be similar to the head height of the other windows around. Berger stated where that window is one doesn't see any other first floor windows.

MOTION: Beck moves to approve a Certificate of Appropriateness for the project at 314 Church Street as presented in the staff report with the following conditions:

- The new windows remain 24 inches wide.
- The altered windows are two individual windows installed with framing and trim between them.
- Skylight product information is submitted for staff review

Villanueva seconded the motion.

Lewis stated if they go wider they will be matching the width of the rest of the windows on the house and that makes sense, having them thin and long right now looks very out of place. He would be in favor of removing the first bullet point of the motion.

Beck stated she agrees and feels the same way about the width and is willing to amend her motion if that's what the committee wants.

Burford stated he assumes that the purpose of using the wider window would be to admit more light and just a functional purpose so he would be amenable to the larger size.

Villanueva agreed she is also completely fine with the 30 inch width windows because it matches the rest of the windows and also can't be seen it from the street.

AMENDED MOTION: Beck moves to approve a Certificate of Appropriateness for the project at 314 Church Street as presented in the staff report with the following conditions:

- The new windows may be 30 inches wide.
- The altered windows are two individual windows installed with framing and trim between them.
- Skylight product information is submitted for staff review

Villanueva seconded the amended motion.

A vote was taken and the motion passed 8-0.

HPC26-0009: 431 South Summit Street - Summit Street Historic District (Rear porch addition, deck removal, door changes):

Villanueva recused herself as this is her house.

Bristow began the staff report with a little bit about this house's history because it relates to the drawings, and it has changed dramatically. The photo from Google in 2022 shows what the house looks like right now but the owners have photos from the 1920s that show how it looked when it was built in 1878 as an Italianate cross gable house with a front facing gable and then another side facing gable in the back. The house had a wrap-around porch and all of the Italianate details such as single columns and the existing window trim is still there. Bristow noted the fact that it was raised up off of grade, and the approach came directly from the street. Bristow stated there was a fire at this house, but they just repaired it. Then in the 1930s the local architect, J Bradley Rust worked on the house, and he remodeled it. Bristow thinks that he probably put on the rear addition at that time. Then by 1935 he started replacing the Italianate details with the popular (at the same) Colonial Revival style. The door has changed to a Colonial Revival surround, they've added shutters, they've removed the porch, and they've changed the grade so that there's no longer the need for a porch raised up off the grade and steps, they just come directly up with steps on the side, which is the existing condition. Bristow stated the remodeling continued and then by 1944 the roof had been replaced with a hip roof, and the same with what was a crossing gable, it is now a hipped roof on the wing. At some point in time, the partial width front porch was added. Staff has been searching through town to see what other houses happen to have similar very plain, scalloped trim, and have found it on some 1940s houses so it was probably just popular at the time. Bristow finds it very interesting that the columns are similar to what an Italianate house might have only they are double and when the house was Italianate, they were single. Regarding the rear of the house, Bristow pointed out the wing that was probably added on in the 1930s, as part of that Colonial Revival remodel. The trim is simplified and there's a bracketed hood on the Italianate portion of the house for the trim. Bristow also noted this house has synthetic siding.

Bristow explained the current project is to remove the modern deck and the modern door on the north side, which is much shorter than the rest of the doors and windows on this floor. They will also remove the cellar access and move that inside, and they are going to put on a rear porch that's just a partial width porch to provide access through the kitchen, which they're remodeling. Bristow pointed out a window that will come out and the door will be moved over just a little bit in order to facilitate the remodel of the kitchen and balance a little better with the window patterning on this portion of the house. Bristow stated there are some things in the drawing that are a little bit inconsistent with the project, for instance they talk about the new porch roof matching the front porch roof but that's not what they should do as the front porch roof is failing and has no slope. Instead, the new porch roof should match the roofs over the projecting bays instead. Bristow noted they also show the stairs as just a narrow set of stairs and typically stairs on a porch should span from column to column but this is a just a small partial width porch to terminate that railing so part of the staff recommendation is to have the stairs be full width of the porch that way they don't have to replicate too many piers in such a small space.

Bristow pointed out the drawings show that the new rear porch aligns with the front porch, but that is not actually recommended so staff will mark it up to match the existing bays. Also the railing drawn on the front porch is somewhat similar to what's existing and the drawings currently say the new porch railing will match existing, but they would not be matching that and they would not match the rear deck that they are removing because the deck has a wrought iron railing, which is disallowed in the guidelines, so they would need to match the guidelines.

Bristow reviewed the guidelines regarding the balustrade and handrails with the spindles and top and foot rails, with doors they could be wood or fiberglass, but it would need to match the other door heights. Porches should use a vertical grain Douglas Fir is recommended, the drawings did say they would match the front porch which has a concrete floor, but that's not what is being proposed. Staff would recommend that this is at least a tongue and groove floor, maybe a little flexibility if the Commission wanted to because it's on the rear of the property, but it should be some type of wood.

Bristow noted there's also not skirting shown and the guidelines would want skirting under it if the space is 18 inches tall or greater. The drawings don't show exactly how tall that one is, so that will need to be determined. In the siding section it states that matching synthetic siding may be used to repair damage, and in this case there's not a plan to remove all the siding, so they could potentially find a replacement to just patch what is needed, and staff would recommend allowing them to just do that. All the trim on this house is wood, and it's exposed so they should match the trim. In the window section it does talk about if an opening is to be relocated it should not detract from the overall fenestration pattern. While it's not a window but a door, it's an opening and they are removing the undersized door and by shifting over the location from where that existing window is they're fitting the window pattern and moving away from the corner of the house. For additions, the guidelines talk about matching horizontal lines, putting them at the rear, constructing a foundation that appears similar to the existing house. This house has a stone foundation that's mostly parch coated, so the piers for this porch, which are the foundation, could either be a smooth concrete or they could be parch coated to match. When constructing a roof, overhangs and soffits are to match and Bristow reiterated they are proposing to match that bay.

Bristow also stated another important thing for this particular property is the fact that in the Summit Street Historic District there is a limitation on how far into the rear of the property the primary structure or house can extend, and that's limited to 125' in order to preserve the rear yards. She noted a lot of the houses are pushed back pretty far and they don't want them to extend so far that they have no rear yard. The owner knew that this house actually extends just a little bit further than that so they came to the Commission in September 2023 to determine whether or not they would be able to do an addition in the future. At that time the Commission was open to allowing them to put an addition on this house, but their idea of an addition changed from an enclosed addition to a porch, but it is still an addition. That addition/porch would be approved through an exception to the guidelines. Finally, demolition guidelines talk about removing non-historic features as a good thing, which they're doing here.

Bristow stated staff is still looking at the door product, just because they've submitted a two panel door with a half-light, but she is unsure of what the material is exactly, so they'll get that worked out.

Therefore, staff recommends approval a Certificate of Appropriateness for the project at 431 S. Summit as presented in the staff report through an exception to the guidelines for uncommon situations with the following conditions:

- The floor is tongue- and-groove
- The piers and balustrade comply with the guidelines
- The porch roof matches the bays, not the front porch roof.
- The steps are full width

Brown was curious when this was discussed in September 2023 and approved with an exception, what was the thinking on the exception, was it the same as all that apply to this exact same situation, in which case makes it very easy to think about. Bristow stated she did not go through the minutes but thinks that part of the discussion was about the fact that they have a very tiny kitchen, and they wanted to be able to expand that. By changing the location of the door, it will allow them to expand the kitchen in that direction, and since it's probably going to remain a galley kitchen having the door at the end and not in the middle is better for their space use.

Lewis asked regarding the question about the 125' rule, in September 2023 what the reasons were the Commission was willing to expand beyond the 125 feet.

Beck stated from her memory she believes the property is immediately adjacent or very close to another property that was grandfathered in and violates this rule as well.

Lewis noted most of the houses on Summit Street actually don't follow that rule as it was seemingly created after the fact, which was part of the discussion as well.

David Villanueva (431 South Summit Street) just wanted to be available to answer any questions anybody in the Commission might have. He stated this has been a project over three years in the making, and so they're open and willing to work with the Commission as much as necessary. Staff has been pretty thorough and done a good job at addressing all the questions but if anybody else has any remaining questions, he is more than willing to talk at length about the plethora of things that have popped up as they've tried to get this kitchen remodel taken care of.

Burford asked about the Dorothy doors that go down to the cellar, will they have to fill that in. Villanueva stated the current thought is to essentially just create a concrete ceiling for that or maybe even turn it into a storm area, but that way they could build the porch over that and try to minimize the amount of rework they have to do with the foundation. They are trying to do as much work possible without touching as many things as possible and addressing the issues that need to be addressed.

Carlson asked if they are open putting the stairs all across the back porch. Villanueva confirmed they are.

MOTION: Thomann recommends approval a Certificate of Appropriateness for the project at 431 S. Summit as presented in the staff report through an exception to the guidelines for uncommon situations with the following conditions:

- The floor is tongue- and-groove
- The piers and balustrade comply with the guidelines
- The porch roof matches the bays, not the front porch roof
- The steps are full width.

Beck seconds the motion.

Thomann stated this is an improvement to the house moving the door to the back of the house.

A vote was taken and the motion passed 7-0.

Villanueva rejoined the meeting.

REPORT ON CERTIFICATES ISSUED BY CHAIR AND STAFF:

Minor Review - Staff Review:

HPC26-0015: 824 North Gilbert Street- Brown Street Historic District (roof replacement):

Bristow stated this is just a roof shingle replacement.

Intermediate Review – Chair and Staff Review:

HPC26-0012: 205 N. Linn Street - Local Historic Landmark (sign and awnings):

Bristow stated this project was signage and awnings for the mercantile that will be in there.

COMMISSION INFORMATION:

None.

COMMISSION DISCUSSION:

Oak Grove Park/Mexican Barrio

Bristow noted in the work plan for the Commission is a focus on helping with the naming and signage for Oak Grove Park when it gets rehabbed soon. She explained this all started because they had received an article written about the Mexican laborers who had lived in the area of the park in the early decades of the 20th century, so at that time there was an interest in putting up some signage or something like that. Staff talked to the park's director who noted that they would be redoing this park soon and have put this into that project. Additionally, the Highway 6 bridge over the Iowa River, which is considered historic, will be replaced and to mitigate for the loss of that historic bridge the DOT had agreed to do a study of this park area and have hired a consultant. The consultant, Ray Werner from Tallgrass Archaeology is here tonight to let the Commission know what he's doing with the project and to talk about the goals and such.

Ray Werner (Principal Investigator, Tallgrass Archaeology) noted their primary office is here in Iowa City but he is located in Dubuque. He noted they work frequently with the Iowa Department of Transportation and they have hired Tallgrass Archaeology to conduct an intensive level survey of the Oak Grove Park and roughly 12 surrounding properties to look at it for potential eligibility as a National Register district, or any potential individual eligibilities that there might be, and to maybe come up with some other recommendations that might be appropriate for the area. Werner is here today to share with the Commission the process, things that they've done to date in that project, and to get feedback and hear about some of the Commission's goals or objectives that might help them as they move along with this project.

Werner began reviewing the location of Oak Grove Park, which is on the south side of the railroad tracks with South Dodge Street on the east edge of the park, Page Street to the south, and Webster Street on the west edge. They will be looking at properties in the area for potential historic or architectural significances under the four criteria of the National Register of Historic Places. He reiterated this area was once the location of a Mexican barrio with Chicago Rock Island and Pacific Line workers who were hired by them. Tallgrass Archaeology has begun their background research on that and had some preliminary communications with the author of the article that was published in 2017. They've been beginning to look at its place, and that community's place within Iowa City, and then a broader context of what other Latino or Mexican communities existed in Iowa. Werner noted there were several that were also related to railroad labor, so they're looking at them in a comparative fashion, and possibly some others throughout the Midwest. They want to get a better understanding of Iowa City's Mexican barrio and who were those people, what were their histories, what activities or roles did they have in the Iowa City community, and what happened to them after they were sort of disbanded, if that's an appropriate word to use. The community was heavily focused in this area with some sort of temporary housing that the railroad had built in what is now the park, and potentially in some other nearby houses as well if they were borders there. Tallgrass Archaeology is looking at that history and have begun building and crafting that history. They have a draft report that City staff has seen. Werner pointed out some of the properties they're looking at in that context. He also shared an example of some of the history they've begun compiling for the city of Iowa City, in particular this neighborhood and how did it develop and when. When did the railroad come through and what other activities did the railroad have in the area, all just to get a better idea of this community's place and role within the community. The laborers and their community lived here, they brought their families with

them to live here. Werner noted that they do have some maps and aerial photographs of the neighborhood that show where the temporary housing was built by the railroad, and they have records of their occupation in these houses from 1909 to about 1936 so that's the window of time.

Werner shared some photographs from local newspapers that they've found in their preliminary research of some of these people here in Iowa City and are beginning to write their family history. In addition to newspaper research, they're going to be working with some of the local Catholic parishes to see if they had any role in those communities in Iowa City. They are also trying to dig through some Chicago Rock Island and Pacific archival materials, but they're really scattered, some are in Oklahoma, some are in Rock Island, Illinois, but they're doing their best to find as much information as they can from the railroad side to see what historical resources might exist there. Tallgrass Archaeology is also doing more local research, and with everything digitized now it's really easy to do from home or office. Werner shared some examples of chronologies that they've built showing the ownership of the lots where the houses are now. They're really leaving no stone unturned in their historical research. They have also reviewed census data which has allowed them to access a lot of data about the people who lived in the houses, as well as in the temporary houses that are no longer there that were in the park. That data has given them a lot of valuable information about the residents, whether they were part of the Mexican barrio or just other citizens living in the houses. From that they're building site specific history on each of the properties, as well as on the park itself. Ultimately, they'll present this information in a way that gives a physical description of the property, history of the property, and then a statement of significance that will include a recommendation for potential National Register eligibility, and whether that's on an individual basis as a part of a district or no eligibility at all.

Werner stated in the end, Tallgrass Archaeology will have a package of recommendations that they will present to the DOT and to the City and this Commission, and to the State Historic Preservation Office, and everyone will have an opportunity to provide feedback on the report, and provide comments, questions, or concerns.

Buford stated he is a native Iowa Citian and was not aware of this whole history, so it was a fascinating article to read, and thinks it should become part of the awareness of Iowa City and its history.

Thomann noted it does seem like with the political climate the way it is, this is really a way to humanize the story of people who maybe come to this nation, come to this area, in hopes of possibly bettering their lives. She asked about the existing homes that are around there, are they all still there. Werner replied in some cases, yes, and in some cases no, they are houses that were demolished around the 1970s, probably maybe some earlier. They are also trying to decipher if the surrounding houses are places where some of the families relocated to once they were more or less told to leave the shanties that the railroad had built for them, or what other parts of the City did the families disperse into throughout the community.

Thomann is excited to read the article, it's interesting to think about how they were living in some really poor dwellings and then maybe moving into these homes, so she is excited to see if they learn anything more about the properties that are there today, and if there are connections.

Lewis asked about a district being created, when Tallgrass Archaeology says to create a district do they mean a historical conservation districts. Werner explained they would be looking at a potential district to someday be listed in the National Register.

Bristow commented that Marlys Svendsen has done intensive surveys of much of Iowa City in the past and that's where her surveys started and then they had National Register nominations that made districts, and then they had local districts created. She added that doesn't mean that they would do a

district in the community, partly because a district tends to be about the built structures and they don't have local archeological districts. The area of the park itself has no structures that remain, some of those surrounding structures might but the goal here is for the Commission to be able to do what it wants on the work plan through the work that Tallgrass Archaeology has done. If the goal, along with the park redo, is to rename the park or putting up informative signage in, maybe there's something that comes out of this. Bristow noted she received an email recently about this exact topic and included that in the in the agenda packet to show there is community interest in this.

Beck asked to what extent does the City solicit the opinions of immediate neighbors as to what they think. Bristow is unsure how the naming process works, it goes through the Parks and Rec Commission, which is all public meetings so anyone who's interested in park naming gets those agendas. She is unsure if there's good neighbor meetings but she can find that out as they go through the process. Additionally, if they want to they could organize themselves into a volunteer group that has some little event in the park to try to get the neighbors to speak out.

Thomann stated it'd be interesting to know if there are ancestors of these people still here, or if they maybe were very transient and moved on with the railroad. Werner noted in the 2017 article there was one family still around and were interviewed for the article.

Bristow stated a couple years ago when she was working with Iowa's State Historic Preservation Office (SHPO), she read Alexa McDowell's nomination for the Catholic Church in Waukee. That was a Mexican community that were all working in the local coal mines. It was a much larger community, but a lot of her sources were a local historian and there might be some other tie-in there.

Werner noted that's a new one to him so he is happy she mentioned that and will definitely look into that. West Liberty also had a large Mexican community who were primarily railroad line workers as well. As they've looked into this, they found that at about 1900 the major Mexican railroads and the major United States railroads were able to link up at the border, and it was at that time that the US railroads were able to hire the Mexican laborers for half the cost of European immigrant laborers, so that's how that connection started. Then they started to move them upwards along the railroad, up from Texas and New Mexico, through Missouri into Illinois, and then from there around the rest of the Midwest. It was by 1909 that the Chicago Rock Island and Pacific brought them here to Iowa City. Putting together all the histories and pieces of the puzzle has been interesting, and they'll hopefully have a nice, clear picture for everyone in the end.

Isobel Perez stated she was the one who emailed Bristow about the barrio and the family they're looking for live in Des Moines. They're the Cano family, and they wanted Perez to come and speak to the Commission tonight to say thank you, this means a lot that there's some effort being put into recognizing this history and that they appreciate anything the City is willing to do, whether that is renaming the park or putting up a historic plaque. Perez stated they were still hoping to put a bench up. The family had inquired about the historical bench program, but the application period had closed, so next year they're hoping to apply. Perez noted with the research and with this project, she would just hope that the Cano family could be included because they're still living. Perez stated the family reaches out to her frequently, so would be happy to make that connection.

ADJOURNMENT:

The meeting was adjourned at 6:35pm.

HISTORIC PRESERVATION COMMISSION ATTENDANCE RECORD
2025-2026

NAME	TERM EXP.	4/10	5/8	6/12	7/10	8/14	10/9	11/20	12/11	2/23	3/12	4/9
BECK, MARGARET	6/30/27	X	O/E	X	X	X	X	X	X	X	X	X
BROWN, CARL	6/30/26	O/E	O/E	X	X	O/E	O/E	X	O/E	X	O/E	X
BURFORD, KEVIN	6/30/27	X	X	X	X	X	X	X	O/E	X	X	X
CARLSON, TRISTA	6/30/27	---	---	---	---	---	---	---	---	---	---	X
CURFMAN, AUSTIN	6/30/2028	---	---	---	X	O/E	X	O/E	X	X	X	X
LEWIS, ANDREW	6/30/26	X	X	O/E	X	X	X	X	X	X	X	X
RUSSELL, RYAN	6/30/27	X	X	X	X	X	O/E	O/E	X	---	---	---
SELLERGREN, JORDAN	6/30/25	X	X	X	---	---	---	---	---	---	---	---
THOMANNN, DEANNA	6/30/26	X	X	X	X	X	X	X	X	X	X	X
VILLANUEVA, NICOLE	6/30/25	X	X	X	X	X	X	X	X	X	X	X
WAGNER, FRANK	6/30/26	O/E	X	O/E	O/E	X	X	X	X	X	X	O/E
WELU-REYNOLDS, CHRISTINA	6/30/25	O/E	X	X	---	---	---	---	---	---	---	---

KEY: X = Present
O = Absent
O/E= Absent/Excused
--- = Not a member

Item Number: 4.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Housing & Community Development Commission: April 20

Attachments: Housing & Community Development Commission: April 20

MINUTES **FINAL**

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION
APRIL 20, 2026 – 5:30 PM
FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL

MEMBERS PRESENT:	Marcelo Aruani, Maryann Dennis, Amos Kiche, Sarah Murray, Thomas Rocklin, Kyle Vogel
MEMBERS ABSENT:	Stacy Kiser
STAFF PRESENT:	Erika Kubly, Brianna Thul
OTHERS PRESENT:	Nicholas Bargren

CALL MEETING TO ORDER:

Vogel called the meeting to order at 5:30 PM.

CONSIDERATION OF MEETING MINUTES: MARCH 23, 2026:

Murray moved to approve the minutes of March 23, 2026. Dennis seconded the motion. A vote was taken and the minutes were approved 6-0.

PUBLIC COMMENT FOR TOPICS NOT ON THE AGENDA:

Nicholas Bargren (311 South Lucas Street) stated he has been a resident of Iowa City on and off for over a decade, originally moving here in 1993 with his family, growing up here, going to West High, graduating in 2008 and most recently found himself living on 311 South Lucas Street where he leases both units. Bargren noted this is a property owned along with a string of other properties by Mark T. Hamer who is a landlord and owner of the business H and G Properties that owns 715 and 731 East Burlington and then all the properties on South Lucas from 301 to 313. Bargren expressed complaints related to property maintenance, difficulties accessing the leased property and utilities, harassment, and lack of payment for work completed at the property. Bargren stated he appreciates being able to come here and take the time to finally speak out in public about some of this stuff.

DISCUSS RIVERFRONT CROSSINGS AFFORDABLE HOUSING REQUIREMENTS:

Kubly stated she is here to answer questions that were raised at the last meeting about fees for affordable housing funds have been collected for various projects in the Riverfront Crossings District. The City has about $5.8 million collected that they intend to invest in a project. She noted there's going to be an update about that at tomorrow night's Council meeting, a presentation about a tax credit project that will potentially have an investment from the City. Council is going to discuss it at the work session tomorrow night, so she doesn't have any specific updates tonight, but the work session is at four o'clock tomorrow and can be watched online too. The intention with the fee in lieu funds is to invest in creation of additional affordable housing units. The City has tried to find property to develop but it's been cost prohibitive due to environmental issues. The City is unable to combine the Riverfront Crossings fees with federal funds due to the location near the river and noise sources with the railroad and the roads. Therefore, the current tactic is to invest in a project, like this new construction of 183 units of affordable housing. Additionally, some funding could be used to help buy down the rents. What is meant by that is typically tax credit rents have different levels at different area median incomes, like 30%, 50%, 60% but those tax credit rent levels are higher than the HOME fair market rent and less affordable than what the

standard would be for Riverfront Crossings affordable housing. Therefore, by investing in that project the City would put requirements on it that the rents would be at the HOME fair market rent.

Vogel noted he had a handful of people reach out to him and one of the questions that was raised was originally there was a subcommittee meeting for Riverfront Crossings that helped establish some of the ideas and guidelines. He reviewed the minutes of that subcommittee (Riverfront Crossings Inclusionary Housing Subcommittee) from August 2015 to March 2016 and one of the things that was mentioned was a recommendation that the income target should be 60% of area median income. With a TIF project the City may negotiate affordability levels for some units at a lower percentage than 60% AMI but the final number that came out was from 40%. Kubly noted for rentals it is at 60%. Vogel stated that's the confusion because this individual he talked to was on the impression that it was 40%. Kubly stated she didn't think any of the projects are at 40% in Riverfront Crossings. She explained tax credits sometimes are seen at 40% but that's not related to the Riverfront Crossings requirement, that's the tax credit income levels and not part of the zoning overlay. Kubly believes the Orchard Court project to be discussed tomorrow is a 4% tax credit project.

Dennis noted regarding the requirements for Riverfront Crossings District, they also need to remember that if the City or a developer receives an allocation of Low Income Housing Tax Credits (LIHTC) then there's a whole bunch of different rules as that tax credit program is run through the IRS and not HUD. She noted there would probably be an issue of putting together financing that could have HUD and IRS requirements, and the City would have some requirements as far as Riverfront Crossings. The LIHTC program is bigger and can be very complicated. Dennis stated years ago one of the developers said doing a tax credit project is not for the faint of heart, and that's true because it's a whole myriad of things that have to come together, but those regulations come from the IRS and there are different requirements from HUD, if there's HUD funds in a tax credit project.

Vogel noted the other question that was raised is how effective this whole program and policy has been and has there been discussion of any kind of feasibility study to determine by requiring these extra changes did that result in real, long-term affordable housing. He stated it's tough to gauge that but if they have property developers who are only going to do the 10-year requirement and then put them back out at market value, is it really creating long-term affordable housing, or is it just creating a 10 year stopgap as each development goes up? He asked has the City done any kind of feasibility study to really see if this is an effective policy, or if it is just turning into a stopgap measure.

Kubly stated the Riverfront Crossings zoning policy and the fee in lieu are two different tools that they're using to generate affordable housing and there's different mentalities for each of those tools. She wasn't at the City when they landed on the 10 year affordability requirement, so she doesn't know how that discussion went. She believes the recommendation was for 20 or more years but when they're investing funds in a project, the City has more leverage to determine how long they want that affordability period. For the Riverfront Crossings projects the City is not investing funding, it's just a zoning policy that's been implemented and it's created 81 affordable units near the university. Yes they are only for 10 years, but that's a period of time where the City will have affordable rents. If there is a TIF project or something where the City is having a financial investment, they have more leverage to determine affordability. Kubly added if anyone is interested in hearing more about how the City plans to use the fee in lieu she expects there to be a discussion at the work session tomorrow.

STAFF & COMMISSION UPDATES:

Thul noted that Vogel and Murray both have terms ending in June and that they can submit an application to be considered for another term if they are interested.

Thul also stated April is Fair Housing Month and there is a press release in the agenda packet about that. The City's Human Rights Office does a lot with fair housing in the community. They investigate the discrimination complaints and housing complaints for the City. They have a really nice website with resources and offer online fair housing training if anyone's interested. The Human Rights team comes to HCDC to present on their work every couple years.

Thul stated the City did finally receive the grant allocations from HUD, so staff will take HCDC's funding recommendations that were made at the March meeting and use those to formulate the Annual Action Plan draft which will be presented that at the next meeting. Staff will give an overview the projects for FY27 and will be asking the Commission to consider a recommendation to City Council to approve the plan. Once City Council approves, staff will submit that to HUD.

Vogel noted the encampment on the south side of town, the City is providing a lot of services and trash services and cleaning up and wanted to know if that is coming from Parks or Streets and if there is a set aside fund for assistance to the unhoused. Kubly will look into that and provide an update.

Murray is curious what is the Commission's role, if any, in the revitalization of the Sycamore Marketplace area. Thul stated typically that wouldn't come through this Commission as the focus of this group has historically been the federal CDBG and HOME funding and other areas like Aid to Agencies. There are occasionally times when City Council looks to the Commission to advise on different issues if something came through and the Council wanted the Commission to make a recommendation. Kubly added the City also has an economic development committee and they typically would tackle something like the Sycamore revitalization.

Dennis asked if there are ever any combined commission meetings, like has HCDC ever met with Planning and Zoning. Kubly noted that it's been few and far between and then based on a specific topic like the joint session with HCDC and City Council. Vogel noted it seems like a lot of stuff this Commission does overlaps with Human Rights or Planning and Zoning. Murray added even the Climate Action Commission, like how housing is developed, the requirement of green spaces, and things like that.

Kiche asked if the Human Rights Commission gives a status of violations, complaints, and other things that this Commission should be aware of as HCDC also works on housing so they could create awareness for the commissioners and the public, on the extent of violations and in which areas. Thul noted she is not sure if they do an annual summary of complaints, but she will ask if there is any kind of data available for the public and share it.

Aruani asked about the Council work session meeting for the Riverfront Crossings project and while it's premature to speculate, he wondered if it doesn't go forward, do those funds just keep accruing over time and they have no other natural direction to go? Kubly noted the City has been actively seeking out ways to invest that funding in additional units of affordable housing.

ADJOURNMENT:

Rocklin moved to adjourn, Dennis seconded the motion and a vote was taken and the motion passed 6-0.

Housing and Community Development Commission Attendance Record 2025-2026

Name	Terms Exp.	5/19	6/16	7/21	8/18	9/15	11/17	12/15	1/26	2/16	3/23	4/20
Aruani, Marcelo	6/30/27	--	--	--	--	--	P	P	A	P	P	P
Borgen, Horacio	6/30/25	A	P	--	--	--	--	--	--	--	--	--
Dennis, Maryann	6/30/28	P	P	P	P	P	P	P (zoom)	P	P	P	P
Kiche, Amos	6/30/28	P	P	P	P	P	P	P	P	P	P	P
Kiser, Stacy	6/30/27	--	--	--	--	--	P	P	P	P	P	A
Kivarkis, George	6/30/27	P	P (zoom)	P (zoom)	*	*	*	*	*	*	*	*
Krotz, Karol	6/30/27	P	P	A	A	*	*	*	*	*	*	*
Murray, Sarah	6/30/26	--	--	P	P	P	A	P	P	A	P	P
Rocklin, Thomas	6/30/28	--	--	P	P	P	P	P	P	A	P	P
Vogel, Kyle	6/30/26	P	P	P	P	P	P	P	P	P	P	P

Key:
P = Present
A = Absent
* = Resigned
-- = Vacant
D = Discharged

Item Number: 4.d.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Public Art Advisory Committee: January 8

Attachments: Public Art Advisory Committee: January 8

Minutes
Public Art Advisory Committee
January 8, 2026
Emma J. Harvat Hall

Public Art Advisory Committee

Members Present: Ron Knoche, Juli Seydell Johnson, Anita Jung, Sophie Donta, Leslie Finer, Aaron Moseley

Members Absent: Nate Sullivan, Susan Thompson

Staff present: Rachel Kilburg Varley

Public Present: None

Call to Order
Kilburg Varley called the meeting to order at 3:31 p.m. and introduced new Committee member, Aaron Mosely.

Public Discussion of Any Item Not on the Agenda
None.

Consider minutes of the December 4, 2025 PAAC meeting.
Johnson moved and Finer seconded that the minutes from the December 4, 2025 meeting be approved. Motion passed (5-0). Anita Jung joined the meeting.

Elect Chair and Vice Chair
Donta made a motion to elect Jung to a one-year term as Chair, Finer seconded. Finer made a motion to elect Donta to a one-year term as Vice-Chair, and Johnson seconded. Motion passed (6-0).

Review Public Art Advisory Committee By-Laws
For informational purposes, Kilburg Varley reviewed the by-laws including meetings, membership and terms, attendance and absences, conflict of interest, and powers, duties, and scope of the Committee.

Review Budget & Upcoming Projects
Again for informational purposes, Kilburg Varley reviewed the FY2026 budget including completed and anticipated expenditures; an overview of recurring and annual projects including the matching grant program and Sculptor's Showcase; and a review of recent and upcoming initiatives including the Senior Center community mural and maintenance and restoration projects.

Donta asked if funds set aside for the "Opportunity Fund" line item will carry over between budget years. Kilburg Varley clarified that per the City's carry-over policy, it can only be for expenses that are already encumbered, such as under contract.

Kilburg Varley noted that she anticipates the public art budget will remain status quo for Fiscal Year 2027. Finer asked if any Local Option Sale Tax revenues will be used increase the public art budget and Kilburg Varley stated that is not anticipated.

Jung requested discussion of the Sculptor's Showcase at an upcoming meeting. Mosely suggested the Committee consider various platforms that may be used to help disseminate the Call for Artists.

Staff Updates

Kilburg Varley noted that the 2026 Public Art Matching Grant program has been announced with applications due March 3, 2026. She will be holding an informational webinar for interested applicants on January 28, 2026.

She also noted the news release was issued announcing the new Senior Center gallery program and first exhibition planned for Black History Month.

Finally, she reminded the Committee that new state law requires any members appointed by City Council to complete an Open Meetings training approved by the Iowa Public Information Board.

Finer asked if there would be an Opening Reception for the *Parables of the Future* exhibition at the Senior Center and Kilburg Varley said there is an opportunity for the Committee members to be involved if they are interested. Jung, Finer, and Moseley indicated interest.

Old or New Business

None.

Adjournment

Knoche moved to adjourn. Jung seconded. Motion passed (6-0). Meeting adjourned at 4:30 p.m.

Public Art Advisory Committee
Attendance Record
2025-2026

Name	Term Expires	2/6/25	3/6/25	4/3/25	5/1/25	6/525	7/1025	9/4/25	10/2/25	11/6/25	12/4/25	1/8/26
Ron Knoche	N/A	X*	X	X*	X	X	X	X*	X*	X	X	X
Juli Seydell-Johnson	N/A	X	X	X	X*	X	---	X*	X	X	X	X
Andrea Truitt	12/31/25	X	X	X	X	X	X	X	X	X	X	---
Anita Jung	6/30/26	O	O	O	O/E	O/E	X	X	X	X	X	X
Jeremy Endsley	12/31/25	X	X	O/E	---	---	---	---	---	---	---	---
Nate Sullivan	6/30/26	X	O/E	X	X	O/E	X	X	O/E	O/E	O	O
Leslie Finer	12/31/26	X	X	X	X	X	X	X	O/E	X	X	X
Rachel Kinker	12/31/27	X	O/E	X	X	X	X	X	X	---	---	---
Sophie Donta	12/31/26	O/E	X	X	X	X	X	O/E	X	X	X	X
Stephanie Brunia	12/31/25	---	---	---	---	---	X	X	X	O/E	O/E	---
Susan Thompson	12/31/28	---	---	---	---	---	---	---	---	---	---	O/E
Aaron Mosely	12/31/28	---	---	---	---	---	---	---	---	---	---	X

Key:
X = Present
X* = Delegate attended
O = Absent
O/E = Absent/Excused
--- = Not a member

Item Number: 4.e.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Public Art Advisory Committee: February 5

Attachments: Public Art Advisory Committee: February 5

Minutes
Public Art Advisory Committee
February 5, 2026
Emma J. Harvat Hall

Public Art Advisory Committee

Members Present: Ron Knoche, Juli Seydell Johnson, Anita Jung, Sophie Donta, Leslie Finer, Aaron Moseley, Susan Thompson, Steph Brunia

Members Absent: Nate Sullivan

Staff present: Rachel Kilburg Varley

Public Present: None

Call to Order
Jung called the meeting to order at 3:34 p.m.

PAAC members introduced themselves, including new member Susan Thompson.

Public Discussion of Any Item Not on the Agenda
None.

Consider minutes of the January 8, 2026 PAAC meeting.
Donta moved and Johnson seconded that the minutes from the January 8, 2026 meeting be approved. Motion passed (7-0).

Planning for 2026-2028 Sculptor's Showcase Program

Kilburg Varley reviewed the memo in the agenda packet, which describes the Sculptor's Showcase program and anticipated schedule for the 2026-2028 round. Kilburg Varley requested the Committee's feedback on the timeline, artist stipend, promotion channels, public engagement ideas, and the application form.

The Committee first discussed options for promoting the Call for Submissions to reach more artists and seek increased submissions. The Committee suggested pursuing free promotion platforms, such as through the Iowa Arts Council and local publications.

Next, the Committee reviewed the proposed application form. Thompson asked about the City paying for installation costs and Seydell Johnson clarified that Park's staff provides significant installation support.

Jung asked whether there have been any past challenges or feedback that they should consider. Kilburg Varley noted that Parks staff will be providing feedback on the type of fasteners they prefer and suggest requiring the artists to use. Additionally, the condition of the concrete mounting pads was discussed and noted they will need to be addressed

in the future. She also noted that the artists seemed to appreciate the change to a two-year cycle and that the honorarium remains competitive.

It was noted that the scoring rubric for the program was erroneously not included in the agenda packet, so the rubric will be reviewed by the Committee at a future PAAC meeting.

Thompson suggested an interactive, digital app that could be used to create a scavenger hunt with the sculptures. Kilburg Varley shared that they did have a more manual version of a scavenger hunt and that each sculpture already has a QR code which takes the user to a webpage with more information. The other Committee members expressed general support for a scavenger hunt concept and requested staff compile different platform options to accomplish this, for review by the Committee at a future meeting.

Finally, Donta noted that there are no pads to the west of the Iowa River and that may be something to consider in the future.

Finer made a motion to approve the 2026-2028 Sculptor's Showcase Program and budget allocation, Donta seconded. Motion passed (7-0).

Informational Presentation: Proposed Arts Endowment

Kilburg Varley presented on a proposed Arts Endowment to provide operating support to six institutional arts organizations in Iowa City. The City Council has preliminarily approved the concept, using some Local Option Sales Tax revenue. The presentation was informational, since it is related to the arts ecosystem in general, although it is beyond the scope of the Public Art Advisory Committee. The presentation covered the goals, purpose, structure, and financing of the proposed endowment. Jung expressed appreciation and support for the concept.

Staff Updates

Kilburg Varley reviewed the annual calendar included in the agenda packet, which outlines the recurring projects and programs of the Public Art Advisory Committee.

She also noted the final reports from the 2025 Public Art Matching Grants were included in the agenda packet. Additionally, for the 2026 grant cycle, she recently held an informational webinar for interested applicants.

Finally, she noted the ribbon cutting for the Historic Post Office Gallery at the Senior Center is planned for February 14, 2026 at 4:15 p.m.

Old or New Business

Jung expressed her appreciation for the annual Longfellow Tunnel mural project with Southeast Middle School and asked if the Committee would be interested in expanding a public art partnership with the other Iowa City high schools. Knoche noted that the

schools can apply to the matching grant program and Seydell Johnson also noted that they have provided direct site permission in the parks for projects coordinated and managed by the schools. The Committee directed staff to reach out to City High and West High art teachers to gauge interest and possibly add it to a future PAAC agenda.

Public Comment

Public comment was provided by Noah Stein, a resident of Iowa City.

Adjournment

Donta moved to adjourn. Finer seconded. Motion passed (7-0). Meeting adjourned at 4:41 p.m.

Public Art Advisory Committee
Attendance Record
2025-2026

Name	Term Expires	3/6/25	4/3/25	5/1/25	6/525	7/1025	9/4/25	10/2/25	11/6/25	12/4/25	1/8/26	2/5/26
Ron Knoche	N/A	X	X*	X	X	X	X*	X*	X	X	X	X
Juli Seydell-Johnson	N/A	X	X	X*	X	---	X*	X	X	X	X	X
Andrea Truitt	12/31/25	X	X	X	X	X	X	X	X	X	---	---
Anita Jung	6/30/26	O	O	O/E	O/E	X	X	X	X	X	X	X
Nate Sullivan	6/30/26	O/E	X	X	O/E	X	X	O/E	O/E	O	O	O
Leslie Finer	12/31/26	X	X	X	X	X	X	O/E	X	X	X	X
Rachel Kinker	12/31/27	O/E	X	X	X	X	X	X	---	---	---	---
Sophie Donta	12/31/26	X	X	X	X	X	O/E	X	X	X	X	X
Stephanie Brunia	12/31/25	---	---	---	---	X	X	X	O/E	O/E	---	X
Susan Thompson	12/31/28	---	---	---	---	---	---	---	---	---	O/E	X
Aaron Mosely	12/31/28	---	---	---	---	---	---	---	---	---	X	O/E

Key:
X = Present
X* = Delegate attended
O = Absent
O/E = Absent/Excused
--- = Not a member

Item Number: 4.f.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Public Art Advisory Committee: March 5

Attachments: Public Art Advisory Committee: March 5

Minutes
Public Art Advisory Committee
March 5, 2026
Emma J. Harvat Hall

Public Art Advisory Committee

Members Present: Ron Knoche, Tyler Baird, Anita Jung, Sophie Donta, Leslie Finer, Aaron Moseley, Steph Brunia

Members Absent: Nate Sullivan, Susan Thompson

Staff present: Rachel Kilburg Varley

Public Present: None

Call to Order
Jung called the meeting to order at 3:34 p.m.

Public Discussion of Any Item Not on the Agenda
None.

Consider minutes of the February 5, 2026 PAAC meeting.
Finer moved and Donta seconded that the minutes from the February 5, 2026 meeting be approved. Motion passed (7-0).

Public Art Map Update: Public Art Archive Demonstration

Kilburg Varley introduced Lori Goldstein of Public Art Archive to present a potential platform for managing and displaying the City's public art collection. She explained that the current public art map, hosted on Google Maps and created by a former intern, presents challenges due to limited access, ownership, and reliability. She noted that rebuilding the map would require significant effort and offered Public Art Archive as a potential alternative.

Goldstein presented the Public Art Archive platform, describing it as a free, web-based tool used by municipalities and arts organizations to catalog and display public art collections. She explained that collections are uploaded via spreadsheet and can be accessed through a searchable interface and interactive map. Features include filtering by artist, location, type, and theme, as well as individual artwork pages with images and details.

Goldstein noted that the platform supports both permanent and temporary artworks, including options to organize them into sub-collections such as rotating sculpture programs. She also confirmed that existing images can be used and optimized for web display, and that the platform is ADA compliant.

Optional paid features were discussed, including:

- Embeddable map ($250/year)
- Embedded collection display ($500/year)
- Custom collection landing page ($750/year)

Committee members asked Goldstein questions about showcasing temporary artwork on the map, image requirements, accessibility, and integration with existing the City's existing website.

Following her presentation, Goldstein exited the meeting and the Committee continued discussion on potential benefits of adopting Public Art Archive, including improved accessibility, functionality, and long-term management of the City's public art collection.

Members expressed general support for the platform and a desire for staff to pursue higher-tier display options, including creation of a custom landing page and embedding the full collection on the City's website if possible.

Kilburg Varley noted that initial data preparation would require effort but that the platform would provide long-term efficiencies. She also stated that coordination with the City's Communications Division would be necessary to determine integration and timing with the City website. The Committee discussed potential partnerships with other entities, including the University of Iowa and Iowa City Downtown District, to include additional collections on the platform.

Mosely made a motion to approve moving forward with Public Art Archive and to authorize a maximum annual expenditure of $750, contingent on feedback from the City's Communications Division. Donta seconded. Motion passed (7-0).

Community-Initiated Public Art Application: Undergraduate Student Government Sustainability Mural

Kilburg Varley introduced a community-initiated public art application Form submitted by Undergraduate Student Government (USG) Sustainability Chair Olivia Arkfeld to create a mural at a City parking ramp. The applicant is not requesting City funding; however, since it is proposed to be installed on public property, the Committee would retain final approval over the mural's location and design.

Kilburg Varley noted that the application had been updated following discussions between the applicant and City staff. A parking ramp location is being considered, though a final site has not yet been determined.

Arkfeld presented the project, explaining that the mural is intended to raise awareness and inspire action on the climate crisis. Arkfeld outlined the project scope, including:

- A goal budget of approximately $8,000, with $4,500 secured and working on securing the remaining funding.
- Plans to issue a call for artists rather than hold a student design competition as originally proposed due to timeline constraints.
- A desired timeline aligned with her graduation, though flexibility was expressed for completion beyond that date

- Opportunities for promotion through university events, including a sustainability conference and student outreach channels

The Committee discussed the proposal and provided feedback, including:

- Recommendation to include City public art requirements in the artist call to ensure compliance with City standards.
- Suggestions to broaden outreach, including connecting with the University's Office of Community Engagement.
- Discussion of artist selection approaches, including balancing artist autonomy with project goals, specifically to ensure the selected artist has a strong role in shaping the final design. The options of issuing a Call for Artists and/or selecting an experienced artist mentor to work with a student artist was also discussed.

Arkfeld shared example imagery and design inspirations and emphasized a preference for a visually engaging, message-driven mural, noting that final design decisions would be influenced by budget constraints.

Kilburg Varley suggested she continue to work with Arkfeld to prepare a Call for Artists, based on the Committee's feedback, once a location and budget is finalized.

Pilot Proposal: Hello Lamp Post Public Art Engagement Tool

Kilburg Varley presented a proposal to pilot the use of Hello Lamp Post, an interactive digital engagement tool that allows users to interact with public art via QR codes and text-based prompts.

She explained that the platform would enable users to "converse" with artworks, providing interpretive information and collecting user feedback. The system is primarily logic-based, supported by a knowledge base provided by staff, with limited use of AI elements. She described how the tool can "route" the user through the conversation, to guide them to helpful information or suggestions, such as nearby artworks or fun facts.

Kilburg Varley noted that the platform can track user engagement data while protecting user privacy, including:

- Number of users and interactions
- Duration of engagement
- Types of questions or prompts users respond to
- Patterns in how users explore public art

This data could help inform future public art programming and engagement strategies. For the pilot phase, Kilburg Varley proposed starting with approximately 3–5 artworks, focused primarily in the downtown area. Specifically, she stated a desire to begin with activation of the Irving Weber bronze sculpture. She noted that Hello Lamp Post recommends starting with a smaller, manageable pilot before expanding to additional artworks or collections. Potential future expansions could include activation of the full collection, integration with specific sub-collections such as the Sculptor's Showcase or Literary Walk, development of interactive experiences such as scavenger hunts, or the creation of a local "guide" character to lead users through public art in the city.

Committee members discussed the proposal, including geographic clustering and the possibility of integrating the tool with the future public art map platform. They asked about cost and Kilburg Varley stated that it was a software being shared by multiple City departments, so there is no direct cost to the public art program for this pilot project.

The Committee expressed general support for the concept and pilot approach. Kilburg Varley stated that she would move forward with initial planning in partnership with ICDD and Hello Lamp Post and report back to the Committee with updates at a future meeting.

Staff Updates

Kilburg Varley provided the following updates:

- Public Art Matching Grants applications have been received (approximately 10 total). Committee members will complete individual scoring prior to the April meeting, where funding decisions will be made.
- The Call for Artists for the Senior Center Gallery is currently open, with a submission deadline of March 16. Anita Jung will serve on the review committee.
- Bronze sculpture maintenance training is tentatively scheduled for July 7–9, 2026, weather permitting. Staff is also obtaining quotes for additional public art maintenance projects, to be reviewed at a future meeting.
- The upcoming City Council meeting will include the by-law amendment to add an ex-officio University of Iowa representative to the Committee.

Old or New Business

Jung mentioned that the April meeting agenda will include Public Art Matching Grant funding recommendations and annual review of the City's public art condition assessment and proposed maintenance projects.

Adjournment

Finer moved to adjourn. Knoche seconded. Motion passed (7-0). Meeting adjourned at 5:00 p.m.

Public Art Advisory Committee
Attendance Record
2025-2026

Name	Term Expires	4/3/25	5/1/25	6/525	7/1025	9/4/25	10/2/25	11/6/25	12/4/25	1/8/26	2/5/26	3/5/26
Ron Knoche	N/A	X*	X	X	X	X*	X*	X	X	X	X	X
Juli Seydell-Johnson	N/A	X	X*	X	---	X*	X	X	X	X	X	X*
Andrea Truitt	12/31/25	X	X	X	X	X	X	X	X	---	---	---
Anita Jung	6/30/26	O	O/E	O/E	X	X	X	X	X	X	X	X
Nate Sullivan	6/30/26	X	X	O/E	X	X	O/E	O/E	O	O	O	O
Leslie Finer	12/31/26	X	X	X	X	X	O/E	X	X	X	X	X
Rachel Kinker	12/31/27	X	X	X	X	X	X	---	---	---	---	---
Sophie Donta	12/31/26	X	X	X	X	O/E	X	X	X	X	X	X
Stephanie Brunia	12/31/25	---	---	---	X	X	X	O/E	O/E	---	X	X
Susan Thompson	12/31/28	---	---	---	---	---	---	---	---	O/E	X	O/E
Aaron Mosely	12/31/28	---	---	---	---	---	---	---	---	X	O/E	X

Key:
X = Present
X* = Delegate attended
O = Absent
O/E = Absent/Excused
--- = Not a member

Item Number: 4.g.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Public Art Advisory Committee: April 2

Attachments: Public Art Advisory Committee: April 2

Minutes
Public Art Advisory Committee
April 2, 2026
Emma J. Harvat Hall

Public Art Advisory Committee

Members Present: Ron Knoche, Juli Seydell Johnson, Anita Jung, Sophie Donta, Leslie Finer, Aaron Moseley, Steph Brunia, Susan Thompson

Members Absent: None

Staff present: Rachel Kilburg Varley

Public Present: None

Call to Order
Jung called the meeting to order at 3:33 p.m.

Public Discussion of Any Item Not on the Agenda
None.

Consider minutes of the March 5, 2026 PAAC meeting.
Johnson moved and Donta seconded that the minutes from the March 5, 2026 meeting be approved. Motion passed (7-0).

2026 Public Art Matching Grant Awards

Thompson joined the meeting. Staff presented compiled scoring of applications, ranked by total score and aligned with the $15,000 program budget. Kilburg Varley stated that the Committee can choose to fund projects in full, partially, or not at all.

The Committee discussed the project applications. Key discussion points included a desire to fund a wider range of projects through partial funding and to prioritize new applicants or projects demonstrating change or expansion.

The Committee determined which project proposals would not receive grant funding due to concerns related to repeat applications without clear innovation, incomplete or unclear project proposals or budgets, and retroactive funding requests (ineligible).

The Committee decided on the following funding awards:

- Iowa City Poetry Alfresco 2026 - $545
- Riverfront Crossings Park Mural - $4,000
- “Lunar Horizon” Moon Gate Sculpture at Ned Ashton House - $4,000
- “Homage to Public Access” Project - $2,000
- 2026 Open Air Media Festival - $2,000
- The Corridor Ensemble - $2,000 (funding contingent on inclusion of a public-

facing performance)
- IC Dance Co. & Historic Poor Farm Collaboration - $753

Donta moved to approve the 2026 Public Art Matching Grant funding awards, Finer seconded. Motion passed (8-0).

The meeting was interrupted due to a severe weather siren and the Committee members quickly agreed to adjourn.

Adjournment

Donta moved to adjourn. Knoche seconded. Motion passed (8-0). Meeting adjourned at approximately 3:46pm.

Public Art Advisory Committee
Attendance Record
2025-2026

Name	Term Expires	5/1/25	6/525	7/1025	9/4/25	10/2/25	11/6/25	12/4/25	1/8/26	2/5/26	3/5/26	4/2/26
Ron Knoche	N/A	X	X	X	X*	X*	X	X	X	X	X	X
Juli Seydell-Johnson	N/A	X*	X	---	X*	X	X	X	X	X	X*	X
Andrea Truitt	12/31/25	X	X	X	X	X	X	X	---	---	---	---
Anita Jung	6/30/26	O/E	O/E	X	X	X	X	X	X	X	X	X
Nate Sullivan	6/30/26	X	O/E	X	X	O/E	O/E	O	O	O	O	---
Leslie Finer	12/31/26	X	X	X	X	O/E	X	X	X	X	X	X
Rachel Kinker	12/31/27	X	X	X	X	X	---	---	---	---	---	---
Sophie Donta	12/31/26	X	X	X	O/E	X	X	X	X	X	X	X
Stephanie Brunia	12/31/25	---	---	X	X	X	O/E	O/E	---	X	X	X
Susan Thompson	12/31/28	---	---	---	---	---	---	---	O/E	X	O/E	X
Aaron Mosely	12/31/28	---	---	---	---	---	---	---	X	O/E	X	X

Key:
X = Present
X* = Delegate attended
O = Absent
O/E = Absent/Excused
--- = Not a member

Item Number: 5.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

1. Tobacco Permit for Zorawar Aulakh LLC, dba 220 E., 220 E. Washington St.
2. Device Permit for Zorawar Aulakh LLC, dba 220 E., 220 E. Washington St.

Attachments: Resolution

Prepared by: Wendy Mayer, License Specialist, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5042

Resolution Number:_____

Resolution approving applications for retail tobacco, tobacco products, alternative nicotine products, vapor products, and device retailer permits, as required by Iowa Code 453A.47A and Iowa Code 453E.3.

Whereas, applications for Tobacco/Tobacco Products/Alternative Nicotine Products/ Vapor Products/Device Retail permits have been submitted and filed with the City Clerk; and

Whereas, the applicants have filed the proper application and fees as required by the Iowa Department of Revenue; and

Whereas, applications are presented to City Council for approval.

Now, therefore, be it resolved by the City Council of Iowa City, Iowa, that:

Section 1. The City Clerk is hereby authorized and directed to issue a permit to the following named applicants and locations to sell the following products:

Effective from: June 3, 2026 to June 30, 2026.

Business Name	**Business Address**	**Permit Type**
220 E.	220 E. Washington St.	Tobacco Permit
220 E.	220 E. Washington St.	Device Permit

Passed and approved this _____ day of _____, 20_____.

_____
Mayor

Approved by

Attest:_____ _____
City Clerk City Attorney's Office

It was moved by _____, and seconded by _____, that the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:	
_____	_____	_____	Alter
_____	_____	_____	Bergus
_____	_____	_____	Harmsen
_____	_____	_____	Moe
_____	_____	_____	Salih
_____	_____	_____	Teague
_____	_____	_____	Weilein

Item Number: 6.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution approving an agreement with the Iowa City Downtown District to allow the temporary and limited consumption and possession of beer and wine during the Downtown Block Party.

Prepared By:	Sara Greenwood, Assistant City Attorney
Reviewed By:	Geoff Fruin, City Manager
Fiscal Impact:	None
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	Resolution Agreement

Executive Summary:
This Agreement allows for the the consumption of alcohol on certain downtown rights-of-way and the Blackhawk Mini Park for the Block Party, subject to limitations, consistent with prior years' arrangements.

Background / Analysis:
Although the Downtown District will have a liquor license for this event, this agreement does not authorize the District to sell alcohol. Rather it merely allows the possession and consumption of alcohol purchased from eating and drinking establishments, served in a special event cup, upon certain rights-of-way and the Blackhawk Mini Park during the Block Party. Certain streets will be closed to vehicular traffic, but the sidewalks will remain open to the public.

Prepared by: Sara Greenwood, Asst. City Attorney, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5030

Resolution No. _____

Resolution approving an agreement with the Iowa City Downtown District to allow the temporary and limited consumption and possession of beer and wine during the Downtown Block Party.

Whereas, section 4-5-3D of the City Code allows nonprofit entities to sell and their customers to consume and possess alcohol in a city park and on public right-of-way under limited circumstances; and

Whereas, the Iowa City Downtown District has applied for a liquor license to cover certain public streets and parks during its Downtown Block Party; and

Whereas, the parties wish to enter into an agreement to allow certain persons to possess and consume beer and wines under limited circumstances on downtown City streets and parks during the District's Block Party.

Whereas, it is in the City of Iowa City's interest to execute the attached agreement.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The City Manager is authorized to sign the attached agreement.

Passed and approved this ____ day of _____, 2026.

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

2026 AGREEMENT
BETWEEN THE CITY OF IOWA CITY AND IOWA CITY DOWNTOWN DISTRICT TO ALLOW THE TEMPORARY AND LIMITED CONSUMPTION AND POSSESSION OF BEER AND WINE DURING THE DOWNTOWN BLOCK PARTY

This Agreement is made between Iowa City Downtown Self Supported Municipal Improvement District, d/b/a Iowa City Downtown District ("Licensee") and the City of Iowa City, a municipal corporation ("City"), in Iowa City, Iowa.

Whereas, Licensee is an "authorized entity" as that term is defined in section 4-5-3D of the City Code; and

Whereas, Licensee has applied for a license to sell beer and wine during the Downtown Block Party; and

Whereas, the parties wish to enter into an agreement to allow persons to possess and consume beer and wines under limited circumstances on downtown City streets during the Block Party.

Therefore, the parties agree as follows:

1. Purpose, Authorized Site. In consideration for Licensee's promises herein, the City agrees to allow Licensee non-exclusive control of the public rights-of-way and parks shown on the diagram attached as Exhibit A, incorporated herein ("Authorized Site") during the Term of this agreement. This non-exclusive control shall be for the purpose of hosting the Downtown Block Party and allowing possession and consumption of open containers of alcohol over and upon the Authorized Site subject to the limitations herein. Licensee shall close the Authorized Site to public vehicular traffic, but must allow members of the public not participating in the event to walk through the Authorized Site on the sidewalk.
2. Term. This agreement shall commence at 3:00 pm and expire at 10:00 pm on June 27, 2026.
3. Access. Licensee shall take all reasonable steps to ensure that only persons over twenty-one (21) years of age have access to beer and wine. Said reasonable steps include, but are not limited to, ensuring that: a) all persons over twenty-one (21) years of age shall be provided a wrist band and an approved, Block Party branded container upon purchase of beer or wine; and b) no one may possess an open container of beer or wine unless it is in said approved container and the person is wearing a wrist band. The City retains the right to review and approve said container upon request. If the Licensee observes anyone in possession of an open container of any type of alcohol, including beer or wine, that is not in the approved container or anyone in possession of an approved container with alcohol, including beer or wine, who does not have a wrist band, the Licensee shall immediately request that the person pour out the liquid. If the person refuses to do so, the Licensee shall immediately contact the Iowa City Police Department.

4. License. This agreement is void if Licensee does not have a license to sell beer and wine on the Authorized Site at any time during the Term. This agreement shall in no way be interpreted as allowing Licensee to sell alcohol, including wine or beer, within the Authorized Site, regardless of their liquor license.

5. Alcohol Restrictions. Licensee shall only allow possession of alcohol, including beer and wine, by a person over twenty-one (21) years of age. Licensee acknowledges that the Authorized Site is subject to all applicable alcohol restrictions in the City Code.

6. Advertisement. No advertising of alcoholic liquor, beer, or wine within the Authorized Site shall be allowed. Sponsorship signage unrelated to businesses selling alcohol, beer, wine, or tobacco is allowed.

7. Inspection. City staff, including the Iowa City Police Department, may periodically inspect the Authorized Site without any prior notice to determine compliance with the terms of this agreement.

8. Debris and Trash. Licensee shall be solely responsible for collecting all debris and trash within the Authorized Site, and the City shall then remove the debris and trash. In the event it is necessary for the City to remove debris and trash, Licensee shall be responsible for the cost thereof, which shall be payable in full within thirty (30) days of receiving an invoice.

9. No Smoking. Smoking is prohibited by City Code in City Plaza, aka the Ped Mall, but not in the alleys. Smoking is also prohibited by City Code on the sidewalk to the east of the Iowa City Public Library. The use of electronic cigarettes is also prohibited in these two areas. Electronic cigarette means vapor product as defined in Section 453A.1 of the Code of Iowa, as amended.

10. Temporary Toilet Facilities. Licensee shall provide at its sole cost thirty (30) temporary toilet facilities in the seven (7) locations shown on Exhibit A, including one (1) that is handicap accessible in five (5) locations. Licensee shall further provide at its sole cost two (2) hand washing stations adjacent to the facilities unless the facilities themselves are equipped with hand washing stations.

11. Anchoring and Drilling. Licensee shall not drill or permit any vendor to drill any holes into the pavement or the sidewalk and shall not anchor a tent tie down or pole to the pavement or the sidewalk.

12. Fencing. The Authorized Sites shall be enclosed by fencing approved by the City.

13. Security. Licensee shall reimburse the City for the costs of an agreed upon number of officers at $88.00 per hour per officer, with a minimum two-hour assignment, during the Term. Licensee acknowledges the City's preference is for ten (10) officers to be present, but the number of officers available is dependent on staffing demands at the time of the Block Party. Payment is due within thirty (30) days of receipt of an invoice.

14. Insurance.

    a) Premises Insurance. During the Term, Licensee shall carry comprehensive general liability insurance for bodily injury and property

damage in the amount of $1,000,000 (one million dollars) for each occurrence and $2,000,000 (two million dollars) in the aggregate and shall name the City as an additional insured. Licensee shall furnish a copy of a certificate of insurance for same, satisfactory to the City at the time of execution of this agreement. Licensee shall provide thirty (30) days notice to the City before cancellation of said insurance, and said cancellation shall automatically terminate this Agreement.

b) Dram Shop Insurance. During the Term, Licensee shall carry "dram shop" insurance in compliance with Iowa Code section 123.92, as amended, in the amount of $1,000,000 (one million dollars). Licensee shall provide thirty (30) days notice to the City before cancellation of said insurance, and said cancellation shall automatically terminate this Agreement.

c) Governmental Immunities Endorsement. Licensee shall obtain a governmental immunities endorsement that meets the requirements set forth on Exhibit B, attached and incorporated herein.

15. Indemnification. Licensee shall pay on behalf of the City all sums which the City shall be obligated to pay by reason of any liability imposed upon the City for damages of any kind resulting from the use of the authorized sight or sale, consumption, or possession of beer and wine on the Authorized Sites, whether sustained by any person or person, caused by accident or otherwise and shall defend at its own expense and on behalf of the City, its officers, employees and agents any claim against the City, its officers, employees, and agents arising out of the use of the Authorized Site or sale, consumption, or possession of beer and wine on the Authorized Site.

16. Non-Discrimination. Licensee shall not discriminate against any person in employment or public accommodation because of race, religion, color, creed, gender identity, sex, national origin, sexual orientation, mental or physical disability, marital status or age. "Employment" shall include but not be limited to hiring, accepting, registering, classifying, promoting, or referring to employment. "Public accommodation" shall include but not be limited to providing goods, services, facilities, privileges and advantages to the public.

17. Termination. The City may terminate this agreement upon written notice for violation of any provision of this agreement.

18. Assignment and Subletting. Licensee shall not assign or sublet this agreement without prior written approval of the City.

19. Entire Agreement. This constitutes the whole agreement between the parties, and may be modified in writing only, duly signed by the parties.

Dated, this 27 day of May, 2026.

Iowa City Downtown Self Supported Municipal Improvement District

By: Betsy Potter, Executive Director

THE CITY OF IOWA CITY

_____

By: Geoff Fruin, City Manager

Approved by:

Sara Greenwood

City Attorney's Office 5/27/26

EXHIBIT A

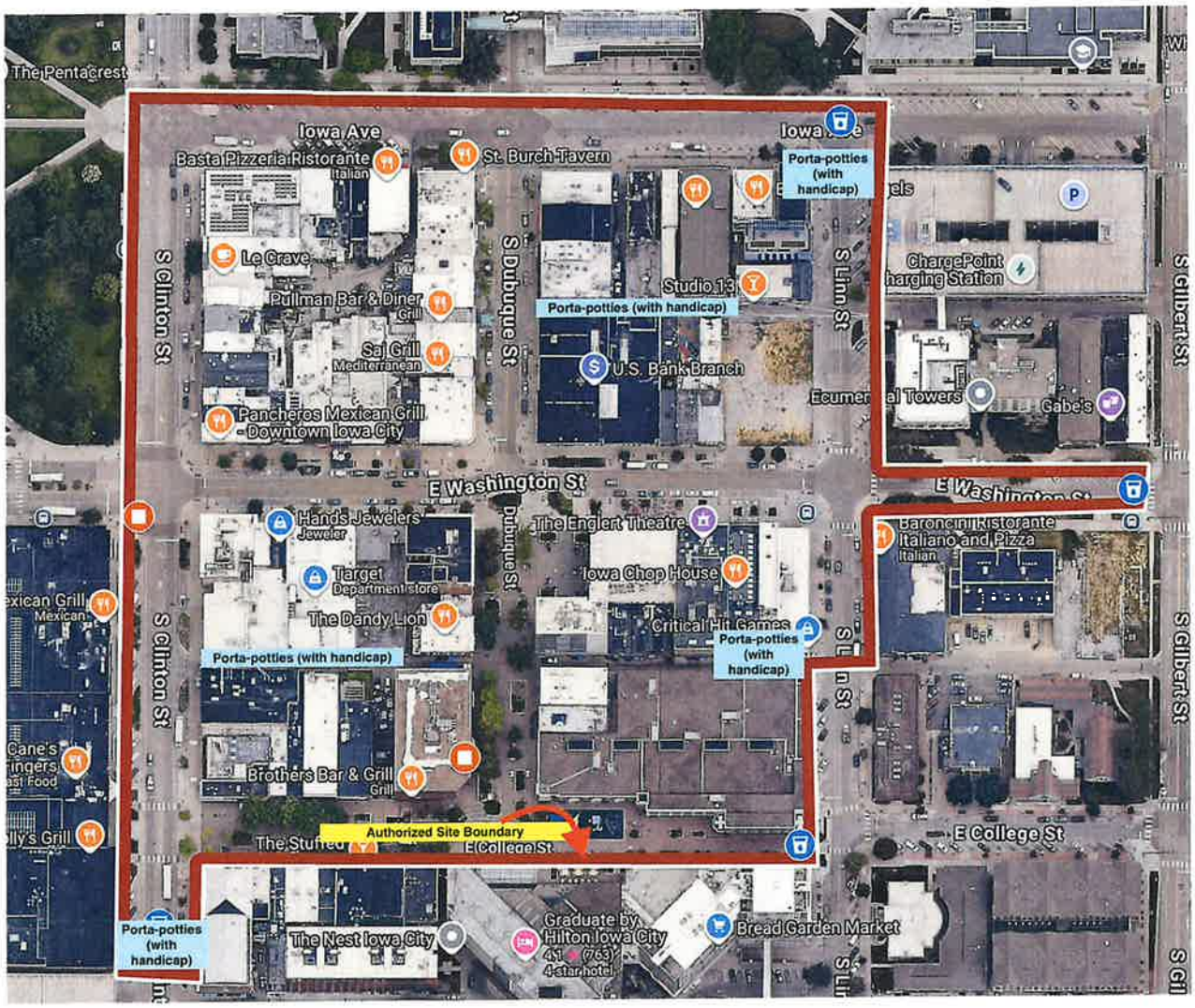

The Pentacrest
Iowa Ave
Basta Pizzeria Ristorante
Italian
St. Burch Tavern
Porta-potties (with handicap)
Le Crave
Pullman Bar & Diner
Grill
Saj Grill
Mediterranean
Pancheros Mexican Grill - Downtown Iowa City
S Clinton St
S Dubuque St
S Linn St
Studio 13
Porta-potties (with handicap)
U.S. Bank Branch
ChargePoint harging Station
Ecumer al Towers
Gabe's
S Gilbert St
E Washington St
Hands Jewelers
Jeweler
Target
Department store
The Dandy Lion
The Englert Theatre
Iowa Chop House
Critical Hit Games
Porta-potties (with handicap)
Baroncini Ristorante Italiano and Pizza
Italian
Brothers Bar & Grill
Grill
Authorized Site Boundary
E College St
The Nest Iowa City
Graduate by Hilton Iowa City
4.1 (763)
4-star hotel
Bread Garden Market
Porta-potties (with handicap)

EXHIBIT B

Governmental Immunities Endorsement

1. Non-waiver of Government Immunity. The insurance carrier expressly agrees and states that the purchase of this policy and the including of the City of Iowa City, Iowa as Additional Insured does not waive any of the defenses of governmental immunity available to the City of Iowa City, Iowa, under Code of Iowa Section 670.4 as it now exists and as it may be amended from time to time.

2. Claims Coverage. The insurance carrier further agrees that this policy of insurance shall cover only those claims not subject to the defense of governmental immunity under the Code of Iowa Section 670.4 as it now exists and as it may be amended from time to time. Those claims not subject to Code of Iowa Section 670.4 shall be covered by the terms and conditions of this insurance policy.

3. Assertion of Government Immunity. The City of Iowa City, Iowa shall be responsible for asserting any defense of governmental immunity, and may do so at any time and shall do so upon the timely written request of the insurance carrier. Nothing contained in this endorsement shall prevent the carrier from asserting the defense of governmental immunity on behalf of the City of Iowa City.

4. Non-Denial of Coverage. The insurance carrier shall not deny coverage under this policy and the insurance carrier shall not deny any of the rights and benefits accruing to the City of Iowa City, Iowa under this policy for reasons of governmental immunity unless and until a court of competent jurisdiction has ruled in favor of the defense(s) of governmental immunity asserted by the City of Iowa City, Iowa.

5. No Other Change in Policy. The insurance carrier, the City of Iowa City, Iowa, agree that the above preservation of governmental immunities shall not otherwise change or alter the coverage available under the policy.

Item Number: 6.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution authorizing the Mayor to sign and the City Clerk to attest Amendment Number 2 to the 28E agreement for fire protection services between the City of Iowa City and University Heights.

Prepared By:	Scott Lyon, Fire Chief
Reviewed By:	Geoff Fruin, City Manager Eric R. Goers, City Attorney
Fiscal Impact:	A deposit to the FY27 budget of $42,800 and adjusted by the Consumer Price Index annually for the term of the agreement.
Staff Recommendation:	Approval
Attachments:	Resolution Amendment 2

Executive Summary:
This agreement is an updated amendment to the 2016 28E agreement that outlines provisions to provide fire protection through contracted mutual aid to the City of University Heights during times of need. The update in the proposed amendment extends the fire protection contract to June 30, 2031. All other provisions remain unchanged.

Background / Analysis:
The City of Iowa City Fire Department has an established history of collaboration with the City of University Heights since 2016. This agreement represents a decade of provide fire protection services. Annual call for service demand in the City of University Heights represents 1.6% of all calls for service for the Iowa City Fire Department.

Prepared by: Jennifer Schwickerath, Asst. City Attorney, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5030

Resolution number _____

Resolution authorizing the Mayor to sign and the City Clerk to attest Amendment Number 2 to the 28E agreement for fire protection services between the City of Iowa City and University Heights.

Whereas, Chapter 28E, Code of Iowa, provides, in substance, that any power which may be exercised by a public agency of this state may be exercised jointly with another public agency having such power; and

Whereas, University Heights has previously contracted with Iowa City to provide fire protection to University Heights, starting July 1, 2016; and

Whereas, that agreement was previously extended through June 30, 2026 with Amendment Number 1; and

Whereas, University Heights wishes to extend that agreement again through June 30, 2031; and

Whereas, the City is willing to continue to provide University Heights with fire protection, under the terms of the Agreement negotiated between the cities; and

Whereas, under the terms of the Agreement, University Heights will pay Iowa City $42,800.00 for fiscal year 2027, with annual fees increasing in proportion to the Consumer Price Index, with either party able to terminate the Agreement with six months' notice to the other party; and

Whereas, it is in the City's best interest to approve the attached Amendment Number 2 to the 28E Agreement for Fire Protection Services.

Now, Therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The attached Amendment Number 2 to the 28E Agreement for Fire Protection Services between the City of Iowa City, Iowa and University Heights, Iowa is hereby approved in substance, and the Mayor is hereby authorized to execute and the City Clerk to attest said Amendment in triplicate.

2. The Iowa City Fire Chief is authorized to continue to administer the Agreement on behalf of the City of Iowa City.

3. The City Clerk is directed to file a copy of said Amendment Number 2 to the 28E Agreement with the Secretary of the State of Iowa, as required by Iowa Code Chapter 28E.

Passed and approved this _____ day of _____, 20_____.

_____
Mayor

Approved by

Attest:_____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Amendment Number 2
to
28E Agreement for Fire Protection Services

This Amendment Number 2 is to the 28E Agreement for Fire Protection Services Agreement entered into by and between the City of Iowa City, hereinafter referred to as "Iowa City," and the City of University Heights, hereinafter referred to as "University Heights," on or about April 19th, 2016, hereinafter referred to as the "Agreement."

The Agreement was previously amended by Amendment Number 1 on or about June 15, 2021 to amend Section I to extend the duration of the Agreement and to amend Section IV to update the amount of compensation.

Whereas, University Heights and Iowa City, hereinafter referred to as the "Parties," have both reaped the benefits of the Agreement, and wish to extend the Agreement an additional five years; and

Whereas, Iowa City and University Heights have agreed to a beginning annual fee of $42,800.00 for FY27, to continue increasing in accordance with the Consumer Price Index, per the terms of the Agreement; and

Whereas, all other terms of the Agreement are to remain unchanged.

Now, Therefore, in consideration of the mutual covenants and conditions contained in the Agreement and herein, the Parties agree to amend the Agreement as follows:

- Section I. **Duration,** shall be amended by deleting it in its entirety and substituting the following:
  I. DURATION. The parties hereto agree the term of this Agreement shall be from July 1, 2016 through June 30, 2031.

- Section **IV. Financing** shall be amended by adding the following language under the line "Fiscal Year 2017: $31,874.00":
  Fiscal Year 2022: $34,343.00
  Fiscal Year 2027: $42,800.00

All other terms in the Agreement remain unchanged and in full force and effect.

Upon approval and execution of this Amendment Number 2 by both Parties, the City Clerk of Iowa City shall file this Amendment with the Office of the Iowa Secretary of State as required by law.

Dated this _____ day of _____, 2026.

CITY OF IOWA CITY, IOWA

By:_____
Bruce Teague, Mayor

By:_____
Kellie K. Grace, City Clerk

CITY OF UNIVERSITY HEIGHTS, IOWA

By:_____
Louise From, Mayor

By:_____
Mike Haverkamp, City Clerk

IOWA CITY'S ACKNOWLEDGEMENT

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This record was acknowledged before me on this _____ day of _____, 2026, by **Bruce Teague** and **Kellie K. Grace**, as Mayor and City Clerk, respectively, of the **CITY OF IOWA CITY, IOWA**.

_____
Notary Public in and for the State of Iowa

UNIVERSITY HEIGHTS' ACKNOWLEDGEMENT

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This record was acknowledged before me on this _____ day of _____, 2026, by **Louise From** and **Mike Haverkamp**, as Mayor and City Clerk, respectively, of the **CITY OF UNIVERSITY HEIGHTS, IOWA**.

_____
Notary Public in and for the State of Iowa

Item Number: 6.d.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution authorizing the procurement of two (2) wheel loaders for Landfill Operations.

Prepared By:	Dan Striegel - Equipment Superintendent
Reviewed By:	Ron Knoche, Director of Public Works Geoff Fruin, City Manager Liz Craig - Assistant City Attorney
Fiscal Impact:	$451,578.57 after contract discounts and trade allowance; funds for this purchase are available in Equipment Replacement account 81710520.
Staff Recommendation:	Approval
Attachments:	Quote Contract Resolution

Executive Summary:
At the June 2, 2026 City Council meeting, consideration will be given to a resolution authorizing the purchase of two new Case 721 GXT articulating wheel loaders from Titan Machinery in Center Point, IA.

Sourcewell cooperative contract #011723-CNH, which affords a 29% discount off list price, will be utilized for the procurement. Contract price for the two new machines, two ACS couplers, two ACS 3.5 cubic yard regular buckets, and one ACS 3.0 cubic yard grapple bucket is $591,578.57. Current loaders #814 and #816 will be traded in toward the purchase at a reasonable combined trade value of $140,000.00.

Total purchase price including trade allowance, setup, and delivery is $451,578.57 as per Titan Machinery sales agreement ESA #ES0082968 dated May 8, 2026.

Background / Analysis:
The Landfill uses two wheel loaders in its daily composting and yard waste processing operations, and both loaders are scheduled for replacement in December 2026. Case Construction has two build slots available in November 2026, delivery is estimated to be in January 2027.

TITAN MACHINERY

Equipment Sales Agreement

ESA# : ES0082968
Date : 05/08/2026

Customer:	IOWA CITY, CITY OF
Address:	CITY OF IOWA CITY 1200 S RIVERSIDE DR IOWA CITY IA 52246-5717
County:	JOHNSON PO:
Phone:	319-356-5197

Seller:	TITAN MACHINERY-CENTER POINT
Address:	4250 GRAIN LN CENTER POINT IA 52213-9504
Phone:	319-249-5212 MOELLER, TYLER

Sales Tax Possession / Receiving Location:

IA, LINN, CENTER POINT

NOTICE TO PURCHASER

1. Read this contract before you sign it.
2. You are entitled to an exact and completely filled in copy of this contract when you sign it. Keep it to protect your legal rights.
3. Purchaser acknowledges receipt of a fully completed copy of this contract and Purchaser waives notice of the acceptance or rejection of this order by the seller.
4. The Acknowledgments and Additional Terms and Conditions are a part of this contract and are incorporated herein by reference.

Purchased Equipment Information

Type	Product	PDI	Warranty	Unit #	Serial Number	Sales Price
New	CASE, 721G2 PLUS XT T4F WL, WHEEL L	No	STANDARD FACTORY	E00666827	ACS COUPLER+3.5BUCKET+GRAPPLE	306,330.11
New	CASE, 721G2 PLUS XT T4F WL, WHEEL L	No	STANDARD FACTORY	E00666828	ACS COUPLER+3.5BUCKET	285,248.46
	INCLUDES 2 3.5YD ACS BUCKETS					
	INCLUDES 2 ACS COUPLERS					
	INCLUDES 1 CUSTOM ACS GRAPPLE BUCKET					
	PRO CARE AND TELEMATICS INCLUDED					
	PER SOURCEWELL CONTRACT 011723-CNH					
	Addendum Subtotal Price					0.00

Trade-In Equipment Information

I (we) offer to sell, transfer and convey the following item(s) at or prior to the time of delivery of the above product, as a "trade-in" to be applied against the cash price. Such items shall be free and clear of all security agreements,liens, and encumbrances at the time of transfer to you.The following is a description and the price allowed for each item.

Description of Trade In	Unit #	Serial Number	Amount
CASE, 721GXT, WHEEL LOADER	E00185211	NKF250446	75,000.00
CASE, 721GXT, WHEEL LOADER	E00185127	NKF250078	65,000.00
Addendum Subtotal Price			0.00

Tax Breakdown	Amount
Total Taxes	0.00

Other Options, Charges, Fees	Amount
FINANCE FEES	0.00
Addendum Subtotal Price	0.00
Total Other Options, Charges and Fees	**0.00**

2. Total Trade In Allowance	**140,000.00**
3. Balance	451,578.57
4. Total Tax	0.00
5. Other Options, Charges, Fees	0.00
6. Trade Payoff / Pre Barter	0.00
7. Total Due	451,578.57

SETTLEMENT	
8. Cash Payment	449,963.57
9. Cash Due:	0.00
10. Retail Installment Contract	1,615.00
11. Total Settlement	451,578.57

It is understood that this is the entire agreement between the parties

Customer: _____ Date _____ Salesperson: _____
MOELLER, TYLER

Customer: _____ Date _____ Accepted By: _____

By making this purchase, you acknowledge and agree to CNH Industrial's privacy practices as described in our Privacy Notice available here https://www.mycnhistore.com/us/en/default/privacynotice

Case Construction

Heavy construction equipment

Sourcewell Awarded Contract

#011723-CNH

Maturity Date: 4/14/2027

Website: casece.com/government-municipalities

Products & Services | Buy Sourcewell | Documents | Contact Information

Products & Services

Sourcewell contract 011723-CNH gives access to the following types of goods and services:

- NEW electric vehicle models (marked with asterisk*)
- Backhoe* and tractor loaders
- Excavators – compact* and full-size
- Wheeled excavators
- Wheel loaders – compact and full-size
- Skid steers and compact track loaders
- Mini track loaders
- Small articulated loaders*
- Crawler dozers
- Motor graders
- Rough terrain forklifts
- Compaction – soil and asphalt rollers

Locate your local dealer or representative

CASE CONSTRUCTION

See www.casece.com for product information SOURCEWELL/ CANOE PRICE LIST DISCOUNTS--
Contract 011723 Valid until 04/14/2027

Pricing Revised 3/19/26

	FOR USA & Canadian MARKET ONLY	
PRODUCT / MODEL	**PRICE LIST**	**SOURCEWELL & CANOE MEMBER DISCOUNT OFF LIST PRICE**
TRACTOR LOADER		
570N	Current Pricing	21%
TRACTOR LOADER BACKHOE		
575N EP	Current Pricing	27%
580SN	Current Pricing	28%
580SN WT	Current Pricing	28%
580SV	Current Pricing	28%
590SN	Current Pricing	28%
695SV	Current Pricing	28%
580EV	Current Pricing	30%
FORKLIFT		
586H	Current Pricing	20%
588H	Current Pricing	20%
CRAWLER DOZER		
650M	Current Pricing	21%
750M	Current Pricing	27%
850M	Current Pricing	27%
1150M	Current Pricing	27%
1650M	Current Pricing	27%
2050M	Current Pricing	23%
COMPACT DOZER LOADER		
DL550	Current Pricing	18%
COMPACT WHEEL LOADER		
21F	Current Pricing	18%
121F	Current Pricing	21%
221G	Current Pricing	21%
321G	Current Pricing	21%
421G	Current Pricing	21%
CL36EV	Current Pricing	21%
WHEEL LOADER		
521G	Current Pricing	28%
621G	Current Pricing	29%
651G	Current Pricing	29%
721G	Current Pricing	29%
821G	Current Pricing	29%
921G	Current Pricing	29%
1021G	Current Pricing	23%
1121G	Current Pricing	23%

Pricing does not include freight, delivery, pdi or tariff charges
Freight FOB North America plant or import distribution location
CASE CE dealer can add delivery freight and PDI costs
Dealer quotes should only be valid 30 days to remain price protected

VEHICLE	0020233718	
SALES ORDER	PRINT DATE	ORDER DATE
89441709	04/30/2026	04/30/2026
PURCHASE ORDER NO.		
271 - E00666827		

BILL TO	110935
TITAN MACHINERY INC. 644 EAST BEATON DRIVE WEST FARGO ND US 58078	

SALES AREA	CURRENCY	ORDER REASON	END CUSTOMER
CNH INDUSTRIAL AMERICA LLC CONSTRUCTION EQUIP.	USD	DEALER STOCK	

Description			Origin	List Price
PRICELIST	C107			
PRICE EFFECTIVE DATE	04/30/2026			
CONTRACT	CONT100105	Case STD Terms for US G183 M+SM+9		
COMMERCIAL MODEL	721G2 PLUS XT T4F 2L6	-721G2 PLUS XT T4F 2L6		
MODEL	PSH	-PSH		
REGION	NAT4-L2	-NAT4B-LE 78		
VERSION	PL16 XL	-XT LINKAGE PL16 XL		
Base machine price		-		362,209.00
QUICK PICK - WHEEL LOADERS	734144	-Government Only Quick Pick		6,128.00-
BOOM	734116	-XT Linkage		
TRANSMISSION	424225	-5-speed Transmission		4,023.00
AXLES	734201	-HD - LSD Front - LSD Rear		
RADIATOR OPTIONS	482931	-Heavy Debris Cooling System		1,160.00
CAB COMFORT BUNDLES	734152	-Enhanced Cab Comfort		1,800.00
VISIBILITY BUNDLES	734154	-Enhanced Visibility Bundle		3,266.00
HYDRAULIC STEERING	782441	-Standard Hydraulic Steering		
CONTROL VALVES	734054	-Joystick with 1 AUX Function		
STEPS/REAR FENDERS	782589	-Standard Fenders w/ LH Steps		
CONTROL UNIT FOR TRANSMISSION	734186	-No Transmission Control Unit		
4WS WHEELS	8420551	-20.5R25 L3 Radial Maxam		6,450.00
BUCKETS, PINS & COUPLERS	782537	-Bucket Pins, No Bkt or Coupler		16,489.00-
INTEGRATED PAYLOAD SYSTEM	734139	-Payload System Ready		
LOCKING HYDRAULICS	424911	-Locking Hydraulic for Coupler		

THIS IS NOT A TAX DOCUMENT

VEHICLE	0020233718	
SALES ORDER	PRINT DATE	ORDER DATE
89441709	04/30/2026	04/30/2026
PURCHASE ORDER NO.		
271 - E00666827		

BILL TO	110935
TITAN MACHINERY INC. 644 EAST BEATON DRIVE WEST FARGO ND US 58078	

SALES AREA	CURRENCY	ORDER REASON	END CUSTOMER
CNH INDUSTRIAL AMERICA LLC CONSTRUCTION EQUIP.	USD	DEALER STOCK	

Description			Origin	List Price
DECALS & LITERATURE	482105	-English Literature		
AIR PRECLEANER	424223	-Ejector Type Precleaner		444.00
BACK UP ALARM	734237	-Standard Backup Alarm		
COLD WEATHER STARTING	482322	-Cold Weather package		2,003.00
RIDE CONTROL	782503	-Ride Control		
SKID PLATE	482027	-Skid Plate/Transmission Guard		1,009.00
TRANSPORT PROTECTION	734596	-Transport Protection		
		Dealer Net		357,746.00
		Net for Wholegood Programs		
		-Material Surcharge		
		Net Price		
		-Load Fee		
		Total Sundries		
		Total Taxes		
		Total		

PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE.
6+0 / RDD
CONFIRMATION UPDATED:
REQUESTED DELIVERY DATE YEAR 2026 MONTH SEP
CONFIRMED DELIVERY DATE YEAR MONTH

MODE OF TRANSPORTATION : TRUCK LOAD
SHIP TO: TITAN MACHINERY INC.
4250 GRAIN LANE
52213 CENTER POINT
Please go to Web Academy to ensure your dealership has training & certification for product that has just been ordered.

THIS IS NOT A TAX DOCUMENT

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

Solicitation Number: RFP # 011723

CONTRACT

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and CNH Industrial America LLC**,** 700 State Street, Racine, WI 53404 (Supplier).

Sourcewell is a State of Minnesota local government unit and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to eligible federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Heavy Construction Equipment with Related Attachments and Technology from which Supplier was awarded a contract.

Supplier desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

A. EFFECTIVE DATE. This Contract is effective upon the date of the final signature below.

B. EXPIRATION DATE AND EXTENSION. This Contract expires April 14, 2027, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended one additional year upon the request of Sourcewell and written agreement by Supplier.

C. SURVIVAL OF TERMS. Notwithstanding any expiration or termination of this Contract, all payment obligations incurred prior to expiration or termination will survive, as will the following: Articles 11 through 14 survive the expiration or cancellation of this Contract. All other rights will cease upon expiration or termination of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

A. EQUIPMENT, PRODUCTS, OR SERVICES. Supplier will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

Supplier's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new and the current model. Supplier may offer close-out or refurbished Equipment or Products if they are clearly indicated in Supplier's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. WARRANTY. Supplier warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Supplier warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Supplier's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that extends beyond the expiration of the Supplier's warranty will be passed on to the Participating Entity.

C. DEALERS, DISTRIBUTORS, AND/OR RESELLERS. Upon Contract execution and throughout the Contract term, Supplier must provide to Sourcewell a current means to validate or authenticate Supplier's authorized dealers, distributors, or resellers relative to the Equipment, Products, and Services offered under this Contract, which will be incorporated into this Contract by reference. It is the Supplier's responsibility to ensure Sourcewell receives the most current information.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced at or below the price stated in Supplier's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. SHIPPING AND SHIPPING COSTS. All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Supplier must permit the Equipment and Products to be returned within a reasonable time at no cost to Sourcewell or its Participating Entities.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

Participating Entities reserve the right to inspect the Equipment and Products at a reasonable time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Supplier as soon as possible and the Supplier will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

Supplier must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcewell may declare the Supplier in breach of this Contract if the Supplier intentionally delivers substandard or inferior Equipment or Products.

B. SALES TAX. Each Participating Entity is responsible for supplying the Supplier with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Supplier may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Supplier determines it will offer Hot List Pricing, it must be submitted electronically to Sourcewell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcewell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Supplier may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcewell Price and Product Change Request Form to the assigned Sourcewell Supplier Development Administrator. This approved form is available from the assigned Sourcewell Supplier Development Administrator. At a minimum, the request must:

- Identify the applicable Sourcewell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;
- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Request Form will become an amendment to this Contract and will be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Supplier understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Supplier is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Supplier's employees may be required to perform work at government-owned facilities, including schools. Supplier's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Supplier that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Supplier. Typically, a Participating Entity will issue an order directly to Supplier or its authorized subsidiary, distributor, dealer, or reseller. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration or cancellation of this Contract; however, Supplier performance, Participating Entity

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

payment obligations, and any applicable warranty periods or other Supplier or Participating Entity obligations may extend beyond the term of this Contract.

Supplier's acceptable forms of payment are included in its attached Proposal. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Supplier, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entities may require the use of a Participating Addendum, the terms of which will be negotiated directly between the Participating Entity and the Supplier or its authorized dealers, distributors, or resellers, as applicable. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements not addressed in this Contract (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements), the Participating Entity and the Supplier may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Supplier in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the equipment, products, or services to be purchased; or
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Supplier will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

- Timely response to all Sourcewell and Participating Entity inquiries; and
- Business reviews to Sourcewell and Participating Entities, if applicable.

B. BUSINESS REVIEWS. Supplier must perform a minimum of one business review with Sourcewell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, sales data reports, performance issues, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. CONTRACT SALES ACTIVITY REPORT. Each calendar quarter, Supplier must provide a contract sales activity report (Report) to the Sourcewell Supplier Development Administrator assigned to this Contract. Reports are due no later than 45 days after the end of each calendar quarter. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Supplier must submit a report indicating no sales were made).

The Report must contain the following fields:

- Participating Entity Name (e.g., City of Staples Highway Department);
- Participating Entity Physical Street Address;
- Participating Entity City;
- Participating Entity State/Province;
- Participating Entity Zip/Postal Code;
- Participating Entity Contact Name;
- Participating Entity Contact Email Address;
- Participating Entity Contact Telephone Number;
- Sourcewell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcewell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Supplier.

B. ADMINISTRATIVE FEE. In consideration for the support and services provided by Sourcewell, the Supplier will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Supplier may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Supplier will submit payment to Sourcewell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter. Payments should

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

note the Supplier's name and Sourcewell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Supplier agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Supplier is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Supplier in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Supplier's Authorized Representative is the person named in the Supplier's Proposal. If Supplier's Authorized Representative changes at any time during this Contract, Supplier must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. AUDIT. Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant to this Contract are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. ASSIGNMENT. Neither party may assign or otherwise transfer its rights or obligations under this Contract without the prior written consent of the other party and a fully executed assignment agreement. Such consent will not be unreasonably withheld. Any prohibited assignment will be invalid.

C. AMENDMENTS. Any amendment to this Contract must be in writing and will not be effective until it has been duly executed by the parties.

D. WAIVER. Failure by either party to take action or assert any right under this Contract will not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right. Any such waiver must be in writing and signed by the parties.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

E. CONTRACT COMPLETE. This Contract represents the complete agreement between the parties. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22 of this Contract, the terms of Articles 1-22 will govern.

F. RELATIONSHIP OF THE PARTIES. The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. INDEMNITY AND HOLD HARMLESS

Supplier must indemnify, defend, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees incurred by Sourcewell or its Participating Entities, arising out of any act or omission in the performance of this Contract by the Supplier or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications. Sourcewell's responsibility will be governed by the State of Minnesota's Tort Liability Act (Minnesota Statutes Chapter 466) and other applicable law.

12. GOVERNMENT DATA PRACTICES

Supplier and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, maintained, or disseminated by the Supplier under this Contract.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:
   a. Sourcewell grants to Supplier a royalty-free, worldwide, non-exclusive right and license to use the trademark(s) provided to Supplier by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Supplier.
   b. Supplier grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Supplier's trademarks in advertising and promotional materials for the purpose of marketing Supplier's relationship with Sourcewell.
2. *Limited Right of Sublicense*. The right and license granted herein includes a limited right of each party to grant sublicenses to their respective subsidiaries, distributors, dealers, resellers, marketing representatives, and agents (collectively "Permitted Sublicensees") in

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. *Use; Quality Control.*

a. Neither party may alter the other party's trademarks from the form provided and must comply with removal requests as to specific uses of its trademarks or logos.

b. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's trademarks only in good faith and in a dignified manner consistent with such party's use of the trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. *Termination*. Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of suppliers which may be used until the next printing). Supplier must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. PUBLICITY. Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Supplier individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. MARKETING. Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Send all approval requests to the Sourcewell Supplier Development Administrator assigned to this Contract.

D. ENDORSEMENT. The Supplier must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

The substantive and procedural laws of the State of Minnesota will govern this Contract. Venue for all legal proceedings arising out of this Contract, or its breach, must be in the appropriate state court in Todd County, Minnesota or federal court in Fergus Falls, Minnesota.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found by a court of competent jurisdiction to be illegal, unenforceable, or void then both parties will be relieved from all obligations arising from that provision. If the remainder of this Contract is capable of being performed, it will not be affected by such determination or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. PERFORMANCE. During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Supplier will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Supplier may escalate the resolution of the issue to a higher level of management. The Supplier will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending*. Notwithstanding the existence of a dispute, the Supplier must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Supplier fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, the Supplier will bear any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed.

B. DEFAULT AND REMEDIES. Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

The party claiming default must provide written notice of the default, with 30 calendar days to cure the default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Supplier must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*
Workers' Compensation: As required by any applicable law or regulation.
Employer's Liability Insurance: must be provided in amounts not less than listed below:
Minimum limits:
$500,000 each accident for bodily injury by accident
$500,000 policy limit for bodily injury by disease
$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Supplier will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.
Minimum Limits:
$1,000,000 each occurrence Bodily Injury and Property Damage
$1,000,000 Personal and Advertising Injury
$2,000,000 aggregate for products liability-completed operations
$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Supplier will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.
Minimum Limits:
$1,000,000 each accident, combined single limit

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

4. *Umbrella Insurance*. During the term of this Contract, Supplier will maintain umbrella coverage over Employer's Liability, Commercial General Liability, and Commercial Automobile.

Minimum Limits:
$2,000,000

5. *Network Security and Privacy Liability Insurance*. During the term of this Contract, Supplier will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Supplier's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:
$2,000,000 per occurrence
$2,000,000 annual aggregate

Failure of Supplier to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Supplier must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Supplier Development Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Supplier to provide certificates of insurance, in no way limits or relieves Supplier of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Supplier agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Supplier's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Supplier, and products and completed operations of Supplier. The policy provision(s) or endorsement(s) must further provide that coverage is primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. WAIVER OF SUBROGATION. Supplier waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Supplier or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Supplier or its subcontractors. Where permitted by law, Supplier must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION. The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. LAWS AND REGULATIONS. All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. LICENSES. Supplier must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Supplier conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Supplier certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Supplier declares bankruptcy, Supplier must immediately notify Sourcewell in writing.

Supplier certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Supplier certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Supplier further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may have additional

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

requirements based on specific funding source terms or conditions. Within this Article, all references to "federal" should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Supplier's Equipment, Products, or Services with United States federal funds.

A. EQUAL EMPLOYMENT OPPORTUNITY. Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of "federally assisted construction contract" in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 C.F.R. § 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor." The equal opportunity clause is incorporated herein by reference.

B. DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148). When required by federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Supplier must be in compliance with all applicable Davis-Bacon Act provisions.

C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of "funding agreement" under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of $150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Supplier certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. §180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Supplier certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Suppliers must file any required certifications. Suppliers must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Suppliers must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Suppliers must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Supplier must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Supplier further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Supplier must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Supplier must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Supplier agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Supplier that are directly pertinent to Supplier's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Supplier's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery;

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

M. FEDERAL SEAL(S), LOGOS, AND FLAGS. The Supplier cannot use the seal(s), logos, crests, or reproductions of flags or likenesses of Federal agency officials without specific pre-approval.

N. NO OBLIGATION BY FEDERAL GOVERNMENT. The U.S. federal government is not a party to this Contract or any purchase by a Participating Entity and is not subject to any obligations or liabilities to the Participating Entity, Supplier, or any other party pertaining to any matter resulting from the Contract or any purchase by an authorized user.

O. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS. The Contractor acknowledges that 31 U.S.C. 38 (Administrative Remedies for False Claims and Statements) applies to the Supplier's actions pertaining to this Contract or any purchase by a Participating Entity.

P. FEDERAL DEBT. The Supplier certifies that it is non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowance, and benefit overpayments.

Q. CONFLICTS OF INTEREST. The Supplier must notify the U.S. Office of General Services, Sourcewell, and Participating Entity as soon as possible if this Contract or any aspect related to the anticipated work under this Contract raises an actual or potential conflict of interest (as described in 2 C.F.R. Part 200). The Supplier must explain the actual or potential conflict in writing in sufficient detail so that the U.S. Office of General Services, Sourcewell, and Participating Entity are able to assess the actual or potential conflict; and provide any additional information as necessary or requested.

R. U.S. EXECUTIVE ORDER 13224. The Supplier, and its subcontractors, must comply with U.S. Executive Order 13224 and U.S. Laws that prohibit transactions with and provision of resources and support to individuals and organizations associated with terrorism.

S. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. To the extent applicable, Supplier certifies that during the term of this Contract it will comply with applicable requirements of 2 C.F.R. § 200.216.

T. DOMESTIC PREFERENCES FOR PROCUREMENTS. To the extent applicable, Supplier certifies that during the term of this Contract will comply with applicable requirements of 2 C.F.R. § 200.322.

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

22. CANCELLATION

Sourcewell or Supplier may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Supplier's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

Sourcewell

DocuSigned by:
By: Jeremy Schwartz
C0FD2A139D06489...
Jeremy Schwartz
Title: Chief Procurement Officer

Date: 4/4/2023 | 2:29 PM CDT

CNH Industrial America LLC

DocuSigned by:
By: Amy Swett
7FCB6D1BF7F04C0...
Amy Swett
Title: Government & Fleet Sales Account Manager–New Holland CE brand

Date: 4/4/2023 | 2:31 PM CDT

Approved:

DocuSigned by:
By: Chad Coauette
7E42B8F817A64CC...
Chad Coauette
Title: Executive Director/CEO

Date: 4/4/2023 | 2:39 PM CDT

DocuSign Envelope ID: B078CCAE-5C98-4177-BC3F-8EC890AE6487

RFP 011723 - Heavy Construction Equipment with Related Attachments and Technology

Vendor Details

Company Name:	CNH Industrial America LLC
Address:	700 State Street Racine, WI 53404
Contact:	Clint Jenkins
Email:	Clinton.jenkins@caseih.com
Phone:	937-218-1701
Fax:	877-764-1369
HST#:	760433811

Submission Details

Created On:	Wednesday November 16, 2022 13:07:37
Submitted On:	Tuesday January 17, 2023 12:55:10
Submitted By:	Amy Swett
Email:	amy.swett@newholland.com
Transaction #:	a0423bfd-2f16-47ee-b66d-446ac499cd78
Submitter's IP Address:	159.61.192.15

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; respond "N/A" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *	
1	Proposer Legal Name (one legal entity only): (In the event of award, will execute the resulting contract as "Supplier")	CNH Industrial America LLC	*
2	Identify all subsidiary entities of the Proposer whose equipment, products, or services are included in the Proposal.	CNH America LLC	*
3	Identify all applicable assumed names or DBA names of the Proposer or Proposer's subsidiaries in Line 1 or Line 2 above.	CNH Industrial America LLC does not have any assumed names or DBA.	*
4	Provide your CAGE code or Unique Entity Identifier (SAM):	10988	*
5	Proposer Physical Address:	700 State Street Racine, Wisconsin 53402	*
6	Proposer website address (or addresses):	https://www.cnhindustrial.com https://www.casece.com https://construction.newholland.com www.newholland.com	*
7	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Amy Swett Government & Fleet Sales Account Manager – New Holland CE brand 500 Diller Avenue New Holland, PA 17557 Amy.swett@newholland.com 717-715-2489	*
8	Proposer's primary contact for this proposal (name, title, address, email address & phone):	Amy Swett Government & Fleet Sales Account Manager – New Holland CE brand 500 Diller Avenue New Holland, PA 17557 Amy.swett@newholland.com 717-715-2489	*
9	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Tony Simpson Government Affairs 6021 State Street Racine, WI 53142 262-631-0881 tony.simpson@cnhind.com	

Table 2: Company Information and Financial Strength

Line Item	Question	Response *	
10	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	The origins of Case date to 1842, when Jerome Increase Case (born in 1819) created Racine Threshing Machine Works in Racine, Wisconsin. The company produced its first portable steam engine in 1876, which is now on display at the Smithsonian Institution. In 1957 Case made the 320 Construction King backhoe loader.Since 1969 Case has manufactured skid steers, starting in Burlington, Iowa and later moving production to Wichita. The company evolved into the Case Corporation, which merged with New Holland in 1999 to become CNH Global which in 2011 became CNH Industrial.	

2005: Case made its 500,000th backhoe loader and in 2010 made its 250,000th skid steer loader.

2016: Case released the new G-Series wheel loader lineup consisting of seven new models from 521G thru 1121G.

2017: In its 175th year in business, Case announced its facility in Wichita produced its 300,000th skid-steer loader.

2017: At Conexpo-Con/Agg 2017 Case released the CX750D excavator.

As of May 2017, Case “sells a full line of construction equipment around the world, including the number one loader/backhoes, excavators, motor graders, wheel loaders, vibratory compaction rollers, crawler dozers, skid steers, compact track loaders and rough-terrain forklifts.

New Holland Construction was founded in 1895 in New Holland, Pennsylvania; in 1966 New Holland’s first backhoe loader was introduced; in 2005 New Holland Construction Brand was created with a global full-line product offering of Skid steer loaders, compact track loaders, tractor loader backhoes, tractor loaders, wheel loaders and excavators. Since 1999, New Holland is a brand of CNH, which was demerged from Fiat Group to Fiat Industrial at the start of 2011.

2007 New Holland made 200,000 Skid Steer loaders and celebrated 35 years of designing and building its highly successful skid steer loader. They are the preferred choice of landscapers around the world and #1 in lift and carry compact machines.

2008 New Holland’s “green” engine. New Holland launched the E215B crawler excavator, which mounts a brand-new engine which dramatically reduces emissions well below the levels required by regulations.

New Holland equipment is built all around the world; the headquarters is in Turin, Italy and with ten plants and ten research and development centers spread globally, more than 800 dealers and 2,100 outlets. It is present in 100 countries worldwide.

New Holland produces thirteen product families, five in the heavy range and eight in the light range; products include dozers, mini excavators, graders, wheel loaders, crawler excavators, backhoe loaders, skid steer loaders.

Productivity, safety, and environmental responsibility are the cornerstones of New Holland’s offering built around our customers. We are a key player in the global construction equipment industry born of the rich heritage of brands that made the history of this sector.

In partnership with our worldwide network of dealers, we deliver products and services that meet our customers’ requirements for productivity, safety, environmental performance, and fuel and cost efficiency. We know our customers’ business and we provide them with a full line of innovative products and services designed for the specific applications of their industry.

CNH Industrial is committed to delivering the highest ethical standards and supporting its dealers and customers through a diverse and inclusive workforce, industry-leading technology, exceptional safety and quality, and unmatched innovation.

At CNH Industrial, we pride ourselves on delivering the best. That means strengthening our product portfolio with dedicated financing, tools and components and selecting the best partners to support us in delivering value to our customers.

We are proud of the work we do at CNH Industrial, where a focus on innovation has helped us to maintain our competitive edge and our position of global leadership.

In 2014 we have a new licensing agreement with Sumitomo Construction Machinery to manufacture Sumitomo designed crawler excavators from 13 to 35 tons. In 2016 we entered an exclusive mini-excavator alliance with Hyundai Heavy Industries.

The full integration of environmental and social considerations with economic objectives enables the Group to identify potential risks and seize additional development opportunities, resulting in a process of continuous, and sustainable, improvement that creates value over the long-term. We recognize the real importance of promoting a circular product life cycle in which resources are used fully and for as long as possible, and products and materials are recovered and regenerated at the end of their service life. For this reason, the Company offers a range of products able to run on fuels derived from renewable sources and is committed to adopting sustainability criteria from the design stage to develop more environmentally friendly products. To maximize product life, CNH Industrial also offers

its customers a range of remanufactured spare parts, in line with its circular economy approach. In manufacturing processes, emphasis is given to improvements that increase waste recovery and reuse.

Living and working in cooperation with the surrounding area, and collaborating on projects that benefit the community, contribute to enhancing the satisfaction of employees (who often live close to plants) and their sense of belonging to the Company, while bringing economic advantages to both the Company and the community. Projects are measured in three fundamental areas. These areas are: Improving food availability, combating climate change & reducing environmental impact and supporting youth training.

A key priority at CNH Industrial is to improve food availability. In the USA, CNH Industrial supports the FFA (formerly known as Future Farmers of America), an association active in farming education since 1928. In 2018, to further its commitment, the Company chartered its own FFA Alumni and Supporters Chapter1, through which employees can engage with students pursuing agriculture degrees and with members of other FFA Chapters nationwide. In 2021, the Company continued to be heavily involved with the FFA. Case IH, New Holland Agriculture, and CNH Industrial Capital continued their Silver Sponsorship of the National FFA Foundation, including its national convention with over 60,000 attendees. Furthermore, employees continued to engage with FFA students at professional development events, and again raised funds towards the purchase of approximately 70 FFA uniforms for students in need.

CNH Industrial also continued its We Care We Share outreach program, holding an educational event at the Thai Sa Kaeo College of Agriculture and Technology aimed at raising agricultural technology standards in the country while creating a new generation of agricultural experts.

In 2021, given the ongoing pandemic, CNH Industrial continued to support more vulnerable sections of society, including through food where needed. Located near the Company's sites in Racine (USA), the Hunger Task Force Farm yields over 226,000 kilos of fresh produce each harvest season to feed the hungry and create a reliable source of healthy food for its network of food banks. In 2017, the farm added a New Holland Agriculture tractor (donated by CNH Industrial Capital) to its operation. In 2021, the Company made a cash donation to the organization to purchase Thanksgiving turkeys for community members in need, while employees provided additional support by volunteering on the farm.

A key priority at CNH Industrial is to combat climate change, whose negative impact on ecosystems affects the quality of life for people in local communities and consumer choices. The Company has initiated several projects to tackle this global issue, which are also aligned with SDG 13 'Climate Action'. These projects are increasingly focusing on reducing the environmental impact of Company plants, including on local communities, and on helping protect the latter against the effects of climate change such as desertification, water scarcity, and the loss of biodiversity. Other initiatives are in place to promote responsible behavior to minimize environmental impact. Participation in the projects associated with this key priority allows CNH Industrial's brands to enhance their profile and increase their visibility among potential customers and strengthens Company employees' sense of belonging.

At CNH Industrial, a key priority is to engage local communities. To this end, and in line with stakeholders' expectations, the Company prioritizes initiatives that support local community development, especially youth training. In addition to the awards and scholarships given to employees' children, the Company works hard to promote young people's education by collaborating with private and public institutions and other stakeholders. Projects are also aligned with SDG 10 'Reduce inequality within and among countries', as they promote training in Emerging Markets with the aim of developing qualified potential recruits for the Company's sales and service networks.

TechPro2, a joint project with schools run by the Don Bosco Salesian Society, aims at training mechatronics specialists to meet a growing demand for skilled personnel, thus offering young people greater employment opportunities – especially within the Company's sales and service network. Training includes theory and hands-on learning at Salesian centers, followed by targeted internships in the field. The goal of TechPro2 is two-fold: on the one hand, to ensure students have a future vocation; on the other, to enhance the quality of specialized technical assistance for the brands' products while meeting the demand for qualified technicians at authorized dealers and workshops. The Company provides expertise by training the teachers, who pass on the knowledge to the classroom students. It also offers financial aid, tools, and essential parts (such as complementary vehicles, engines, drives, and diagnostic tools) for classroom training and practice.

CNH Industrial believes that operating in a socially responsible and ethical manner,

		and in compliance with the laws of the countries in which it operates, is crucial to its long-term success. The Company's Code of Conduct summarizes its policies on various compliance and ethics issues (such as conflicts of interest, corruption, competition, and health and safety). Such policies reflect, among other things, the Company's commitment to adopting fair employment practices, ensuring safety in the workplace, supporting, and fostering environmental awareness, and respecting the communities in which it operates, in compliance with applicable laws. The Company is also committed to the creation of long-term sustainable value for all its stakeholders and is firmly convinced that respect for fundamental human rights and for basic working conditions is a prerequisite to achieving this. The Board of Directors is responsible for creating a culture that fosters such long-term value creation – a task that requires compliance with all applicable laws. To this end, and to clarify and make explicit the Company's values and expectations, the Board has adopted both a Code of Conduct and a Supplier Code of Conduct. Our vast network of CNHi dealers will provide local product technical support at the dealership or out on the road to the members along with providing the start-up and operations training compliant with OSHA regulations, which the members need to get to receive the max. performance and efficiencies out of their products. The customers can also purchase OEM parts from our dealer network to support the members and to ensure their equipment obtains the max. amount of run time. Our financial services to the members include leasing options and extended warranties which are handled directly at the dealership. Members who are on a budget can rent or demo equipment from the dealership. The equipment will be a unit that has not been retailed and comes with full warranty (less than 250 hrs) or pro-rated warranty (if the unit has over 250 hrs). The customer will receive the member list discount and demo/lease adjustment based on rent for sale program rates less any service or clean up fees dealer would have incurred.	
11	What are your company's expectations in the event of an award?	When CNH Industrial is awarded the Sourcewell contract, we expect to continue to achieve an overall sales growth of over 10%. Throughout the pandemic and component parts not reaching our plants in a timely manner, we still saw growth in our Sourcewell contract. We plan to continue this growth cycle in 2023. CNH Industrial announce a culture transformation where everyone's voice will be heard. We have five new beliefs Customer first, grow together, one team, make it simple, be the best. This is exactly what we are planning to do with this contract. We want our customers to walk into our dealerships and be heard. Get the product they want and make it an effortless process with Sourcewell. We will continue to partner with Government Solutions Team (GST) where we have done more training in 2022 and plan to continue to follow that process in 2023. Their training includes web training, ride-a-longs to help educate the sales teams and the customers in addition to training new or re-train dealers within their first 60 days. Additional emphasis will go to getting our dealers to attend GTKU's and universities to round out their knowledge of the contract and how to use it to drive the contract's need. We are also going to target and engage with the government entities to get our Sourcewell contract adopted versus these entities having their own contract.	*
12	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	CNH Industrial reported strong full year performance in 2021, its final year of operations as a combined Off- and On-Highway entity. We delivered consolidated revenues of $33.5 billion, up 29% from the previous year. Both our adjusted EBIT from our Industrial Activities at $2,086 million(1) and our full year Net Income at $1.8 billion (which translates to $1.28 in earnings per share) were the highest in our Company's history. Market driven volume and disciplined pricing were key drivers of our record earnings, alongside the team's successful execution, which they achieved while often managing very challenging supply chain and logistics issues. We also recorded another very strong year for positive free cash flow of Industrial Activities(1), at over $1.8 billion as our operational execution improved. For additional information see our Annual Financial Report 2021	*
13	What is your US market share for the solutions that you are proposing?	Model Year 2021 CNH Industrial market share 9.5% Case Construction 7.9% New Holland Construction 1.6%	*
14	What is your Canadian market share for the solutions that you are proposing?	Model Year 2021 CNH Industrial market share 12.6% Case Construction 12.1% New Holland Construction .5%	*
15	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	NO	*

16	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	CNH Industrial is the manufacturer of the equipment offered in this proposal. Our sales and service force is provided through our network of 1107 North American dealers. Our dealerships are independently owned and operated so they are positioned to provide sales and post support for our customers. Through the post-sale support our dealers offer parts and service. CNH Industrial imposes strict contract regulations and standards (Pinnacle), to hold dealers accountable for all interactions a customer has. This would include sales, service, parts, marketing, and operations. *
17	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	CNH Industrial adopts the World Class Manufacturing (WCM) management system, a program for innovation based on continuous improvement, developed to eliminate all types of waste and loss through the rigorous application of specific methods and standards (see page 165). Given the customers' demand for ever-higher quality and the level of excellence required by the WCM, the focus is on the quality of every aspect of the manufacturing process, which has led plants to also adopt a quality management system compliant with ISO 9001. As of December 31, 2021, 57 CNH Industrial plants were ISO 9001 certified, collectively accounting for 98% of revenues from sales of products manufactured at the Company's plants1. To achieve its quality standards, CNH Industrial devised a robust supply chain management process (see page 151) to ensure the procurement of quality components, which are essential to produce vehicles that meet the high standards demanded by customers. CNH INDUSTRIAL completed an initiative, known as Technology Days, gives suppliers a chance to display their innovative products in terms of innovation, technology, and quality, while addressing specific topics and sharing information on recent technological developments. In 2021, the event was as always attended by CNH Industrial employees but held virtually. As of December 31, 2021, 220 supplier plants had adopted the World Class Manufacturing (WCM) program, with no increase compared to 2020 due to pandemic-related restrictions and strategy changes to the WCM supplier program itself. The WCM adoption process entails several activities that take place in two distinct yet equally important phases, and that are meant to provide suppliers with the necessary knowledge to apply the intrinsic concepts of Lean Production. Firstly, various training sessions led by CNH Industrial's WCM program specialists are delivered to suppliers. Secondly, supplier WCM teams are given the opportunity to visit selected CNH Industrial plants to learn about the Company's best practices. Safety is a priority across the Company, as evidenced by the compliance of management systems with the ISO 45001 international standard, as well as with the continuous improvement principles of World Class Manufacturing (WCM) and its specific Safety pillar (see page 165). CNH Industrial's approach to occupational health and safety is based on effective preventive and protective measures, implemented both collectively and individually, aimed at minimizing risk of injury in the workplace. The Company endeavors to ensure optimal working conditions, applying principles of industrial hygiene and ergonomics to managing processes at an organizational and operational level. Additionally, it adopts the highest standards in the countries in which it operates, even where regulatory requirements are less stringent, believing this to be the best way to achieve excellence. In addition, the central Environment, Health, and Safety (EHS) function (which serves as a reference point for sustainability) coordinates and manages health and safety issues as per CNH Industrial's Health and Safety Policy. It periodically verifies performance against targets, proposes new initiatives, and defines health and safety policies. The Company's certification of its occupational health and safety management systems as per the ISO 45001 international standard is voluntary and covers 58 CNH Industrial manufacturing plants worldwide, accounting for 45,521 employees. In 2021, the Company completed its transition to the new ISO 45001:2018 Occupational Health and Safety Management standard, which supersedes the OHSAS 18001:2007 standard. Certifications are awarded by accredited international bodies (in turn continuously and rigorously monitored by other international organizations) that review and certify the high levels of reliability and of operational and procedural standards. In 2021, the occupational health and safety management systems at some non-manufacturing sites were ISO 45001 certified, accounting for 5,684 employees at 12 different sites and locations. In total, 70 CNH Industrial sites worldwide (manufacturing and non-manufacturing) are now ISO 45001 compliant – covering 51,205 employees (about 75.9% of the employees within the reporting scope), 5,388 *

		contractors, and 7,190 agency workers (representing, respectively, 97% and 91% of the relative populations within the reporting scope) – as are all joint venture plants in which CNH Industrial has at least a 51% interest. World Class Manufacturing (WCM) data (see page 165) relates to 51 plants, representing 99% of revenues from sales of products manufactured at CNH Industrial plants4. Occupational health and safety data (see page 82) relates to 66,129 employees, or about 98% of the workforce within the reporting scope. There are 58 ISO 45001 certified plants, accounting for 95% of Company plants and representing approximately 100% of revenues from sales of products manufactured at CNH Industrial plants4. Information on environmental performance (including VOC5, water, and waste) and management systems (see pages 167; 170) relates to 54 fully consolidated plants, accounting for 89% of Company plants and representing 99.5% of revenues from sales of products manufactured at CNH Industrial plants4. There are 58 ISO 14001 certified plants, accounting for 95% of Company plants, representing approximately 100% of revenues from sales of products manufactured at CNH Industrial plants4, and relating to 44,682 employees (or about 97% of the workforce at the plants within the reporting scope4). Information on energy performance (including CO2, NOX, SOX, and dust emissions) and management systems (see pages 171; 179; 181) relates to 55 fully consolidated plants, accounting for 90% of Company plants and representing 99.7% of revenues from sales of products manufactured at CNH Industrial plants4. There are 54 ISO 50001 certified plants, accounting for 89% of Company plants, representing 99.5% of revenues from sales of products manufactured at CNH Industrial plants4, and relating to 44,146 employees (or about 95.5% of the workforce at the plants within the reporting scope4). Moreover, there are 57 ISO 9001 certified plants, accounting for 93% of Company plants, representing 98% of revenues from sales of products manufactured at CNH Industrial plants4, and relating to 44,256 employees (or about 96% of the workforce at the plants within the reporting scope4). CNH Industrial also holds its suppliers to a high standard in human resources and sustainability. Please see the attached files for CNH Industrial's Sustainability Plan and Supplier Code of Conduct for more information.	
18	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	CNH Industrial has not been Suspended or debarred	*

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *	
19	Describe any relevant industry awards or recognition that your company has received in the past five years	CNH Industrial (NYSE: CNH INDUSTRIAL / MI: CNH INDUSTRIAL) received a 2022 Manufacturing Leadership Award for outstanding achievement in the Sustainability Leadership category, which honors manufacturers that are shaping the future of the sector through digital transformation. This is the third consecutive year that the Company has earned recognition from the Manufacturing Leadership Council, which is a division of the National Association of Manufacturers. CNH Industrial's award-winning project, Smart Pretreatment for the Paint Shop, was executed by the manufacturing team at the Case IH and STEYR agricultural production plant in St. Valentin, Austria. The project enhanced operator safety while ensuring optimum paint quality and sustainable use of additives. The T6 Methane Power also won the prestigious Sustainable Tractor of the Year 2022 award at the EIMA International4 trade show held in Bologna (Italy), assigned by a jury panel of top European journalists specializing in farm equipment. Other awards include Innovative Iron for our DL550 Compact Dozer loader in 2022, Top 100 in 2022 for DL550 Compact Dozer loader, TV620B CTL, E. Series Excavators. Top 50 award in 2022 for TV620B CTL. This is just to name a few. Please see entire list in attached documents.	*

20	What percentage of your sales are to the governmental sector in the past three years	Case Construction - 2021 –14% 2020 –15% 2019 –20% New Holland Construction - 2021 – 9% 2020 – 10% 2019 – 20%	*
21	What percentage of your sales are to the education sector in the past three years	CNH Industrial Construction brands does not have the capability to pull out the educational percentage, but it is calculated into our sales to the government below.	*
22	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	New Holland Construction (CE) Contract Sales Sourcewell CE Contract 2019 $2,906,112 2020 $2,125,345 2021 $3,851,787 Michigan CE contract no sales from 2019-2021 Pennsylvania CE 2019 <$200,000 2020 <$300,000 2021 < $400,000 Ohio CE 2019 $158,736 2020 $206,926 2021 $98,665 Iowa CE 2019 $59,043 2020 $104,200 2021 <$100,000 State of Louisiana 2019 $330,000 2020 $0 2021 <$100,000 State of Georgia 2019 $0 2020 $170,000 2021 <$100,000 NASPO 2019 $303,000 2020 $150,000	*

		2021 $351,000 BuyBoard 2019 $938,000 2020 $547,000 2021 $331,000 HGAC – No Activity Case Construction Contract Sales Sourcewell Case Construction contract 2019 $24,000,000 2020 $18,000,000 2021 $11,000,000 State of Michigan Case CE 2020 $ 176,027 2021 $ $82,070 2022 $ $321,663 NASPO Case Construction Contract 2019 $1,200,000 2020 $1,600,000 2021 $2,240,000	
23	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	CNH Industrial Construction brands do not hold any of these contracts.	*

Table 4: References/Testimonials

Line Item 24. Supply reference information from three customers who are eligible to be Sourcewell participating entities.

Entity Name *	**Contact Name** *	**Phone Number** *	
Erie Water Works	Ann Whipple	814-870-8016	*
State Procurement Standards Analyst, OH	Stephanie Klingler	614-387-1130	*
Central Procurement-Enterprise Sourcing – MI	Yvon Dufour	517-249-0455	*

Table 5: Top Five Government or Education Customers

Line Item 25. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *	
na	Government	Indiana - IN	Mowing	YR QTY 2019 1 2020 21 2021 11	2019 $ 112,418 2020 $3,064,492 2021 $2,083,958	*
na	Government	New York - NY	Mowing	YR QTY 2019 25 2020 28 2021 0	2019 $4,405,899 2020 $5,039,273 2021 $ 0	*
na	Government	BC - British Columbia	Mowing/snow removal	YR QTY 2019 10 2020 6 2021 6	2019 $1,510,557 2020 $ 951,797 2021 $1,353,325	*
na	Non-Profit	ON - Ontario	Mowing/snow removal	YR QTY 2019 16 2020 0 2021 1	2019 $3,647,150 2020 $ 0 2021 $ 137,142	*
na	Government	South Carolina - SC	Mowing	YR QTY 2019 19 2020 8 2021 6	2019 $2,391,487 2020 $1,064,046 2021 $ 771,893	*

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *	
26	Sales force.	CNH Industrial field sales force is comprised of employees of the company as well as third party employees of our dealer network who cover the entire US and Canada. Our Field Sales Force are fully focused on the sale of CNH Industrial through our Dealer Networks to our end user. The New Holland Construction Field Sales team is comprised of 5 Region Sales Directors, 44 Territory Business Managers, 5 Business Sales Specialists, 5 Dealer Development Managers, 8 Regional Product Specialists and 40 Technical and Specialty Field Managers. Case Construction is made up of 3 Regional Sales Directors, 21 Field Sales Specialist, 10 Business Managers, 6 Sale Support Managers, and 2 Product & Application Training Specialist. Each independent CNH Industrial dealer supports its local customer base with its own sales, product support and service personnel.	*

27	Dealer network or other distribution methods.	Case Construction and New Holland Construction has a dedicated dealer network strategically located across North America, and we are continually looking to see where new locations can be opened. Our dealer locations are fully trained and dedicated to sell and support Case Construction and New Holland Construction products covered in this RFP. Many of the principals, their staff and customers hold positions on their local city, village, township, county boards, school boards and positions within their churches, non-profit camps and Fair Boards and non-profit organizations such as Scouts, 4-H, Ducks Unlimited, etc. The efforts and plans of GST to engage New Holland construction dealers from the top down carries the value of our Sourcewell contract through to these community officials who need to purchase equipment efficiently. Our company supports our dealer network with professional Field Service Managers. Each dealership is staffed with parts and service personnel trained to support the products in their area of responsibility. Our company supports the entire United States, along with Hawaii, Alaska, and Canada. Our dealer service personnel are factory trained as well as have access to “Assist,” a technical database that helps technicians quickly diagnosis failures through CNH Industrial technical advisors and fellow dealers. We have further support by the Customer Care contact phone numbers: New Holland Construction 1-888-365-6423 and Case Construction 1-866-542-2736.	*
28	Service force.	Our Field service force is comprised of employees as well as third party employees of our dealer network that covers the US and Canada. All employees must meet annual service training requirements provided on-site by our company, including our service school and online technical training program. Our Field Service force are fully focused on the service of CNH Industrial through our Dealer Networks to the end user. Each one of our independent dealer supports its local customer base with its own sales, product support and service personnel. We value their position as the local support to the members and provide them with the tools, training and support they need so they are a well- rounded team when it comes to the members.	*
29	Describe the ordering process. If orders will be handled by distributors, dealers or others, explain the respective roles of the Proposer and others.	CNH Industrial ordering process with be handled by our dealer network. The members will go directly to their local dealership when the PO is approved. Their local dealer will then place the order through the eQuipment program which then is sent to the plant and our Order Management department. From there it will be placed into a production schedule. Dealers can monitor the orders from eQuipment to see when the product will be scheduled and when it will be shipping.	*
30	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	Customer service begins with our dedicated dealer network. Each one of our dealerships is fully trained and supported by CNH Industrial so they are committed to immediately addressing all customer needs. Each one of our brand dealerships is supported by the Corporate Customer Service team, “Assist” and factory training. CNH Industrial interacts with and assists its customers to give them an experience that meets their expectations. The Company’s Customer Care departments specialize in developing, managing, and promoting customer service solutions, fostering long-lasting relationships, and satisfying customer needs and expectations. Customers may request information or report an issue via the brands’ websites, toll-free numbers, smartphone applications, or via email – 24 hours a day, 7 days a week. Customer Care staff manage the entire process, from initial customer contact to final feedback to the customer, ensuring resolutions in the timeliest manner. New Holland Construction’s incentive program is the Dealer Standards Program. CASE Construction Equipment’s incentive program is the Partnership Program. These programs are designed to assess dealers and reward best-in-class performance across a wide range of operational and performance criteria. Case Construction provides the Tomahawk Customer Center which has been serving its customers for more than 60 years. Sitting on more than 500 acres in Wisconsin’s Northwoods, the CASE Tomahawk Customer Center is a premier year-round demonstration facility and business retreat. Enjoy a fully interactive experience with personalized training, state-of-the-art product demonstrations, hands-on equipment operation, and a healthy dose of our trademark hospitality. Like our company and our dealers, our Tomahawk staff is here to provide you with expert guidance and education to help you make informed operating and maintenance decisions	*
31	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	CNH Industrial has been selling and servicing members in the United States through our Sourcewell contract for 12 years. We offer a full array of Construction products and services through our network of local dealers.	*

32	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	CNH Industrial has been selling and servicing members in Canada through our Sourcewell contract for 12 years. Our company offers a price book series in Canadian dollars. We also offer a full array of Construction products and services through our network of local dealers. Our financing and leasing teams live in Canada. This ensures the members are working within the regulations of the Canadian rules. With the assistance of Sourcewell and Canoe Procurement Group and GST, we are expanding our marketing and training efforts and dealer presence throughout Canada. There is a scheduled webinar with Canoe Procurement Group in March 2023.	*
33	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	CNH Industrial will be serving all locations of the United States and Canada.	*
34	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	CNH Industrial will be serving all Sourcewell and CANOE Procurement Group of Canada members.	*
35	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	CNH Industrial will service all of Hawaii, Alaska, US, and Canada in all market segments. Shipping and delivery expense calculation method will be used for offshore transactions, Alaska, and Hawaii.	*

Table 7: Marketing Plan

Line Item	Question	Response *	
36	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	We will promote Sourcewell to our sales team and government dealers of over 1,000 to our customers. Our sales teams will attend regional training, webinars or in-person training. They will then help to promote and work through a potential sale through the Sourcewell contract with the local dealership. Our dealers will be trained by CNH Industrial government sales manager or their territory business manager. On-insight training, webinars or phone calls can be completed for training. We also have a partnership with Government Solutions Team for New Holland Construction that will also conduct webinars and on-sight training. We want our dealers to have a vast amount of support and success while being trained on the contract. All training is free to the dealers and goes through our Web University for tracking and awarding the teams for their participation. We work with Sourcewell and Canoe Procurement Group to provide marketing materials to the dealers. This material is also used by the dealers for customer visits, shows and other events where our brands and the contract are being promoted. New Holland Construction is also in the process of updating the Buyer's Guide that promotes our products to our government customers. We list our cooperative contracts at the back of the guide. This guide will be distributed to our dealers which in turn will provide to their customers. I have provided a picture of the back page for reference.	*
37	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	CNH Industrial incorporates several uses of technology, digital data, social media, and data to drive market awareness, target prospective sales, train our teams and customers, and perform community outreach. CNH Industrial has a dedicated website for our products and services. New Holland's website allows prospects to build equipment to their specifications, locate dealers and have direct contact information to each government representative. Case Construction website allows prospective customers to locate dealers. Our social media presence spans from Instagram, Facebook, Twitter and LinkedIn. We follow, like and share Sourcewell media along with other industry leaders to promote a full support system to our teams, dealers, and the community. By doing this, it keeps our brands at the top of our prospects' minds. We also utilize data from the Association of Equipment Manufactures (AEM) on governmental and non-profit sales. The data shows sales activities and high-density sales areas. This also allows us to understand our effectiveness in the marketplace compared to our competitors. We also have a governmental bid service. By investing in this service it allows for an advantage over our competitors and directs opportunities to the Sourcewell contract. This also allows us to see the future requirements of a member so our dealers can reach out and build a relationship with them and offer the Sourcewell as a solution to their bid process. We also conduct training and post videos online to reach a maximum audience and to keep our teams "in the know" as soon as possible. We want to get the information out quickly, so our members have the most current information. New Holland Construction government sales managers along with GST work with our teams daily through these trainings, videos, and emails to help them understand their market and the opportunities that exist.	*

38	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	We expect Sourcewell to promote the contract through social media, digital media, shows and events. Also, to allow members to easily locate our contracts on the landing page on Sourcewell's website and keep the member's list current. Communicating how the contracts are adopted and by whom is another significant role Sourcewell can provide. The H20 conference is an excellent tool where vendors can come together and share lessons learned, wins and best practices. When members contact Sourcewell, we expect them to directly thank them, answer any questions they have, and provide our contract information to the members. We would like our contract manager to follow up with an email or call to us on who called and their contact information and what was needed. This will allow us to continue the sales process by reaching out to them and showing them, we have a team with Sourcewell and CNH Industrial. We will continue to train our Territory Business Managers and dealers at our sectional and regional CNH dealer and sales meetings on this contract. We will continue to educate our dealers through webinars, phone calls and in-person training. When the contract is awarded, we will be sending out a letter with the new matrix to our dealers letting them know of the newly awarded contract. New Holland Construction will also be utilizing the GST team to train our members on the contract. They have a novel approach on touch points with the dealers during training. Our dealers are notified in several diverse ways through mail, email, and phone calls which then leads up to training. The focus does not stop after the training. GST continues to contact them after that process, so we do not lose touch with them. GST provides our dealers with a listing of Sourcewell members located in their area. This contract is particularly important to each one of our brands and is highly expressed to our CNH Industrial employees and dealers. Therefore, we have continued to grow the contract even through the Covid period. We plan to stay the course and continue with our message to our employees and dealers which is, "you should not have to bid for low dollars or a product you do not want, use Sourcewell and get what you deserve."	*
39	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	Not now. Our contract is awarded through our dealer level, and this places too many variables. We have had conversations with NASPO to see if there is a way to work on an industry standard. Some of the states have already started going to the e-procurement system but with our highly configured products, it is difficult to work within their perimeters. We are willing to work with Sourcewell and the team you have put together to produce a process for e-procurement, whether this be through and EDI system or finding a company that has already created a process.	*

Table 8: Value-Added Attributes

Line Item	Question	Response *	
40	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	We hold product training and customer experience events throughout the year. Any dealer current customer or potential customer can attend these events. At the corporate training facilities or the servicing dealer level, Operator and Maintenance training can be specifically structured for the customer. The servicing dealer provides base machine operation and maintenance training as part of the purchase and delivery. Additional training can be purchased through the local dealership.	*

41	Describe any technological advances that your proposed products or services offer.	New Holland Construction has announced the E15X first electric vehicle which has no air or sound pollution. New Holland Construction included an 8” LCD Multifunction Display in the 300 Series Skid Steer Loader and Compact Track Loader products. This brings the operator input and functionality to another level over what we had in the past. Particularly, the addition of a factory fit reverse camera, and improved EZ EH control adjustability. Meet the CASE Minotaur™ DL550 — an all-new, industry-first equipment category: the compact dozer loader. The integrated C-frame delivers true dozer performance and the agility and finesse of a loader. CASE Construction Universal Machine Control allows you to use the precision construction technology you prefer*. It’s compatible with hundreds of attachments, and the addition of an industry-exclusive fully integrated ripper makes this machine one-of-a-kind. It has the strength, attitude and intelligence to stake a claim as the industry’s most versatile and powerful compact machine. Minotaur demonstrates CASE Construction's commitment to delivering real-world innovation rooted in customer need. With 29 patents**, more than 10,000 field test hours, multiple customer clinics, countless operator evaluations, product refinements and even more evaluations after that — we've put this machine to the test to deliver you the highest standard in quality. THE INDUSTRY'S FIRST FULLY ELECTRIC BACKHOE LOADER — THE CASE 580 EV The CASE 580 EV (electric vehicle) delivers backhoe power and performance equivalent to its diesel counterpart while also providing instant torque, lower jobsite noise, lower daily and lifetime operating costs, reduced maintenance demands and absolutely zero emissions. This will be anticipated to launch in 2024. The CASE 580 EV Delivers Ultimate Power and Sustainability - Zero Emissions: Lower your carbon footprint and achieve incentives/greater consideration for new projects with electrified additions to your fleet. - All the Performance: The battery separately powers the drivetrain and hydraulic motors, resulting in hydraulic breakout forces equal to diesel-powered machines and improved performance during simultaneous loader and drivetrain operation. - Long-Lasting Power: The machine's lithium-ion battery provides enough power for the typical 8-hour workday. - Lower Operating Costs: Save as much as 90 percent in annual vehicle, fuel, and maintenance costs. - Classic CASE Performance: The 580 EV retains the precision and efficiency of diesel-powered CASE backhoes with features such as ProControl, which allows for extremely precise boom movement and placement, as well as Comfort Steer, which significantly improves steering while working in tight quarters or in truck loading operations. The CASE CX15 EV (Electric Vehicle) is a 2,900-pound mini excavator powered by a 16-kW electric motor — it features retractable tracks that get machine width down to about 31 inches for going through doors and working in confined spaces. It can also work close to structures and obstacles with a minimum swing radius design. The 21.5 kWh lithium-ion battery is charged either by the 110V/220V on-board charger, or via an external rapid charger that can have the machine charged extremely fast, typically within 90 minutes. Depending on the type of work, unit will provide enough power to work through a full eight-hour workday.
42	Describe any “green” initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	In compliance with its Environmental Policy, CNH Industrial is committed to minimizing the environmental impact of its ICT activities by using energy-efficient products and solutions. Indeed, the Company implemented the Green ICT plan precisely to reduce energy consumption and CO2 emissions. In 2021, approximately 8,200 personal computers and 1,083 technical workstations were replaced with new equipment featuring more efficient power supply units, optimizing the consumption of electricity drawn from the grid. The Company also replaced around 1,100 computer monitors with new units that comply with environmental requirements regarding product energy consumption and efficiency, the use of hazardous substances, recyclability, packaging materials, and low-impact manufacturing methods. Within the scope of Brands4Sustainability3, CNH Industrial supported a project called Capri Circolare - A Sustainable Tourism Model, an in-depth analysis of potential areas of intervention to position the island of Capri at the forefront of environmental sustainability. The goal is to turn Capri into a green destination by developing a model that promotes a circular economy and the implementation of good practices to protect the local region, resources, and biodiversity. In Córdoba (Argentina), IVECO created an Ecological Island where carpenters use recycled materials to make parts that are then used in various plant production and logistics processes. In broad terms, the company applied the 5Rs of waste management (refuse, reduce, reuse, recycle, recover) to enable the reuse of approximately 4,800 kilos of reclaimed wood and around 3,600 kilos of corrugated plastic per year. The Company also contributed to creating policies in support of alternative fuels – and a circular economy – in the agriculture sector, particularly promoting the use of biomethane and Agriculture 4.0 programs through specific initiatives in many countries. As a long-

standing member of the European Automobile Manufacturers' Association (ACEA), while also holding a seat on its board, the Company has actively contributed to the debate on EU (European Union) policies to lower CO2 emissions and achieve net-zero emissions in the future. Moreover, with a seat on the association's Commercial Vehicles Board, IVECO actively contributed to the discussions on how manufacturers can help achieve the EU's 2050 Greenhouse Gas Emissions (GHG) goal, highlighting the role that both liquid and gas renewable fuels can play in the transition towards net-zero CO2 emissions in transport. As regards light-duty vehicles, IVECO is actively involved in the ongoing discussions and advocacy activities regarding the revision of the post-2020 CO2 emission standard for cars and vans.

CNH Industrial is also a member of the Committee for European Construction Equipment (CECE) and of the European Agricultural Machinery Association (CEMA), trade associations for construction equipment and agricultural machinery manufacturers, respectively. Throughout 2021, the Company collaborated with the associations' committees and project teams to bring forward EU legislation on the safety and environmental aspects of off-road machinery. Following the European Green Deal plan presented by the European Commission, CNH Industrial contributed to further discussions within CECE's and CEMA's High-Level Groups on CO2 concerning ways to reduce GHG emissions and decarbonize both the agriculture and construction sectors in Europe.

CNH Industrial is also a board member of the European Association of Internal Combustion Engine Manufacturers (EUROMOT). In 2021, particularly through its brand FPT Industrial, the Company contributed to the association's activities centered on Non-Road Mobile Machinery (NRMM) exhaust emissions, proposing the creation of a new working group within the association focused on alternative powertrains and advanced energy resources. The aim was to further promote alternative and more sustainable powertrain solutions within non-road sectors as well (such as marine applications or mobile equipment) considering the EU's most recent sustainability and climate goals. The Company holds a seat on the board of the Natural & biogas Vehicle Association (NGVA Europe), which advocates and fosters the use of natural gas and biomethane for transport in Europe. In 2021, in collaboration with several other national associations for natural gas, IVECO and FPT Industrial promoted debate in Europe on natural gas strategy (considering the EU's targets for 2030 and beyond) and its advancement in Europe, in line with EU legislation on the development of natural gas infrastructures. *

CNH Industrial is member of the board of Hydrogen Europe, representing the hydrogen and fuel cell industry, national associations, and research centers in Europe, and of the Hydrogen Council, a global initiative among leading energy, transport, and industry enterprises that focuses on the contribution and potential of hydrogen in the transport sector while contributing to policymaking and the ongoing debate, working towards the future commercialization of fuel cell vehicles. In this regard, the Company also participates in the European Clean Hydrogen Alliance, an initiative by the European Commission and Hydrogen Europe that brings investors together with governmental, institutional, and industrial partners, aimed at steering and coordinating the ambitious plan to deploy hydrogen technologies by 2030, and at rapidly upscaling clean hydrogen production and use in Europe.

New Holland Agriculture was one of the main stakeholders at the event Seeding the Future of Sustainable Farming: Advanced Farm Machines & Solutions to Deliver on the European Green Deal, a summit organized by the European Agricultural Machinery Association (CEMA) in Brussels (Belgium). The focus was on how digital farming tools, modern farm machines, and farm data management systems will drive the European agriculture sector in taking on the double challenge of producing sufficient quality food and safeguarding biodiversity.

The importance of sustainable planning to the Company lies not only in time and cost efficiencies, but also in emissions reduction, resource use, packaging management, and, not least, in their indirect impact on human health and traffic congestion. To coordinate its efforts effectively towards improvements in this area, CNH Industrial published its Green Logistics Principles, available on the Company's website; intended to coordinate the Company's initiatives on promoting sustainable behaviors, they help both corporate functions and suppliers effectively monitor their performance and meet improvement targets.

In North America, the Agriculture and Construction segments continued to engage their logistics partners in the SmartWay transport program. Launched in 2003, the program is sponsored by the Environmental Protection Agency (EPA) to improve efficiency, reduce greenhouse gas, and air pollutant emissions along the transport chain. SmartWay provides its partners with a set of EPA-tested tools that help make informed transportation choices, measure, and report CO2 emissions, and improve supply chain efficiency and environmental performance.

More information can be found on our 2021 Sustainability Report

43	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	Several CNH Industrial plants continued to implement initiatives to reduce packaging waste, according to the 5 Rs11 of waste management (in particular, the Reuse principle). Improvement measures involved several plants, including New Holland (USA), Annonay (France), Zedelgem (Belgium), Córdoba (Argentina), and Curitiba, Piracicaba, and Sorocaba (Brazil), reducing overall packaging waste by more than 1,000 tons and saving approximately $650,000. As per existing guidelines on packaging-waste compactors, aimed at mitigating the environmental impact and management costs associated with waste, CNH Industrial plants continued to reduce the volume of stored waste, thus requiring less frequent collection and disposal services by third-party providers. For example, the plant in Rorthais (France) installed a cardboard compactor, saving over $9,200. New Holland Agriculture was one of the main stakeholders at the event Seeding the Future of Sustainable Farming: Advanced Farm Machines & Solutions to Deliver on the European Green Deal, a summit organized by the European Agricultural Machinery Association (CEMA) in Brussels (Belgium). The focus was on how digital farming tools, modern farm machines, and farm data management systems will drive the European agriculture sector to take on the double challenge of producing sufficient quality food and safeguarding biodiversity. See all the green initiatives stated on #43. We continue to support conservation efforts with third parties.	*
44	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	CNH Industrial is proud to partner with Small Business, Veteran Owned, Women or Minority Owned, Native American Owned and other Disadvantaged Business Enterprises. Monroe Tractor 1001 Lehigh Station Road, Henrietta, NY 14667 – WBE Certified noted on website www.monroetractor.com Yukon Equipment in AK is Native Owned. It was established under the Alaska Native Claims Settlement Act of 1971. https://yukoneq.com/about-us/	*
45	What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?	We are dedicated to our Clean Energy Leader® strategy, launched in 2006, which promotes the use of renewable fuels, systems to reduce emissions, technological tools, and sustainable agricultural practices. We recognize today as a global leader in powerful, reliable, and highly efficient equipment that helps our members meet the challenges of modern-day tasks. We have numerous models in several product lines which speak to understanding member needs and proving them with the correct solution. This is accomplished by our strong dealer network and our field teams working together to help our members define their needs. Our dealers are measured on technical, financial and sales performance levels and maintain certifications to back up these performance levels. Our focus is to align with what our members' needs are while controlling costs. We also have our unique demo/rental program available to members under this proposal. A member can use the product in advance and receive additional discounts if they choose to purchase the equipment. This allows the member to make sure they are getting the right product for the job. New Holland Construction partnership with Government Solutions Team (GST) will continue to have an impact on the members through the education and speaking opportunities they are afforded during our meetings and events as well as during events taking place at all levels throughout North America which they are invited to attend. Their vast array of knowledge and experience working with members in this sector compliments our team in the field with getting the Sourcewell contract utilized and talked about. Their ability to speak to the members as a third party has been of great value in successfully helping members understand how to utilize the contract.	*

Table 9: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *	
46	Do your warranties cover all products, parts, and labor?	New Holland Construction and Case Construction covers all products, parts and labor. This is defined in our Warranty and Limitation of Liability agreements for both brands. For Case Construction this is defined in the Dealer Operating guide.	*

47	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	Both New Holland Construction and Case Construction have items that are not covered such as: • Repairs arising from storage deterioration, failure to maintain the equipment, negligence, alteration, improper use of the equipment, collision or other accident, vandalism, or other casualty, or operation beyond rated capacity or specification. • Repairs arising from abuse or neglect, including but not limited to: operation without adequate coolant or lubricants, adjustments to the fuel system outside equipment specifications, over-speeding, improper storage, starting, warm-up, or shutdown practices, incorrect fuel or contaminated fuel, oil or other fluids. • Normal maintenance services, such as engine tune-ups, engine fuel system cleaning, checks, adjustments, shimming, etc. • Replacement of non-defective wear items expected to be replaced during the warranty period, including but not limited to light bulbs, spark plugs, brake or clutch linings, slip clutches, belts, chains, knives, bucket cutting edges and teeth, crawler track pads and track components, crop processing and cutting components, external drive sprockets and chains, soil engaging tools and accessories. For other items please see the Warranty and Limitation of Liability agreements for both brands.	*
48	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	Case Construction does reimburse on some Heavy Construction products.	*
49	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	Both New Holland Construction and Case Construction dealer network provide technicians for repair and the network covers the entire of North America.	*
50	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	We will cover certain items made by other manufacturers. Certain items are covered by some OEM's such as engines manufactured by Deutz, Kubota, Yanmar, etc. We do not cover warranty for items made by other manufacturers. Coverage detail is provide in the Warranty and Limitation of Liability agreement form which the customer signs at the time of delivery.	*
51	What are your proposed exchange and return programs and policies?	CNH Industrial's responsibilities include, but are not limited to: - Deliver a unit that is free of defects in material and workmanship - Reimburse for costs for repairs that are the result of defects in material and workmanship - Provide warranty payment to dealers per policy in a timely manner - Provide service information to dealers via the Technical Help Desk - Identify product deficiencies and corrective action by Product Improvement Programs - Make determinations of premature wear - Provide operators manuals If for some reason defects/failures arise, CNH Industrial will take corrective action under the warranty policy. Returns/Exchanges are not allowed.	*
52	Describe any service contract options for the items included in your proposal.	We do provide services under ProCare Program for Heavy Construction equipment; where a customer receives Extended Warranty coverage, and it includes planned maintenance for 3 years & SiteWatch subscriptions.	*

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *	
53	Describe your payment terms and accepted payment methods.	Payment terms are Net 30, after receipt of invoice. Acceptable payment methods would be at the local dealer's discretion, but most would accept cash, ACH, Check and P-Card.	*
54	Describe any leasing or financing options available for use by educational or governmental entities.	Financing options and leasing solutions are available from CNH Industrial Capital America LLC. Sourcewell members should contact the local CNH brand construction equipment dealer to see what options are available.	*
55	Describe any standard transaction documents that you propose to use in connection with an awarded contract (order forms, terms and conditions, service level agreements, etc.). Upload a sample of each (as applicable) in the document upload section of your response.	CNH Industrial will administer a matrix that will be published on our Dealer Portal and/or sent to our dealers notifying them of the contract period, products awarded, and discounts off list price so they can quote equipment to members. The sample matrix will be uploaded for your reference. We provide the dealers with a matrix which provides the Sourcewell member with the product, discount off list and pricing available to them.	*
56	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Acceptance would be at the local dealer's discretion.	*

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *	
57	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	We are offering discounts off the product category. The total purchase price will include a discount off the list with freight, setup, surcharge, and any other extra costs associated with the final sale on separate line items. CNH Industrial Discounts off List price: Skid Steer Loaders 35% Compact Track Loaders 32% New Holland Tractor Loader Backhoe 35% Case CE Tractor Loader Backhoe 37% Tractor Loader 32% Compact Wheel Loader 32% Crawler Excavator 32% Rough Terrain Forklifts 32% Compact Dozer Loader 32% Crawler Dozer 37% Heavy Wheel Loader 37% Heavy Excavator 32% Motor Grader 32% Compaction 32%	*
58	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	CNH Industrial discounts are off list price ranging from 32% to 37%.	*

59	Describe any quantity or volume discounts or rebate programs that you offer.	CNH Industrial does not offer any additional discounts currently. Our local dealers are authorized at their discretion to provide additional discounts.	*
60	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	The proposed pricing for sourced equipment or services will be "open market." CNH Industrial will provide a quote for each request. Dealers may provide additional discounts at their discretion on the unit in question.	*
61	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	Additional cost that maybe associated with each transaction that dealers may include: -Set-up/pre delivery inspection -Surcharges if applicable -additional manuals -freight -training	*
62	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	Freight, both from manufacturing facilities, distribution points, or transfers from other dealers' inventory will be added as a separate line item. This cost is FOB, but CNH Industrial often subsidizes it to remain competitive in the marketplace.	*
63	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	Shipping and delivery expenses calculation method will be used for offshore delivery as well as Alaska, Hawaii, and Canada.	*
64	Describe any unique distribution and/or delivery methods or options offered in your proposal.	We do offer the option for equipment to be coded "will call." This allows the customer to pick up the equipment from the manufacturing/distribution points. This can lower the cost of the transaction.	*

Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
65	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	

Table 13: Audit and Administrative Fee

Line Item	Question	Response *	
66	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell. Provide sufficient detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template.	Our dealers are required to upload documents when they purchase equipment. They will upload the customer's purchase order, dealer's invoice to customer, and authorization letter. Each month Government Sales Manager audits the Sourcewell documents and verifies membership, pricing, discount, etc. Each quarter a report is generated on all Sourcewell sales and sent to the buyer.	*
67	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	Market Share is important to our business. Each month we run reports from AEM to understand our position in the marketplace. This report includes total government sales, and from the percentage of government sales going into Sourcewell is determined. Our goal is to continue to grow this matrix in the percentage of government sales to increase Sourcewell sales. We also are looking at our year over year and quarter-over-quarter results in sales volume dollars. This will show us if we are on target for growth vs that of last year's quarter.	*
68	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	CNH Industrial agrees to continue to pay Sourcewell a 0.75% contract fee. Our contract has continued to grow, which results in profit for all parties involved.	*

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *
69	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	New Holland Construction Equipment: MEET YOUR CHALLENGES HEAD-ON New Holland's ongoing commitment to making the most dependable and innovative construction equipment brings you the 300 Series skid steer loaders. They provide enhanced productivity, comfort and ease, while still delivering outstanding lift and breakout force and rock-solid stability. Customize your machine for your specific demands with a wide array of versatile attachments and options. The patented Super Boom® vertical lift linkage delivers maximum reach at maximum height to allow you to place loads precisely in the center of high-sided truck boxes or hoppers. New Holland Tier 4 Final engines deliver powerful performance, use less fuel and are easy to maintain to decrease your operating costs. The reliable hydraulic system delivers fast cycle times. In-line hydraulic pumps produce less noise and provide extra-smooth operation. Add the optional high-flow hydraulics to run attachments hour after hour. The 300 Series dual-range transmission provides travel speeds of more than 11 mph to save time on and between job sites. It is standard on the L320, L321, L328, and L334. New Holland's long wheelbase gives you stability and smooth riding comfort. A new available creep mode (EH models only) gives you greater control for slow-speed operations like trenching. New Holland's 300 Series loaders make your workday more productive and comfortable with a compact track loader from New Holland. These 60 to 114 gross HP loaders are tough models that deliver incomparable performance and craftsmanship. Whether you are a farmer, contractor, or landscaper, the 300 Series loaders are built to support you and your operation. They hold fast to steep slopes and move easily through muddy or sandy terrain to complete jobs quickly and efficiently. New Holland's D Series loader backhoes represent a huge step forward in operator comfort and productivity while delivering Tier 4 Final emission compliance without compromise. A new cab design featuring 10% more space, new rear side windows, vastly improved clearance when turning the seat for backhoe operation, and hugely improved in-cab storage capacity guarantees an enhanced operator experience and increased operator productivity. Many customers need a loader that offers the versatility to do a lot more than just move bulk material, including grading and leveling as well as grabbing heavy items like tree trunks and concrete pillars. They also need a tractor unit offering the traction and power to push materials into place or out of the way. With a 4-in-1 bucket, a D Series loader backhoe delivers exceptional performance with just a single attachment. Choose a 6-in-1 bucket and you have the option to flip down adjustable pallet forks for handling palletized loads without a dedicated vehicle. The backhoe can be equipped with a wide choice of buckets to match excavation, water-course clearance, trenching and other demands. You can also fit post hole diggers, hydraulically extendable dipper and countless other tools. The long, nearly 23-ft. reach of both the standard and telescopic dipper allows digging depth comparable to many conventional dedicated excavators. Add the new updated cab featuring a new heated seat and up to ten LED lights and exterior side lights on the cab roof, and there are no performance compromises with a New Holland D Series loader backhoe. CLASS-LEADING POWER AT BUCKET AND HITCH The U80D tractor loader from New Holland delivers 74 gross horsepower of clean power with its Tier 4 Final certified engine. You get responsive power at both bucket and hitch, so the U80D pays its way by loading, stacking, scraping and leveling. Add the Glide Ride option, and the boom cylinders become the equivalent of giant shock absorbers to stabilize the load while traveling. The curved-arm loader linkage provided on the U80D tractor loader provides hydraulic bucket leveling for less spillback, as well as excellent reach at maximum dump height for truck loading. The unique reverse-mounted loader arm cylinders give you maximum bucket breakout force and superior dump speed on the bucket. Rugged Class II three-point hitch with controllable down pressure provides excellent scraping and leveling performance. The synchromesh transmission with power shuttle gives you smooth control and easy forward-reverse shuttling. New Holland compact wheel loaders do more than load. With dependable engine and hydraulic power and a choice of buckets and attachments, you can easily scrape, grade, haul and more. Z-Bar linkage design provides maximum breakout force, digging and lifting power for high-production load-and-carry applications. For applications where self-leveling is needed, like forklift work, consider the W50C TC Tool Carrier model. A stable compact design allows you to work and maneuver easily in restricted spaces. A lower machine height and lower center of gravity increases the stability of New Holland compact wheel loaders so you can lift and move larger loads, travel smoothly and quickly, and operate with more confidence.

You can work next to buildings, foundations, and roads with greater confidence in a New Holland Construction C Series compact excavators. They combine power, performance, and versatility to make the very most of every minute of your day. C Series excavators deliver big digging and grading performance with SAE bucket breakout forces up to 8,490 lbf and dig depth up to 12.5 feet. Their compact design and zero/short tail swing mean you can dig, fill, and grade in the most confined, congested areas. You can offset the excavator boom left or right within the operating range to match the situation. The C Series also offers more ground clearance and excellent dozer blade lift height for maneuvering and working in tough conditions. With seven models from 1.7 to 6 tons, there is nothing small about the performance of New Holland compact excavators. All models offer an increase in horsepower compared to previous models, powered by quiet, fuel-efficient Tier 4 Final engines up to 66.9 horsepower. Ease and comfort equate with operator productivity, so the wide C Series cab is designed for spaciousness, all-around visibility, comfortable seating, and smooth control. New Holland's Auto Shift traveling system automatically downshifts when load increases to enhance travel torque on slopes and in difficult conditions, then shifts back up to secure a faster travel speed after the load decreases. The Auto Idle system activates when you are not using the operating levers to improve fuel efficiency.

Case Construction Equipment:
The CASE B Series skid steers build on more than 50 years of engineering and field experience to provide the most intuitive operator experience and comfortable working environment ever built into a CASE skid steer — including an eight-inch LCD multi-function display and simple electro-hydraulic controls. The design simplifies operation and puts more power and control into the hands of the operator. Match that with productivity-enhancing horsepower and torque, powerful auxiliary hydraulics, and industry-leading visibility — and CASE B Series skid steers allow you to get more done every day.

The CASE skid steer lineup features the sizes, lift patterns, power, and emissions solutions to match any application. Five radial-lift and three vertical-lift skid steers across numerous horsepower and size classes ensure that you will find the right solution for your operation. CASE B Series skid steers also provide operators with the most feature-rich operator experience ever found in a CASE skid steer, including electro-hydraulic controls, "Creep Speed" functionality, an automotive-style information display with improved fault codes and troubleshooting, as well as Economy Modes with engine protection. The eight-inch LCD multi-function display serves as the command center for the machine and includes the industry's only backup camera visible in a split screen display with machine data.

The CASE B Series compact track loaders offer a completely re-imagined operator interface and environment to simplify operation and put more power and control into the hands of the operator — including an 8-inch LCD multi-function display and simple electro-hydraulic controls. Match that with industry-leading visibility, productivity-enhancing horsepower and torque, extreme attachment versatility, and lift geometries and size classes to meet every demand — and CASE B Series compact track loaders have the strength and performance to handle your toughest jobs. Jobsite productivity and awareness are driven by industry-leading visibility — further improved with the backup camera and a cab-wide rearview mirror. Operators have the industry's best perspective of the job through large front and side windows, a low entry threshold for greater visibility down to the bucket, a low sloping rear hood and 360-degree lighting.

CASE backhoe loaders – extra power when you want it, precise control where you need it and a sophisticated-yet-simple machine that needs less from you to get more done, more quickly. When your backhoe legacy dates to the world's first fully integrated production backhoe loader, you know they are expected to do everything. So, you engineer them to be stronger and more responsive, roading, loading, or digging. That is the Tier 4 Final N Series backhoe. Give your backhoe a shot in the arm. At the push of a button, Power Boost provides a temporary surge of power – up to 8% more breakout – without decreasing RPMs (Revolutions Per Minute) so you can quickly muscle through obstacles and tough or frozen ground. (Not available on 580N EP or 580N backhoes).

The CASE 570N EP tractor loader combines unbeatable lifting strength, ground speeds as fast as 24mph, and user-friendly features to provide contractors with a skip loader that is impressively cost effective, and incredibly easy to own and operate. It is available with a rear 540-RPM PTO (Power Take Off) or 3-point hitch, as well as a hydraulic front quick coupler for optimal versatility. The CASE 570N EP tractor loader has a full height lifting capacity of 6,503 LB., giving you more than three tons of lifting strength to move, load and stock more piles, palettes, and material. Loader arms have heavy-duty in-line parallel linkage with a solid thru-pin design, dual bucket cylinders and a standard material retention feature to evenly transfer bucket stress up and through full dump. It all works together to provide faster cycles with less spillage.

The enhanced CASE G Series wheel loaders simplify operation through a touchscreen display and give operators even greater control with adjustable electro-hydraulic controls, optimized power modes and programmable configurable buttons near the joystick. These buttons put your most common settings and functions mere inches away from the joystick, further simplifying operation. All while delivering — and improving — the power, productivity, and efficiency you already expect from CASE G Series wheel loaders. Extreme fuel efficiency, lower engine operating temperatures and a no DPF/no regen emissions solution are matched with features designed to shorten cycle times, increase uptime, and make you even more efficient. An optional, factory-integrated payload system drives greater accuracy and loading efficiency in operations from quarries and job sites to feedlots and supply yards — and makes the investment/deployment in a payload system entirely turnkey (no separate financing/installation/etc.).

C Series motor graders expand the CASE lineup with well-equipped models ideally suited for small-to-mid-size grading operations for municipalities, road maintenance and general construction. Their SCR-only Tier 4 Final engine solution delivers fuel-saving performance with minimal cost or maintenance from the operator and with the product assurance of ProCare, ownership and upkeep has never been easier. Models come standard with the productivity-boosting features operators want and are available as standard drive or AWD, and as machine control-ready for integrating into precision fleets. C Series graders deliver smooth, automatic shifting thanks to an Ergopower transmission and torque converter. And with the hydraulic differential lock and automatic power splitting, torque is instantly transferred from a slipping tire to one with more traction, providing constant traction without throttle adjustment necessary.

The CASE H Series rough terrain forklifts get it done smoother, easier, and faster. With fast lifting speeds, roading speeds of up to 24 mph (38.6 km/h), lifting capacities of up to 8,000 lbs. and a slew of unique features that keep loads level and forklift operators comfortable, these high-performance, Tier 4 Final forklifts truly do raise the bar. Rough terrain forklifts are designed for two things: lifting and moving loads. We have engineered the H Series forklifts to be the best at both. With lifting speeds of 107 feet per minute and roading speeds of 24 mph, you will be able to raise, haul and place quicker to finish the job faster.

The all-new E Series excavators build on that legacy with seven new models - including two new class sizes - designed from the ground up to revolutionize the operator experience through laser focus on the things operators care about most: reliability, cab comfort and performance. We give you a full line-up of solutions for every size and type of jobsite, whether you are trenching in open fields or working a single lane on the highway. And the growing list of OEM-fit machine control technologies available throughout the new E Series lineup shows our commitment to always delivering improved performance, precision, and profitability.

The CASE M Series dozers are among the most powerful and efficient — and now even more precise with factory-fit machine control. This makes it easier than ever to get into machine control and to experience its benefits: increased productivity, improved performance, and reduced wear-and-tear on your dozer fleet. Match that with industry leading power, extreme visibility to the work area, an intuitive operator interface/experience, and the full support of CASE and its dealer network — and CASE M Series Dozers will drive your success from heavy bulldozer work to fine grading. It is all about the drawbar pull — and the tractive effort and related pushing power it creates. CASE M Series dozers provide best-in-class drawbar pull (varies by model), and a powerful and robust undercarriage with a variety of track and extended life options to meet your pushing needs.

CASE Minotaur™ DL550 — an all-new, industry-first equipment category: the compact dozer loader. The integrated C-frame delivers true dozer performance and the agility and finesse of a loader. CASE Universal Machine Control allows you to use the precision construction technology you prefer*. It is compatible with hundreds of attachments, and the addition of an industry-exclusive fully integrated ripper makes this machine one-of-a-kind. It has the strength, attitude, and intelligence to stake a claim as the industry's most versatile and powerful compact machine.

Minotaur demonstrates CASE's commitment to delivering real-world innovation rooted in customer need. With 29 patents**, more than 10,000 field test hours, multiple customer clinics, countless operator evaluations, product refinements and even more evaluations after that — we've put this machine to the test to deliver you the highest standard in quality. Built mean for tough conditions and smart for precision grading, you can take it all on with confidence. Transform your operation with CASE Construction Equipment.

*Machine control solution of your choice sold separately
**21 patents granted, 8 pending

		No two compaction jobs are the same. All three series of CASE vibratory rollers — double drum, single drum, and pneumatic tire — provide operators with the right combination of brute compaction force and precise control for all materials, lift profiles and jobsites. Double drum. Combi. Compact. Large Frame. CASE offers compaction solutions for every asphalt job, from driveways and bike paths to highways and commercial parking lots. Industry-leading climbing up to 67 percent grade matches with a design for powerful compaction while remaining versatile, easy to transport and fuel efficient. The PT240D provides the flexibility for both sub-base and asphalt compaction in large-scale paving projects, improving compaction quality and completing the work in fewer passes — all in a Tier 4 Final machine.	
70	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	There are various subcategories of solutions that may describe our equipment these include earth moving equipment, agriculture, residential construction, utilities, quarry and aggregates, roads and bridges, landscaping, waste and scraping, non-residential construction, and snow removal. CNH INDUSTRIAL supports your municipality by optimizing equipment for productivity. That also means we are constantly striving to design machines that are simple to own. Our customers provide input to help guide machine enhancements, to improve serviceability, visibility, stability, power, ease of operation and transport, extended time between refueling, noise reduction and cold-weather starting – just to name a few. And when you buy equipment from CNH INDUSTRIAL our relationship does not stop at the transaction. CNH INDUSTRIAL dealer network is on-hand to help you build the right equipment for your jobsite, and after you buy, for advice on daily checks, operator environment configuration and help with planned maintenance.	*

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments
71	Wheeled, tracked, and backhoe loaders	(•) Yes ( ) No	Case construction provides (7) different TLB models ranging from 74 (HP) horsepower to 110 (HP)
72	Motor Graders	(•) Yes ( ) No	Case Construction offers two classes of Motor Graders, the 836C (137 HP) and the 856C (173 HP).
73	Wheeled and tracked excavators	(•) Yes ( ) No	Case construction offers seven different models of compact excavators, two types of midi excavators and sixteen diverse types of heavy excavators (full-size excavators).
74	Bulldozers, compactors, scapers, articulated and rigid haulers	(•) Yes ( ) No	CNH INDUSTRIAL (Case New Holland Industrial) offers (6) Bulldozers ranging from 68 to 214 horsepower
75	Cranes	( ) Yes (•) No	
76	Accessories or attachments for the offering in #71-75 above	(•) Yes ( ) No	CNH INDUSTRIAL (Case New Holland Industrial) provides hundreds of attachments specifically designed to meet your equipment needs. We will include brochures highlighting the vast array of attachments we provide that range from snow-pushers, augers, bale handlers, buckets, brooms, and much more.
77	Technology or services for the offering in #71-75 above	(•) Yes ( ) No	CASE ProCare is the most comprehensive and standard-from-the-factory heavy machine support program in the industry. It comes with a 3-year/3000-hr full machine factory warranty, 3-year/2000-hr planned maintenance and 3-year Advanced SiteWatch subscription. With CASE ProCare, you receive complete factory-provided coverage on select new heavy machine orders.

Table 14C: Required Offering of Equipment

Indicate below if the proposer's proposal includes at least one (1) of the following listed types or classes of equipment. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered	Comments
78	Wheel loader with published net horsepower (HP) of at least 300 HP	(•) Yes ( ) No	CASE Construction offers two Wheel Loader's with published net horsepower (HP) of at least 300 HP.
79	Wheeled or tracked excavator with a published net horsepower (HP) of at least 150 HP	(•) Yes ( ) No	Case Construction provides (10) full-sized excavators with a published net horsepower (HP) of at least 150 HP.
80	Motor Grader with a published maximum operating weight of at least 30,000 lbs.	(•) Yes ( ) No	Case construction has (1) Motor Grader with a published maximum operating weight of at least 30,000 lbs.
81	Rough terrain, all terrain, crawler, floating, lattice, or telescopic crane with a published maximum lifting capacity of at least 300 tons and a published maximum boom length of at least 150 feet	( ) Yes (•) No	CNH INDUSTRIAL (Case New Holland Industrial) does not have Cranes in its current offering.

Exceptions to Terms, Conditions, or Specifications Form

Only those Proposer Exceptions to Terms, Conditions, or Specifications that have been accepted by Sourcewell have been incorporated into the contract text.

Documents

Ensure your submission document(s) conforms to the following:

1. Documents in PDF format are preferred. Documents in Word, Excel, or compatible formats may also be provided.

2. Documents should NOT have a security password, as Sourcewell may not be able to open the file. It is your sole responsibility to ensure that the uploaded document(s) are not either defective, corrupted or blank and that the documents can be opened and viewed by Sourcewell.

3. Sourcewell may reject any response where any document(s) cannot be opened and viewed by Sourcewell.

4. If you need to upload more than one (1) document for a single item, you should combine the documents into one zipped file. If the zipped file contains more than one (1) document, ensure each document is named, in relation to the submission format item responding to. For example, if responding to the Marketing Plan category save the document as "Marketing Plan."

- Pricing - CNHI Price pages.zip - Friday January 13, 2023 07:29:27
- Financial Strength and Stability - CNHI Annual report & Sustainibility report.zip - Friday January 13, 2023 07:37:31
- Marketing Plan/Samples - Buyers Guide back page.docx - Friday January 13, 2023 07:21:33
- WMBE/MBE/SBE or Related Certificates (optional)
- Warranty Information - CNHI Warranty.zip - Friday January 13, 2023 07:32:04
- Standard Transaction Document Samples - NH CE and Case CE matrix.zip - Thursday January 12, 2023 14:43:50
- Upload Additional Document - CNHI awards, certificates & licenses & Brochures.zip - Friday January 13, 2023 09:54:58

Addenda, Terms and Conditions

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.

2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.

3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.

4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.

5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.

6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.

7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.

8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.

9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.

10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.

11. Proposer its employees, agents, and subcontractors are not:
    1. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: https://www.treasury.gov/ofac/downloads/sdnlist.pdf;

    2. Included on the government-wide exclusions lists in the United States System for Award Management found at: https://sam.gov/SAM/; or

    3. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated

by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☑ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Amy Swett, Government & Fleet Sales Account Manager, CNH Industrial America LLC

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

○ **Yes** ◉ **No**

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum"** below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_5_Heavy_Construction_Equipment_RFP_011723 Tue January 10 2023 08:47 AM	☑	1
Addendum_4_Heavy_Construction_Equipment_RFP_011723 Fri January 6 2023 09:51 AM	☑	2
Addendum_3_Heavy_Construction_Equipment_RFP_011723 Thu December 29 2022 12:33 PM	☑	2
Addendum_2_Heavy_Construction_Equipment_RFP_011723 Wed December 21 2022 01:49 PM	☑	1
Addendum_1_Heavy_Construction_Equipment_RFP 011723 Thu December 15 2022 09:27 AM	☑	1

Prepared by: Dan Striegel, Equipment Superintendent, 1200 S. Riverside Drive, Iowa City, IA 52246 (319) 356-5197

Resolution No. _____

Resolution authorizing the procurement of two (2) new wheel loaders for Landfill Operations.

Whereas, two (2) wheel loaders in Landfill Operations are budgeted for replacement in fiscal year 2027; and

Whereas, Sourcewell cooperative contract #011723-CNH will be utilized for the procurement of the wheel loaders; and

Whereas, the total purchase price of the wheel loaders is $451,578.57; and

Whereas, the amount exceeds the City Manager's spending authority of $200,000.00, thus requiring City Council approval; and

Whereas, funds for this purchase are available in account 81710520; and

Whereas, approval of this procurement is in the public interest.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The proposed procurement as described above is approved.

2. The City Manager is authorized to take the steps necessary to effectuate the purchase and approve any change orders that may develop during the manufacturing process.

Passed and approved this _____ day of _____, 2026.

_____
Mayor

Approved by

Attest:_____ _____
City Clerk City Attorney's Office

Item Number: 6.e.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution authorizing the acquisition of property interests necessary for construction of the Dodge Street Reconstruction Project from Burlington Street to Governor Street.

Prepared By:	Alin Dumachi – Senior Engineer
Reviewed By:	Jason Havel – City Engineer Ron Knoche – Public Works Director Geoff Fruin – City Manager Sara Greenwood - Assistant City Attorney
Fiscal Impact:	Funding will be via the Dodge Street Reconstruction account #S3952.
Staff Recommendation:	Approval
Attachments:	Resolution Location Map

Executive Summary:
Preliminary design for the Dodge Street Reconstruction Project from Burlington Street to Governor Street has been completed including identifying the easement and right-of-way needs within the corridor. These acquisitions are needed for the construction of the Dodge Street Reconstruction Project.

Background / Analysis:
This project includes the reconstruction of Dodge Street from Burlington Street to Governor Street. The reconstruction includes new pavement and sidewalks, Americans with Disabilities Act (ADA) compliant curb ramps, installation of water main, storm sewer and sanitary sewer structures, and a joint utility trench.

The permanent and temporary easements and property acquisitions are needed for the construction of the project. The areas disturbed by construction activities will be restored with pavement or seeding.

Project Timeline:

Spring 2026 – Spring 2027 – Final design and property acquisitions
Summer 2027 – Spring 2028 – Private utility relocations
Spring 2028 – Fall 2030 – Construction

Prepared by: Alin Dumachi, Engineering Division, 410 E. Washington St., Iowa City, IA 52240, 319-356-5143

Resolution No. _____

Resolution authorizing the acquisition of property interests necessary for construction of the Dodge Street Reconstruction Project from Burlington Street to Governor Street.

Whereas, the City of Iowa City desires to construct the Dodge Street Reconstruction Project ("Project") which includes roadway reconstruction of Dodge Street, from Burlington Street to Governor Street, Americans with Disabilities Act (ADA) compliant curb ramps at this intersections with roadways and facility entrances, installation of water main, storm sewer, and sanitary sewer; and

Whereas, the City Council has determined that construction of the Project is a valid public purpose under State and Federal law, and has further determined that acquisition of certain property rights is necessary to construct, operate and maintain the proposed project; and

Whereas, the City staff has determined the location of the proposed Project; and

Whereas, City staff should be authorized to acquire necessary property rights at the best overall price to the City; and

Whereas, funds for this project are available in the Dodge Street Reconstruction account #S3952.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The City Council finds that it is in the public interest to acquire property rights by warranty deed, quit-claim deed, and/or easement for the construction of the Dodge Street Reconstruction Project ("Project") which Project constitutes a public improvement under Iowa law. The City Council further finds that acquisition of said property rights is necessary to carry out the functions of the Project, and that such Project constitutes a valid public purpose under state and federal law.

2. The City Council hereby approves the preliminary or final route or site location of this public improvement project, as shown in the attached Exhibit “A”, attached hereto and incorporated herein by this reference.

3. The City Manager or designee is hereby authorized and directed to negotiate the purchase of property rights by warranty deed, quit-claim deed and/or easement for the construction, operation and maintenance of the Project. The City Manager or designee is authorized to sign purchase agreements for the purchase of property and/or easements, and offers to purchase property and/or easements.

4. The City Manager or designee, in consultation with the City Attorney's Office, is authorized and directed to establish, on behalf of City, an amount the City believes to be just compensation for the property to be acquired, and to make an offer to purchase the property for the established fair market value.

5. In the event negotiation is successful, the Mayor and City Clerk are hereby authorized to execute and attest easement agreements and agreements in lieu of condemnation. The City Attorney is hereby directed to take all necessary action to complete said transactions, as required by law.

6. In the event the necessary property rights for the Project cannot be acquired by negotiation, the City Attorney is hereby authorized and directed to initiate condemnation proceedings for acquisition of any and all property rights necessary to fulfill the functions of the Project, as provided by law.

Passed and approved this _____ day of _____, 2026.

_____
Mayor

Approved by

Attest:_____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Dodge Street Reconstruction

5/22/2026, 8:58:22 AM

Private Roads

Road Hierarchy

State Highway

1:7,032

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

Item Number: 6.f.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the FY2025 Pavement Rehabilitation Project.

Prepared By:	Justin Harland – Senior Engineer
Reviewed By:	Jason Havel – City Engineer Ron Knoche – Public Works Director Geoff Fruin – City Manager Sara Greenwood - Assistant City Attorney
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by L.L. Pelling Company, Inc. of North Liberty, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$2,460,000.00
Project Bid Received:	$2,483,512.75
Project Actual Cost:	$1,579,993.06

Background / Analysis:
The project included resurfacing HMA streets with 3" HMA pavement, full depth HMA and PCC patching, sanitary sewer manhole replacement, storm intake top replacement, PCC sidewalk and ADA curb ramp improvements at the following locations: South Dubuque Street, East College Street, Glendale Road, Ridgeway Drive, North Lowell Street, Hawthorne Street, Ashwood Drive, and South Lowell Street. Chip seal of Taft Avenue, Hutchinson Avenue, Grove Street, Nursery Lane, Conklin Lane, Dodge Street Court, and Hickory Hill parking lot were also included.

There were two (2) change orders included with the project, which included additional sanitary manhole installation work and a final balance of quantities and costs.

CITY OF IOWA CITY
410 East Washington Street
Iowa City, Iowa 52240 - 1826
(319) 356 - 5000
(319) 356 - 5009 FAX
www.icgov.org

ENGINEER'S REPORT

May 27, 2026

City Clerk
Iowa City, Iowa

Re: FY2025 Pavement Rehabilitation Project

Dear City Clerk:

I hereby certify that the construction of the FY2025 Pavement Rehabilitation Project has been completed by L.L. Pelling Company, Inc. of North Liberty, Iowa in substantial accordance with the plans and specifications prepared by the City of Iowa City.

The project was bid as a unit price contract and the final contract price is $ 1,579,993.06.

There were two (2) change orders on the project, as described below:

1) Sanitary Manhole Adjustments	$2,687.42
2) Quantity Balance	-$876,657.12
TOTAL	-$873,969.70

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Justin Harland, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5154

Resolution No. _____

Resolution accepting the work for the FY2025 Pavement Rehabilitation Project

Whereas, the Engineering Division has recommended that the work for construction of the FY2025 Pavement Rehabilitation Project, as included in a contract between the City of Iowa City and L.L. Pelling Company, Inc. of North Liberty, IA, dated July 22, 2025, be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Clerk's office; and

Whereas, funds for this project are available in the annual pavement rehabilitation account # S3824; and

Whereas, the final contract price is $1,579,993.06.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this _____ day of _____, 20_____

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.g.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the Traffic Calming 2025 Project.

Prepared By:	Vivienne Olsson - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Sara Greenwood- Assistant City Attorney
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by Hansen Asphalt of Iowa City, IA in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Engineer.

Project Estimated Cost:	$40,940.00
Project Bid Received:	$45,940.00
Project Actual Cost:	$65,512.65

There was one (1) change order on this project, which included the installation of speed humps along Sheridan Avenue.

Background / Analysis:
Work included the installation of speed humps on Lindemann Drive between East Court Street and Anna Street and on Sheridan Avenue between Grant Street and South 7th Avenue, as well as the repair of speed humps on Lake Shore Drive.

CITY OF IOWA CITY
410 East Washington Street
Iowa City, Iowa 52240 - 1826
(319) 356 - 5000
(319) 356 - 5009 FAX
www.icgov.org

ENGINEER'S REPORT

May 26, 2026

City Clerk
Iowa City, Iowa

Re: Traffic Calming 2025 Project

Dear City Clerk:

I hereby certify that the construction of the Traffic Calming 2025 Project has been completed by Hansen Asphalt of Iowa City, Iowa in substantial accordance with the plans and specifications prepared by the City of Iowa City.

The project was bid as a unit price contract and the final contract price is $65,512.65.

There was one (1) change or extra work order for the project as described below:

1) Additional speed humps on Sheridan Avenue $16,540.00

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Vivienne Olsson, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5413

Resolution No. _____

Resolution accepting the work for the Traffic Calming 2025 Project

Whereas, the Engineering Division has recommended that the work for construction of the Traffic Calming 2025 Project, as included in a contract between the City of Iowa City and Hansen Asphalt of Iowa City, IA, dated January 26th, 2026, be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Engineer's office; and

Whereas, funds for this project are available in the Annual Traffic Calming account # S3816; and

Whereas, the final contract price is $65,512.65.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this 2nd day of June, 2026

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.h.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the 2025 Water Pavement Patching Project.

Prepared By:	Timothy Schmadeke - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Sara Greenwood- Assistant City Attorney
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by Eastern Iowa Excavating and Concrete, LLC of Cascade, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$360,000.00
Project Bid Received:	$303,709.80
Project Actual Cost:	$455,792.64

There were two (2) change orders on this project, which included the removal and replacement of conduit, liquidated damages, additional manhole adjustments, and the removal and replacement of additional storm sewer pipe.

The project was bid with 25 repair sites and 18 additional sites were added to the project as a result of water main breaks that occurred throughout the year.

Background / Analysis:
On average, there are approximately 70 water main breaks in Iowa City each year. Street and sidewalk pavement typically need to be replaced following water main repairs. With limited resources and the emergency nature of the pavement repairs, the City combines the pavement repairs at multiple main break sites into a single project to more efficiently address pavement damage resulting from water main breaks. As additional main breaks occurred later in the year, those sites were added to the project for repair.

CITY OF IOWA CITY
410 East Washington Street
Iowa City, Iowa 52240 - 1826
(319) 356 - 5000
(319) 356 - 5009 FAX
www.icgov.org

ENGINEER'S REPORT

May 27, 2026

City Clerk
Iowa City, Iowa

Re: 2025 Water Pavement Patching Project

Dear City Clerk:

I hereby certify that the construction of the 2025 Water Pavement Patching Project has been completed by Eastern Iowa, Inc. of Cascade, Iowa in substantial accordance with the plans and specifications prepared by the City of Iowa City.

The project was bid as a unit price contract and the final contract price is $445,792.64

There were two (2) change orders for the project as described below:

1)	Removal and replacement of conduit	$4,986.00
2)	Liquidated damages, additional manhole adjustments, removal and replacement of additional storm sewer pipe	$483.60
	TOTAL	$5,469.60

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Timothy Schmadeke, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5044

Resolution No. _____

Resolution accepting the work for the 2025 Water Pavement Patching Project

Whereas, the Engineering Division has recommended that the work for construction of the 2025 Water Pavement Patching Project, as included in a contract between the City of Iowa City and Eastern Iowa, Inc. of Cascade, Iowa, dated July 22, 2026, be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Clerk's office; and

Whereas, funds for this project are available in the Water Divisions Operating Budget account #73730130; and

Whereas, the final contract price is $445,792.64.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this 2nd day of June, 2026

_____
Mayor

Approved by

Attest: _____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.i.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the Fire Station 1 and City Hall 3rd Floor Renovation Project.

Prepared By:	Michelle Riedinger - Senior Facilities Design and Construction Manager
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Liz Craig - Assistant City Manager
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by Swanson Construction Co. of Bettendorf, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$900,000.00
Project Bid Received:	$575,000.00
Project Actual Cost:	$660,328.87

There were four (4) change orders on this project, which included fixture and finishes changes, a new sink and countertop, fire alarm and data revisions, electrical and HVAC revisions and other related work.

Background / Analysis:
This project generally included demolition of existing sleeping partitions and bathrooms and reconstruction of 8 bedrooms, 3.5 bathrooms and a wellness room within Fire Station 1. Within the 3rd Floor of City Hall, the project included selective demolition of walls to prepare for the construction of 4 new offices, replacement of carpet and lights on the entire floor and painting of all walls.

ENGINEER'S REPORT

CITY OF IOWA CITY
UNESCO CITY OF LITERATURE

April 27, 2026

City Clerk
Iowa City, Iowa

Re: Fire Station 1 and City Hall 3rd Floor Renovation Project

Dear City Clerk:

I hereby certify that the construction of the Fire Station 1 and City Hall 3rd Floor Renovation Project has been completed by Swanson Construction Co. of Bettendorf, Iowa in substantial accordance with the plans and specifications prepared by Slingshot Architecture and Shive-Hattery.

The project was bid as a lump sum contract and was awarded for $575,000.00. The final contract price is $ 660,328.87.

There were a total of four (4) Change Orders for the project.

Change Order 1 (Fire Station 1) $22,784.94
- Demo nonfunctioning control unit, add fitness room finishes, hydronic piping change, increase wet wall depth, add fire damper, modify existing bridging, and electrical changes

Change Order 2 (City Hall 3rd Floor) $14,578.23
- Add 5 VAV valves, patch and spray texture addition, and switching in office storage space

Change Order 3 (City Hall 3rd Floor) $32,179.84
- Remove hallway switch and patch drywall, add sink and counter top, revise test and balance, drywall repair, fire alarm changes, data wire and termination, sound dampening for transformer, add patching and texture, add dimmer switches, and reinstallation of existing fixtures

Change Order 4 (Fire Station 1) $15,785.86
- Testing and balance add, station alerting and data revisions, floor leveling in room 204, add fire pole room finishes, add bathroom faucet outlet, change shower fixtures, add pull handles to lockers, and additional paint

Total **$85,328.87**

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Michelle Riedinger, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5188

Resolution No. _____

Resolution accepting the work for the Fire Station 1 and City Hall 3rd Floor Renovation Project

Whereas, the Engineering Division has recommended that the work for construction of the Fire Station 1 and City Hall 3rd Floor Renovation Project, as included in a contract between the City of Iowa City and Swanson Construction Co. of Bettendorf, Iowa, dated January 14, 2025, be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Clerk's office; and

Whereas, funds for this project are available in the Rehab of Sleeping Areas and Alerting System Station 1 account # Z4413 for the Fire Station portion of the project and in the Engineering Remodel account # R4428 for the 3rd Floor portion of the project; and

Whereas, the final contract price is $660,328.87.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this _____ day of _____, 20_____

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.j.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the Ashton House REAP Grant Improvement Project.

Prepared By:	Vivienne Olsson - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Alexandra Bright, Asst. City Attorney
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by All American Concrete, Inc. of West Liberty, IA in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$170,000.00
Project Bid Received:	$200,776.75
Project Actual Cost:	$206,530.57

There were two (2) change orders on this project, which included an additional back flow preventer and the 10-panel bird blind alternate.

Background / Analysis:
Work included improvements to the Ashton House grounds including walking paths and ADA-compliant sidewalks, as well as amenities such as a bird blind, fire pit, bicycle "fix-it" station, water fountain, and bicycle racks.

CITY OF IOWA CITY
410 East Washington Street
Iowa City, Iowa 52240 - 1826
(319) 356 - 5000
(319) 356 - 5009 FAX
www.icgov.org

ENGINEER'S REPORT

May 26, 2026

City Clerk
Iowa City, Iowa

Re: Ashton House REAP Grant Improvement Project

Dear City Clerk:

I hereby certify that the construction of the Ashton House REAP Grant Improvement Project has been completed by All American Concrete, Inc. of West Liberty, Iowa in substantial accordance with the plans and specifications prepared by Hawks Design, LLC.

The project was bid as a unit price contract and the final contract price is $206,530.57.

There were two (2) change or extra work orders for the project as described below:

1.	Additional back flow preventer	$1,646.30
2.	10-panel bird blind alternate	$3,834.00
	TOTAL	$5,480.30

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Vivienne Olsson, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5413

Resolution No. _____

Resolution accepting the work for the Ashton House REAP Grant Improvement Project

Whereas, the Engineering Division has recommended that the work for construction of the Ashton House REAP Grant Improvement Project, as included in a contract between the City of Iowa City and All-American Concrete, Inc. of West Liberty, IA, dated April 1st, 2025 be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Clerk's office; and

Whereas, funds for this project are available in the Ashton House REAP Grant Improvement Project account # R4405; and

Whereas, the final contract price is $206,530.57.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this 2nd day of June, 2026.

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.k.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution accepting the work for the 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project.

Prepared By:	Joe Welter - Senior Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Liz Craig - Assistant City Attorney
Fiscal Impact:	None.
Staff Recommendation:	Approval
Attachments:	Engineer's Report Resolution

Executive Summary:
Work on the project was recently completed by Municipal Pipe Tool Co., LLC of Hudson, Iowa in substantial accordance with the plans and specifications. The Engineer's Report and Performance, Payment and Maintenance Bond are on file with the City Clerk.

Project Estimated Cost:	$550,000.00
Project Bid Received:	$565,239.63
Project Actual Cost:	$535,000.51

There were two (2) change orders on this project, which included an extension to the completion date, adjustments for the final quantities, and reduction of the unit price for some substandard pipe lining installed.

Background / Analysis:
This project included lining approximately 11,000 linear feet of sanitary sewer pipe, reinstatement of approximately 140 service connections, lining 46 manholes for locations near the following streets: Bancroft Drive, California Avenue, Crosby Lane, Grantwood Drive, Gleason Drive, North Dubuque Street, Montrose Avenue, North Seventh Avenue, Ridgewood Drive, Rochester Avenue, Rochester Court, Russell Drive, Tanglewood Street, Ventura Avenue, Windsor Court, Windsor Drive, and Woodridge Avenue.

CITY OF IOWA CITY
410 East Washington Street
Iowa City, Iowa 52240 - 1826
(319) 356 - 5000
(319) 356 - 5009 FAX
www.icgov.org

ENGINEER'S REPORT

May 27, 2026

City Clerk
Iowa City, Iowa

Re: 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project

Dear City Clerk:

I hereby certify that the construction of the 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project has been completed by Municipal Pipe Tool Co., LLC of Hudson, Iowa in substantial accordance with the plans and specifications prepared by Stanley Consultants, Inc. of Muscatine, Iowa.

The project was bid as a unit price contract and the final contract price is $535,000.51.

There were two (2) change orders on this project, as described below:

1. Extended the Final Completion Date to accommodate discussion and completion of punch list items	$0.00
2. Adjustments for final quantities, reduction of the unit price for some of the substandard pipe lining installed, and a final extension of the Final Completion Date to accommodate for the completion of the punch list.	-$30,239.12
TOTAL	-$30,239.12

I recommend that the above-referenced improvements be accepted by the City of Iowa City.

Sincerely,

Jason Havel, P.E.
City Engineer

Prepared by: Joe Welter, Engineering Division, Public Works, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5144

Resolution No. _____

Resolution accepting the work for the 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Project

Whereas, the Engineering Division has recommended that the work for construction of the 2022 Sanitary Sewer Manhole and Pipe Rehabilitation Construction Project, as included in a contract between the City of Iowa City and Municipal Pipe Tool Co., LLC of Hudson, Iowa, dated October 25, 2022, be accepted; and

Whereas, the Engineer's Report and the Performance, Payment and Maintenance Bond have been filed in the City Clerk's office; and

Whereas, funds for this project are available in the Annual Sewer Main Replacement account # V3101; and

Whereas, the final contract price is $535,000.51.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that said improvements are hereby accepted by the City of Iowa City, Iowa.

Passed and approved this _____ day of _____, 20_____

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.I.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the Equalization Basin Surface Sealing 2026 Project.

Prepared By:	Timothy Schmadeke - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Sara Greenwood- Assistant City Attorney
Fiscal Impact:	$124,000 available in the Equalization Basin Resurfacing account #V3182.
Staff Recommendation:	Approval
Attachments:	Resolution

Executive Summary:
This item awards the contract for construction of the Equalization Basin Surface Sealing 2026 Project. The engineer's estimated cost for construction of the project was $168,000 and two (2) responsive/responsible bids were received prior to the May 26, 2026 deadline:

Bidder Name	City	Bid
Gee Asphalt Services, Inc.	Cedar Rapids, Iowa	$124,000.00
Taylor Ridge Paving and Construction, Inc.	Davenport, Iowa	$166,000.00

Gee Asphalt Services Inc., of Cedar Rapids, Iowa submitted the lowest responsive, responsible bid and staff recommends awarding the Contract for Equalization Basin Surface Sealing 2026 Project to Gee Asphalt Services, Inc.

Background / Analysis:
The equalization basin is critical for extreme high flow received at the Wastewater Treatment Plant. When flow received is in excess of the rated capacity of the treatment plant it is diverted to the equalization basin until the flow is no longer in excess. Once that occurs, the contents of the equalization basin are recycled back into the treatment plant for processing. Not making these repairs could jeopardize the integrity of the equalization basin causing structural failure resulting in a regulatory response.

Project Timeline:
Construction – June 2026 to October 2026

Prepared by: Timothy Schmadeke, Engineering Division, 410 E. Washington St., Iowa City, IA 52240 (319)356-5044

Resolution No. _____

Resolution awarding contract and authorizing the Mayor to sign and the City Clerk to attest a contract for construction of the Equalization Basin Surface Sealing 2026 Project

Whereas, Gee Asphalt Services, Inc. of Cedar Rapids, Iowa has submitted the lowest responsive, responsible bid of $124,000 for construction of the above-named project; and

Whereas, funds for this project are available in the Equalization Basin Resurfacing account #V3182.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The contract for the construction of the above-named project is hereby awarded to Gee Asphalt Services, Inc., subject to the condition that awardee secure adequate performance and payment bond, insurance certificates, and contract compliance program statements.

2. The Mayor is hereby authorized to sign and the City Clerk to attest the contract for construction of the above-named project, subject to the condition that awardee secure adequate performance and payment bond, insurance certificates, and contract compliance program statements.

3. The City Engineer and City Manager are authorized to execute change orders according to the City's Purchasing Policy as they may become necessary in the construction of the above-named project.

Passed and approved this 2nd day of June, 2026

_____
Mayor

Approved by

Attest : _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.m.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution in support of the Iowa City Affordable Housing Inc. application for Workforce Housing Tax Incentives from the Iowa Economic Development Authority (IEDA) to construct residential housing at 1002-1006 N. Summit St. and committing local funds to the project.

Prepared By:	Brianna Thul, Senior Community Development Planner
Reviewed By:	Tracy Hightshoe, Neighborhood and Development Services Director Eric Goers, City Attorney Alex Bright, Asst. City Attorney
Fiscal Impact:	The City has committed $4,686,800 from ARPA, Pro Housing and FY27 LOST funds to this project.
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	Proposed Site Plan Resolution

Executive Summary:
Iowa City Affordable Housing Inc. is applying for Workforce Housing Tax Incentives from the Iowa Economic Development Authority to assist with financing for construction of residential housing that will include 36 units at 1002-1006 N. Summit St. Total project costs are estimated at $10.7 million. The application requires a resolution of support by the local government as well as a commitment of at least $1,000 per dwelling unit to the project. The City has committed $4,686,800 to this project, representing a per unit contribution of $130,189. This resolution also authorizes the City Manager to enter into a funding agreement with Iowa City Affordable Housing Inc.

Background / Analysis:
The Workforce Housing Tax Credit incentive program through the Iowa Economic Development Authority (IEDA) provides tax benefits to developers who supply affordable housing to Iowa's workforce. The state has allocated $35 million for FY27, with $17.5 available to large communities such as Iowa City. Individual projects can receive an award of up to $1 million in state tax credits, and local governments can support up to four different project applications for the year. The City, to date, has supported one other project for this year's funding round at 500 S. Dubuque. There are no rental restrictions or income limitations for this program, but the average unit cost may not exceed $230,000 for a multifamily unit in a large community.

Eligibility for Workforce Housing Tax Credits requires a resolution of support from City Council and a local match commitment of at least $1,000 per dwelling unit. Allowable

matching funds include cash or cash equivalent, tax abatement or exemption, rebate, refund, or reimbursement. To date, the City has provided resolutions of support for 13 projects with 916 total units.

Iowa City Affordable Housing Inc., a PHA instrumentality, is the developer of the project located at 1002-1006 N. Summit St. The development will consist of 36 units including 18 one-bedroom, 6 two-bedroom and 12 three bedroom units with amenity space and a leasing office. Units will be limited to those households at 50% of median income or less. The buildings will all be mobility friendly with on grade entrances and an elevator in the multi-family building to allow better use by elderly or disabled residents. The proposed site plan is attached for reference.

Staff recommends approval of a resolution of support and commitment of $130,189 per unit, substantially exceeding the required $1,000 per unit local match, in order for the application to be considered for Workforce Housing Tax Credits. The project aligns well with the City's Strategic Plan to increase housing supply and assist vulnerable populations. By supporting the tax credit application, the City will be allowing the developer to leverage significant state resources that could otherwise go to projects outside of our community. The Workforce Housing Tax Credit application deadline for developers is June 10, 2026. A resolution of support and funding commitment must be made prior to that date.

1002 & 1006 N. Summit Street – Proposed Site Plan

Prepared by Tracy Hightshoe, NDS Director, 410 E. Washington St., IA 52240; 319.356.5244

Resolution No. ____

Resolution in support of the Iowa City Affordable Housing Inc. application for Workforce Housing Tax Incentives from the Iowa Economic Development Authority (IEDA) to construct residential housing at 1002-1006 N. Summit St. and committing local funds to the project.

Whereas, Iowa City Affordable Housing Inc. proposes to construct thirty-six multi-family residential units at 1002-1006 N. Summit St. and invest approximately $10.7 million ("Project"); and

Whereas, successful completion of the Project requires funding from a number of sources, including an award of Iowa Workforce Housing Tax Credit benefits in the estimated amount of $720,000, subject to post-construction assessment of costs; and

Whereas, the proposed project will support the City's efforts to create new affordable housing opportunities for households under 50% of median income; and

Whereas, the City of Iowa City has committed up to $4,686,800 to support the financing of this project through the following committed sources of funding:

- Iowa City American Rescue Plan Act Funds (ARPA): $750,000
- Iowa City Pro Housing Funds: $2,686,800
- Iowa City LOST Revenue (FY27 Budget): $1,250,000

This represents a local commitment of $130,189 per unit; and

Whereas, the City supports said application to the Workforce Housing Tax Credit Program by Iowa City Affordable Housing Inc.

Now, Therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The City of Iowa City hereby supports the submission of an Iowa Economic Development Authority Application to the Workforce Housing Tax Credit Program by Iowa City Affordable Housing, Inc, as referred to in the preamble hereof, for necessary tax credits and other benefits directly contributing to the success of the development at 1002-1006 N. Summit Street.
2. The application will include a request for Workforce Housing Tax incentives for up to thirty-six (36) units in the development.
3. The City commits to providing a local match equal to at least $130,189 per dwelling unit and shall enter an agreement with the applicant for such funds.
4. The City Manager is authorized to sign said agreement.

Passed and approved this _____ day of June, 2026.

_____
Mayor

Attest: _____
City Clerk

Approved by:

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 6.n.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution approving the Orchard Court Occupant Transition Plan.

Prepared By:	Sara Greenwood, Assistant City Attorney
Reviewed By:	Geoff Fruin, City Manager
Fiscal Impact:	None
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	Resolution OTP - SPD26-0007 - Summary

Executive Summary:
The Annex Group intends to purchase and redevelop some 3.3 acres of land at Orchard Court and West Benton Street for a LIHTC project. They have submitted a major site plan for administrative review and approval. Because this redevelopment will result in the demolition of over 12 residential units, they are obligated to submit an occupant transition plan for Council approval. In accordance with City Code, written notice has been mailed to all current occupants of the development property informing them of the application and intention to develop on the site, the anticipated construction timeline, and phasing of the project. Furthermore, evidence has been provided to the City that the redevelopment has been addressed in the current leases. Staff recommends approval.

Prepared by: Sara Greenwood, Asst. City Attorney, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5030

Resolution No. _____

Resolution approving the Orchard Court Occupant Transition Plan.

Whereas, The Annex Group has applied for a major site plan review and approval for redevelopment of some 3.3 acres at Orchard Court and West Benton Street; and

Whereas, Council consideration and approval of an occupant transition plan is required pursuant to Iowa City Code Section 18-2-1(C)(7), prior to administrative approval of the major site plan; and

Whereas, The Annex Group has submitted such a plan in conjunction with their site plan application and now desire Council approval; and

Whereas, as set forth in Code Section 18-2-2A, in approving the occupant transition plan, Council may impose conditions to address the impact of the redevelopment on occupants of the property, but may not prevent either the landlord or the tenant from exercising its rights under any lease and/or Iowa law, including but not limited to those of eviction, a decision not to renew existing leases or a challenge by a tenant thereto, and may not alter the terms of the lease/right of possession by imposing requirements that relocation benefits or other assistance be provided; and

Whereas, Staff finds that the submitted transition plan satisfies the code requirements and thus recommends approval.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The attached occupant transition plan is hereby approved.

Passed and approved this ____ day of _____, 2026.

_____
Mayor

Approved by

Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

May 27, 2026

City of Iowa City
410 E. Washington Street
Iowa City, IA 52240-1826

RE: MSP Submittal – SPD26-0007-Occupant Transition Plan

To Whom it May Concern:

Per Section 18-2-1-C7, for major site plans involving any additions or alterations to existing development containing over twelve (12) residential units, the applicant shall submit an occupant transition plan if there are any occupants of the development on the date the application is submitted.

Our submitted occupant transition plan is required to include the following and has been provided as such:

1. The number of current occupants – There are 37 existing occupants. Of those, 33 will be impacted. Four occupants have leases that expire in July of 2026. There are 5 occupants that have move in dates of August 1, 2026, that will be impacted.
2. General description of current contractual obligations between the owner and the occupant(s) – it is stated in the lease agreements between the owner and occupant(s) that, "the landlord intends to demolish the property for a future project and herby retains a right to terminate the lease upon no less than 30 days' notice." An additional notice letter of our Major Site Plan submission was also mailed to each resident. A copy of that letter and certified proof of mailing has been provided.
3. When any leasehold interest expires – a complete list of all lease expiration dates has been provided. Most of the leases are set to expire in July of 2027.
4. Construction timeline and phasing plan – construction is anticipated to start August of 2026, and construction duration is expected to be 24 months. Completion Summer of 2028.

Sincerely,

Rachel M Kriech

Digitally signed by Rachel M Kriech
DN: C=US, E=rkriech@theannexgrp.com, O=The Annex Group, OU=Director of Development, CN=Rachel M Kriech
Date: 2026.05.27 16:17:19-04'00'

Rachel Kriech, Director of Development

Item Number: 7.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution setting a public hearing for June 16, 2026 on a proposal to convey 1002-1006 N. Summit St. to Iowa City Affordable Housing Inc.

Prepared By:	Tracy Hightshoe, Neighborhood & Development Services Director
Reviewed By:	Geoff Fruin, City Manager Sara Greenwood, Assistant City Attorney
Fiscal Impact:	City will use $750,000 in Affordable Housing Funds as a grant to ICAH for the land acquisition cost payable back to the City. There will be no impact on the general fund for ongoing operational expenses.
Staff Recommendation:	Approval
Commission Recommendations:	NA
Attachments:	Resolution

Executive Summary:
On June 2, 2026, the City Council will be asked to set a public hearing for June 16, 2026, to consider a resolution authorizing the conveyance of 1002–1006 N. Summit Street to Iowa City Affordable Housing Inc. (ICAH). ICAH proposes to construct a 36-unit multifamily affordable housing development on the property for households earning at or below 50% of the area median income.

The proposed conveyance advances a partnership between the City and ICAH, a newly established nonprofit organization created exclusively to support and carry out the charitable purposes and functions of the Iowa City Housing Authority. Utilizing the non-profit as developer, enables the project to pursue various federal and state incentives the City would be not be eligible for, such as Iowa Workforce Housing Tax Credits.

Background / Analysis:
In 2024, the City acquired the property using American Rescue Plan Act (ARPA) funds for the purpose of developing affordable multifamily rental housing. In addition, the City received PRO Housing funds intended to expand the Housing Authority's development capacity and increase the supply of affordable rental housing within the community. To assist financing the project, the City entered an agreement with the Housing Trust Fund of Johnson County for $1.8 million.

The purchase agreement to convey the property to ICAH is subject to City Council approval. The City has committed more than $4.6 million toward the development of the project. Upon approval of the purchase agreement, the City will enter into a grant agreement with ICAH for

the value of the land, estimated at $750,000. The agreement will provide a forgivable loan at 0% interest in the amount of $750,000, secured by a mortgage on the property, with a 30-year compliance period. The loan will be forgiven provided ICAH maintains compliance with the agreement.

Following execution of the grant agreement, the City will proceed with closing and conveyance of the property to ICAH. ICAH will pay the City $750,000 at closing for the value of the land. The City will assign all obligations and requirements under the agreement with the Housing Trust Fund of Johnson County to ICAH, which will be responsible for the development and long-term management of the project consistent with its terms.

Prepared by: Tracy Hightshoe, NDS Director, 410 E. Washington St., Iowa City, IA 52240 (319) 356-5244

Resolution No. _____

Resolution setting a public hearing for June 16, 2026 on a proposal to convey 1002-1006 N. Summit St. to Iowa City Affordable Housing Inc.

Whereas, there exists a demonstrated local need for affordable housing, particularly for households under 50% of area median income; and

Whereas, the City purchased the two vacant lots on N. Summit St. for a future affordable housing opportunity; and

Whereas, Iowa City Affordable Housing Inc (ICAH), a non-profit organization, proposes to develop 36 units of affordable rental housing on the lots and intends to submit an Iowa Workforce Housing Tax Credit application to the Iowa Economic Development Authority to secure financial incentives for the development; and

Whereas, City staff has negotiated a purchase agreement for the sale of the lots to ICAH for $750,000, contingent of City Council approval; and

Whereas, this sale would provide affordable rental housing to individuals and families under 50% of area median income for a period of 30 years; and

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The City Council does hereby declare its intent to convey 1002-1006 N. Summit St. for the sum of $750,000, subject to those certain use restrictions detailed in the Loan Agreement between the City of Iowa City and the Housing Trust Fund of Johnson County (“HTF Loan Agreement”), dated May 19, 2026.

2. A public hearing on said proposal should be and is hereby set for June 16, 2026, at 6:00 p.m. in Emma J. Harvat Hall of the Iowa City City Hall, 410 East Washington Street, Iowa City, Iowa, or if said meeting is cancelled, at the next meeting of the City Council thereafter as posted by the City Clerk, and that the City Clerk be and is hereby directed to cause notice of said public hearing to be published as provided by law.

Passed and approved this _____ day of June, 2026.

_____
Mayor

Approved by: Attest: _____
City Clerk

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 7.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the Protected Bike Lane Pilot Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Prepared By:	Alin Dumachi – Senior Engineer
Reviewed By:	Sara Greenwood - Assistant City Attorney Jason Havel – City Engineer Ron Knoche – Public Works Director Geoff Fruin – City Manager
Fiscal Impact:	$150,000 available in the Bicycle Master Plan Implementation Account #S3827.
Staff Recommendation:	Approval
Attachments:	Resolution

Executive Summary:
This agenda item begins the bidding process for the Protected Bike Lane Pilot Project. This project generally includes the installation of flexible delineators on Dodge Street between Brown Street and Market Street, and on Governor Street between Brown Street and Jefferson Street.

Background / Analysis:
The 2017 Iowa City Bicycle Master Plan identified the need to develop a more connected, low-stress bicycle network to improve safety, accessibility, and rider comfort for users of all ages and experience levels. The plan identified gaps along arterial and collector roadways, many of which lacked dedicated bicycle facilities, and highlighted strong public support for protected and buffered bike lanes to encourage both transportation and recreational bicycling.

Following the adoption of the Bicycle Master Plan, the City retained professional consulting services to evaluate corridors best suited for implementation of protected bike lanes. Through this process, Dodge Street and Governor Street emerged as priority corridors and were selected based on their potential to improve network connectivity, traffic calming, and overall safety. City staff later recommended advancing these corridors as a pilot protected bike lane project.

Adding a protected bike lane along the Dodge/Governor corridor aligns not only with the goals and recommendations of the Iowa City Bicycle Master Plan, but also with broader City Council Strategic Planning priorities. This pilot project is intended to assess long-term

feasibility while enhancing multimodal mobility, improving safety, and strengthening connections within the surrounding area.

Set Public Hearing – June 2, 2026
Hold Public Hearing – June 16, 2026
Bid Letting – July 7, 2026
Award Date – July 14, 2026
Construction – July 2026 to August 2026

Prepared by: Alin Dumachi, Engineering Division, 410 E. Washington St., Iowa City, IA 52240, (319)356-5143

Resolution No. _____

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the Protected Bike Lane Pilot Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Whereas, funds for this project are available in the Bicycle Master Plan Implementation Account #S3827.

Now, therefore, be it resolved by the Council of the City of Iowa City, Iowa, that:

1. A public hearing on the project manual and estimate of cost for the construction of the above-mentioned project is to be held on the 16th day of June, 2026, at 6:00 p.m. in the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, or if said meeting is cancelled, at the next meeting of the City Council thereafter as posted by the City Clerk.

2. The City Clerk is hereby authorized and directed to publish notice of the public hearing for the above-named project in a newspaper published at least once weekly and having a general circulation in the City, not less than four (4) nor more than twenty (20) days before said hearing.

3. A copy of the project manual and estimate of cost for the construction of the above-named project is hereby ordered placed on file by the City Engineer in the office of the City Clerk for public inspection.

Passed and approved this _____ day of _____, 2026

_____
Mayor

Approved by

Attest: _____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 7.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the Napoleon Park Softball Fields 5-8 Renovation Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Prepared By:	Timothy Schmadeke - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Juli Seydell Johnson - Parks and Recreation Director Ron Knoche - Public Works Director Geoff Fruin - City Manager Liz Craig - Assistant City Attorney
Fiscal Impact:	$443,000 available in the Napoleon Park Softball Fields 5-8 Renovation account #R4362.
Staff Recommendation:	Approval
Attachments:	Resolution

Executive Summary:
This agenda item begins the bidding process for the Napoleon Park Softball Fields 5-8 Renovation Project. This project generally includes laser grading infields, the addition of drainage tile, new outfield turf, backstop hoods, and replacement of the path system throughout the park.

Background / Analysis:
In 2013 this process was completed on fields 1-4 at Napoleon Park. Fields 5-8 currently have water retention and playability issues that present maintenance and play challenges thus limiting their use. Additionally, the path system is greatly deteriorating in the entire park and the current layout does not provide a trail bypass of the fields on the Gilbert Street side.

Project Timeline:

Hold Public Hearing: June 16, 2026
Bid Letting Date: July 28, 2026
Contract Award Council Meeting Date: August 4, 2026
Construction Dates: September 2026 – April 2027

Prepared by: Timothy Schmadeke, Engineering Division, 410 E. Washington St., Iowa City, IA 52240, (319)356-5044

Resolution No. _____

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the Napoleon Park Softball Fields 5-8 Renovation Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Whereas, funds for this project are available in the Napoleon Park Softball Fields 5-8 Renovation account #R4362.

Now, therefore, be it resolved by the Council of the City of Iowa City, Iowa, that:

1. A public hearing on the project manual and estimate of cost for the construction of the above-mentioned project is to be held on the 16th day of June, 2026, at 6:00 p.m. in the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, or if said meeting is cancelled, at the next meeting of the City Council thereafter as posted by the City Clerk.

2. The City Clerk is hereby authorized and directed to publish notice of the public hearing for the above-named project in a newspaper published at least once weekly and having a general circulation in the City, not less than four (4) nor more than twenty (20) days before said hearing.

3. A copy of the project manual and estimate of cost for the construction of the above-named project is hereby ordered placed on file by the City Engineer in the office of the City Clerk for public inspection.

Passed and approved this 2nd day of June, 2026

_____
Mayor

Approved by

Attest: _____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 7.d.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the North Dodge Street and ACT Circle Intersection Improvements Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Prepared By:	Timothy Schmadeke - Civil Engineer
Reviewed By:	Jason Havel - City Engineer Ron Knoche - Public Works Director Geoff Fruin - City Manager Sara Greenwood - Assistant City Attorney
Fiscal Impact:	$3,200,000 available in the North Dodge St / ACT Circle - Signalization account #S3982
Staff Recommendation:	Approval
Attachments:	Resolution

Executive Summary:
This agenda item begins the bidding process for the North Dodge Street and ACT Circle Intersection Improvements Project. This project generally includes removal of existing and installation of new storm sewer; installation of subdrain; removal of existing and installation of new sanitary sewer; abandonment, capping and removal of existing water main; installation of new water main, hydrants, fittings and services; removal of existing and installation of new street and sidewalk pavement; and installation of a traffic signal at the intersection of N Dodge Street and ACT Circle.

Background / Analysis:
The existing intersection of ACT Circle and Dodge Street is only stop controlled and has limited sight distance due to the vertical curvature of Dodge Street. The intersection currently meets applicable traffic signal warrants. The upgraded intersection will also address the redevelopment of the former ACT Campus. The development includes a new leg to the intersection, ACT Drive, and a right in/right out access. This project will construct part of ACT Drive and the right in/right out up to the development's property line.

Prepared by: Timothy Schmadeke, Engineering Division, 410 E. Washington St., Iowa City, IA 52240, (319)356-5044

Resolution No. _____

Resolution setting a public hearing on June 16, 2026 on project manual and estimate of cost for the construction of the North Dodge Street and ACT Circle Intersection Improvements Project, directing City Clerk to publish notice of said hearing, and directing the City Engineer to place said project manual on file for public inspection.

Whereas, funds for this project are available in the North Dodge St / ACT Circle - Signalization account #S3982.

Now, therefore, be it resolved by the Council of the City of Iowa City, Iowa, that:

1. A public hearing on the project manual and estimate of cost for the construction of the above-mentioned project is to be held on the 16th day of June, 2026, at 6:00 p.m. in the Emma J. Harvat Hall, City Hall, Iowa City, Iowa, or if said meeting is cancelled, at the next meeting of the City Council thereafter as posted by the City Clerk.

2. The City Clerk is hereby authorized and directed to publish notice of the public hearing for the above-named project in a newspaper published at least once weekly and having a general circulation in the City, not less than four (4) nor more than twenty (20) days before said hearing.

3. A copy of the project manual and estimate of cost for the construction of the above-named project is hereby ordered placed on file by the City Engineer in the office of the City Clerk for public inspection.

Passed and approved this 2nd day of June, 2026

_____
Mayor

Approved by

Attest: _____ _____
City Clerk City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Item Number: 9.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Ordinance amending Title 14, Zoning Code and Title 15, Land Subdivisions to clarify requirements and ensure compliance with changes in state law related to communication tower facilities and accessory dwelling units. (REZ26-0004)

Attachments:
Staff P&Z Memo
PZ 5.6.26 minutes
REZ26-0004 Ordinance

CITY OF IOWA CITY
MEMORANDUM

Date: May 6, 2026

To: Planning & Zoning Commission

From: Lisa Schroer, Associate Planner, Neighborhood & Development Services

Re: Zoning Code Amendment (REZ26-0004) related to code clean-up items

Introduction

The Iowa City Zoning Code (Title 14) and Subdivision Code (Title 15) are subject to alteration and clarification as circumstances change throughout the City. The proposed ordinance (Attachment 1) addresses issues that staff have discovered with various aspects of code language and how the code is applied. This code clean-up amendment serves to clarify language and expectations throughout the code and to align the code with state law.

Background

Staff maintains a list of amendments that need to be made to the Zoning and Subdivision Codes based on discussions between City staff. The amendments proposed in this memo are minor and provide clarification to those who depend on this document to make and understand City-wide decisions. In cases where the proposed amendments are more substantive, they are responding to changes in state law.

Proposed Amendments

The proposed code amendments and reasoning for each is detailed below.

1) **Clarify That Stairways Leading to Multi-Family Residential Dwelling Units Above the First Floor May Not Encroach the Required Setback (14-2A-4, 14-2B-4, and 14-2C-4)**

   Summary of Changes: The proposed amendments revise standards in the "Building Features Permitted Within Required Setback Area" subsection to clarify that stairways serving as the principal means of access to multi-family residential dwelling units located above the ground or first floor may not extend into any required setback. The amendments replace the broader reference to "dwelling units" with "multi-family residential dwelling units" to improve clarity and consistency. This change is applied to multi-family dwelling units located in the single-family, multi-family, and commercial zone sections.

   Justification: The Zoning Code allows certain features, such as stoops serving the ground or first floor, to encroach into required rear and side setbacks. However, the intent has been that exterior stairways providing primary access to upper-story dwelling units are not eligible for this flexibility. This is consistent with the Zoning Code's broader safety goal, which requires that access to multi-family dwelling units located above the first floor be provided from an enclosed lobby, corridor, or stairway, because unenclosed exterior stairs can pose a safety risk to residents. The proposed amendment clarifies this distinction across single-family, multi-family, and commercial zones and reduces the potential for misinterpretation during plan review.

2) **Lengthen the Validity Period of Board of Adjustment Approvals (14-8C-1)**

Summary of Changes: The proposed amendment increases the validity period for Board of Adjustment approvals from six (6) months to twelve (12) months.

Justification: The current six-month validity period can be difficult for applicants to meet. Specifically, applicants must obtain a building permit and start construction within this window. The validity period exists to ensure the Board of Adjustment approvals are acted upon in a timely manner and do not remain unused indefinitely. However, this timeline can be challenging for applicants especially since most applications must also go through the site plan process prior to obtaining a building permit. Extending the approval period to twelve months reflects a more realistic project timeline and reduces the need for the Board of Adjustment to grant extensions.

3) **Update Zoning Code Maps of Arterial Streets, University Impact Area, and Central Planning District (14-5C-6 and 14-2B-6)**

Summary of Changes: The proposed amendments replace the existing maps of Arterial Streets, the University Impact Area, and the Central Planning District with updated graphics that include clearly labeled streets and boundaries. The update improves map legibility and shows the existing and proposed arterial streets. No boundaries are proposed to change on the University Impact Area and Central Planning District maps.

Justification: The current maps are difficult to read and can create confusion when determining whether a parcel is located within a specific boundary or on an arterial street. The updated maps enhance clarity, making it easier for both staff and the public to interpret them in relation to the Zoning Code and Land Subdivisions.

4) **Clarify That Tandem Parking Spaces Do Not Need to Be Within a Garage in Single Family Site Development Standards (14-2A-6)**

Summary of Changes: The proposed amendment revises the garage, driveway, and parking location standards for single-family and two-family uses by removing the phrase “counting the space within a garage” from the tandem parking provision. This change clarifies that tandem parking spaces may be provided either within a garage or carport or within a driveway, or in a combination of both locations, as long as all applicable setback standards are met.

Justification: The existing language in Section 14-2A-6C-1 includes the phrase “counting the space within a garage,” which created ambiguity around whether a garage space must be included when configuring tandem parking. Additionally, the Zoning Code does not require single-family or two-family uses to have a garage, making this phrase confusing for those interpreting the code language. The proposed amendment clarifies current practice by confirming that tandem spaces may be configured in various compliant layouts, as long as setback standards are met. This reduces confusion for applicants and staff.

5) **Align Two-Family Design Standards with Recent Amendments Related to Housing Choice (14-3A-4)**

Summary of Changes: The proposed amendment removes the planned development overlay provision requiring two-family (duplex) uses in the RS-5 and RS-8 zones to be located only on corner lots with each main entrance oriented toward a different street. This section is deleted to align the planned development overlay standards with the City’s

recently adopted code changes that removed the corner lot requirement from the base zoning standards.

Justification: Recent amendments related to housing choice modified the Zoning Code to allow duplexes in the RS-5 and RS-8 zones to be located mid-block, not just on corner lots. The planned development overlay section was not updated at that time and currently contains a conflicting standard. Removing this provision ensures consistency across the Zoning Code and reflects the City's support for increasing housing supply.

6) **Align Criteria for Communication Towers with State Law (14-4B-4)**

Summary of Changes: The proposed amendments remove the approval criterion requiring applicants to demonstrate that the proposed tower serves an area that cannot be served by existing towers or alternative sites from the special exception criteria for communication towers in residential, commercial, interim development, and public zones (14-4B-4E-4b and 14-4B-4E-5b). This criterion is preempted by Chapter 8C of the Iowa Code. No other changes to the communications tower standards are proposed.

Justification: Iowa Code Chapter 8C (Iowa Cell Siting Act), enacted in 2015, limits the factors that local governments may consider when reviewing applications for wireless communications facilities. Specifically, Section 8C.3 prohibits local authorities from evaluating applications based on the availability of alternative locations or requiring applicants to demonstrate that collocation is not feasible. Because this criterion conflicts with state law, it is unenforceable and must be removed.

7) **Update Outdated Department Name References and Procedures (14-1B-3, 14-2B-6, 14-2C-7, 14-2C-8, 14-2C-9, 14-2C-10, 14-2D-5, 14-2F-5, 14-4A-2, 14-4B-1A, 14-4C-2, 14-5A-5, 14-5B-1, 14-7A-1, 14-7A-3, 14-8B-3, 14-8B-4, 14-8B-6, 14-8B-7, 14-8B-8, 14-8B-9, 14-8B-10, 14-8C-2, 14-8C-3, 14-8C-4, 14-8D-1, 14-8D-3, 14-8D-5, 14-8D-7, 14-8D-8, 14-8E-1, 14-8E-2, 14-8E-3, and 15-2-1)**

Summary of Changes: The proposed amendments update outdated department names and procedural references throughout Titles 14 and 15. References to the former Departments of Housing and Inspection Services and Planning and Community Development are updated to Neighborhood and Development Services. Where applicable, references instructing submittal to the City Clerk are replaced with the City to improve accuracy. These changes do not modify review or submittal procedures.

Justification: Several sections of the Zoning and Subdivision Codes contain legacy department names and references that no longer reflect the City's current organizational structure or administrative practices. Updating these references improves clarity, reduces confusion for applicants and staff, and ensures the code accurately reflects current departmental responsibilities. The changes do not alter review standards.

8) **Exempt Manufactured Housing Parks from Detached Single-Family Open Space Requirement (14-2A-4)**

Summary of Changes: The amendment exempts mobile homes in manufactured housing parks from the 500 square foot detached single-family open space requirement in the RR-1, RS-5, RS-8, RS-12, and RNS-12 zones.

Justification: Under Section 14-4A-3, manufactured and mobile homes are classified as detached single family dwellings, and mobile homes within manufactured housing parks approved through a planned development process are treated as such. As a result, the

500 square foot detached single-family open space requirement is applied to each mobile home within a manufactured housing park. However, manufactured housing parks are developed as unified sites with shared open space and amenities rather than as individual lots, making a per-unit open space requirement for each dwelling unrealistic given the layout of these developments. This amendment exempts manufactured homes within manufactured housing parks from this requirement while preserving the open space standard for traditional detached single-family homes.

9) **Remove Minimum Compact Area Requirement of 225 Square Feet and Establish Minimum Open Space Dimension of 20 Feet for Multi-Family Uses in Single-Family, Multi-Family, and Commercial Zones (14-2A-4, 14-2B-4, 14-2C-4)**

Summary of Changes: The proposed amendments make two adjustments to the dimensional requirements for multi-family residential open space in the single-family, multi-family, and commercial zones. First, the amendments remove the requirement that each compact open space area must be no less than 225 square feet in area. Second, the amendments establish a minimum open space dimension of twenty feet (20') for each area. Together, these changes regulate open space by minimum dimension rather than minimum area per compact area, while the overall minimum open space quantity requirement of 400 square feet remains unchanged. No changes are proposed to the Riverfront Crossings and Eastside Mixed Use District open space standards.

Justification: The multi-family open space standards are currently split across two areas of the Zoning Code and conflict with each other. The dimensional standards in the single-family, multi-family, and commercial zone sections (14-2A/2B/2C-4E) require that multi-family open space be located in compact areas of at least 225 square feet with no dimension less than 15 feet. However, those same sections direct multi-family uses to comply with the open space standards in Section 14-2G-7E, which is the Riverfront Crossings and Eastside Mixed Use District standard. That standard requires each compact area to be at least 400 square feet with no dimension less than 20 feet, which contradicts the dimensional standards. This inconsistency creates confusion for applicants and staff. The proposed amendments resolve the conflict by removing the 225-square-foot compact area requirement and updating the minimum dimension from 15 feet to 20 feet in the single-family, multi-family, and commercial zone sections, bringing them into alignment with the 14-2G-7E standards that already apply to multi-family uses.

10) **Allow Townhome Style Multi-Family in the RS-12 Zone to Meet Open Space Requirements Through Decks, Rooftop Gardens, or Similar Amenities (14-2A-4)**

Summary of Changes: The proposed amendment updates the RS-12 zone open space requirements to allow multi-family uses to count rooftop or upper floor open air terraces and rear-yard facing porches, including non-habitable screened-in porches, towards the open space requirement. This change mirrors the allowance that already exists for attached single-family uses. The only multi-family housing type permitted in the RS-12 zone is townhome-style multi-family, which looks and functions the same as attached single-family homes. Both use types should be held to the same standard.

Justification: The existing RS-12 open space standards differ between multi-family uses and attached single-family uses. This creates inconsistency, since the only multi-family housing permitted in the RS-12 zone is townhome-style, which looks identical to an attached single-family development. The proposed amendment fixes this gap so that both use types can meet the open space requirement the same way.

11) **Update Storage of Combustible and Flammable Materials Verbiage (14-5H-8)**

Summary of Changes: The proposed amendment removes the word “bulk” from Section 14-5H-8 regulating the storage of combustible and flammable materials. No changes are proposed to the underlying location, separation, or safety standards.

Justification: This amendment was requested by the fire department. The term “bulk” is not defined in the Zoning Code, which creates ambiguity about whether the storage regulations apply to all tanks for only to large-scale storage operations. Removing the term clarifies that the requirements apply broadly to aboveground or underground storage tanks, regardless of size. The amendment does not change how combustible and flammable materials are regulated.

12) **Remove Obsolete Provisional Use Notation for Two-Family Uses and Attached Single-Family Dwellings in the RS-8 Zone (14-2A-2)**

Summary of Changes: The proposed amendment removes superscript reference "2" and its corresponding note from Table 2A-1 (Principal Uses Allowed in Single-Family Residential Zones). Note 2 referenced a special provision in Section 14-2A-7D recognizing existing two-family uses and attached single-family dwellings on interior lots in the RS-8 zone as conforming. This provision was added as part of the Zoning Code rewrite adopted by City Council in December 2005 (Ordinance No. 05-4186), which restricted duplexes and attached single-family uses in the RS-8 zone to corner lots, making existing mid-block uses nonconforming. In 2023, City Council amended the Zoning Code to improve housing choice, increase housing supply, and encourage affordability (Ordinance No. 23-4917), which expanded allowances for duplexes and attached single-family uses throughout the RS-8 zone. As a result, the mid-block uses that Note 2 was intended to protect are now conforming, and the note is no longer necessary.

Justification: In 2005, the Zoning Code restricted duplexes and attached single-family uses in the RS-8 zone to corner lots, making existing mid-block uses nonconforming. Note 2 and Section 14-2A-7D were added to protect those uses by treating them as conforming. In 2023, the City amended the Zoning Code to expand housing choice and affordability, permitting duplexes and attached single-family uses throughout the RS-8 zone. With those uses now conforming under the amended code, Note 2 no longer serves a purpose and is removed.

13) **Increase Fence Permit Threshold Height (14-4C-2)**

Summary of Changes: The proposed amendment revises increases the height that triggers a permit requirement from six feet (6') to seven feet (7').

Justification: The International Residential Code (IRC) serves as the model building code and national standard. The 2023 edition of the IRC, which Iowa City formally adopted as part of the Iowa City Building Code (Title 17), increased the fence height threshold that triggers a permit requirement from six feet (6') to seven feet (7'). The proposed amendment aligns the Zoning Code with that adopted standard. This amendment does not alter the City's overall approach to fence regulation.

14) **Correct PDU Acronym in Open Space Dedication Formula (14-5K-3)**

Summary of Changes: The proposed amendment corrects the open space dedication formula by replacing the acronym “PUD” with “PDU” so that the formula is consistent with the definition provided in the legend (Persons per Dwelling Unit).

Justification: The current section contains an internal inconsistency between the formula and the accompanying legend, which appears to be a typo. Correcting the acronym improves clarity.

15) **Align Standards for Accessory Dwelling Units (ADUs) with State Law and Update ADU standards in the Form-Based Code (14-2H-2, 14-2H-3, 14-2H-6, and 14-4C-2)**

Summary of Changes:

Form-Based Code Updates: The proposed amendments update the Form-Based Code (FBC) to align with the City's recently updated accessory dwelling unit standards, which were amended to comply with Iowa Senate File 592 (2025), codified in Iowa Code Section 364.3, subsection 23. The Form-Based Code has specific standards for ADUs (Section 14-2H-6 Carriage House), which must be removed to ensure consistency with state law. Additionally, references to carriage house standards are replaced throughout Article 14-2H with direction to the City's ADU standards in Section 14-4C-2A, including updates to the building form tables in all FBC zones, the accessory use table, and the building type standards.

State Law Updates: The proposed amendments also align the City's ADU regulations with Senate File 2369 (2026), which amends Iowa Code Section 346.3, subsection 23. First, amendments clarify that a minimum of one accessory dwelling unit will be allowed on the same lot as single family residence within a zoning district where a single-family residence is allowed as a principal use. Second, the amendments revise the size calculation of an ADU to not exceed one thousand square feet or fifty percent of the size of the single-family residence, excluding unfinished basements, whichever is larger. The amendments also add provisions clarifying that ADUs located in areas of historical significance shall be regulated to the extent that the city or commission, pursuant to Iowa Code Section 15.459 Areas of historic significance, subsection 3, determine that the proposed ADU would be incongruous with the historical, architectural, archeological, or cultural aspects of the areas and enters into its records the reason for such determination.

Justification:

Form-Based Code Updates: In May 2025, the Iowa legislature adopted amendments to Iowa Code Section 364.3, subsection 23, requiring cities to allow at least one ADU on the same lot as a single-family residence and establishing statewide standards that preempt certain areas of local ADU regulation. The City updated its ADU standards in Section 14-4C-2A to comply with state law (Ordinance No. 26-4976). However, the Form-Based Code's carriage house standards conflict with these updated standards and could be interpreted as imposing additional or conflicting restrictions on ADUs. The proposed amendments remove these outdated references to ensure consistency with state law.

State Law Updates: In April 2026, Iowa Legislature adopted additional amendments to Iowa Code Section 364.3, subsection 23. Because these provisions are enacted at the state level, they preempt conflicting local zoning regulations. The proposed amendments update Section 14-4C-2 to ensure consistency with state law.

Next Steps

Pending recommendation of approval from the Planning and Zoning Commission, the City Council must hold a public hearing to consider the proposed text amendments.

Staff Recommendation

Staff recommends that the Zoning and Subdivision Code be amended as illustrated in Attachment 1 to address numerous code clean up items.

Attachments

1. Proposed Zoning Code Text Amendments

Approved by: _____

Danielle Sitzman, AICP, Development Services Coordinator
Department of Neighborhood and Development Services

Draft Zoning Code Text

Underlined text is new language. Strike-through notation indicates language to be deleted.

Amend 14-1B-4 as follows:

The boundaries of the various zoning districts, hereinafter referred to as "zones", are shown on the zoning map, said map made a part of this title by reference and on file in the offices of the city clerk and the department of ~~planning and community development~~ Neighborhood and Development Services. Where uncertainty exists as to the boundaries of zones as shown on the zoning map, the following rules apply.

Amend 14-2A-2 as follows:

Table 2A-1: Principal Uses Allowed In Single-Family Residential Zones

USE CATEGORIES	SUBGROUPS	RR-1	RS-5	RS-8	RS-12	RNS-12
Residential Uses						
Household living uses	Detached single- family dwellings	P	P	P	P	P
	Detached zero lot line dwellings	PR	PR	PR	PR	
	Attached single- family dwellings		PR~~2~~	PR	PR	
	Two-family uses (duplexes)		PR~~2~~	PR	PR	PR
	Group households	PR	PR	PR	PR	PR
	Multi-family uses				PR	1
Group living uses	Assisted group living					
	Independent group living					1
	Fraternal group living					1

…

Notes to table 2A-1:

1. Multi-family and group living uses in the RNS-12 zone must comply with the special provisions contained in section 14-2A-7 of this article.

~~2. Special provision may apply to existing two-family uses and attached single-family dwellings located on interior lots in the RS-8 zone. See subsection 14-2A-7D of this article.~~

~~3~~2. Any establishment that is licensed by the state to sell alcohol or alcoholic beverages is subject to the use classification process as set forth in subsection 14-4A-2G of this title.

Amend 14-2A-4 as follows:

B. Minimum Setback Requirements For Principal Buildings:

…

4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D, "Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.

…

d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.

Amend 14-2A-4 as follows:

E. Minimum Open Space Requirements:

…

2. Minimum Requirements

a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20'). On lots that contain multi-family uses in the RS-12 zone, a minimum of one hundred fifty (150) square feet of usable open space per unit shall be provided, located in the rear yard with no dimension less than ten feet (10').

…

3. Standards:

a. For multi-family uses and group living uses, open space shall meet the standards as set forth in subsections 14-2G-7E1 through E7 of this chapter, except that multi-family uses in the RS-12 zone shall comply with the standards below.

b. For single family uses and two family uses in RS-12 zones, open space shall be located behind the principal dwelling in an area visible and easily accessible from the principal dwelling and shall consist of open planted green space, which may include trees, planters, gardens, and other amenities that support passive recreation or leisure activities. Paved areas shall not be counted toward usable open space. For attached single family uses, rooftop or upper floor open air terraces or rear yard-facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.

c. For attached single-family and multi-family uses in RS-12 zones, rooftops or upper-floor open air terraces or rear-yard facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.

…

Table 2A-2: Dimensional Requirements In The Single-Family Residential Zones

Zone/Use		…	**Minimum Open Space** (Sq. Ft.)[10]
RR-1	Detached single-family, including zero lot line	…	500[12]
	Other uses[1]	…	n/a
RS-5	Detached single-family, including zero lot line	…	500[12]
	Duplexes	…	300/unit
	Attached single-family	…	150
	Other uses[1]	…	n/a
RS-8	Detached single-family, including zero lot line	…	500[12]
	Duplex	…	300/unit

DRAFT

	Attached single-family	…	150
	Other uses[1]	…	n/a
RS-12	Detached single-family, including zero lot line	…	500[12]
	Duplex	…	300/unit
	Attached single-family	…	150
	Multi-family uses	…	150/unit
	Other uses[1]	…	n/a
RNS-12	Detached single-family	…	500[12]
	Duplex	…	300/unit
	Multi- family uses	…	10/bedroom, but no less than 400
	Other uses[1]	…	n/a

n/a = not applicable
Notes:
…
12. Manufactured homes within a manufactured housing park are exempt from the detached single-family open space requirement.

Amend 14-2A-6 as follows:

C. Garage, Driveway And Parking Location Standards:

1. For single-family uses and two-family uses, a required parking space may be located behind another parking space on a regularly constructed aisle, provided the spaces are not stacked more than two (2) spaces deep~~, counting the space within a garage~~. (See figure 2A.4 of this section.)

Amend 14-2A-7 as follows:

~~D. Two-Family Uses And Attached Single-Family Dwellings In RS-8 Zone: Existing two-family uses and attached single-family dwellings located on interior lots in the RS-8 zone that were conforming with regard to use and minimum lot area per unit requirements as of December 27, 2005, shall be considered conforming with regard to use and minimum lot area per unit requirements regardless of location. Any building containing a conforming use may be torn own and rebuilt to its present density or to the allowed density in the RS-8 zone; provided, that it conforms to all other provisions of this title. This provision does not exempt a property from compliance with other dimensional standards, site development standards, use regulations, or any subsequent amendments to this title that pertain to the property.~~

~~E~~D. Sustainability Density Bonus: The minimum lot size or minimum lot area per unit may be reduced by ten percent (10%) of the applicable requirement for each of the following provisions that is met, up to a maximum of twenty-five percent (25%). This bonus may be used in conjunction with subsection 14-5A-4F10 (Sustainability Parking Reduction).

1. A solar energy system is installed onsite where the size is equal to forty percent (40%) of the surface area of the roofs of all buildings.

2. All uses within the development utilize electricity for one hundred percent (100%) of their regular energy consumption after construction.

DRAFT

3. All buildings within the development are constructed to the most current edition of the International Energy Conservation Code standards published by the International Code Council.

~~F~~E. Affordable Housing Bonus: Residential uses are eligible to utilize affordable housing bonuses pursuant to Article 14-4F, "Affordable Housing". (Ord. 05-4186, 12-15-2005; amd. Ord. 22-4884, 8-2-2022; Ord. 23-4893, 1-24-2023; Ord. 23-4914, 11-6-2023)

Amend 14-2B-4 as follows:

B. Minimum Setback Requirements For Principal Buildings:

…

4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D, "Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.

…

d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.

…

E. Minimum Open Space Requirements:

…

2. Minimum Requirements:

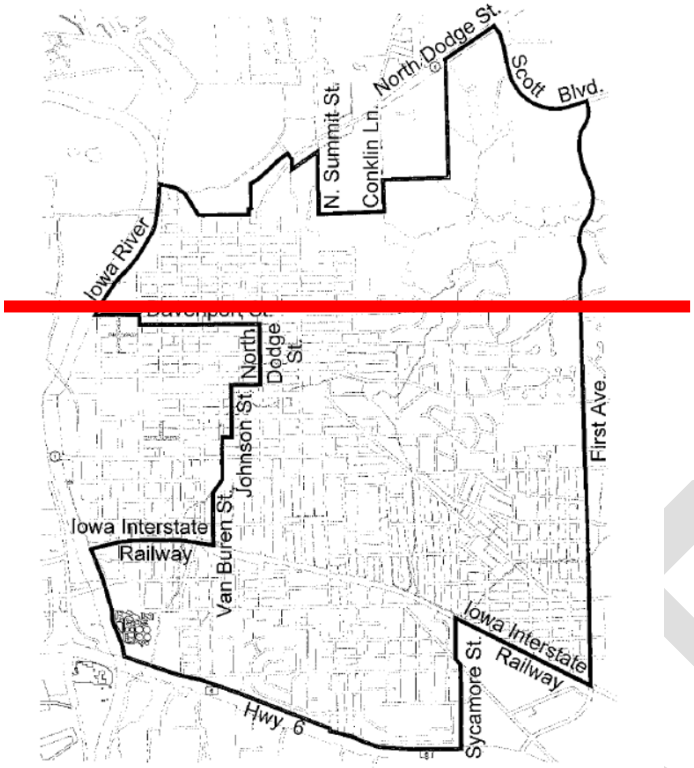
a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20').

…

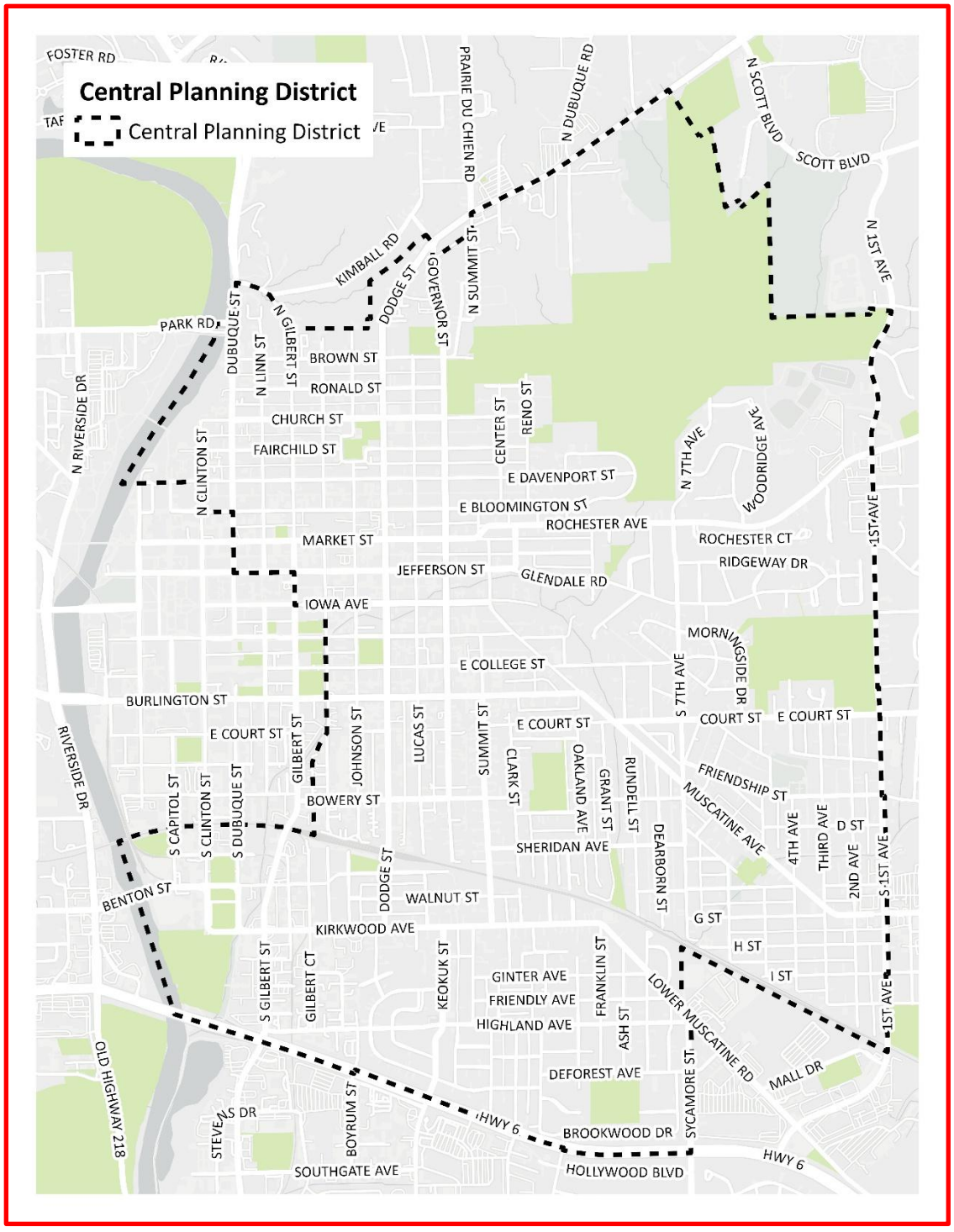
Amend 14-2B-6 as follows:

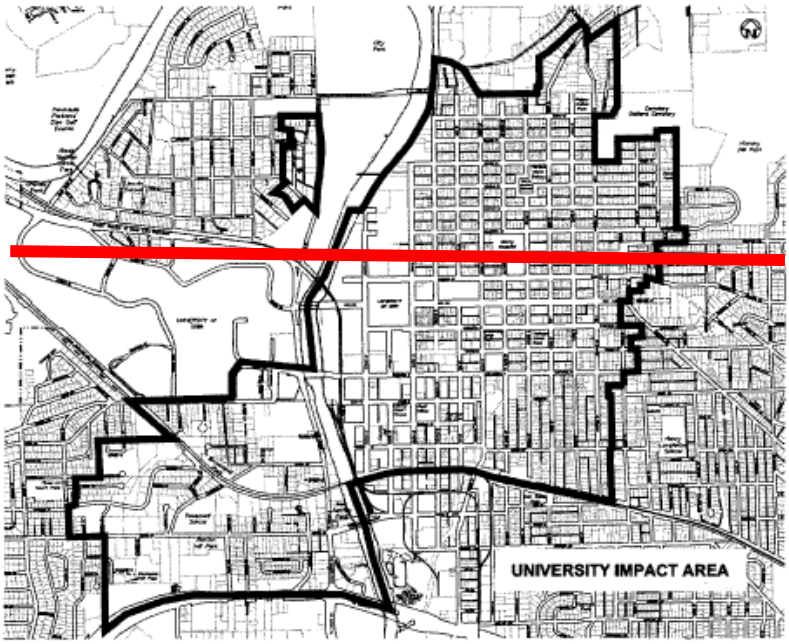
DRAFT

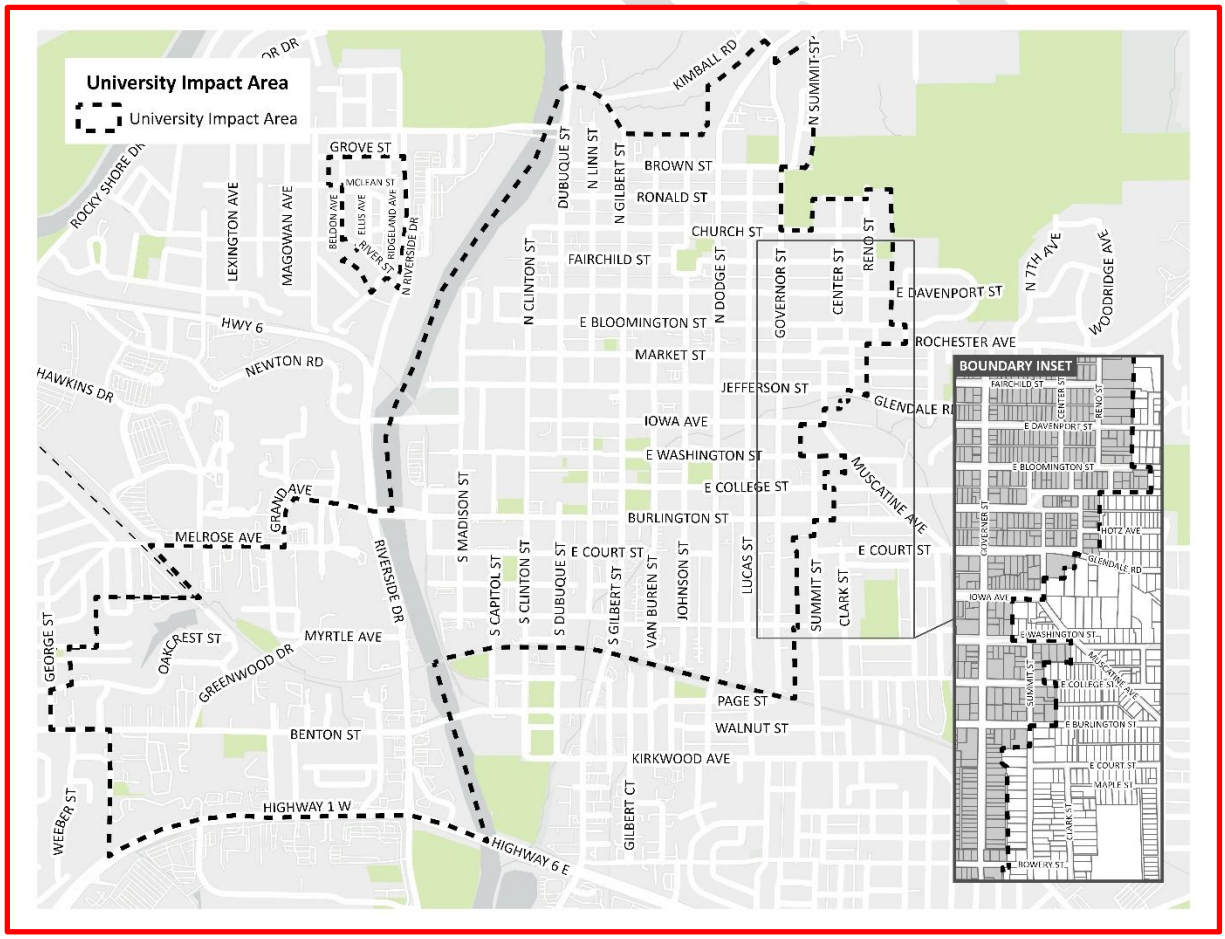
Central Planning District



DRAFT


Central Planning District
Central Planning District
FOSTER RD
PRAIRIE DU CHIEN RD
N DUBUQUE RD
N SCOTT BLVD
SCOTT BLVD
N 1ST AVE
KIMBALL RD
DODGE ST
GOVERNOR ST
N SUMMIT ST
PARK RD
DUBUQUE ST
N LINN ST
N GILBERT ST
BROWN ST
RONALD ST
CHURCH ST
FAIRCHILD ST
N RIVERSIDE DR
N CLINTON ST
CENTER ST
RENO ST
E DAVENPORT ST
E BLOOMINGTON ST
ROCHESTER AVE
N 7TH AVE
WOODRIDGE AVE
ROCHESTER CT
RIDGEWAY DR
1ST AVE
MARKET ST
JEFFERSON ST
GLENDALE RD
IOWA AVE
MORNINGSIDE DR
E COLLEGE ST
S 7TH AVE
BURLINGTON ST
COURT ST
E COURT ST
E COURT ST
GILBERT ST
JOHNSON ST
LUCAS ST
SUMMIT ST
E COURT ST
RIVERSIDE DR
FRIENDSHIP ST
MUSCATINE AVE
S CAPITOL ST
S CLINTON ST
S DUBUQUE ST
BOWERY ST
CLARK ST
OAKLAND AVE
GRANT ST
RUNDELL ST
SHERIDAN AVE
4TH AVE
THIRD AVE
D ST
2ND AVE
S 1ST AVE
BENTON ST
DODGE ST
WALNUT ST
DEARBORN ST
G ST
KIRKWOOD AVE
H ST
I ST
S GILBERT ST
GILBERT CT
KEOKUK ST
GINTER AVE
FRIENDLY AVE
HIGHLAND AVE
FRANKLIN ST
ASH ST
LOWER MUSCATINE RD
1ST AVE
OLD HIGHWAY 218
DEFOREST AVE
MALL DR
STEVENS DR
BOYRUM ST
HWY 6
BROOKWOOD DR
SYCAMORE ST
HWY 6
SOUTHGATE AVE
HOLLYWOOD BLVD





…

J. Minor Modifications: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the design review committee, the ~~director of planning and community development~~ Director of

Neighborhood and Development Services, and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title:
…

Amend 14-2C-4 as follows:

B. Minimum Setback Requirements For Principal Buildings:
…
4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D, "Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.
…
d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.
…
E. Minimum Open Space Requirements:
…
2. Minimum Requirements:
a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20').
…

Amend 14-2C-7 as follows:

C. CN-1 Site Plan Review Procedure:
1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the CN-1 zone site development standards to the subject property.
2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.

Amend 14-2C-8 as follows:

C. Site Plan Review Procedure:
1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the central business site development standards to the subject property. (Ord. 11-4450, 10-18-2011)
2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.
3. Alternative design solutions may be approved if it is demonstrated that the alternatives meet the intent of this section.

DRAFT

…

Q. Bonus Provisions: The following bonus provisions are intended to provide an incentive for developments to incorporate features that provide a public benefit and to encourage excellence in architectural design. Floor area in excess of that allowed by the permitted base floor area or dwelling units in excess of the density otherwise achievable under the provisions of this article may be granted. The director of ~~planning and community development~~ Neighborhood and Development Services will determine whether the proposed features are appropriate in design and location. Decisions of the director may be appealed to the board of adjustment. Bonuses allowed are enumerated in table 2C-4 of this section: (Ord. 06-4245, 12-12-2006; amd. Ord. 11-4450, 10-18-2011)

Amend 14-2C-9 as follows:

C. MU Zone Site Plan Review Procedure:

1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the MU site development standards to the subject property.

2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.

3. Alternative design solutions may be approved if it is demonstrated that the alternatives meet the intent of this section.

Amend 14-2C-10 as follows:

A special exception may be granted to waive or modify certain provisions of section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this article through the commercial reuse or historic preservation exceptions in accordance with section 14-2C-11, "Special Provisions." A minor modification to adjust specific provisions of section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this article, may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the design review committee, the director of ~~planning and community development~~ Neighborhood and Development Services, and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title:

…

Amend 14-2D-5 as follows:

G. Minor Modifications To Site Development Standards: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the director of ~~planning and community development~~ Neighborhood and Development Services and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title:

…

Amend 14-2F-5 as follows

E. Minor Modifications To Site Development Standards: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed in the

subsections below. Such requests will be reviewed by the director of ~~planning and community development~~ Neighborhood and Development Services and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title.

…

Amend 14-2H-2 as follows:

C. T3 Neighborhood Edge Zone (T3NE):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To Roofline[3]	 2.5 stories max.[2] 30' max. (C)
Accessory Structure(s)[4] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling Height	9' min. (D)
b. Footprint	
Depth, Ground-Floor Space	30' min.[4] (E)
c. Standards	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See Building Height in Article 14-9A (General Definitions).	
[4] 12' min. for Cottage Court Building Type.	

…

D. T3 Neighborhood General Zone (T3NG):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 2.5 stories max.[2] 30' max. (C)
Accessory Structure(s)[4] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min.[4] (E)
c. Standards:	

DRAFT

(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.
[2] ".5" refers to an occupiable attic.
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height me asu rement. See building height in article 14-9A (General Definitions).
[4] 12' min. for cottage court building type.

…

E. T4 Neighborhood Small Zone (T4NS):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 2.5 stories max.[2] 30' max. (C)
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min.[4] (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).	
[4] 12' min. for cottage court building type.	

…

F. T4 Neighborhood Medium Zone (T4NM):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 3.5 stories max.[2] (C) 40' max.
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.

Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min. (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).	

…

G. T4 Main Street Zone (T4MS):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[2]	 4 stories max. 45' max. (C)
Accessory Structure(s)[4] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	14' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min. (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).	

Amend 14-2H-3 as follows:

Table 14-2H-3B-2: Accessory Uses									
Use Categories	**T3NE**	**T3NG**	**T3N G-O**	**T4N S**	**T4 NS -O**	**T4 NM**	**T4N M-O**	**T4 MS**	**Specific Standards**
Table 14-2H-3B-2: Accessory Uses									

Use Categories	T3NE	T3NG	T3NG-O	T4NS	T4NS-O	T4NM	T4NM-O	T4MS	Specific Standards
Accessory Dwelling Units (ADUs)[4]	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2A
Accessory Retail Sales	-	-	-	-	-	-	-	PR	14-4C-2B
Accessory Uses Within Parks And Open Spaces Uses	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2C
Bed And Breakfast Homestays	PR	PR	PR	-	-	-	-	-	14-4C-2D
Bed And Breakfast Inns	PR	PR	PR	-	-	-	-	-	14-4C-2E
Childcare Homes	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2G
Communication Towers, Antennas, And Satellite Recieving Devices	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2H (residential)
Daycare	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2I
Decks And Patios, Uncovered	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2J-2
Fences, Walls, And Hedges	PR	PR	PR	PR	PR	PR	PR	PR	14-2H-4B
Home Occupations	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2M
Mechanical Structures	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2N
Off Street Loading	-	-	-	PR	PR	PR	PR	PR	14-4C-2O
Outdoor Dumpster Areas	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2Q
Outdoor Lighting	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2R
Outdoor Service Areas	-	-	PR	-	PR	-	PR	PR	4-3-1 (RFC-G within 100' of a residential zone)
Swimming Pools, Hot Tubs, And Tennis Courts	PR	PR	PR	PR	PR	PR	PR	-	14-4C-2T (Residential Zones)
Signs	PR	PR	PR	PR	PR	PR	PR	PR	14-5B-8H
Small Wind Energy Conversion Systems	-	-	-	-	-	-	-	PR	14-4C-2Y (CC-2)
Rooftop Services Areas	-	-	-	-	-	-	-	PR	14-4C-2AA (CN-1)

DRAFT

[1] ~~ADUs attached to the primary building must comply with sub-section 14-4C-2A. ADUs that are detached from the primary building units must comply with the carriage house requirements, see sub-section 14-2H-6C.~~

Amend 14-2H-6 as follows:

B. General Building Type Standards:

3. Building Types Per Design Site: Each design site shall contain only one primary building type, except as follows:

a. ~~Where allowed by the zone and as allowed in sub-section 14-2H-6C (Carriage House), one (1) carriage house is allowed in addition to the primary building type~~ Accessory dwelling units are allowed as provided in sub-section 14-4C-2A (Accessory Dwelling Units (ADUs)).;

b. Certain building types may consist of multiple individual buildings per design site as specified in Item 2 of each building type. For an example of a building type where a design site may include multiple individual buildings, see Cottage Court (14-2H-6H).

…

~~C. Carriage House:~~

DRAFT

A Carriage House utilizes a large dormer to create a unit over the garage.

DRAFT

Carriage House with unit accessed off of a side street.

Carriage House with unit accessed off a back yard.

~~1. Description:~~

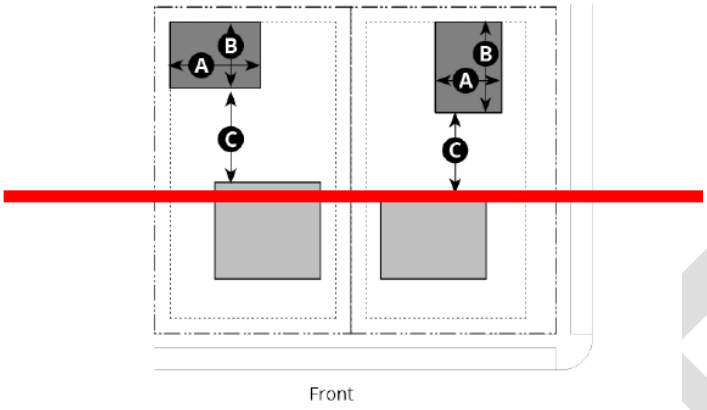
~~a. An accessory structure located at the rear of a design site, above the garage, that provides a small residential unit (accessory dwelling unit), home office space, or other small commercial or service use, as allowed by the zone. The carriage house is an accessory building type, not a primary building type.~~

~~b. Not allowed with a cottage court (14-2H-6H).~~

~~2. Number Of Units:~~

~~Units per building~~	~~1 max.~~
~~Buildings per design site~~	~~1 max.~~
~~-~~	~~-~~
~~House-scale building~~	~~-~~
~~T3NE~~	~~A~~

~~T3NG~~	~~A~~
~~T4NS~~	~~A~~
~~T4NM~~	~~A~~
~~T4MS~~	~~A~~
~~Key: A = Allowed X = Not Allowed~~	



~~3. Building Size And Massing:~~
~~a. Height:~~

-

-	~~T3NE~~	~~T3NG~~	~~T4NS~~	~~T4NM~~	~~T4MS~~
~~Max. Number of Stories~~	~~2~~	~~2~~	~~2~~	~~2~~	~~2~~

~~b. Main Body[1]:~~

~~Width~~	~~32' max.~~	~~(A)~~
~~Depth~~	~~24' max.~~	~~(B)~~
~~Separation from primary building[2]~~	~~15' min.~~	~~(C)~~
~~[1] Includes garage story.~~		
~~[2] Carriage house may be connected to primary building by an uninhabitable space including, but not limited to a breezeway.~~		

~~c. Standards:~~
~~(1) Carriage house shall not be taller or have a larger footprint than the primary building to which it is accessory.~~
~~(2) Carriage house must comply with the ownership and occupancy standards of sub-section 14-4C-2A (Accessory Dwelling Units (ADUs)).~~
~~4. Allowed Frontage Types: Frontage type not required.~~
~~5. Pedestrian Access:~~
~~a. Main entrance location at side street, alley or internal to design site. (D)~~
~~b. The main entrance shall not be through a garage.~~
~~6. Vehicle Access And Parking:~~
~~a. Driveway and parking location shall comply with standards in Item 7 (Parking) of the zone.~~
~~b. Alley access is required if alley exists.~~
~~7. Open Space:~~
~~a. Private Open Space: Not required.~~

~~D.~~ C. House Large:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.	
[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.	

…

~~E.~~ D. House Small:

…

3. Building Size And Massing:

…	
d. Standards:	

DRAFT

(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).
[1] In compliance with the standards of the zone.
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.
[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.
[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.

…

~~F.~~ E. Duplex Side-By-Side:

…

3. Building Size And Massing:

…		
c. Standards:		
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).		
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).		
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).		
[1] In compliance with the standards of the zone.		
[2] When units are rear loaded and only one story in height, the max. main body width may be increased to 60'.		
[3] When units are rear loaded and only one story in height, the max. main body depth may be increased to 70'.		
[4] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased to 45'.		

…

~~G.~~ F. Duplex Stacked:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

DRAFT

[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.
[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.

…

~~H.~~ G. Cottage Court:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~I.~~ H. Multiplex Small:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~J.~~ I. Multiplex Large:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~K.~~ J. Townhouse:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) In T4NM-O and T4MS, each townhouse may be divided vertically into 3 units.	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] No separation is required for wings used for parking, when entirely behind attached townhomes.	

…

~~L.~~ K. Courtyard Building Small:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~M.~~ L. Courtyard Building Large:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	

…

~~N.~~ M. Main Street Building:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	

(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).
[1] In compliance with the standards of the zone.

…

Amend 14-3A-4 as follows:

C. Land Uses Allowed: A mixture of land uses are allowed in planned developments that might not otherwise be allowed with the underlying zoning. Land uses proposed must meet all of the dimensional and site development standards of the underlying base zone, unless a modification is specifically approved during the planned development process. The following provisions provide standards for uses that might not otherwise be allowed in the underlying zone:

1. Uses Allowed On Properties Zoned Residential: A mixture of housing types, including single-family, two-family, and multi- family dwellings, is encouraged in all residentially zoned planned developments. To help assure that the various building types are compatible with one another, similar architectural elements, scale, massing, and materials should be used and the following standards must be followed:

a. Single-Family And Two-Family Uses:

…

(2) Two-family uses must comply with the standards for two-family uses as set forth in chapter 4, article B, "Minor Modifications, Variances, Special Exceptions, And Provisional Uses", of this title. In addition, the following provisions will apply:

…

~~(C) If the underlying base zone is RS-5 or RS-8, the requirement that two-family uses are only allowed on corner lots with each main entrance oriented toward a different street applies in all planned developments in order to encourage a mix of residential uses. If multiple two-unit buildings will be located on a common lot, imaginary lot lines must be illustrated on the plan for purposes of determining where the corner units would be located according to base zone standards. This corner lot standard may only be waived if convincing evidence is submitted that the configuration of the property or other existing physical condition of the lot makes the application of this standard impractical. If this standard is waived the units must be designed and located in a manner that prevents monotony by varying aspects such as facade detailing, window pattern, building materials, and color.~~

~~(D)~~ (C) Garages and off street parking areas must be located and designed so that they do not dominate the streetscape according to the standards specified in subsection K1c(2) of this section.

Amend 14-3C-5 as follows:

If the building application deviates from approved design review applications, the director of ~~housing and inspection services~~ Neighborhood and Development Services or designee will inform the design review committee, who will then determine if the proposed changes are substantive. Substantive changes to an approved application for design review require submittal of those changes to the design review committee and approval thereof according to the applicable design review procedures. (Ord. 05-4186, 12-15-2005)

Amend 14-4A-2 as follows:

A. Use Characteristics:

…

2. In cases where a specific use is not listed as an example, the director of ~~housing and inspection services~~ Neighborhood and Development Services shall determine the appropriate category for a use based on the factors listed in subsection A1 of this section.

DRAFT

Amend 14-4A-2 as follows:

G. Use Classification For Establishments That Sell Alcohol:

…

3. Classification Process:

a. Prior to issuance of a license for a new use or renewal of a license for a use that was established prior to the effective date hereof, but which has not yet been classified according to these provisions, the licensee must submit to the department of ~~housing and inspection services~~ Neighborhood and Development Services a verified statement that details the nature of the principal use for which the license will be issued, the type of license(s) applied for, and the hours that the establishment will be open for business. The city may request any other information deemed necessary to verify and classify the use, including, but not limited to, business records upon which the statement is based, state and federal tax records, applications for dramshop insurance and audits performed to determine dramshop insurance premiums, and receipts from vendors for goods purchased.

…

Amend 14-4B-1 as follows:

A. Applicability: The building official may grant the following minor modifications from the requirements of this title, provided the approval criteria are met. Any requests for modifications that exceed the limitations set forth below and all other requests for modifications of the requirements of this title require the filing of a special exception or variance application with the Board of Adjustment.

…

13. Modifications to the driveway spacing standards contained in section 14-5C-4 of this title may be granted, provided there is no feasible alternative to the modification requested, and vehicular and/or pedestrian safety will not be compromised due to the modification. The building official must obtain approval from the City Engineer and the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

…

15. Modifications to the multi-family site development standards contained in section 14-2B-6 of this title according to the alternate approval criteria set forth in that section. The building official must obtain approval from the Design Review Committee and the Director of Planning and Community Development prior to granting any such modification. Such requests shall be reviewed and approved jointly by the Design Review Committee, the Director of ~~Planning and Community Development~~ Neighborhood and Development Services, and the Building Official.

16. Modifications to the site development standards contained in section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this title according to the alternate approval criteria set forth in section 14-2C-10 of this title. The building official must obtain approval from the Design Review Committee and the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

17. Modifications to the site development standards contained in sections 14-2D-5, “Industrial And Research Zone Site Development Standards”, and 14-2F-5, “Public Zone Site Development Standards”, of this title according to the alternate approval criteria set forth in those sections, respectively. The building official must obtain approval from the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

18. One additional garage entrance/exit to structured parking may be granted according to the provisions of subsection 14-5A-5F7, “Garage Entrances/Exits”, of this title. The building official

must obtain approval from the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

Amend 14-4B-4 as follows:

E. Other Uses:

…

4. Communication Transmission Facilities in Residential Zones and ID-RS and ID-RM Zones:

…

b. Communications towers are allowed by special exception in the ID-RS and ID-RM zones and must comply with the following approval criteria:

~~(1) The proposed tower serves an area that cannot be served by an existing tower or industrial property or by locating antennas on existing structures in the area. The applicant must document attempts to utilize existing structures, towers, and commercial and industrial properties within one-half ($^1/_2$) mile of the proposed tower. Such documentation must include maps illustrating the location of existing towers and potential alternative sites for antenna and towers that have been explored by the applicant and the applicant must state the reasons that these locations were not feasible.~~

~~(2)~~(1) The proposed tower will be designed and constructed in a manner that will camouflage the structure and reduce its visual impact on the surrounding area. Examples of camouflage design include monopoles, which do not have guywires or support trusses and that are painted to blend in with the sky or surroundings, towers camouflaged as flagpoles, monuments, steeples, or the integration of rooftop towers onto existing buildings, water towers, etc. Rooftop towers must use materials similar to or that blend in with the structure to which it is attached. Other camouflaged tower structures must be of similar height and appearance as other similar structures allowed in the zone, e.g., towers camouflaged as light poles or utility poles must be of similar height and appearance as other such poles. The applicant must include an illustration of how the tower would appear in the proposed location.

~~(3)~~ (2) The proposed tower will be no taller than is necessary to provide the service intended. Evidence presented should include coverage maps illustrating current gaps in coverage and changes to coverage with the proposed tower. Communications towers are exempt from the maximum height standards of the base zone, but under no circumstance may the tower be taller than one hundred twenty feet (120') from grade. If a communications tower is camouflaged to appear similar to another common structure allowed in the zone, it must comply with the same height standards that would apply to the type of structure that it emulates. For example, if the tower is camouflaged as a light pole, flagpole, or utility pole it must not exceed the height limitation for such structures as specified in the base zone. If no height standard exists in the code for such a structure, it must be designed to be of similar height and appearance to other similar or typical structures. If the tower is camouflaged as a chimney, steeple, or other similar rooftop structure, the board may exempt it from the base zone height standards if it is designed as if it were an integral part of the building and is not out of scale or proportion to other similar rooftop structures.

~~(4)~~ (3) The proposed tower will be set back from the property line at least a distance equal to the height of the tower.

~~(5)~~ (4) Any equipment associated with the tower facility will be enclosed in an equipment shed, cabinet, or building, which must be adequately screened from view of the public right of way and adjacent properties and designed in a manner that will be compatible and blend in with future residential development.

~~(6)~~ (5) The proposed tower will not utilize a backup generator as a principal power source. Backup generators may only be used in the event of a power outage. The board of adjustment may require that the electric distribution line necessary to furnish electric service to the tower be made underground from existing systems, however, this requirement would not apply to electrical transformers, meter pedestals, switchgear and other appurtenances impractical to bury.

~~(7)~~ (6) Strobe lighting is prohibited. Therefore, any tower that requires such illumination is

prohibited in these zones.

~~(8)~~ (7) The proposed tower must be designed and constructed to accommodate at least one additional user, unless in doing so the tower will exceed the one hundred twenty foot (120') height limitation or if the board of adjustment determines that allowing the additional height needed to accommodate another user will detract from the area to the extent that it will prevent future development as envisioned in the comprehensive plan. The applicant shall provide a certification by a professional engineer licensed in this state that the proposed tower will be designed to permit a second antenna system of comparable size to be added to the tower above or immediately below the original antenna system.

~~(9)~~ (8) If use of the tower is discontinued, the tower and any associated equipment must be removed by the owner of the tower, the operator, or the owner of the property within one year of discontinuance of use and the land graded and replanted to prevent erosion. The applicant shall present a signed lease agreement, a recorded declaration of covenants, or other satisfactory evidence acknowledging this obligation.

5. Communication Transmission Facilities In Commercial Zones And ID-C Zone; Privately Owned Communication Transmission Facilities In Public Zones:

…

b. Communications towers are allowed by special exception in public zones, the ID-C, CO-1, CN-1, CH-1, CI-1, CC-2, CB-2, CB-5, and CB-10 zones, and must comply with the following approval criteria:

(1) If the proposed tower will be located in an ID-C zone that is intended for a future neighborhood commercial zone according to the comprehensive plan, as amended, then it must comply with any specific standards listed below for CN-1 zones.

~~(2) The proposed tower serves an area that cannot be served by an existing tower or industrial property or by locating antennas on existing structures in the area. The applicant must document attempts to utilize existing structures, towers, and industrial properties within one-half (1/2) mile of the proposed tower. Such documentation must include maps illustrating the location of existing towers and potential alternative sites for antenna and towers that have been explored by the applicant and the applicant must state the reasons that these locations were not feasible.~~

~~(3)~~(2) The proposed tower will be constructed in a manner that will camouflage the structure and reduce its visual impact on the surrounding area. Examples of camouflage design include monopoles, which do not have guywires or support trusses and that are painted to blend in with the sky or surroundings, towers camouflaged as flagpoles, monuments, steeples, or the integration of rooftop towers onto existing buildings, water towers, etc. Rooftop towers must use materials similar to or that blend in with the structure to which it is attached. Other camouflaged tower structures must be of similar height and appearance as other similar structures allowed in the zone, e.g., towers camouflaged as light poles or utility poles must be of similar height and appearance as other such poles. The applicant must include an illustration of how the tower would appear in the proposed location.

~~(4)~~(3) The proposed tower will be no taller than is necessary to provide the service intended. Evidence presented should include coverage maps illustrating current gaps in coverage and changes to coverage with the proposed tower. In the ID-C (except areas intended for CN-1), CH-1, CC-2, CI-1, CB-2, CB-5 and CB-10 zones, communications towers are exempt from the maximum height standards of the base zone, but under no circumstance may the tower be taller than one hundred twenty feet (120') from grade. In the CO-1, CN-1, and any ID-C zone intended for CN-1, communications towers must comply with the same height standards that would apply to the type of structure to which they are attached or if a communications tower is camouflaged to appear similar to another common structure allowed in the zone, it must comply with the same height standards that would apply to the type of structure that it emulates. For example, if the tower is camouflaged as a light pole, flagpole, or utility pole it must not exceed the height limitation for such structures as specified in the base zone. If no height standard exists in the code for such a structure, it must be designed to be of similar height and appearance to other similar or typical structures. If the tower is camouflaged as a chimney or other similar rooftop structure, the board may exempt it from the base zone height standards if it is designed as if it were an integral part

of the building and is not out of scale or proportion to other similar rooftop structures.

~~(5)~~(4) The proposed tower will be set back at least a distance equal to the height of the tower from any residential zone, ID-RS zone, and ID-RM zone.

~~(6)~~(5) Any equipment associated with the tower facility will be enclosed in an equipment shed, cabinet, or building, which must be adequately screened from view of the public right of way and any adjacent residential or commercial property.

~~(7)~~(6) The proposed tower will not utilize a backup generator as a principal power source. Backup generators may only be used in the event of a power outage.

~~(8)~~(7) In the CN-1 and CO-1 zones and in any ID-C zone that is intended for a future CN-1 zone, strobe lighting is prohibited. Therefore, any tower that requires such illumination is prohibited in these zones. The tower will not be illuminated by strobe lights unless required by federal regulations. If alternatives are allowed under federal guidelines, strobe lights may not be used.

~~(9)~~(8) The proposed tower must be designed and constructed to accommodate at least one additional user, unless in doing so the tower will exceed the one hundred twenty foot (120') height limitation or if the board of adjustment determines that allowing the additional height needed to accommodate another user will detract from the area to the extent that it will prevent future development intended in the zone. The applicant shall provide a certification by a professional engineer licensed in this state that the proposed tower will be designed to permit a second antenna system of comparable size to be added to the tower above or immediately below the original antenna system.

~~(10)~~(9) If use of the tower is discontinued, the tower and any associated equipment must be removed by the owner of the tower, the operator, or the owner of the property within one year of discontinuance of use and the land graded and replanted to prevent erosion. The applicant shall present a signed lease agreement, a recorded declaration of covenants, or other satisfactory evidence acknowledging this obligation.

Amend 14-4C-2 as follows:

A. Accessory Dwelling Units (ADUs): ADUs are permitted provided the following conditions are met:

1. Applicability:

a. The ADU is allowed on the same lot as a single family residence within a zoning district where a single family residence is an allowed principal use as defined by Iowa Code section 526A.6 in accordance with this section. In zones regulated by Article 14-2H (Form-Based Code), ADUs may also be permitted on the same lot as other residential building types, as provided in that article.

b. An ADU is not subject to Section 14-4C-3 of this article, except where those standards are more permissive than the provisions of Section 14-2A-4 of this title.

2. Ownership:

The ADU and the principal use must be under the same ownership.

3. Site Requirements:

Only one ADU may be established per lot.

4. Design Requirements:

The ADU must be a complete, separate dwelling unit that functions independently from the principal use. It must contain its own kitchen and bathroom facilities, in addition to a separate entrance from the exterior.

5. Accessory Dwelling Unit Size:

The floor area of the ADU may not exceed fifty percent (50%) of the total floor area of the principal use or one thousand (1,000) square feet, whichever is larger. Floor area is measured to the outside surface of exterior walls and excludes unfinished basements.

…

L. Fences, Walls, And Hedges:

1. Permit Required: A permit is required for all of the following:
   a. Electric fences;
   b. Barbed wire fences;
   c. Any fence or wall over ~~six feet (6')~~ seven feet (7') in height;
   d. Any retaining wall over four feet (4') in height measured from the top of the footing to the top of the wall; and
   e. A retaining wall of any height that supports a surcharge or impounds flammable liquids.

…

Y. Small Wind Energy Conversion Systems: Small wind energy conversion systems (SWECS) are allowed as accessory uses in certain zones subject to the applicable approval process, standards and restrictions as set forth in this subsection.

…

11. Performance Standards: An applicant shall provide evidence to the city that the following standards will be met:

…

l. Removal: If the SWECS remains nonfunctional or inoperative for a continuous period of six (6) months, the system shall be deemed to be abandoned. The SWECS owner and/or the owner of the property shall remove the abandoned system at their expense. To comply with this requirement, the entire structure, transmission equipment and any surrounding fencing must be removed from the property, excluding foundations. Nonfunction or lack of operation may be proven by reports from the interconnected utility. For off grid systems the City of Iowa City shall have the right to enter the property at its sole discretion to determine if the off grid system is generating power. Such generation may be proven by use of an amp meter. The SWECS owner/operator and any successors shall make available to the Director of ~~Housing and Inspection Services~~ Neighborhood and Development Services or designee any and all reports or documents needed to determine functionality, if requested. If removal of towers and appurtenant facilities is required, the Director of ~~Housing and Inspection Services~~ Neighborhood and Development Services Department or designee shall notify in writing the SWECS owner and/or the owner of the property on which the SWECS is located. Removal shall be completed within six (6) months of the date of said written notice.

Amend 14-5A-5 as follows:

H. Design And Layout Of Surface Parking Areas: Except for parking for single-family and two-family uses, all parking and stacking spaces, aisles and drives must be designed as follows:

…

4. Partition Of Large Parking Areas: Surface parking areas that are larger than forty-five thousand (45,000) square feet or that have any perimeter dimension greater than three hundred feet (300') must be divided into smaller, connected lots to slow traffic movement, improve pedestrian safety, and reduce the visual impact of large parking areas. The following design techniques must be utilized to meet this standard. These design techniques may also be utilized as a means of meeting the pedestrian circulation standards of the base zone. (See figure 5A.4 of this subsection H4.)

…

c. Some parking areas may not easily accommodate the techniques described above, such as long and narrow parking lots, so other options may be approved by the Director of ~~Planning and Community Development~~ Neighborhood and Development Services, such as the use of landscaped islands to interrupt parking aisles and provide opportunities for pedestrian crossings.

Amend 14-5B-2 as follows:

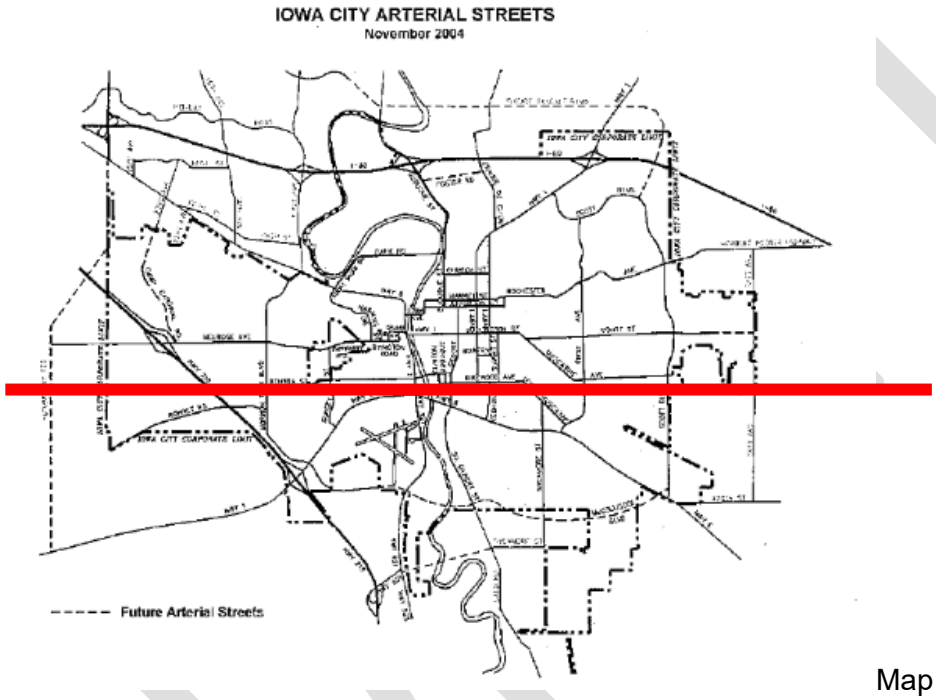
C. Sign Installer's License Required:

DRAFT

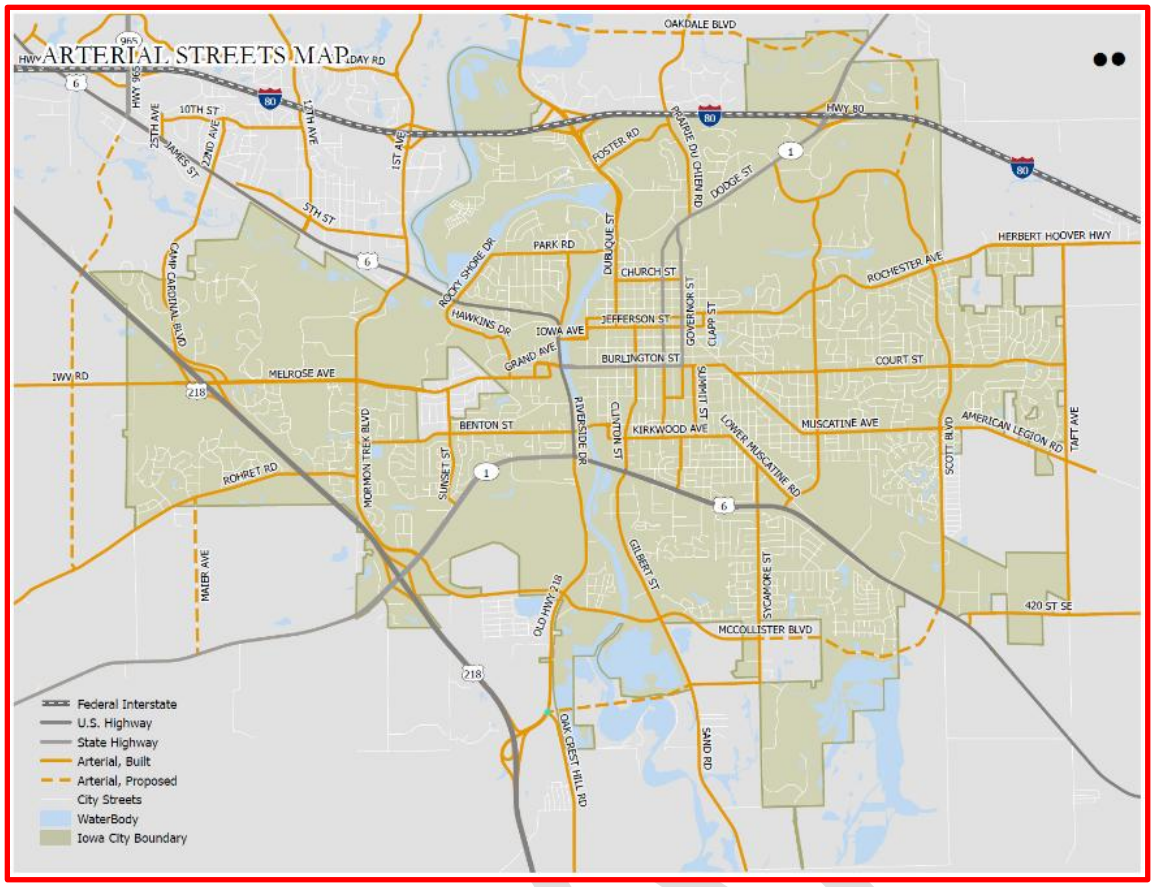
…

2. The license to install, alter, move, improve, remove or convert any sign as required herein shall be known as a "sign installer's license" and shall be issued by the city to the person desiring to perform the work indicated above. No such license shall be issued to any person until such person shall have paid to the city a license fee as established by resolution of city council and shall have filed with the ~~department of housing and inspection services~~ Department of Neighborhood and Development Services a copy or a certificate of a contractor's public liability insurance policy with coverage limits as set out in this code. The city shall be designated as an additional insured, and the policy shall provide that the city is to be notified thirty (30) days in advance of the termination of the policy. The license shall indemnify and save harmless the city from any and all damage, judgment, cost or expense which the city may incur or suffer by reason of said license issuance.

Amend 14-5C-6F as follows:



Map 5C.1



Amend 14-5H-8 as follows:

A. Any combustible materials must be stored in such a way as to include, where necessary, access drives for firefighting equipment.

B. The ~~bulk~~ storage of flammable liquids and chemicals in aboveground storage tanks, when allowed, must be located no closer to a lot line or any principal building than is permitted by the international fire code, as amended. However, for aboveground storage tanks of two hundred seventy six (276) gallons' capacity or more, the minimum distance between such aboveground tanks and any residential zone boundary must be at least one hundred feet (100'). If the aboveground tank is located in an approved vault, the minimum separation distance from a residential zone boundary may be reduced to no less than fifty feet (50').

C. The underground ~~bulk~~ storage of flammable liquids, when allowed, must be located in accordance with the international fire code, as amended. However, the minimum distance between such underground tanks and any residential zone boundary must be at least ten feet (10').

D. The ~~bulk~~ storage of flammable cryogenic fluids in stationary containers is prohibited in all zones, except in the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, storage of such fluids may be allowed, but only as specified and strictly regulated by the international fire code, as amended.

E. The ~~bulk~~ storage of class I and class II liquids in aboveground tanks is prohibited in all zones, except in the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, the storage of such liquids may be permitted, but only as specified and strictly regulated by the international fire code, as amended.

F. The ~~bulk~~ storage of liquefied petroleum gas is prohibited in all zones, except the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, the storage of liquefied petroleum gas may be

allowed, but only as specified and strictly regulated by the international fire code, as amended. (Ord. 05-4186, 12-15-2005)

Amend 14-5K-3 as follows:

A. Amount Of Land To Be Dedicated: The amount of land dedication shall be determined by the following formula. This formula is deemed a reasonable calculation of the additional need for neighborhood open space created by the subject subdivision.

# of units x ~~PUD~~ PDU x 3/1,000, where
# of units = Number of new units is determined as noted in the Table 5K- 1;
PDU = Persons per dwelling unit based on the most recent census; and
3/1,000 = Acres of active neighborhood open space required per 1,000 persons.

Amend 14-7A-1 as follows:

D. Commission Bylaws: The commission shall adopt bylaws to establish the time and place of meetings, the procedure for selecting a chairperson and vice chairperson, who shall act as chairperson when the chairperson is absent or abstaining, and a secretary and such other bylaws as are necessary to implement the provisions of this article. Copies of all bylaws shall be kept on file in the department of ~~planning and community development~~ Neighborhood and Development Services and in the office of the city clerk. (Ord. 05-4186, 12-15-2005)

Amend 14-7A-3 as follows:

D. Commission Bylaws: The commission shall adopt bylaws to establish the time and place of meetings, the procedure for selecting a Chairperson and Vice Chairperson, and such other bylaws as are necessary to implement the provisions of this article. The commission shall have the authority to adopt rules of procedure in connection with the approval or disapproval of certificates of appropriateness subject to approval of the City Council. Copies of all bylaws shall be kept on file in the Department of ~~Planning and Community Development~~ Neighborhood and Development Services and in the Office of the City Clerk.

Amend 14-8B-2C as follows:

C. Approval Procedure:
…
2. If access to an arterial street is requested, the city engineer and the building official will consult with the director of ~~planning and community development~~ Neighborhood and Development Services or designee. Joint approval from all three (3) city officials or their designees is required prior to granting access to an arterial street.

Amend 14-8B-3 as follows:

B. Submittal Requirements:
1. The applicant must file an application for design review with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.
2. Supporting materials must be submitted as specified on the application form.
C. Approval Procedure:
1. Upon receipt of a complete application, the design review committee will review said application for compliance with the applicable standards and approval criteria as set forth in chapter 3, article C, "Design Review", of this title.

DRAFT

2. Within thirty (30) working days of the date a complete application is submitted to the city, the design review committee will approve, approve with modifications agreed to by the applicant, or disapprove the application.

3. If the committee does not act within the thirty (30) day time period and the applicant does not agree to an extension of time, the application will be deemed approved.

4. For level I design review applications, the committee's findings on each application shall be set forth in a written decision, which will be filed in the respective property file in the department of ~~housing and inspection services~~ Neighborhood and Development Services. A copy of said decision will be mailed to the applicant at the time of filing.

5. For level II design review applications, the committee's findings on each application will be set forth in a written recommendation to the city council. The city council will, after receipt of the recommendation of the committee, or after the time of any extension thereof has passed for the committee to file their recommendation, make approval or rejection of the application. City council approval of the plans shall require a majority of votes cast at any meeting at which a quorum is present. The city council's findings on each application shall be set forth in a written resolution, to be filed in the office of the city clerk. A copy of said resolution will be mailed to the applicant at the time of filing. (Ord. 05-4186, 12-15-2005)

Amend 14-8B-4 as follows:

A. Permit Required: Prior to construction of any of the following types of fences or walls, a building permit must be obtained from the department of ~~housing and inspection services~~ Neighborhood and Development Services:

1. Electric fences;
2. Barbed wire fences;
3. Any fence or wall over six feet (6') in height;
4. Any retaining wall over four feet (4') in height measured from the top of the footing to the top of the wall; and
5. A retaining wall of any height that supports a surcharge or impounds flammable liquids.

B. Submittal Requirements:

1. An application for a building permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.
2. Supporting materials must be submitted as specified on the application form. (Ord. 06-4245, 12-12-2006)

Amend 14-8B-6 as follows:

A. Permit Required: Prior to establishment of a type B home occupation, as defined in subsection 14-4C-2M, "Home Occupations", of this title, a home occupation permit must be obtained from the department of ~~housing and inspection services~~ Neighborhood and Development Services.

B. Submittal Requirements:

1. An application for a home occupation permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.
2. Supporting materials must be submitted as specified on the application form.

Amend 14-8B-7 as follows:

A. Submittal Requirements:

DRAFT

1. An application for a level I sensitive areas review must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. All supporting materials, including a sensitive areas development plan, must be submitted as specified on the application form.

…

C. Issuance Of Permits: Sensitive areas development plans approved under a level I sensitive areas review will be retained in the department of ~~housing and inspection services~~ Neighborhood and Development Services, and permits will be issued only for structures and development activity conforming to the approved sensitive areas development plan. (Ord. 05-4186, 12-15-2005)

Amend 14-8B-8 as follows:

A. Submittal Requirements:

1. An application for a minor modification must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form.

Amend 14-8B-9 as follows:

B. Submittal Requirements:

1. An application for a sign permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. All supporting materials must be submitted as specified on the application form.

Amend 14-8B-10 as follows:

B. Submittal Requirements:

1. Application for a temporary use permit shall be submitted to the department of ~~housing and inspection services~~ Neighborhood and Development Services upon a form provided by the city.

2. All supporting materials must be submitted as specified on the application form. The building official or designee may also request other data, plans, and information deemed necessary to determine compliance with the provisions of chapter 4, article D, "Temporary Uses", of this title.

Amend 14-8C-1 as follows:

E. Orders; Lapse Of Approval: Unless otherwise determined by the board, all orders of the board shall expire ~~six (6)~~ twelve (12) months from the date the written decision is filed with the city clerk unless the applicant shall have taken action within the ~~six (6)~~ twelve (12) month period to establish the use or construct the building permitted under the terms of the board's decision, such as obtaining a building permit and proceeding to completion in accordance with the terms of the permit. Upon written request and for good cause shown, the board may extend the expiration date of any order without further public hearing on the merits of the original appeal or application.

Amend 14-8C-2 as follows:

A. Application Filing:

1. An application for a special exception or a variance must be filed with the city ~~clerk~~ on application forms provided by the city.

DRAFT

…

Amend 14-8C-3 as follows:

B. Appeal Procedures:

1. The appellant must file a notice of appeal with the city ~~clerk~~ on forms provided by the city, specifying the grounds of the appeal. Such appeal must be submitted within a reasonable time from the date of the action appealed from as provided by the rules of the board. A duplicate copy of such notice shall be filed with the secretary of the board of adjustment.

Amend 14-8C-4 as follows:

B. Application And Submittal Requirements:

1. Any person or persons may submit an application to the board of adjustment for a special exception under the provisions of this section.

2. Such application must be submitted to the city ~~clerk~~ on application forms provided by the city for a special exception and must include the following additional information:

a. A statement specifying the particular regulation or requirement of this title to which the requested exception relates;

b. A description of the intended use of land or activity for which the exception is being sought;

c. Documented evidence of how the specified regulation or requirement allegedly violates the person's freedom of religion based rights afforded under federal or state law;

d. A description of how granting the exception would be in the public interest and not be contrary to health, safety and welfare considerations; and

e. Any additional information requested by the board of adjustment that will assist them in making a determination regarding the application.

Amend 14-8D-1 as follows:

A. Submittal Requirements:

1. Requests for annexation or severance must be filed with the city ~~clerk~~ on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form and as required by state law or state administrative rules. For annexation requests, the applicant must specify a desired zoning designation or zoning designations for the territory.

B. Optional Preapplication Conference: Any person or persons intending to request an annexation or severance is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to discuss the purpose for the requested annexation or severance, review applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for an annexation or severance.

Amend 14-8D-3 as follows:

B. Optional Preapplication Conference: Any person intending to request an amendment to the city's comprehensive plan is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services. The purpose of the preapplication conference is to discuss basic intentions, review the applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for a comprehensive plan amendment.

DRAFT

C. Submittal Requirements: Unless the comprehensive plan amendment is initiated by the planning and zoning commission or the city council, the following application submittal procedures must be followed:

1. Applications for a comprehensive plan amendment must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form and must provide evidence that the approval criteria as set forth in subsection D of this section are met.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

D. Approval Criteria: Applications for a comprehensive plan amendment must include evidence that the following approval criteria are met:

1. Circumstances have changed and/or additional information or factors have come to light such that the proposed amendment is in the public interest.

2. The proposed amendment will be compatible with other policies or provisions of the comprehensive plan, including any district plans or other amendments thereto.

E. Staff Review: After receipt of a complete application, the director of ~~planning and community development~~ Department of Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission.

Amend 14-8D-5 as follows:

B. Optional Preapplication Conference: Any person intending to request a zoning map amendment or zoning code text amendment is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the existing zoning, discuss the purpose for the requested amendment, review applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for a zoning map or zoning code text amendment.

C. Submittal Requirements: Unless the zoning map or zoning code text amendment is initiated by the planning and zoning commission or the city council, the following application submittal procedures must be followed:

1. Applications for a zoning map or zoning code text amendment must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form and must include a statement from the applicant explaining the reasons and justification for the requested amendment.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

D. Staff Review: After receipt of a complete application, the director of ~~planning and community development~~ Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission.

Amend 14-8D-7 as follows:

A. Optional Preapplication Conference: Any person intending to request an OPD rezoning is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the existing zoning, discuss the purpose for the requested planned development, review applicable comprehensive plan policies, including any district plan policies that might affect the intended request, and ensure

DRAFT

that the applicant is familiar with the review and approval procedures for a planned development overlay rezoning.

B. Submittal Requirements: Applications for an OPD rezoning must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

1. Preliminary Approval:

…

C. Approval Procedures For Planned Development Overlay Rezoning: Approval of a planned development overlay rezoning shall be by ordinance in accordance with the following procedures. Approval of a rezoning to OPD shall constitute approval of the preliminary OPD plan or, if applicable, the preliminary sensitive areas development plan.

1. Staff Review: Upon receipt of a complete application, staff from the department of ~~planning and community development~~ Neighborhood and Development Services will review the application for compliance with the applicable approval criteria as set forth in chapter 3, article A, "Planned Development Overlay Zone (OPD)", of this title. Staff will forward a report and recommendation to the planning and zoning commission for their consideration.

…

Amend 14-8D-8 as follows:

A. Optional Preapplication Conference: Any person intending to apply for a vacation of public right of way is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the proposed vacation and ensure that the applicant is familiar with the review and approval procedures for a vacation of public right of way.

B. Submittal Requirements:

1. An application for a vacation of public right of way must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

C. Staff Review:

1. The director of ~~planning or designee~~ Neighborhood and Development Services will review the application with regard to the following factors:

a. Impact on pedestrian and vehicular access and circulation.
b. Impact on emergency and utility vehicle access and circulation.
c. Impact on access of adjacent private properties.
d. Desirability of right of way for access or circulation needs.
e. Location of utilities and other easements or restrictions on the property.
f. Any other relevant factors pertaining to the specific requested vacation.

2. Once information regarding utilities, adjacent property owners, and access issues has been collected and reviewed, the director of ~~planning~~ Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission regarding the requested vacation.

Amend 14-8E-1 as follows:

B. Historic Landmark Applications:

1. Applications for a historic landmark designation must be filed in the department of ~~planning and community development~~ Neighborhood and Development Services on

application forms provided by the city. Supporting materials must be submitted as specified on the application form.

2. If the property has been registered on the National Register of Historic Places (NRHP), the NRHP registration form must accompany the application.

Amend 14-8E-2 as follows:

A. Submittal Requirements:

1. Applications for historic review must be filed with the department of ~~planning and community development~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form. (Ord. 05-4186, 12-15-2005)

…

D. Appeals: Any person aggrieved by any decision of the commission regarding an application for historic review in a historic district or for a historic landmark may appeal the action to the city council. Any person aggrieved by any decision of the commission regarding an application for historic review in a conservation district may appeal the action to the board of adjustment. Procedures for such appeals are as follows:

1. Any appeal submitted by the applicant must be in writing and must be filed with the city ~~clerk~~ no later than ten (10) business days after the filing of the above mentioned decision. An appeal submitted by an aggrieved party, other than the applicant, must be in writing and must be filed with the city ~~clerk~~ no later than ten (10) business days after construction work pursuant to an approved certificate of appropriateness, certificate of no material effect, or certificate of economic hardship is observable from adjacent properties or the public right of way or ten (10) business days after an alleged violation of this article is similarly observable.

…

Amend 14-8E-3 as follows:

B. Submittal Requirements:

1. Applications for a certificate of economic hardship must be filed with the department of ~~planning and community development~~ Neighborhood and Development Services.

…

C. Approval Procedures:

1. The historic preservation commission will hold a public hearing on the application for the certificate of economic hardship within sixty (60) days following receipt of a complete application and all information requested by the commission.

2. The public hearing will result either in approval or denial of the application for a certificate of economic hardship. The commission will issue a written decision setting forth the factual basis for the decision and vote of each member participating therein. The written decision will be issued, signed by the chairperson or designee, and be transmitted along with the application to the building official and the city clerk. If the commission finds that unreasonable economic hardship exists, a certificate of economic hardship will be issued, specifying the material changes that are authorized thereto.

…

Amend 15-2-1 as follows:

A. Applicability: Whenever the owner of any tract or parcel of land within the corporate limits of the city or within two (2) miles thereof wishes to make a subdivision of the same, the owner or the owner's representative shall submit a concept plan to the department of ~~planning and community~~

DRAFT

~~development~~ Neighborhood and Development Services for review prior to submission of a preliminary plat.

DRAFT

MINUTES **PRELIMINARY**
PLANNING AND ZONING COMMISSION
MAY 6, 2026 – 6:00 PM – FORMAL MEETING
EMMA J. HARVAT HALL, CITY HALL

MEMBERS PRESENT: Colette Atkins, Kaleb Beining, James Davies, Maggie Elliott, Steve Miller, Billie Townsend, Chad Wade

MEMBERS ABSENT:

STAFF PRESENT: Alex Bright, Anne Russett, Lisa Schroer

OTHERS PRESENT:

RECOMMENDATIONS TO COUNCIL:

By a vote of 7-0 the Commission recommends approval of REZ26-0004, amendments to Title 14, Zoning to clarify requirements and ensure compliance with changes to State law related to communication tower facilities and accessory dwelling units.

CALL TO ORDER:

Elliott called the meeting to order at 6:00 PM.

PUBLIC DISCUSSION OF ANY ITEM NOT ON THE AGENDA:

None.

ZONING CODE TEXT AMENDMENT ITEMS:

CASE NO. REZ26-0004

Consideration of amendments to Title 14, Zoning to clarify requirements and ensure compliance with changes to State law.

Schroer stated the proposed text amendments to the zoning code stem from two areas. The first is general code cleanup items that staff document in an ongoing list, these are things like fixing typos, references to outdated department names, things that were missed when the code has been updated in the past and sections of the code that directly conflict with another code section. The second reason for these code amendments is changes in the Iowa state law that preempt certain areas of Iowa City's local zoning authority. Schroer explained state preemption occurs when State law limits or overrides a city's ability to regulate certain issues locally and when this happens, the City must update the zoning code to ensure compliance with State law. Schroer explained when staff make code amendments related to code cleanup items and State preemptions, they use the "least change" approach that clarifies unclear requirements or references to outdated department names and ensures compliance with State law while preserving local oversight when possible. Schroer stated she will focus on explaining the summary of changes that staff are proposing to the zoning code but won't go into detail on the justification for these changes as the justification for each proposed amendment can be found in the staff report in the agenda packet.

First, Schroer reviewed the code cleanup items, the first one is related to external stairways leading to multifamily residential dwelling unit requirements. The proposed amendments revise standards in the building features permitted within the required setback area subsection and also

replace the reference to dwelling units with multifamily residential dwelling units to improve clarity and consistency. The amendments clarify that stairways serving as the principal means of access to multifamily residential dwelling units located above the ground or first floor may not extend into any required setback. As a safety measure in a different section of the zoning code, the zoning code requires that access to multifamily dwelling units located above the first floor be provided from an enclosed lobby corridor or stairway, because unenclosed exterior stairs can pose a safety risk to residents and the proposed amendments align these two sections.

Second, the proposed amendments also increase the validity period for Board of Adjustment approvals from six months to twelve months. The current six month validity period can be difficult for applicants to meet as during that six month period applicants must obtain a building permit and start construction and oftentimes they also must acquire an approved site plan prior to obtaining a building permit. This amendment will give applicants a more realistic timeline to complete their projects.

Third, staff is proposing to replace the existing maps for arterial streets, the University Impact Area and the Central Planning District with updated graphics that include clearly labeled streets and boundaries. With this change, staff is not proposing any changes to boundaries on the University Impact Area and Central Planning District maps.

Fourth, staff is proposing changes related to the requirements for tandem parking spaces in single family developments. The proposed amendment revises the garage, driveway and parking location standards for single family and two family uses by removing the phrase “counting the space within a garage” from the tandem parking provision. This amendment clarifies that tandem parking spaces may be provided either within a garage or carport or within a driveway or in a combination of both locations. Schroer explained the zoning code does not require single family or two family uses to have a garage, which makes this phrase confusing for those interpreting the code language so the amendment clarifies current practices.

The next code cleanup item is the proposed amendments remove superscript reference 2 and its corresponding note from Table 2A-1 which states the principal uses allowed in a single family residential zone. Note 2 references a special provision in Section 14-2A-7D recognizing existing two family uses on interior lots in the RS-8 zone as conforming. Schroer noted in 2005 the zoning code restricted duplexes and attached single family uses in the RS-8 zone to only corner lots, making existing mid-block uses non-conforming. In 2023 City Council amended the zoning code to allow duplexes and attached single family uses throughout the RS-8 zone, not just restricted to corner lots. Note 2 no longer serves a purpose and therefore staff is proposing that it be removed.

Schroer stated the proposed amendments also remove the planned development overlay provision that requires attached single family and two family duplex uses in the RS-5 and RS-8 zone to be located only on corner lots with each main entrance oriented towards a different street. This section is proposed to be deleted to align the planned development overlay standards with the City's recently adopted code changes that removed the corner lot requirement from the base zoning standards.

The proposed amendments also update outdated department names and procedural references throughout Title 14 and 15. References to the former departments of Housing and Inspection

Services and Planning and Community Development are updated to be the Department of Neighborhood and Development Services. Also, where applicable references instructing submittal to the City Clerk are replaced with the City to improve clarity and accuracy.

Next, the proposed amendments exempt mobile homes in manufactured housing parks from the 500 square foot detached single family open space requirement in the RR-1, RS-5, RS-8, RS-12, and RNS-12 zones. Schroer noted under the current zoning code each mobile home within a manufactured housing park approved through a planned development process is subject to a 500 square foot detached single family open space requirement. However, manufactured housing parks are developed as unified sites with shared open space and amenities, rather than as individual lots, making a per unit open space requirement for each dwelling unrealistic.

Similarly, given the layout of multifamily developments, staff also recommends code cleanup related to the minimum compact open space area requirements for multifamily uses. The proposed amendments remove the multifamily requirement that each compact open space area must be no less than 225 square feet in area. Also, the amendments will establish a minimum open space dimension of 20 feet in the multifamily open space requirements. Currently, the multifamily open space standards are split across two areas of the zoning code, and those two areas conflict with each other. This inconsistency creates confusion for applicants and staff. The proposed amendments resolve the conflict by bringing section 14-2A/2B/2C-4E into alignment with section 14-2G-7E standards that are already applied to multifamily uses.

Schroer continued that the proposed amendments also update the RS-12 zone open space requirements to allow multifamily uses to count rooftop or upper floor open air terraces and rear yard facing porches, including non-habitable screened in porches, towards the open space requirement. RS-12 currently allows alternative open space options to fulfill the open space requirement for attached single family uses as attached single family developments are visibly similar to townhome-style multifamily developments so the proposed amendment will fix this gap so that both use types can meet the open space requirement.

Next, the proposed amendments also remove the word “bulk” from section 14-5H-8 which regulates the storage of combustible and flammable materials. This amendment was requested by the fire department and removal of the term clarifies that the requirements apply broadly to both above ground and underground storage tanks, regardless of their size.

The proposed amendments also increase the height that triggers a fence permit requirement from six feet to seven feet. The City formally adopted the 2023 edition of the International Residential Code (IRC) as part of Title 17, which is the building code, and this IRC edition increased the fence height threshold that triggers a permit requirement from six feet to seven feet. The proposed amendments align the zoning code with that adopted standard.

Schroer noted the proposed amendments will correct the open space dedication formula by replacing the acronym PUD with the acronym PDU so that the formula is consistent with the definition provided in the legend, which is persons per dwelling unit.

The last one for the code cleanup is to update the Form-Based Code section to align with the City's recently updated accessory dwelling unit (ADU) standards, which were amended to comply with Iowa code section 364.3. Schroer stated the Form-Based Code had specific standards for

ADUs in Section 14-2H-6 Carriage Houses, which must be removed to ensure compliance with State law. References to carriage house standards are replaced throughout article 14-2H with direction to the City's ADU standards in Section 14-4C-2A. The amendments include updates to the building form tables, the accessory use table and the building type standards for all Form-Based Code zones.

Next Schroer reviewed the State preemption changes. First is the Iowa Cell Siting Act which limits the factors that local governments may consider when reviewing applications for wireless communication towers. Section 8C.3 of the Iowa Code prohibits local authorities from evaluating applications based on the availability of alternative locations or requiring applicants to demonstrate that collocation is not feasible. This requires the City to update section 14-4B-4 which is the specific approval criteria for special exceptions. The amendments remove the approval criterion that requires applicants to demonstrate that the proposed cell tower serves an area that cannot be served by existing towers or by locating antennas on existing structures in the area. This proposed change is applied in two sections of the zoning code that outline special exception approval criteria for communication transmission facilities in residential, commercial, interim development and public zones.

The next State preemption is Senate File 2369 on Accessory Dwelling Units. Earlier this year, Iowa Legislature adopted amendments to Iowa Code section 346.3 on how cities can regulate ADUs. The legislation does three things. First, it clarifies that a minimum of one ADU will be allowed on the same lot as a single family residence within a zoning district where a single family residence is allowed as a principal use. The legislation also revises how the size calculation for an ADU cannot exceed 1000 square feet, or 50% of the size of the single family residence, excluding unfinished basements. And lastly, the legislation clarifies that ADUs located in areas of historical significance shall be regulated to the same extent that a city or commission determined that the proposed ADU would be incongruous with the historical, architectural, archeological or cultural aspects of the area and enters into its records the reason for such determination. Schroer stated this revision preserves the Historic Preservation Commission's authority to review ADUs in historic districts. This is a change from the 2025 ADU amendments in that the Commission can now regulate or deny an ADU but only if it makes and records a specific finding that the ADU would be incompatible with the character of the historic area. This is a process requirement for the Historic Preservation Commission and does not require amendments to the zoning code. Schroer reviewed staff just added two changes to the ADU section, they added the text “within a zoning district where a single family residence is an allowed principal use” to the ADU applicability standards, which clarifies that an ADU may only be on the same lot as a single family residence that is also within a zone that allows single family dwellings. Staff also specify how floor area is calculated, when determining how large the floor area of the ADU may be noting that the size calculation excludes unfinished basements.

Staff recommends approval of REZ26-0004, amendments to Title 14, Zoning to clarify requirements and ensure compliance with changes to State law related to communication tower facilities and accessory dwelling units. Staff also want to add an additional amendment to Section 14-3A-4 that removes the standard that existing duplexes or two family uses on interior lots are conforming, as added following the 2005 zoning code amendments. Staff want to expand this to amendment to section 14-3A-4C-1A-1C which is for attached single family residential uses.

Next steps, pending recommendation of approval from the Planning and Zoning Commission, at the May 19 City Council the public hearing will be set, and then following that at the next City Council meeting on June 2, the public hearing would be held, as well as the first consideration.

Miller asked regarding the open space calculation where there were two conflicting measurements, what went into deciding going with the more restrictive one, which is 20 feet minimum. Schroer explained this change does two things, first is removing the 225 square foot compact area, which is more permissive, and second, increases the minimum dimension from 15 feet to 20 feet making this requirement align with Riverfront Crossings and East Side Mixed-Use multifamily standards. While it is a little bit more restrictive it's a movement to align this standard with another section of the code. Russett noted if the Commission wants to suggest a different option, they can make that recommendation.

Miller noted he is coming from a place where he had run up against this requirement on a project and it was difficult to find that open space on the site.

Russett noted it does depend on the site and for multifamily sites, it's typically not grass on the ground it's incorporated into some rooftop or terrace or something like that, because a developer would want to use as much of the parcel as possible for development and units. 225 square feet on a rooftop and the other standards that want it to be usable and have some sort of recreational purpose, that's not a lot of space. Russett acknowledged staff agrees that the open space requirements can be a challenge for some sites and they're not here to debate that, they're here to just make sure the code is consistent so again if the Commission wants to go a different direction and make broader changes to open space, they can certainly recommend that to Council.

Bright feels it would be better to have a separate conversation about that and to have more information before proceeding in that direction.

Miller noted the idea about putting the open space on a rooftop is kind of great in theory, but with the missing middle smaller scale, there potentially won't be an elevator or something that would trigger an elevator to get up there.

Davies noted there seems to be two types of changes, errors found and then bringing things up to match State law. The one that he didn't quite understand was the change to the stairways in multifamily use in common area. Is that a safety issue. Schroer explained there's a section of the code that requires those stairways to be internal, and then there's the separate section of the code that they're changing to make it clearer that stairways that access the dwelling units above the first floor for multifamily dwelling units above the first floor needs to be enclosed.

Miller wanted to confirm the ADU size is 1000 square feet, or 50% of the primary residence, whatever is larger. So if someone had a 4000 square foot home on a site they could have a 2000 square foot ADU. Schroer confirmed that was correct.

Townsend asked when there is an ADU, who is actually living in the original unit, is that changing with this amendment. Russett stated no, both the primary unit and the ADU can be rentals but with the State law the City did get back some historic oversight for local historic districts and local historic landmarks.

Townsend noted there can only be one ADU per unit, unless it's a duplex then there's possibly two. Russett corrected it'd still be one with the duplex, because the definition in the State law limits it to one ADU per property.

Miller asked if ADUs are a one story maximum or are ADUs allowed to be two stories. Russett stated they don't get into height requirements in those standards, but they can't limit it to one or two stories based on the State law, the State law limits on total square footage however the City still has height standards for single family residences and ADUs are treated like a single family residence. Prior to the code change it would have been subject to the accessory structure standards, which are different, but now ADUs are treated like a principal, single family home.

Miller moves to recommend approval of REZ26-0004, amendments to Title 14, Zoning to clarify requirements and ensure compliance with changes to State law related to communication tower facilities and accessory dwelling units.

Townsend seconded the motion.

A vote was taken and the motion passed 7-0.

DISCUSSION ON UPDATE TO COMPREHENSIVE PLAN:

Russett noted there has been a couple steering committee meetings and Commissioner Miller and Commissioner Wade have been in those meetings so they or staff can give updates or try to answer any questions.

Miller noted they've had two presentations by Confluence, both of the last two meetings with the steering committee have been virtual where they basically presented drafts of four different chapters and the land use chapter was the biggest one. Obviously, land use is going to be of most interest to the Commission. It has simplification of all the little sub zones into the new land use plan and he stated makes a lot of sense and he thinks they're doing a great job.

Russett note some bigger changes that they're proposing with the Future Land Use Map is to create more flexible land use categories that allow a different variety of types of uses even within residential zones so it's not just single-family, duplex, which is how the Comprehensive Plan currently functions, they're also incorporating what they're calling opportunity areas to identify transit corridors where multifamily or higher density housing and other uses may be appropriate, as well as neighborhood nodes for maybe nonresidential uses in neighborhoods. She stated they're also doing a build-out analysis as a theoretical technical study to look at population projections. They know how many units they're going to need over the next 25 years and need to make sure that the land use plan that they're putting forward is able to accommodate that growth, and probably more than that growth as they want to make sure that they're planning for the future needs of the community. The next big chapter that'll be coming to the steering committee will be transportation, and that will also have a lot of ties in with land use.

Elliott asked what's the process, how does the community vote on this to City Council. Russett explained it'll come to the Planning and Zoning Commission for recommendation to City Council,

Prepared by: Lisa Schroer, Associate Planner, 410 E Washington St, Iowa City, IA 52240 (REZ26-0002)

Ordinance No. _____

Ordinance amending Title 14, Zoning Code and Title 15, Land Subdivisions to clarify requirements and ensure compliance with changes in state law related to communication tower facilities and accessory dwelling units. (REZ26-0004)

Whereas, the City of Iowa City aims to make its Zoning Code as clear as possible; and

Whereas, from time to time, Staff reviews the zoning ordinance to determine whether it should be revised for clarity or conformance with state law; and

Whereas, a recent Staff audit determined that changes are necessary to clarify references to outdated department names, code sections that directly conflict with another code section, and misspellings; and

Whereas, Staff also recommends amendments in response to changes in state law regarding the criteria for approving communication tower special exceptions, which are preempted by Iowa Code Chapter 8C (Iowa Cell Siting Act); and regarding accessory dwelling unit standards which conflict with statewide ADU requirements established by Iowa Code Section 364.3, subsection 23; and

Whereas, the Planning and Zoning Commission reviewed the zoning code amendments set forth below at the May 6, 2026 meeting and recommended approval by a vote of 7-0.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

Section I. Amendments. Iowa City Code Title 14 “Zoning Code” is hereby amended by deleting the strikethrough text, adding the underlined text, and renumbering subsequent paragraphs accordingly:

A. Amend 14-1B-4, Zoning Map; Determination of Zoning Boundaries, as follows:

The boundaries of the various zoning districts, hereinafter referred to as "zones", are shown on the zoning map, said map made a part of this title by reference and on file in the offices of the city clerk and the department of ~~planning and community development~~ Neighborhood and Development Services. Where uncertainty exists as to the boundaries of zones as shown on the zoning map, the following rules apply.

B. Amend 14-2A-2, Land Uses Allowed, as follows:

Table 2A-1: Principal Uses Allowed In Single-Family Residential Zones

USE CATEGORIES	SUBGROUPS	RR-1	RS-5	RS-8	RS-12	RNS-12
Residential Uses						

Household living uses	Detached single- family dwellings	P	P	P	P	P
	Detached zero lot line dwellings	PR	PR	PR	PR	
	Attached single- family dwellings		PR~~2~~	PR	PR	
	Two-family uses (duplexes)		PR~~2~~	PR	PR	PR
	Group households	PR	PR	PR	PR	PR
	Multi-family uses				PR	1
Group living uses	Assisted group living					
	Independent group living					1
	Fraternal group living					1

…

Notes to table 2A-1:

1. Multi-family and group living uses in the RNS-12 zone must comply with the special provisions contained in section 14-2A-7 of this article.

~~2. Special provision may apply to existing two-family uses and attached single-family dwellings located on interior lots in the RS-8 zone. See subsection 14-2A-7D of this article.~~

~~3~~2. Any establishment that is licensed by the state to sell alcohol or alcoholic beverages is subject to the use classification process as set forth in subsection 14-4A-2G of this title.

C. Amend 14-2A-4, Dimensional Requirements, as follows:

B. Minimum Setback Requirements For Principal Buildings:

…

4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D, "Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.

…

d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.

…

E. Minimum Open Space Requirements:

…

2. Minimum Requirements

a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20'). On lots that contain multi-family uses in the RS-12 zone, a minimum of one hundred fifty (150) square feet of usable open space per unit shall be provided, located in the rear yard with no dimension less than ten feet (10').

…

3. Standards:

a. For multi-family uses and group living uses, open space shall meet the standards as set forth in subsections 14-2G-7E1 through E7 of this chapter, except that multi-family uses in the RS-12 zone shall comply with the standards below.

b. For detached single family uses ~~and two family uses in RS-12 zones~~, open space shall be located behind the principal dwelling in an area visible and easily accessible from the principal dwelling and shall consist of open planted green space, which may include trees, planters, gardens, and other amenities that support passive recreation or leisure activities. Paved areas shall not be counted toward usable open space. ~~For attached single family uses, rooftop or upper floor open air terraces or rear yard-facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.~~

c. For attached single-family and multi-family uses in RS-12 zones, rooftops or upper-floor open air terraces or rear-yard facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.

…

Table 2A-2: Dimensional Requirements In The Single-Family Residential Zones

Zone/Use		…	**Minimum Open Space** (Sq. Ft.)[10]
RR-1	Detached single-family, including zero lot line	…	500[12]
	Other uses[1]	…	n/a
RS-5	Detached single-family, including zero lot line	…	500[12]
	Duplexes	…	300/unit
	Attached single-family	…	150
	Other uses[1]	…	n/a
RS-8	Detached single-family, including zero lot line	…	500[12]
	Duplex	…	300/unit
	Attached single-family	…	150
	Other uses[1]	…	n/a
RS-12	Detached single-family, including zero lot line	…	500[12]
	Duplex	…	300/unit
	Attached single-family	…	150
	Multi-family uses	…	150/unit
	Other uses[1]	…	n/a
RNS-12	Detached single-family	…	500[12]

	Duplex	…	300/unit
	Multi- family uses	…	10/bedroom, but no less than 400
	Other uses[1]	…	n/a

n/a = not applicable
Notes:
…
12. Manufactured homes within a manufactured housing park are exempt from the detached single-family open space requirement.

D. Amend 14-2A-6, Single-Family Site Development Standards, as follows:

C. Garage, Driveway And Parking Location Standards:

1. For single-family uses and two-family uses, a required parking space may be located behind another parking space on a regularly constructed aisle, provided the spaces are not stacked more than two (2) spaces deep~~, counting the space within a garage~~. (See figure 2A.4 of this section.)

E. Amend 14-2A-7, Special Provisions, as follows:

~~D. Two-Family Uses And Attached Single-Family Dwellings In RS-8 Zone: Existing two-family uses and attached single-family dwellings located on interior lots in the RS-8 zone that were conforming with regard to use and minimum lot area per unit requirements as of December 27, 2005, shall be considered conforming with regard to use and minimum lot area per unit requirements regardless of location. Any building containing a conforming use may be torn own and rebuilt to its present density or to the allowed density in the RS-8 zone; provided, that it conforms to all other provisions of this title. This provision does not exempt a property from compliance with other dimensional standards, site development standards, use regulations, or any subsequent amendments to this title that pertain to the property.~~

~~E~~D. Sustainability Density Bonus: The minimum lot size or minimum lot area per unit may be reduced by ten percent (10%) of the applicable requirement for each of the following provisions that is met, up to a maximum of twenty-five percent (25%). This bonus may be used in conjunction with subsection 14-5A-4F10 (Sustainability Parking Reduction).

1. A solar energy system is installed onsite where the size is equal to forty percent (40%) of the surface area of the roofs of all buildings.

2. All uses within the development utilize electricity for one hundred percent (100%) of their regular energy consumption after construction.

3. All buildings within the development are constructed to the most current edition of the International Energy Conservation Code standards published by the International Code Council.

~~F~~E. Affordable Housing Bonus: Residential uses are eligible to utilize affordable housing bonuses pursuant to Article 14-4F, "Affordable Housing". (Ord. 05-4186, 12-15-2005; amd. Ord. 22-4884, 8-2-2022; Ord. 23-4893, 1-24-2023; Ord. 23-4914, 11-6-2023)

F. Amend 14-2B-4, Dimensional Requirements, as follows:

B. Minimum Setback Requirements For Principal Buildings:
…

4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D,

"Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.

…

d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.

…

E. Minimum Open Space Requirements:

…

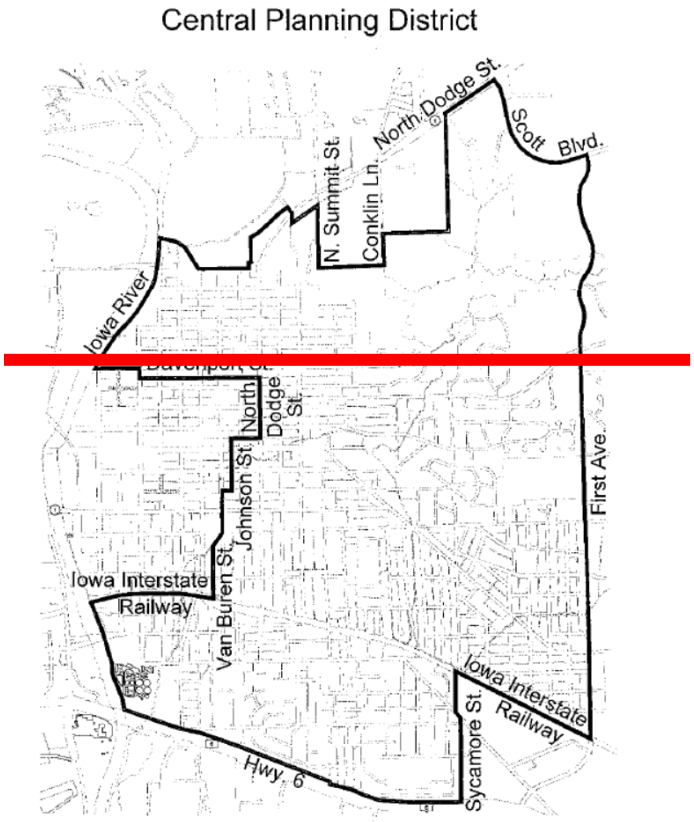
2. Minimum Requirements:

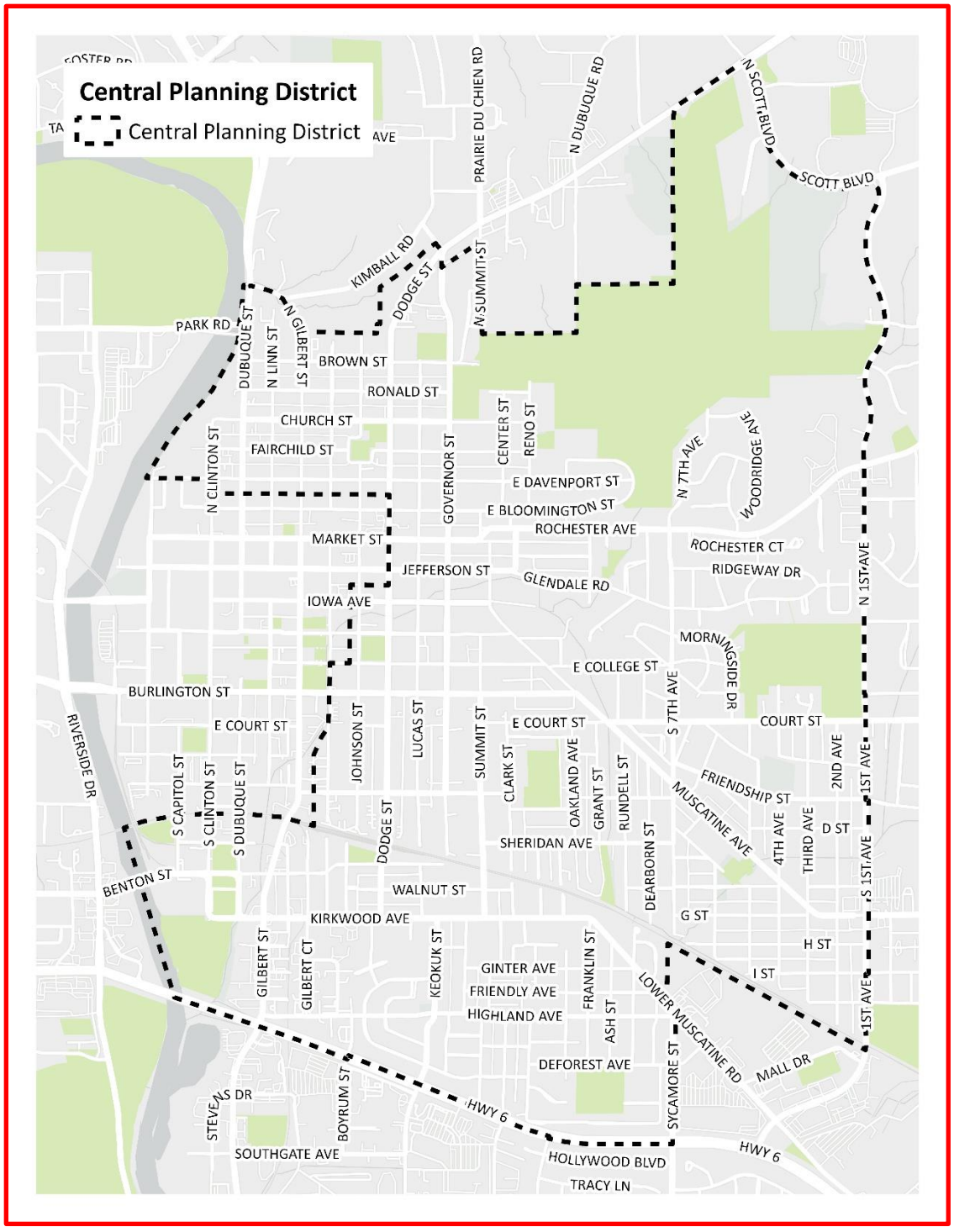
a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20').

…

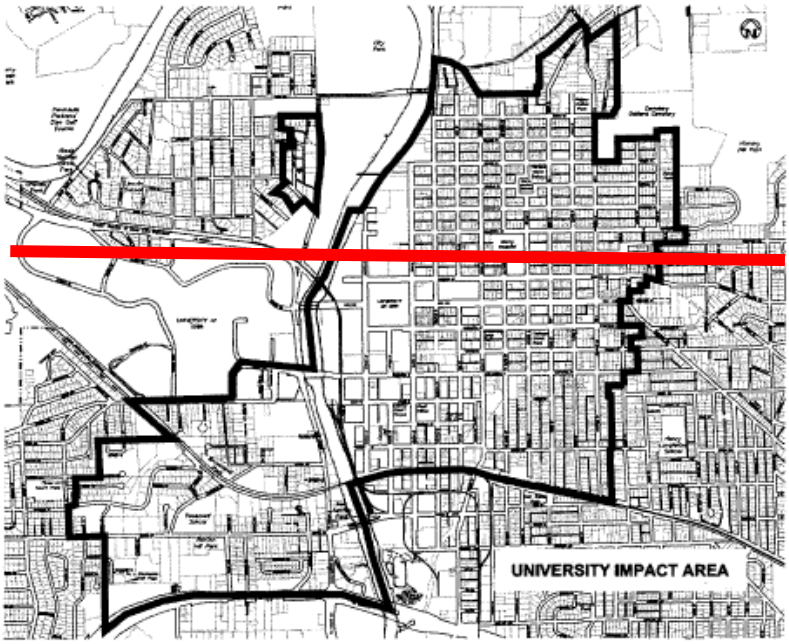
G. Amend 14-2B-6, Multi-Family Site Development Standards, as follows:

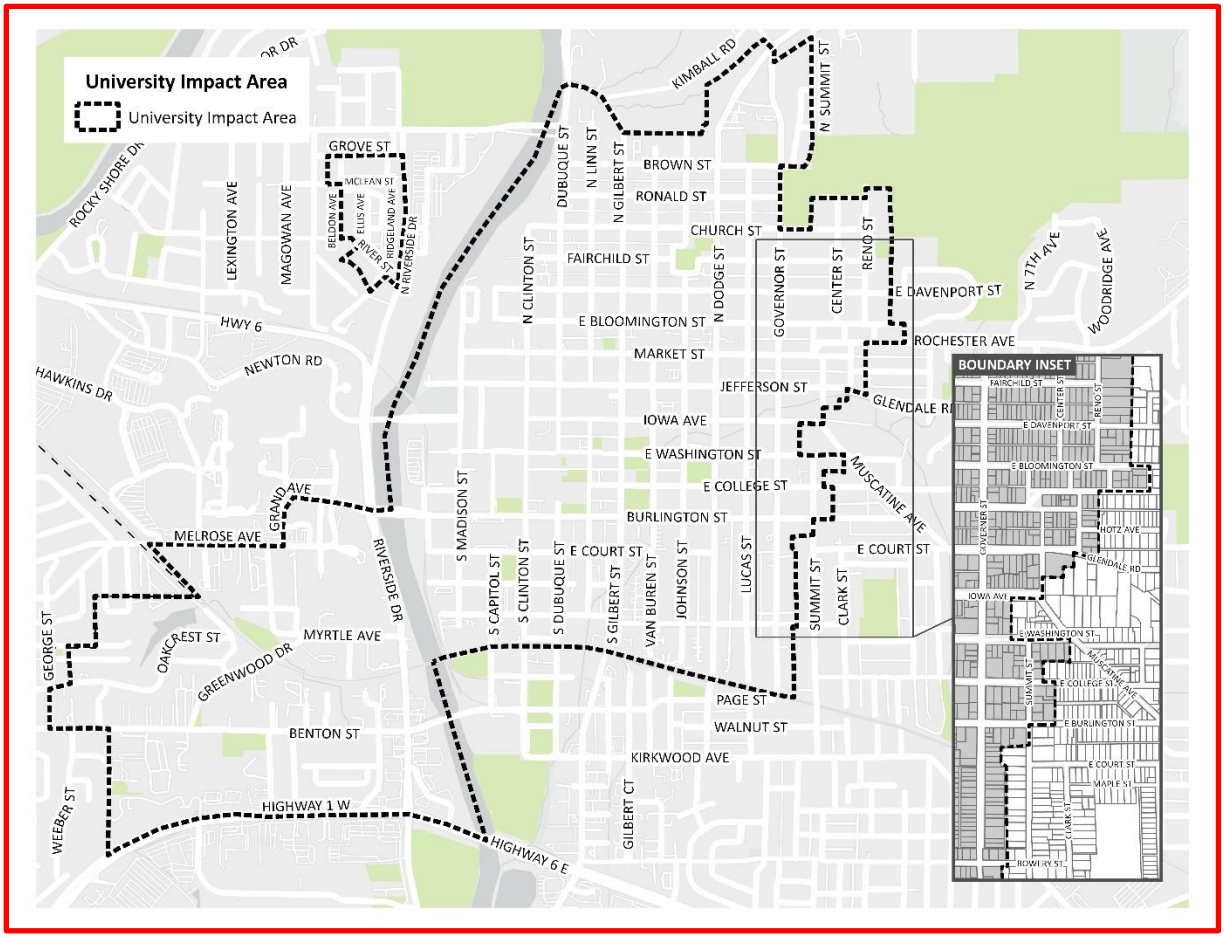
Map 2B.1




Central Planning District
Central Planning District
PRAIRIE DU CHIEN RD
N DUBUQUE RD
N SCOTT BLVD
SCOTT BLVD
KIMBALL RD
DODGE ST
N SUMMIT ST
PARK RD
DUBUQUE ST
N LINN ST
N GILBERT ST
BROWN ST
RONALD ST
CHURCH ST
FAIRCHILD ST
N CLINTON ST
GOVERNOR ST
CENTER ST
RENO ST
E DAVENPORT ST
E BLOOMINGTON ST
ROCHESTER AVE
N 7TH AVE
WOODRIDGE AVE
ROCHESTER CT
RIDGEWAY DR
MARKET ST
JEFFERSON ST
GLENDALE RD
IOWA AVE
N 1ST AVE
MORNINGSIDE DR
E COLLEGE ST
BURLINGTON ST
E COURT ST
JOHNSON ST
LUCAS ST
SUMMIT ST
CLARK ST
OAKLAND AVE
GRANT ST
RUNDELL ST
S 7TH AVE
COURT ST
2ND AVE
1ST AVE
RIVERSIDE DR
S CAPITOL ST
S CLINTON ST
S DUBUQUE ST
DODGE ST
SHERIDAN AVE
FRIENDSHIP ST
MUSCATINE AVE
4TH AVE
THIRD AVE
D ST
BENTON ST
WALNUT ST
DEARBORN ST
KIRKWOOD AVE
G ST
H ST
S 1ST AVE
GILBERT ST
GILBERT CT
KEOKUK ST
GINTER AVE
FRIENDLY AVE
HIGHLAND AVE
FRANKLIN ST
ASH ST
I ST
LOWER MUSCATINE RD
DEFOREST AVE
SYCAMORE ST
MALL DR
STEVENS DR
BOYRUM ST
HWY 6
SOUTHGATE AVE
HOLLYWOOD BLVD
TRACY LN

Map ~~2B.1~~ 2B.2


UNIVERSITY IMPACT AREA


University Impact Area
University Impact Area
KIMBALL RD
N SUMMIT ST
GROVE ST
ROCKY SHORE DR
LEXINGTON AVE
MAGOWAN AVE
MCLEAN ST
BELDON AVE
ELLIS AVE
RIDGELAND AVE
RIVER ST
N RIVERSIDE DR
DUBUQUE ST
N LINN ST
N GILBERT ST
BROWN ST
RONALD ST
CHURCH ST
FAIRCHILD ST
N CLINTON ST
N DODGE ST
GOVERNOR ST
CENTER ST
RENO ST
E DAVENPORT ST
N 7TH AVE
WOODRIDGE AVE
HWY 6
NEWTON RD
E BLOOMINGTON ST
MARKET ST
ROCHESTER AVE
HAWKINS DR
JEFFERSON ST
GLENDALE RD
IOWA AVE
E WASHINGTON ST
E COLLEGE ST
MUSCATINE AVE
BURLINGTON ST
GRAND AVE
MELROSE AVE
S MADISON ST
RIVERSIDE DR
S CAPITOL ST
S CLINTON ST
S DUBUQUE ST
E COURT ST
S GILBERT ST
VAN BUREN ST
JOHNSON ST
LUCAS ST
SUMMIT ST
CLARK ST
E COURT ST
GEORGE ST
OAKCREST ST
MYRTLE AVE
GREENWOOD DR
PAGE ST
WALNUT ST
BENTON ST
KIRKWOOD AVE
WEEBER ST
HIGHWAY 1 W
HIGHWAY 6 E
GILBERT CT
BOUNDARY INSET

…

J. Minor Modifications: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the design review committee, the ~~director of planning and community development~~ Director of Neighborhood and Development Services, and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title:

…

H. Amend 14-2C-4, Dimensional Requirements, as follows:

B. Minimum Setback Requirements For Principal Buildings:

…

4. Building Features Permitted Within Required Setback Area: The following building features may extend into the required principal building setback area, subject to the conditions indicated and provided that location of such a feature does not violate the provisions of chapter 5, article D, "Intersection Visibility Standards", of this title. The setback regulations for detached accessory structures and structures not considered part of the principal building are addressed in chapter 4, article C, "Accessory Uses And Buildings", of this title.

…

d. Stairways that function as the principal means of access to multi-family residential dwelling units located above the ground or first floor of a building may not extend into any required setback.

…

E. Minimum Open Space Requirements:

…

2. Minimum Requirements:

a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, ~~with each area not less than two hundred twenty five (225) square feet~~ with no dimension less than ~~fifteen feet (15')~~ twenty feet (20').

…

I. Amend 14-2C-7, CN-1 Zone Site Development Standards, as follows:

C. CN-1 Site Plan Review Procedure:

1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the CN-1 zone site development standards to the subject property.

2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.

J. Amend 14-2C-8, Central Business Site Development Standards, as follows:

C. Site Plan Review Procedure:

1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the central business site development standards to the subject property. (Ord. 11-4450, 10-18-2011)

2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.

3. Alternative design solutions may be approved if it is demonstrated that the alternatives meet the intent of this section.

…

Q. Bonus Provisions: The following bonus provisions are intended to provide an incentive for developments to incorporate features that provide a public benefit and to encourage excellence in architectural design. Floor area in excess of that allowed by the permitted base floor area or dwelling units in excess of the density otherwise achievable under the provisions of this article may be granted. The director of ~~planning and community development~~ Neighborhood and Development Services will determine whether the proposed features are appropriate in design and location. Decisions of the director may be appealed to the board of adjustment. Bonuses allowed are enumerated in table 2C-4 of this section: (Ord. 06-4245, 12-12-2006; amd. Ord. 11-4450, 10-18-2011)

K. Amend 14-2C-9, Site Development Standards in MU Zone, as follows:

C. MU Zone Site Plan Review Procedure:

1. Prior to submitting a request for site plan review, the developer must participate in a preapplication conference with the director of ~~planning and community development~~ Neighborhood and Development Services or designee to discuss the application of the MU site development standards to the subject property.

2. Review for compliance with the standards and requirements of this section will occur concurrently and as a part of the site plan review process.

3. Alternative design solutions may be approved if it is demonstrated that the alternatives meet the intent of this section.

L. Amend 14-2C-10, Special Exceptions and Minor Modifications to Site Development Standards, as follows:

A special exception may be granted to waive or modify certain provisions of section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this article through the commercial reuse or historic preservation exceptions in accordance with section 14-2C-11, “Special Provisions.” A minor modification to adjust specific provisions of section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this article, may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the design review committee, the director of ~~planning and community development~~ Neighborhood and Development Services, and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, “Minor Modifications”, of this title:

…

M. Amend 14-2D-5, Industrial and Research Zone Site Development Standards, as follows:

G. Minor Modifications To Site Development Standards: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed below. Such requests will be reviewed by the director of ~~planning and community development~~ Neighborhood and Development Services and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title:

…

N. Amend 14-2F-5, Public Zone Site Development Standards, as follows

E. Minor Modifications To Site Development Standards: A minor modification to adjust specific provisions of this section may be requested in either of the qualifying situations listed in the subsections below. Such requests will be reviewed by the director of ~~planning and community development~~ Neighborhood and Development Services and the building official according to the procedures for minor modifications as set forth in chapter 8, article B of this title and must meet the following approval criteria. The following approval criteria are to be applied in lieu of the general approval criteria listed in section 14-4B-1, "Minor Modifications", of this title.

…

O. Amend 14-2H-2, Zones, as follows:

C. T3 Neighborhood Edge Zone (T3NE):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To Roofline[3]	 2.5 stories max.[2] 30' max. (C)
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling Height	9' min. (D)
b. Footprint	
Depth, Ground-Floor Space	30' min.[4] (E)
c. Standards	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See Building Height in Article 14-9A (General Definitions).	
[4] 12' min. for Cottage Court Building Type.	

…

D. T3 Neighborhood General Zone (T3NG):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 2.5 stories max.[2] 30' max. (C)

Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min.[4] (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height me asu rement. See building height in article 14-9A (General Definitions).	
[4] 12' min. for cottage court building type.	

…

E. T4 Neighborhood Small Zone (T4NS):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 2.5 stories max.[2] 30' max. (C)
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min.[4] (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).	
[4] 12' min. for cottage court building type.	

…

F. T4 Neighborhood Medium Zone (T4NM):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[3]	 3.5 stories max.[2] (C) 40' max.
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	9' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min. (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	
[2] ".5" refers to an occupiable attic.	
[3] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).	

…

G. T4 Main Street Zone (T4MS):

…

4. Building Form:

a. Height:	
Primary Building[1] Stories To roofline[2]	 4 stories max. 45' max. (C)
Accessory Structure(s)[1] ~~Carriage House~~ Accessory Dwelling Unit Other	 ~~2 stories max.~~ See sub section 14-4C-2A. 1 story max.
Ground Floor Ceiling	14' min. (D)
b. Footprint:	
Depth, ground-floor space	30' min. (E)
c. Standards:	
(1) Design Site Coverage defined by max. building size of primary building type allowed and ~~Carriage House per section 14-2H-6 (Building Type Standards)~~ Accessory Dwelling Unit per section 14-4C-2A and Item 5 (Building Placement) standards of this zone.	
[1] See section 14-2H-6 (Building Type Standards) for refinements to massing and height standards.	

[2] Typically measured from average finished grade along the frontage. Solar energy systems shall not be included in the maximum building height measurement. See building height in article 14-9A (General Definitions).

P. Amend 14-2H-3, Use Standards, as follows:

Table 14-2H-3B-2: Accessory Uses									
Use Categories	**T3NE**	**T3NG**	**T3NG-O**	**T4NS**	**T4NS-O**	**T4NM**	**T4NM-O**	**T4MS**	**Specific Standards**
Table 14-2H-3B-2: Accessory Uses									
Use Categories	**T3NE**	**T3NG**	**T3NG-O**	**T4NS**	**T4NS-O**	**T4NM**	**T4NM-O**	**T4MS**	**Specific Standards**
Accessory Dwelling Units (ADUs)[1]	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2A
Accessory Retail Sales	-	-	-	-	-	-	-	PR	14-4C-2B
Accessory Uses Within Parks And Open Spaces Uses	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2C
Bed And Breakfast Homestays	PR	PR	PR	-	-	-	-	-	14-4C-2D
Bed And Breakfast Inns	PR	PR	PR	-	-	-	-	-	14-4C-2E
Childcare Homes	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2G
Communication Towers, Antennas, And Satellite Recieving Devices	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2H (residential)
Daycare	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2I
Decks And Patios, Uncovered	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2J-2
Fences, Walls, And Hedges	PR	PR	PR	PR	PR	PR	PR	PR	14-2H-4B
Home Occupations	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2M
Mechanical Structures	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2N
Off Street Loading	-	-	-	PR	PR	PR	PR	PR	14-4C-2O
Outdoor Dumpster Areas	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2Q
Outdoor Lighting	PR	PR	PR	PR	PR	PR	PR	PR	14-4C-2R

Outdoor Service Areas	-	-	PR	-	PR	-	PR	PR	4-3-1 (RFC-G within 100' of a residential zone)
Swimming Pools, Hot Tubs, And Tennis Courts	PR	PR	PR	PR	PR	PR	PR	-	14-4C-2T (Residential Zones)
Signs	PR	PR	PR	PR	PR	PR	PR	PR	14-5B-8H
Small Wind Energy Conversion Systems	-	-	-	-	-	-	-	PR	14-4C-2Y (CC-2)
Rooftop Services Areas	-	-	-	-	-	-	-	PR	14-4C-2AA (CN-1)
~~[1] ADUs attached to the primary building must comply with sub-section 14-4C-2A. ADUs that are detached from the primary building units must comply with the carriage house requirements, see sub-section 14-2H-6C.~~									

Q. Amend 14-2H-6, Building Type Standards, as follows:

B. General Building Type Standards:

3. Building Types Per Design Site: Each design site shall contain only one primary building type, except as follows:

a. ~~Where allowed by the zone and as allowed in sub-section 14-2H-6C (Carriage House), one (1) carriage house is allowed in addition to the primary building type~~ Accessory dwelling units are allowed as provided in sub-section 14-4C-2A (Accessory Dwelling Units (ADUs)).;

b. Certain building types may consist of multiple individual buildings per design site as specified in Item 2 of each building type. For an example of a building type where a design site may include multiple individual buildings, see Cottage Court (14-2H-6H).

…

~~C. Carriage House:~~

A Carriage House utilizes a large dormer to create a unit over the garage.

Carriage House with unit accessed off of a side street.

Carriage House with unit accessed off a back yard.

~~1. Description:~~

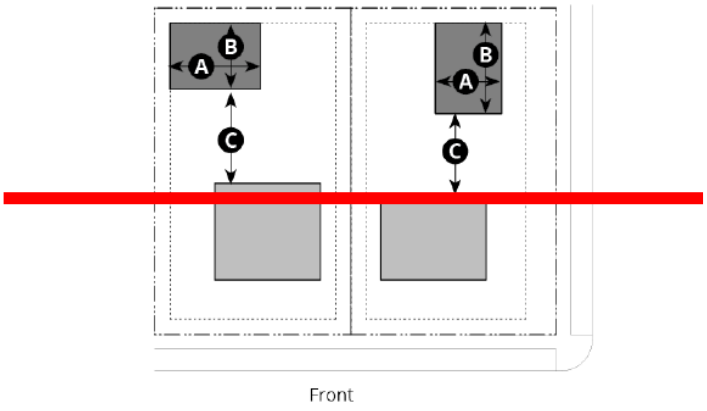
~~a. An accessory structure located at the rear of a design site, above the garage, that provides a small residential unit (accessory dwelling unit), home office space, or other small commercial or service use, as allowed by the zone. The carriage house is an accessory building type, not a primary building type.~~

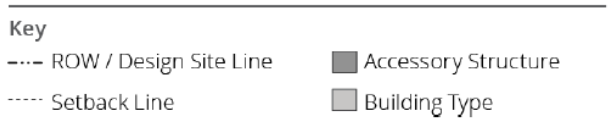
~~b. Not allowed with a cottage court (14-2H-6H).~~

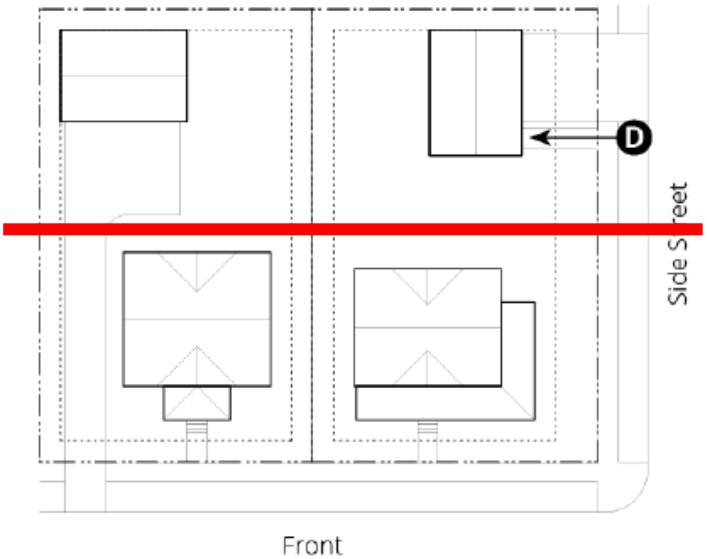
~~2. Number Of Units:~~

~~Units per building~~	~~1 max.~~
~~Buildings per design site~~	~~1 max.~~
-	-

~~House-scale building~~	~~-~~
~~T3NE~~	~~A~~
~~T3NG~~	~~A~~
~~T4NS~~	~~A~~
~~T4NM~~	~~A~~
~~T4MS~~	~~A~~
~~Key: A = Allowed X = Not Allowed~~	







~~3. Building Size And Massing:~~
~~a. Height:~~

-	~~T3NE~~	~~T3NG~~	~~T4NS~~	~~T4NM~~	~~T4MS~~
~~Max. Number of Stories~~	~~2~~	~~2~~	~~2~~	~~2~~	~~2~~

~~b. Main Body[1]:~~

~~Width~~	~~32' max.~~	~~(A)~~
~~Depth~~	~~24' max.~~	~~(B)~~
~~Separation from primary building[2]~~	~~15' min.~~	~~(C)~~
~~[1] Includes garage story.~~		
~~[2] Carriage house may be connected to primary building by an uninhabitable space including, but not limited to a breezeway.~~		

~~c. Standards:~~
~~(1) Carriage house shall not be taller or have a larger footprint than the primary building to which it is accessory.~~
~~(2) Carriage house must comply with the ownership and occupancy standards of sub-section 14-4C-2A (Accessory Dwelling Units (ADUs)).~~
~~4. Allowed Frontage Types: Frontage type not required.~~
~~5. Pedestrian Access:~~
~~a. Main entrance location at side street, alley or internal to design site. (D)~~
~~b. The main entrance shall not be through a garage.~~
~~6. Vehicle Access And Parking:~~
~~a. Driveway and parking location shall comply with standards in Item 7 (Parking) of the zone.~~
~~b. Alley access is required if alley exists.~~
~~7. Open Space:~~
~~a. Private Open Space: Not required.~~

~~D.~~ C. House Large:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.	

[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.

…

~~E.~~ D. House Small:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.	
[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.	

…

~~F.~~ E. Duplex Side-By-Side:

…

3. Building Size And Massing:

…		
c. Standards:		
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).		
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).		
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).		
[1] In compliance with the standards of the zone.		
[2] When units are rear loaded and only one story in height, the max. main body width may be increased to 60'.		
[3] When units are rear loaded and only one story in height, the max. main body depth may be increased to 70'.		
[4] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased to 45'.		

…

~~G.~~ F. Duplex Stacked:

…

3. Building Size And Massing:

…	

d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] Except when used for parking, front parking setback shall comply with standards in Item 7 (Parking) of the zone.	
[4] Except at a corner of two building faces where neither of those faces front a public right-of-way, then the minimum is 0'.	

…

~~H.~~ G. Cottage Court:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~I.~~ H. Multiplex Small:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~J.~~ I. Multiplex Large:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~K.~~ J. Townhouse:

…

3. Building Size And Massing:

…	
d. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) In T4NM-O and T4MS, each townhouse may be divided vertically into 3 units.	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	
[3] No separation is required for wings used for parking, when entirely behind attached townhomes.	

…

~~L.~~ K. Courtyard Building Small:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
(3) Rooftop room allowed on uppermost roof per sub-section 14-2H-7F (Rooftop Room).	
[1] In compliance with the standards of the zone.	
[2] When a porch is designed to extend the full width of the front facade (excluding garages), the maximum main body depth may be increased by 5'.	

…

~~M.~~ L. Courtyard Building Large:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	

…

~~N.~~ M. Main Street Building:

…

3. Building Size And Massing:

…	
c. Standards:	
(1) Facades facing a street or civic space must be designed in compliance with section 14-2H-7 (Architectural Element Standards).	
(2) Maximum one ~~carriage house~~ ADU is allowed per sub- section ~~14-2H-6C (Carriage House)~~ 14-4C-2A Accessory Dwelling Units (ADUs).	
[1] In compliance with the standards of the zone.	

…

R. Amend 14-3A-4, Approval Criteria, as follows:

C. Land Uses Allowed: A mixture of land uses are allowed in planned developments that might not otherwise be allowed with the underlying zoning. Land uses proposed must meet all of the dimensional and site development standards of the underlying base zone, unless a modification is specifically approved during the planned development process. The following provisions provide standards for uses that might not otherwise be allowed in the underlying zone:

1. Uses Allowed On Properties Zoned Residential: A mixture of housing types, including single-family, two-family, and multi-family dwellings, is encouraged in all residentially zoned planned developments. To help assure that the various building types are compatible with one another, similar architectural elements, scale, massing, and materials should be used and the following standards must be followed:

a. Single-Family And Two-Family Uses:

(1) Unless modified as allowed in subsection C1a(3) of this section, attached and detached zero lot line dwellings must comply with the specific approval criteria for attached and detached zero lot line dwellings in the RS-12 zone as set forth in chapter 4, article B, "Minor Modifications, Variances, Special Exceptions, And Provisional Uses", of this title. Townhouse style condominiums must also meet these approval criteria. In addition, the following provisions apply:

…

(C) ~~If the underlying base zone is RS-5 or RS-8, the requirement that attached single-family dwellings are only allowed on corner lots with each main entrance oriented toward a different street applies in all planned developments in order to encourage a mix of residential uses.~~ If multiple two-unit buildings will be located on a common lot, imaginary lot lines must be illustrated on the plan for purposes of determining where the corner units would be located according to base zone standards. This corner lot standard may only be waived if convincing evidence is submitted that the configuration of the property or other existing physical condition of the lot makes the application of this standard impractical. If this standard is waived the units must be designed and located in a

manner that prevents monotony by varying aspects such as facade detailing, window pattern, building materials, and color.

(2) Two-family uses must comply with the standards for two-family uses as set forth in chapter 4, article B, "Minor Modifications, Variances, Special Exceptions, And Provisional Uses", of this title. In addition, the following provisions will apply:

…

~~(C) If the underlying base zone is RS-5 or RS-8, the requirement that two-family uses are only allowed on corner lots with each main entrance oriented toward a different street applies in all planned developments in order to encourage a mix of residential uses. If multiple two-unit buildings will be located on a common lot, imaginary lot lines must be illustrated on the plan for purposes of determining where the corner units would be located according to base zone standards. This corner lot standard may only be waived if convincing evidence is submitted that the configuration of the property or other existing physical condition of the lot makes the application of this standard impractical. If this standard is waived the units must be designed and located in a manner that prevents monotony by varying aspects such as facade detailing, window pattern, building materials, and color.~~

~~(D)~~ (C) Garages and off street parking areas must be located and designed so that they do not dominate the streetscape according to the standards specified in subsection K1c(2) of this section.

S. Amend 14-3C-5, Approval Criteria for Sensitive Areas Developments, as follows:

If the building application deviates from approved design review applications, the director of ~~housing and inspection services~~ Neighborhood and Development Services or designee will inform the design review committee, who will then determine if the proposed changes are substantive. Substantive changes to an approved application for design review require submittal of those changes to the design review committee and approval thereof according to the applicable design review procedures. (Ord. 05-4186, 12-15-2005)

T. Amend 14-4A-2, Classifying Uses, as follows:

A. Use Characteristics:

…

2. In cases where a specific use is not listed as an example, the director of ~~housing and inspection services~~ Neighborhood and Development Services shall determine the appropriate category for a use based on the factors listed in subsection A1 of this section.

…

G. Use Classification For Establishments That Sell Alcohol:

…

3. Classification Process:

a. Prior to issuance of a license for a new use or renewal of a license for a use that was established prior to the effective date hereof, but which has not yet been classified according to these provisions, the licensee must submit to the department of ~~housing and inspection services~~ Neighborhood and Development Services a verified statement that details the nature of the principal use for which the license will be issued, the type of license(s) applied for, and the hours that the establishment will be open for business. The city may request any other information deemed necessary to verify and classify the use, including, but not limited to, business records upon which the statement is based, state and federal tax records, applications for dramshop insurance and audits performed to determine dramshop insurance premiums, and receipts from vendors for goods purchased.

…

U. Amend 14-4B-1, Minor Modifications, as follows:

A. Applicability: The building official may grant the following minor modifications from the requirements of this title, provided the approval criteria are met. Any requests for modifications that exceed the limitations set forth below and all other requests for modifications of the requirements of this title require the filing of a special exception or variance application with the Board of Adjustment.

…

13. Modifications to the driveway spacing standards contained in section 14-5C-4 of this title may be granted, provided there is no feasible alternative to the modification requested, and vehicular and/or pedestrian safety will not be compromised due to the modification. The building official must obtain approval from the City Engineer and the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

…

15. Modifications to the multi-family site development standards contained in section 14-2B-6 of this title according to the alternate approval criteria set forth in that section. The building official must obtain approval from the Design Review Committee and the Director of Planning and Community Development prior to granting any such modification. Such requests shall be reviewed and approved jointly by the Design Review Committee, the Director of ~~Planning and Community Development~~ Neighborhood and Development Services, and the Building Official.

16. Modifications to the site development standards contained in section 14-2C-6, 14-2C-7, 14-2C-8, or 14-2C-9 of this title according to the alternate approval criteria set forth in section 14-2C-10 of this title. The building official must obtain approval from the Design Review Committee and the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

17. Modifications to the site development standards contained in sections 14-2D-5, "Industrial And Research Zone Site Development Standards", and 14-2F-5, "Public Zone Site Development Standards", of this title according to the alternate approval criteria set forth in those sections, respectively. The building official must obtain approval from the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

18. One additional garage entrance/exit to structured parking may be granted according to the provisions of subsection 14-5A-5F7, "Garage Entrances/Exits", of this title. The building official must obtain approval from the Director of ~~Planning and Community Development~~ Neighborhood and Development Services prior to granting any such modification.

V. Amend 14-4B-4, Specific Approval Criteria for Provisional Uses and Special Exceptions, as follows:

E. Other Uses:

…

4. Communication Transmission Facilities in Residential Zones and ID-RS and ID-RM Zones:

…

b. Communications towers are allowed by special exception in the ID-RS and ID-RM zones and must comply with the following approval criteria:

~~(1) The proposed tower serves an area that cannot be served by an existing tower or industrial property or by locating antennas on existing structures in the area. The applicant must document attempts to utilize existing structures, towers, and commercial and industrial properties~~

~~within one-half (1/2) mile of the proposed tower. Such documentation must include maps illustrating the location of existing towers and potential alternative sites for antenna and towers that have been explored by the applicant and the applicant must state the reasons that these locations were not feasible.~~

~~(2)~~(1) The proposed tower will be designed and constructed in a manner that will camouflage the structure and reduce its visual impact on the surrounding area. Examples of camouflage design include monopoles, which do not have guywires or support trusses and that are painted to blend in with the sky or surroundings, towers camouflaged as flagpoles, monuments, steeples, or the integration of rooftop towers onto existing buildings, water towers, etc. Rooftop towers must use materials similar to or that blend in with the structure to which it is attached. Other camouflaged tower structures must be of similar height and appearance as other similar structures allowed in the zone, e.g., towers camouflaged as light poles or utility poles must be of similar height and appearance as other such poles. The applicant must include an illustration of how the tower would appear in the proposed location.

~~(3)~~ (2) The proposed tower will be no taller than is necessary to provide the service intended. Evidence presented should include coverage maps illustrating current gaps in coverage and changes to coverage with the proposed tower. Communications towers are exempt from the maximum height standards of the base zone, but under no circumstance may the tower be taller than one hundred twenty feet (120') from grade. If a communications tower is camouflaged to appear similar to another common structure allowed in the zone, it must comply with the same height standards that would apply to the type of structure that it emulates. For example, if the tower is camouflaged as a light pole, flagpole, or utility pole it must not exceed the height limitation for such structures as specified in the base zone. If no height standard exists in the code for such a structure, it must be designed to be of similar height and appearance to other similar or typical structures. If the tower is camouflaged as a chimney, steeple, or other similar rooftop structure, the board may exempt it from the base zone height standards if it is designed as if it were an integral part of the building and is not out of scale or proportion to other similar rooftop structures.

~~(4)~~ (3) The proposed tower will be set back from the property line at least a distance equal to the height of the tower.

~~(5)~~ (4) Any equipment associated with the tower facility will be enclosed in an equipment shed, cabinet, or building, which must be adequately screened from view of the public right of way and adjacent properties and designed in a manner that will be compatible and blend in with future residential development.

~~(6)~~ (5) The proposed tower will not utilize a backup generator as a principal power source. Backup generators may only be used in the event of a power outage. The board of adjustment may require that the electric distribution line necessary to furnish electric service to the tower be made underground from existing systems, however, this requirement would not apply to electrical transformers, meter pedestals, switchgear and other appurtenances impractical to bury.

~~(7)~~ (6) Strobe lighting is prohibited. Therefore, any tower that requires such illumination is prohibited in these zones.

~~(8)~~ (7) The proposed tower must be designed and constructed to accommodate at least one additional user, unless in doing so the tower will exceed the one hundred twenty foot (120') height limitation or if the board of adjustment determines that allowing the additional height needed to accommodate another user will detract from the area to the extent that it will prevent future development as envisioned in the comprehensive plan. The applicant shall provide a certification by a professional engineer licensed in this state that the proposed tower will be designed to permit a second antenna system of comparable size to be added to the tower above or immediately below the original antenna system.

~~(9)~~ (8) If use of the tower is discontinued, the tower and any associated equipment must be removed by the owner of the tower, the operator, or the owner of the property within one year of discontinuance of use and the land graded and replanted to prevent erosion. The applicant shall

present a signed lease agreement, a recorded declaration of covenants, or other satisfactory evidence acknowledging this obligation.

5. Communication Transmission Facilities In Commercial Zones And ID-C Zone; Privately Owned Communication Transmission Facilities In Public Zones:

…

b. Communications towers are allowed by special exception in public zones, the ID-C, CO-1, CN-1, CH-1, CI-1, CC-2, CB-2, CB-5, and CB-10 zones, and must comply with the following approval criteria:

(1) If the proposed tower will be located in an ID-C zone that is intended for a future neighborhood commercial zone according to the comprehensive plan, as amended, then it must comply with any specific standards listed below for CN-1 zones.

~~(2) The proposed tower serves an area that cannot be served by an existing tower or industrial property or by locating antennas on existing structures in the area. The applicant must document attempts to utilize existing structures, towers, and industrial properties within one-half (1/2) mile of the proposed tower. Such documentation must include maps illustrating the location of existing towers and potential alternative sites for antenna and towers that have been explored by the applicant and the applicant must state the reasons that these locations were not feasible.~~

~~(3)~~(2) The proposed tower will be constructed in a manner that will camouflage the structure and reduce its visual impact on the surrounding area. Examples of camouflage design include monopoles, which do not have guywires or support trusses and that are painted to blend in with the sky or surroundings, towers camouflaged as flagpoles, monuments, steeples, or the integration of rooftop towers onto existing buildings, water towers, etc. Rooftop towers must use materials similar to or that blend in with the structure to which it is attached. Other camouflaged tower structures must be of similar height and appearance as other similar structures allowed in the zone, e.g., towers camouflaged as light poles or utility poles must be of similar height and appearance as other such poles. The applicant must include an illustration of how the tower would appear in the proposed location.

~~(4)~~(3) The proposed tower will be no taller than is necessary to provide the service intended. Evidence presented should include coverage maps illustrating current gaps in coverage and changes to coverage with the proposed tower. In the ID-C (except areas intended for CN-1), CH-1, CC-2, CI-1, CB-2, CB-5 and CB-10 zones, communications towers are exempt from the maximum height standards of the base zone, but under no circumstance may the tower be taller than one hundred twenty feet (120') from grade. In the CO-1, CN-1, and any ID-C zone intended for CN-1, communications towers must comply with the same height standards that would apply to the type of structure to which they are attached or if a communications tower is camouflaged to appear similar to another common structure allowed in the zone, it must comply with the same height standards that would apply to the type of structure that it emulates. For example, if the tower is camouflaged as a light pole, flagpole, or utility pole it must not exceed the height limitation for such structures as specified in the base zone. If no height standard exists in the code for such a structure, it must be designed to be of similar height and appearance to other similar or typical structures. If the tower is camouflaged as a chimney or other similar rooftop structure, the board may exempt it from the base zone height standards if it is designed as if it were an integral part of the building and is not out of scale or proportion to other similar rooftop structures.

~~(5)~~(4) The proposed tower will be set back at least a distance equal to the height of the tower from any residential zone, ID-RS zone, and ID-RM zone.

~~(6)~~(5) Any equipment associated with the tower facility will be enclosed in an equipment shed, cabinet, or building, which must be adequately screened from view of the public right of way and any adjacent residential or commercial property.

~~(7)~~(6) The proposed tower will not utilize a backup generator as a principal power source. Backup generators may only be used in the event of a power outage.

~~(8)~~(7) In the CN-1 and CO-1 zones and in any ID-C zone that is intended for a future CN-

1 zone, strobe lighting is prohibited. Therefore, any tower that requires such illumination is prohibited in these zones. The tower will not be illuminated by strobe lights unless required by federal regulations. If alternatives are allowed under federal guidelines, strobe lights may not be used.

~~(9)~~(8) The proposed tower must be designed and constructed to accommodate at least one additional user, unless in doing so the tower will exceed the one hundred twenty foot (120') height limitation or if the board of adjustment determines that allowing the additional height needed to accommodate another user will detract from the area to the extent that it will prevent future development intended in the zone. The applicant shall provide a certification by a professional engineer licensed in this state that the proposed tower will be designed to permit a second antenna system of comparable size to be added to the tower above or immediately below the original antenna system.

~~(10)~~(9) If use of the tower is discontinued, the tower and any associated equipment must be removed by the owner of the tower, the operator, or the owner of the property within one year of discontinuance of use and the land graded and replanted to prevent erosion. The applicant shall present a signed lease agreement, a recorded declaration of covenants, or other satisfactory evidence acknowledging this obligation.

W. Amend 14-4C-2, Specific Approval Criteria, as follows:

A. Accessory Dwelling Units (ADUs): ADUs are permitted provided the following conditions are met:

1. Applicability:

a. The ADU is allowed on the same lot as a single family residence within a zoning district where a single family residence as defined by Iowa Code section 526A.6 is an allowed principal use in accordance with this section.

b. An ADU is not subject to Section 14-4C-3 of this article, except where those standards are more permissive than the provisions of Section 14-2A-4 of this title.

2. Ownership:

The ADU and the principal use must be under the same ownership.

3. Site Requirements:

Only one ADU may be established per lot.

4. Design Requirements:

The ADU must be a complete, separate dwelling unit that functions independently from the principal use. It must contain its own kitchen and bathroom facilities, in addition to a separate entrance from the exterior.

5. Accessory Dwelling Unit Size:

The floor area of the ADU may not exceed fifty percent (50%) of the total floor area of the principal use or one thousand (1,000) square feet, whichever is larger. Floor area is measured to the outside surface of exterior walls and excludes unfinished basements.

…

L. Fences, Walls, And Hedges:

1. Permit Required: A permit is required for all of the following:

a. Electric fences;

b. Barbed wire fences;

c. Any fence or wall over ~~six feet (6')~~ seven feet (7') in height;

d. Any retaining wall over four feet (4') in height measured from the top of the footing to the top of the wall; and

e. A retaining wall of any height that supports a surcharge or impounds flammable liquids.

…

Y. Small Wind Energy Conversion Systems: Small wind energy conversion systems (SWECS) are allowed as accessory uses in certain zones subject to the applicable approval process, standards and restrictions as set forth in this subsection.

…

11. Performance Standards: An applicant shall provide evidence to the city that the following standards will be met:

…

l. Removal: If the SWECS remains nonfunctional or inoperative for a continuous period of six (6) months, the system shall be deemed to be abandoned. The SWECS owner and/or the owner of the property shall remove the abandoned system at their expense. To comply with this requirement, the entire structure, transmission equipment and any surrounding fencing must be removed from the property, excluding foundations. Nonfunction or lack of operation may be proven by reports from the interconnected utility. For off grid systems the City of Iowa City shall have the right to enter the property at its sole discretion to determine if the off grid system is generating power. Such generation may be proven by use of an amp meter. The SWECS owner/operator and any successors shall make available to the Director of ~~Housing and Inspection Services~~ Neighborhood and Development Services or designee any and all reports or documents needed to determine functionality, if requested. If removal of towers and appurtenant facilities is required, the Director of ~~Housing and Inspection Services~~ Neighborhood and Development Services Department or designee shall notify in writing the SWECS owner and/or the owner of the property on which the SWECS is located. Removal shall be completed within six (6) months of the date of said written notice.

X. Amend 14-5A-5 as follows:

H. Design And Layout Of Surface Parking Areas: Except for parking for single-family and two-family uses, all parking and stacking spaces, aisles and drives must be designed as follows:

…

4. Partition Of Large Parking Areas: Surface parking areas that are larger than forty-five thousand (45,000) square feet or that have any perimeter dimension greater than three hundred feet (300') must be divided into smaller, connected lots to slow traffic movement, improve pedestrian safety, and reduce the visual impact of large parking areas. The following design techniques must be utilized to meet this standard. These design techniques may also be utilized as a means of meeting the pedestrian circulation standards of the base zone. (See figure 5A.4 of this subsection H4.)

…

c. Some parking areas may not easily accommodate the techniques described above, such as long and narrow parking lots, so other options may be approved by the Director of ~~Planning and Community Development~~ Neighborhood and Development Services, such as the use of landscaped islands to interrupt parking aisles and provide opportunities for pedestrian crossings.

Y. Amend 14-5B-2, Construction and Design Standards, as follows:

C. Sign Installer's License Required:

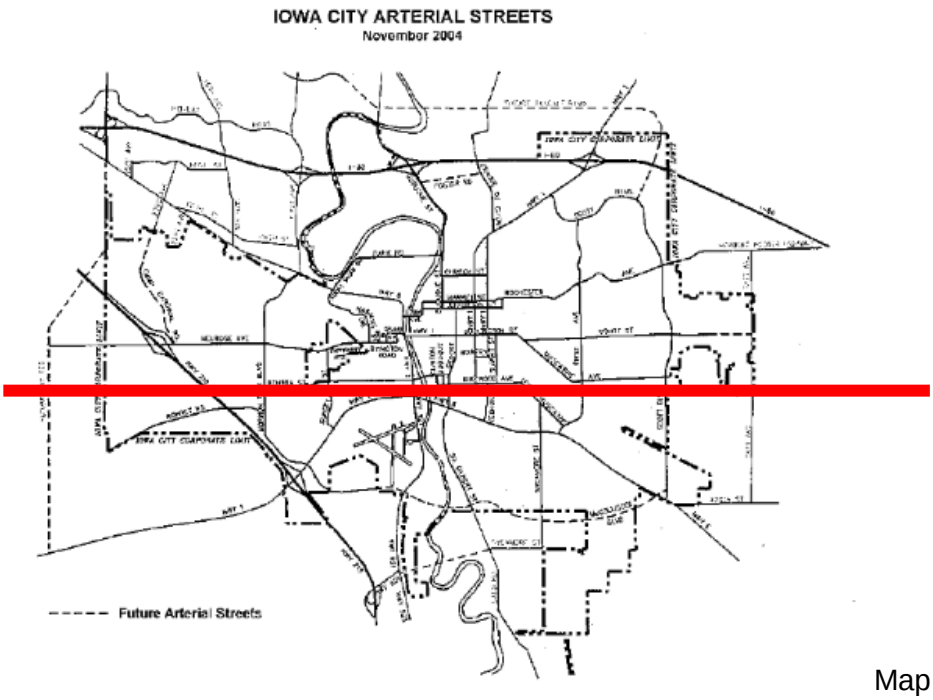
…

2. The license to install, alter, move, improve, remove or convert any sign as required herein shall be known as a "sign installer's license" and shall be issued by the city to the person desiring to perform the work indicated above. No such license shall be issued to any person until such person shall have paid to the city a license fee as established by resolution of city council and shall have filed with the ~~department of housing and inspection services~~ Department of

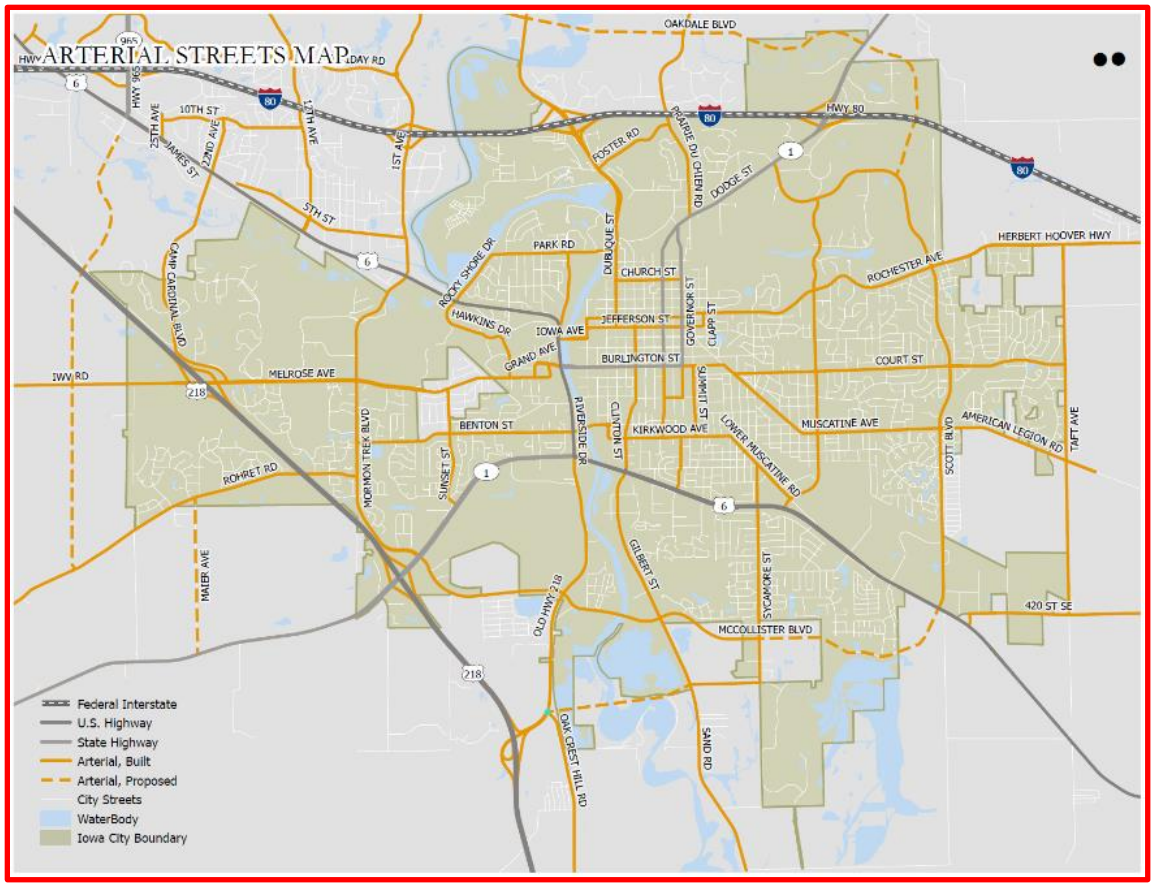
Neighborhood and Development Services a copy or a certificate of a contractor's public liability insurance policy with coverage limits as set out in this code. The city shall be designated as an additional insured, and the policy shall provide that the city is to be notified thirty (30) days in advance of the termination of the policy. The license shall indemnify and save harmless the city from any and all damage, judgment, cost or expense which the city may incur or suffer by reason of said license issuance.

Z. Amend 14-5C-6, Arterial Street Access Requirements, as follows:

F. Figure 5C-1 - Iowa City Arterial Street System:



Map 5C.1



AA. Amend 14-5H-8, Storage of Combustible and Flammable Materials, as follows:

A. Any combustible materials must be stored in such a way as to include, where necessary, access drives for firefighting equipment.

B. The ~~bulk~~ storage of flammable liquids and chemicals in aboveground storage tanks, when allowed, must be located no closer to a lot line or any principal building than is permitted by the international fire code, as amended. However, for aboveground storage tanks of two hundred seventy six (276) gallons' capacity or more, the minimum distance between such aboveground tanks and any residential zone boundary must be at least one hundred feet (100'). If the aboveground tank is located in an approved vault, the minimum separation distance from a residential zone boundary may be reduced to no less than fifty feet (50').

C. The underground ~~bulk~~ storage of flammable liquids, when allowed, must be located in accordance with the international fire code, as amended. However, the minimum distance between such underground tanks and any residential zone boundary must be at least ten feet (10').

D. The ~~bulk~~ storage of flammable cryogenic fluids in stationary containers is prohibited in all zones, except in the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, storage of such fluids may be allowed, but only as specified and strictly regulated by the international fire code, as amended.

E. The ~~bulk~~ storage of class I and class II liquids in aboveground tanks is prohibited in all zones, except in the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, the storage of such liquids may be permitted, but only as specified and strictly regulated by the international fire code, as amended.

F. The ~~bulk~~ storage of liquefied petroleum gas is prohibited in all zones, except the CI-1, I-1, I-2, RDP, and ORP zones. In these listed zones, the storage of liquefied petroleum gas may be allowed, but only as specified and strictly regulated by the international fire code, as amended. (Ord. 05-4186, 12-15-2005)

AB. Amend 14-5K-3, Dedication of Land, as follows:

A. Amount Of Land To Be Dedicated: The amount of land dedication shall be determined by the following formula. This formula is deemed a reasonable calculation of the additional need for neighborhood open space created by the subject subdivision.

# of units x ~~PUD~~ PDU x 3/1,000, where
# of units = Number of new units is determined as noted in the Table 5K- 1;
PDU = Persons per dwelling unit based on the most recent census; and
3/1,000 = Acres of active neighborhood open space required per 1,000 persons.

AC. Amend 14-7A-1, Planning and Zoning Commission, as follows:

D. Commission Bylaws: The commission shall adopt bylaws to establish the time and place of meetings, the procedure for selecting a chairperson and vice chairperson, who shall act as chairperson when the chairperson is absent or abstaining, and a secretary and such other bylaws as are necessary to implement the provisions of this article. Copies of all bylaws shall be kept on file in the department of ~~planning and community development~~ Neighborhood and Development Services and in the office of the city clerk. (Ord. 05-4186, 12-15-2005)

AD. Amend 14-7A-3, Historic Preservation Commission, as follows:

D. Commission Bylaws: The commission shall adopt bylaws to establish the time and place of meetings, the procedure for selecting a Chairperson and Vice Chairperson, and such other bylaws as are necessary to implement the provisions of this article. The commission shall have the authority to adopt rules of procedure in connection with the approval or disapproval of certificates of appropriateness subject to approval of the City Council. Copies of all bylaws shall be kept on file in the Department of ~~Planning and Community Development~~ Neighborhood and Development Services and in the Office of the City Clerk.

AE. Amend 14-8B-2C, Access Permit, as follows:

C. Approval Procedure:
…
2. If access to an arterial street is requested, the city engineer and the building official will consult with the director of ~~planning and community development~~ Neighborhood and Development Services or designee. Joint approval from all three (3) city officials or their designees is required prior to granting access to an arterial street.

AF. Amend 14-8B-3, Design Review, as follows:

B. Submittal Requirements:
1. The applicant must file an application for design review with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.
2. Supporting materials must be submitted as specified on the application form.

C. Approval Procedure:

1. Upon receipt of a complete application, the design review committee will review said application for compliance with the applicable standards and approval criteria as set forth in chapter 3, article C, "Design Review", of this title.

2. Within thirty (30) working days of the date a complete application is submitted to the city, the design review committee will approve, approve with modifications agreed to by the applicant, or disapprove the application.

3. If the committee does not act within the thirty (30) day time period and the applicant does not agree to an extension of time, the application will be deemed approved.

4. For level I design review applications, the committee's findings on each application shall be set forth in a written decision, which will be filed in the respective property file in the department of ~~housing and inspection services~~ Neighborhood and Development Services. A copy of said decision will be mailed to the applicant at the time of filing.

5. For level II design review applications, the committee's findings on each application will be set forth in a written recommendation to the city council. The city council will, after receipt of the recommendation of the committee, or after the time of any extension thereof has passed for the committee to file their recommendation, make approval or rejection of the application. City council approval of the plans shall require a majority of votes cast at any meeting at which a quorum is present. The city council's findings on each application shall be set forth in a written resolution, to be filed in the office of the city clerk. A copy of said resolution will be mailed to the applicant at the time of filing. (Ord. 05-4186, 12-15-2005)

AG. Amend 14-8B-4, Fence Permit, as follows:

A. Permit Required: Prior to construction of any of the following types of fences or walls, a building permit must be obtained from the department of ~~housing and inspection services~~ Neighborhood and Development Services:

1. Electric fences;
2. Barbed wire fences;
3. Any fence or wall over six feet (6') in height;
4. Any retaining wall over four feet (4') in height measured from the top of the footing to the top of the wall; and
5. A retaining wall of any height that supports a surcharge or impounds flammable liquids.

B. Submittal Requirements:

1. An application for a building permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form. (Ord. 06-4245, 12-12-2006)

AH. Amend 14-8B-6, Home Occupation Permit, as follows:

A. Permit Required: Prior to establishment of a type B home occupation, as defined in subsection 14-4C-2M, "Home Occupations", of this title, a home occupation permit must be obtained from the department of ~~housing and inspection services~~ Neighborhood and Development Services.

B. Submittal Requirements:

1. An application for a home occupation permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form.

AI. Amend 14-8B-7, Level I Sensitive Area Review, as follows:

A. Submittal Requirements:

1. An application for a level I sensitive areas review must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. All supporting materials, including a sensitive areas development plan, must be submitted as specified on the application form.

…

C. Issuance Of Permits: Sensitive areas development plans approved under a level I sensitive areas review will be retained in the department of ~~housing and inspection services~~ Neighborhood and Development Services, and permits will be issued only for structures and development activity conforming to the approved sensitive areas development plan. (Ord. 05-4186, 12-15-2005)

AJ. Amend 14-8B-8, Minor Modification, as follows:

A. Submittal Requirements:

1. An application for a minor modification must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form.

AK. Amend 14-8B-9, Sign Permit, as follows:

B. Submittal Requirements:

1. An application for a sign permit must be filed with the department of ~~housing and inspection services~~ Neighborhood and Development Services on application forms provided by the city.

2. All supporting materials must be submitted as specified on the application form.

AL. Amend 14-8B-10, Temporary Use Permit, as follows:

B. Submittal Requirements:

1. Application for a temporary use permit shall be submitted to the department of ~~housing and inspection services~~ Neighborhood and Development Services upon a form provided by the city.

2. All supporting materials must be submitted as specified on the application form. The building official or designee may also request other data, plans, and information deemed necessary to determine compliance with the provisions of chapter 4, article D, "Temporary Uses", of this title.

AM. Amend 14-8C-1, Procedures Generally, as follows:

E. Orders; Lapse Of Approval: Unless otherwise determined by the board, all orders of the board shall expire ~~six (6)~~ twelve (12) months from the date the written decision is filed with the city clerk unless the applicant shall have taken action within the ~~six (6)~~ twelve (12) month period to establish the use or construct the building permitted under the terms of the board's decision, such as obtaining a building permit and proceeding to completion in accordance with the terms of the permit. Upon written request and for good cause shown, the board may extend the expiration date of any order without further public hearing on the merits of the original appeal or application.

AN. Amend 14-8C-2, Special Exceptions and Variances, as follows:

A. Application Filing:

1. An application for a special exception or a variance must be filed with the city ~~clerk~~ on application forms provided by the city.

…

AO. Amend 14-8C-3, Appeals, as follows:

B. Appeal Procedures:

1. The appellant must file a notice of appeal with the city ~~clerk~~ on forms provided by the city, specifying the grounds of the appeal. Such appeal must be submitted within a reasonable time from the date of the action appealed from as provided by the rules of the board. A duplicate copy of such notice shall be filed with the secretary of the board of adjustment.

AP. Amend 14-8C-4, Religious Institution Appeals, as follows:

B. Application And Submittal Requirements:

1. Any person or persons may submit an application to the board of adjustment for a special exception under the provisions of this section.

2. Such application must be submitted to the city ~~clerk~~ on application forms provided by the city for a special exception and must include the following additional information:

a. A statement specifying the particular regulation or requirement of this title to which the requested exception relates;

b. A description of the intended use of land or activity for which the exception is being sought;

c. Documented evidence of how the specified regulation or requirement allegedly violates the person's freedom of religion based rights afforded under federal or state law;

d. A description of how granting the exception would be in the public interest and not be contrary to health, safety and welfare considerations; and

e. Any additional information requested by the board of adjustment that will assist them in making a determination regarding the application.

AQ. Amend 14-8D-1, Annexation or Severance of Territory – Voluntary, as follows:

A. Submittal Requirements:

1. Requests for annexation or severance must be filed with the city ~~clerk~~ on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form and as required by state law or state administrative rules. For annexation requests, the applicant must specify a desired zoning designation or zoning designations for the territory.

B. Optional Preapplication Conference: Any person or persons intending to request an annexation or severance is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to discuss the purpose for the requested annexation or severance, review applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for an annexation or severance.

AR. Amend 14-8D-3, Comprehensive Plan Amendment, as follows:

B. Optional Preapplication Conference: Any person intending to request an amendment to the city's comprehensive plan is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services. The purpose of the preapplication conference is to discuss basic intentions, review the applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for a comprehensive plan amendment.

C. Submittal Requirements: Unless the comprehensive plan amendment is initiated by the planning and zoning commission or the city council, the following application submittal procedures must be followed:

1. Applications for a comprehensive plan amendment must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form and must provide evidence that the approval criteria as set forth in subsection D of this section are met.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

D. Approval Criteria: Applications for a comprehensive plan amendment must include evidence that the following approval criteria are met:

1. Circumstances have changed and/or additional information or factors have come to light such that the proposed amendment is in the public interest.

2. The proposed amendment will be compatible with other policies or provisions of the comprehensive plan, including any district plans or other amendments thereto.

E. Staff Review: After receipt of a complete application, the director of ~~planning and community development~~ Department of Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission.

AS. Amend 14-8D-5, Zoning Map Amendments (Rezonings) and Zoning Code Text Amendments, as follows:

B. Optional Preapplication Conference: Any person intending to request a zoning map amendment or zoning code text amendment is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the existing zoning, discuss the purpose for the requested amendment, review applicable comprehensive plan and district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for a zoning map or zoning code text amendment.

C. Submittal Requirements: Unless the zoning map or zoning code text amendment is initiated by the planning and zoning commission or the city council, the following application submittal procedures must be followed:

1. Applications for a zoning map or zoning code text amendment must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form and must include a statement from the applicant explaining the reasons and justification for the requested amendment.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

D. Staff Review: After receipt of a complete application, the director of ~~planning and community development~~ Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission.

AT. Amend 14-8D-7, Planned Development Overlay (OPD) Rezoning, as follows:

A. Optional Preapplication Conference: Any person intending to request an OPD rezoning is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the existing zoning, discuss the purpose for the requested planned development, review applicable comprehensive plan policies, including any district plan policies that might affect the intended request, and ensure that the applicant is familiar with the review and approval procedures for a planned development overlay rezoning.

B. Submittal Requirements: Applications for an OPD rezoning must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

1. Preliminary Approval:

…

C. Approval Procedures For Planned Development Overlay Rezoning: Approval of a planned development overlay rezoning shall be by ordinance in accordance with the following procedures. Approval of a rezoning to OPD shall constitute approval of the preliminary OPD plan or, if applicable, the preliminary sensitive areas development plan.

1. Staff Review: Upon receipt of a complete application, staff from the department of ~~planning and community development~~ Neighborhood and Development Services will review the application for compliance with the applicable approval criteria as set forth in chapter 3, article A, "Planned Development Overlay Zone (OPD)", of this title. Staff will forward a report and recommendation to the planning and zoning commission for their consideration.

…

AU. Amend 14-8D-8, Vacation of Public Right of Way, as follows:

A. Optional Preapplication Conference: Any person intending to apply for a vacation of public right of way is encouraged to meet with staff from the department of ~~planning and community development~~ Neighborhood and Development Services to discuss basic intentions before investing time in detailed plans. The purpose of the preapplication conference is to review the proposed vacation and ensure that the applicant is familiar with the review and approval procedures for a vacation of public right of way.

B. Submittal Requirements:

1. An application for a vacation of public right of way must be filed with the city ~~clerk~~ on application forms provided by the department of ~~planning and community development~~ Neighborhood and Development Services.

2. Supporting materials must be submitted as specified on the application form.

~~3. The city clerk shall forward said application to the department of planning and community development.~~

C. Staff Review:

1. The director of ~~planning~~ Neighborhood and Development Services or designee will review the application with regard to the following factors:

a. Impact on pedestrian and vehicular access and circulation.

b. Impact on emergency and utility vehicle access and circulation.

c. Impact on access of adjacent private properties.

d. Desirability of right of way for access or circulation needs.
e. Location of utilities and other easements or restrictions on the property.
f. Any other relevant factors pertaining to the specific requested vacation.

2. Once information regarding utilities, adjacent property owners, and access issues has been collected and reviewed, the director of ~~planning~~ Neighborhood and Development Services or designee will forward a written report and recommendation to the planning and zoning commission regarding the requested vacation.

AV. Amend 14-8E-1, Designation of Historic Districts, Conservation Districts, and Local Historic Landmarks, as follows:

B. Historic Landmark Applications:

1. Applications for a historic landmark designation must be filed in the department of ~~planning and community development~~ Neighborhood and Development Services on application forms provided by the city. Supporting materials must be submitted as specified on the application form.

2. If the property has been registered on the National Register of Historic Places (NRHP), the NRHP registration form must accompany the application.

AW. Amend 14-8E-2, Historic Review, as follows:

A. Submittal Requirements:

1. Applications for historic review must be filed with the department of ~~planning and community development~~ Neighborhood and Development Services on application forms provided by the city.

2. Supporting materials must be submitted as specified on the application form. (Ord. 05-4186, 12-15-2005)

…

D. Appeals: Any person aggrieved by any decision of the commission regarding an application for historic review in a historic district or for a historic landmark may appeal the action to the city council. Any person aggrieved by any decision of the commission regarding an application for historic review in a conservation district may appeal the action to the board of adjustment. Procedures for such appeals are as follows:

1. Any appeal submitted by the applicant must be in writing and must be filed with the city ~~clerk~~ no later than ten (10) business days after the filing of the above mentioned decision. An appeal submitted by an aggrieved party, other than the applicant, must be in writing and must be filed with the city ~~clerk~~ no later than ten (10) business days after construction work pursuant to an approved certificate of appropriateness, certificate of no material effect, or certificate of economic hardship is observable from adjacent properties or the public right of way or ten (10) business days after an alleged violation of this article is similarly observable.

…

AX. Amend 14-8E-3, Certificate of Economic Hardship, as follows:

B. Submittal Requirements:

1. Applications for a certificate of economic hardship must be filed with the department of ~~planning and community development~~ Neighborhood and Development Services.

AY. Amend 15-2-1, Concept Plan, as follows:

A. Applicability: Whenever the owner of any tract or parcel of land within the corporate limits of the city or within two (2) miles thereof wishes to make a subdivision of the same, the owner or the owner's representative shall submit a concept plan to the department of ~~planning and community development~~ Neighborhood and Development Services for review prior to submission of a preliminary plat.

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section III. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication in accordance with Iowa Code Chapter 380.

Passed and approved this _____ day of _____, 2026.

_____
Mayor

Approved by

Attest:_____
City Clerk

_____
City Attorney's Office

Item Number: 10.a.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Resolution conveying a gas pipeline easement on and under portions of City property near the Wastewater Treatment Facility to accommodate distribution of renewable natural gas.

Prepared By:	Alexandra Bright, Asst. City Attorney
Reviewed By:	Geoff Fruin, City Manager
Staff Recommendation:	Approval
Attachments:	Resolution Easement Agreement Easement Exhibit

Executive Summary:
The City is working with MidAmerican Energy to distribute the renewable natural gas (RNG) that will be produced at the City's Wastewater Treatment Facility. This distribution will require the laying of additional gas pipeline in order to transport the RNG from the Facility. This pipeline will run through a portion of the Facility grounds, which are City property. MidAmerican Energy will therefore need an easement from the City for the gas pipeline.

Background / Analysis:
Because the easement will enable distribution of gas produced by the City, the easement will facilitate a service provided to, and requested by, the City. It thus serves a public purpose and does not require additional compensation.

Prepared by: Alexandra Bright, Asst. City Attorney, 410 E. Washington Street, Iowa City, IA 52240; 319-356-5030

Resolution No. _____

Resolution conveying a gas pipeline easement on and under portions of City property near the Wastewater Treatment Facility to accommodate distribution of renewable natural gas.

Whereas, the City of Iowa City ("City") is working with MidAmerican Energy Company to facilitate distribution of renewable natural gas produced at the City's Wastewater Treatment Facility; and

Whereas, MidAmerican Energy Company has requested that the City grant to it a pipeline easement across and under City-owned property near the Wastewater Treatment Facility, per the attached easement agreement and as depicted in the attached exhibit; and

Whereas, MidAmerican is making this request in order to facilitate services to be provided to the City in the form of distribution of renewable natural gas produced at the Wastewater Treatment Facility; and

Whereas, this easement will serve a public purpose and it is in the best interests of the public, and the City, to grant the gas pipeline easement.

Now, therefore, be it resolved by the City Council of the City of Iowa City, Iowa, that:

1. The conveyance of the gas pipeline easement shown on the attached exhibit is hereby approved, and the Mayor is hereby authorized to execute all necessary documents to convey the easement area and the City Clerk to attest the same on behalf of the City of Iowa City.

2. Upon execution of the legal documents, the City Clerk shall record this resolution and the attachments with the Johnson County Recorder's Office.

Passed and approved this _____ day of _____, 2026.

_____
Mayor

Attest: _____
City Clerk

Approved by:

_____
City Attorney's Office

It was moved by _____ and seconded by _____ the Resolution be adopted, and upon roll call there were:

Ayes:	Nays:	Absent:
_____	_____	_____ Alter
_____	_____	_____ Bergus
_____	_____	_____ Harmsen
_____	_____	_____ Moe
_____	_____	_____ Salih
_____	_____	_____ Teague
_____	_____	_____ Weilein

Prepared by and return to: Joshua T. Morse 563-333-8520
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES PO BOX 4350-DV10, Davenport, IA 52808

GAS PIPELINE EASEMENT

		State of	Iowa	
Folder No.	129303	County of	Johnson	
Work Req. No.	N/A	Section	35	
Project No.	CPCCCR1000000735	Township	79	North
		Range	6	West of the 5th P.M.

This Gas Pipeline Easement (this "Easement") is made this _____ day of _____, _____, by and between **City of Iowa City, Iowa, a municipal corporation**, its successors and assigns, (the "Grantor") and MidAmerican Energy Company, an Iowa corporation, its successors and assigns (the "Grantee") (individually referred to at times as "Party", or collectively the "Parties").

RECITALS

WHEREAS, Grantor is the owner of the property legally described as: See Exhibit A attached hereto (the "Property").

WHEREAS, Grantor desires to grant to Grantee the right to install and thereafter maintain an underground gas pipeline, to be located on a portion of the Property, and Grantee desires to accept the easement on the following terms and conditions.

NOW, THEREFORE, in consideration of the premises and for other valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. **Gas Pipeline Easement.** Grantor does hereby establish, give, grant, and convey to Grantee a perpetual, non-exclusive easement under, upon, through and across a portion of the Property as described on **Exhibit A** attached hereto (the "Easement Area"), to construct, attach, reconstruct, operate, maintain, replace or remove piping, line(s) and facilities for the transportation of natural gas, including but not limited to regulators, meters, valves, support brackets, line markers, blow-offs, pipe fittings, fencing, signage, protective post barriers, piping and other reasonably necessary equipment incident thereto (collectively "Facilities"), together with the right to survey the Property, conduct engineering and associated investigations including, but not limited to, core boring and soil testing, and the right of ingress and egress to and from same and all the rights and privileges incident and necessary to the enjoyment of this Easement.

2. **Erection and Placement of Structures, Obstructions, Plantings or Materials Prohibited.** Grantor shall not construct or place any permanent or temporary buildings, structures, fences, trees, plants or

other objects on or within the Easement Area without prior written permission from Grantee indicating that said construction or placement will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities, nor shall Grantor cause or permit any obstruction or material to be placed on or within the Easement Area without prior written permission from Grantee. No brush, vegetation or other flammable materials shall be deposited, placed, accumulated, or burned within the Easement Area. Subject to the rights of Grantee granted in this Easement, Grantor shall have the right to cultivate, use, and occupy the Property.

3. **Change of Grade Prohibited.** Grantor shall not change the grade, elevation or contour of any part of the Easement Area without prior written consent from Grantee. Grantee shall have the right to restore any changes in grade, elevation or contour without prior written consent of Grantor.

4. **Violations by Grantor.** In the event Grantor, its successors, assigns, contractors, employees, or agents violates Section 2 or 3 above or otherwise commits an intentional or negligent act, which results in damage to Grantee's Facilities or the Easement Area, Grantor shall be solely responsible for all costs associated with the repair, reconstruction, replacement, and/or work to the Easement Area and Grantee's Facilities.

5. **Right of Access and Removal.** Grantee shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto. Grantee shall have the right to remove, trim, spray, or cut down any unauthorized fences, structures, trees, shrubs, branches, saplings, brush, vegetation, or other obstructions within, upon, across, along, adjacent to and overhanging the Easement Area that may interfere with the proper construction, maintenance, operation or removal of Grantee's Facilities.

6. **Property to be Restored.** Grantee shall repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by Grantee's construction, reconstruction, maintenance, operation, replacement or removal of Grantee's Facilities (except for damage to property placed subsequent to the granting of this easement). For any such repairs required to be made by Grantee hereunder, Grantee agrees to repair such damaged property to the approximate condition of such property existing immediately before being damaged, to the extent reasonably practicable. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.

7. **Easement Runs with the Land.** This Easement shall be deemed perpetual and to run with the land. All provisions of this Easement, including benefits and burdens, shall run with the Property and are binding upon and inure to the heirs, assigns, successors, tenants, and personal representatives of the Parties hereto.

8. **Grantor Certification.** Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

9. **Severability, Choice of Law and Waiver.** Each of the provisions of this Easement shall be enforceable independently of any other provision of this Easement and independent of any other claim or cause of action. In the event of any matter or dispute arising out of or related to this Easement, it is agreed between the parties that the law of the jurisdiction and location where this Easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this Easement without regard to the place of execution or place of performance thereof, or any conflicts or law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES

HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

10. **IRS W-9 Form.** Prior to any payments referenced herein being made, Grantor is required to submit a fully executed IRS W-9 form to Grantee. Grantor's failure to submit a fully executed IRS W-9 form shall not impact any other provisions or obligations under this Easement.

11. **Fee Simple.** Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this Easement.

12. **Counterparts.** This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original for all purposes and all of which together shall constitute one and the same instrument. Parties may sign and deliver this Easement by facsimile, electronic, or PDF signatures, each such signature to be treated as an original.

13. **Headings and Captions.** The titles or captions of sections and paragraphs in this Easement are provided for convenience of reference only and shall not be considered a part hereof for purposes for interpreting or applying this Easement, and such titles or captions do not define, limit, extend, explain or describe the scope or extent of this Easement or any of its terms or conditions.

14. **Entire Agreement.** It is mutually understood and agreed that this Easement covers all of the agreements and stipulations between the parties and that no representations or statements, oral or written, have been made modifying or changing the terms hereof.

15. **Amendment and Modification.** This Easement may be amended or modified only by a written agreement signed by all of the parties that are then subject hereto.

Signature Page Follows

Dated this _____ day of _____, _____

City of Iowa City, Iowa, a municipal corporation

By:_____

Name Printed:_____

Title:_____

ACKNOWLEDGMENT

STATE OF _____)
) ss
COUNTY OF _____)

This record was acknowledged before me on _____, 2026,

by_____as_____

of City of Iowa City, a municipal corporation.

_____
Signature of Notary Public

GAS PIPELINE EASEMENT EXHIBIT "A"
SECTION 35, T79N, R06W
IOWA CITY, JOHNSON COUNTY, IOWA

PROPERTY DESCRIPTION

The Northeast Quarter (NE 1/4) of Section Thirty–five (35), Township Seventy–nine North (T79N), Range Six West (R06W) of the Fifth Principal Meridian (5th P.M.), Iowa City, Johnson County, Iowa,

AND

All of Soccer Park Road Right–of–Way in the Southeast Quarter (SE 1/4) of said Section Thirty–five (35).

Note: There is no one single deed for the property. However, there are 36 condemnations according to the Iowa City Assessor. The legal description above was written by the Professional Land Surveyor below.

CES FILE NO. 2883

GAS PIPELINE EASEMENT AREA

An easement for gas pipeline purposes over, under and across the Northeast Quarter (NE 1/4) of Section Thirty–five (35), Township Seventy–nine North (T79N), Range Six West (R06W) of the Fifth (5th) Principal Meridian, Iowa City, Johnson County, Iowa. Said Easement is Thirty (30.00) feet wide lying Fifteen (15.00) feet on each side of the following described centerline:

Commencing at the East Quarter Corner (E 1/4) of aforesaid Thirty–five (35);

thence S88°32'08"W Twelve Hundred and Sixteen Hundredths (1200.16) feet along the South line of aforesaid Northeast Quarter (NE 1/4) to the point of beginning;

thence N01°15'35"W Forty–one and Seventy–eight Hundredths (41.78) feet;

thence Northerly Three Hundred Fifty–two and Fifty–five Hundredths (352.55) feet along the arc of a curve concave Easterly having a radius of Four Hundred (400.00) feet and a chord of Three Hundred Forty–one and Twenty–five Hundredths (341.25) feet which bears N23°59'22"E;

thence N49°14'20"E Three Hundred Twenty–one and Forty–one Hundredths (321.41) feet;

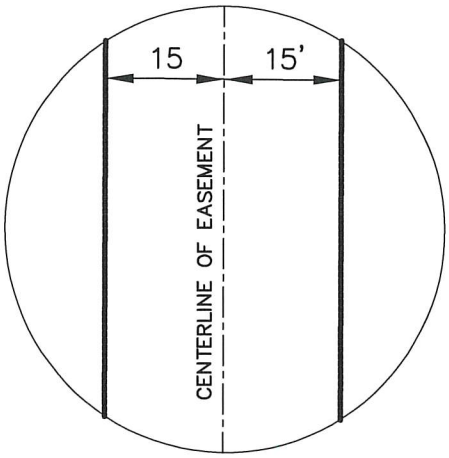
thence Northerly Three Hundred Fifty–five and Ninety Hundredths (355.90) feet along the arc of a curve concave Westerly having a radius of Four Hundred (400.00) feet and a chord of Three Hundred Forty–four and Twenty–eight Hundredths (344.28) feet which bears N23°44'57"E;

thence N01°44'25"W Fifty–one and One Hundredth (51.01) feet;

thence N88°15'35"E Four Hundred Fourteen and Eighty–nine Hundredths (414.89) feet;

thence N21°12'25"E One Hundred Seventy–four and Thirty–six Hundredths (174.36) feet;

(Continue on Sheet 2 of 4)



EASEMENT DETAIL
No Scale

CERTIFICATION

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

Signature: _____
David L. Scheil, P.L.S.

Date: _____, 20____ License No. 16775

Pages or Sheets Covered by this Seal: 1 of 4, 2 of 4, 3 of 4 and 4 of 4

My license renewal date is December 31, 2026

DRAWN BY: DLS	OWNER(S): City of Iowa City
CHECKED: WJC	Wayne Claassen Engineering and Surveying, Inc. 2705 University Avenue · P.O. Box 898 · Waterloo, Iowa 50701 Phone: (319) 235–6294 · Fax: (319) 235–0028
APPROVED:	
DATE: 03–12–2026	JOHNSON CO. SECTIONS 35, T–79N R–06W
SCALE:	
APPROVED:	

MIDAMERICAN ENERGY COMPANY®

EXHIBIT "A"
SHEET 1 OF 4

TRACT No.
IACTWWTP–001

GAS PIPELINE EASEMENT EXHIBIT "A"
SECTION 35, T79N, R06W
IOWA CITY, JOHNSON COUNTY, IOWA

GAS PIPELINE EASEMENT AREA

(Continued from Sheet 1 of 4)

thence Northerly Two Hundred One and Thirty–one Hundredths (201.31) feet along the arc of a curve concave Westerly having a radius of Five Hundred (500.00) feet and a chord of One Hundred Ninety–nine and Ninety–five Hundredths (199.95) feet which bears N09°40'22"E;

thence N01°51'42"W Thirty–three and Seventy–seven Hundredths (33.77) feet;

thence S88°08'18"W One Hundred Twenty and Eighty–nine Hundredths (120.89) feet to the point of termination containing 62,036 square feet (1.42 acres).

The sidelines of said easement shall be lengthened and /or shortened to terminate at aforesaid South line, and as needed to provide a continuous strip.

AND

An easement for gas pipeline purposes over, under and across the Northeast Quarter (NE 1/4) of Section Thirty–five (35), Township Seventy–nine North (T79N), Range Six West (R06W) of the Fifth (5th) Principal Meridian, Iowa City, Johnson County, Iowa, described as follows:

Commencing at the East Quarter Corner (E 1/4) of aforesaid Thirty–five (35);

thence S88°32'08"W Twelve Hundred and Sixteen Hundredths (1200.16) feet along the South line of aforesaid Northeast Quarter (NE 1/4);

thence N01°15'35"W Forty–one and Seventy–eight Hundredths (41.78) feet;

thence Northerly Three Hundred Fifty–two and Fifty–five Hundredths (352.55) feet along the arc of a curve concave Easterly having a radius of Four Hundred (400.00) feet and a chord of Three Hundred Forty–one and Twenty–five Hundredths (341.25) feet which bears N23°59'22"E;

thence N49°14'20"E Three Hundred Twenty–one and Forty–one Hundredths (321.41) feet;

thence Northerly Three Hundred Fifty–five and Ninety Hundredths (355.90) feet along the arc of a curve concave Westerly having a radius of Four Hundred (400.00) feet and a chord of Three Hundred Forty–four and Twenty–eight Hundredths (344.28) feet which bears N23°44'57"E;

thence N01°44'25"W Fifty–one and One Hundredth (51.01) feet;

thence N88°15'35"E Four Hundred Fourteen and Eighty–nine Hundredths (414.89) feet;

thence N21°12'25"E One Hundred Seventy–four and Thirty–six Hundredths (174.36) feet;

thence Northerly Two Hundred One and Thirty–one Hundredths (201.31) feet along the arc of a curve concave Westerly having a radius of Five Hundred (500.00) feet and a chord of One Hundred Ninety–nine and Ninety–five Hundredths (199.95) feet which bears N09°40'22"E;

thence N01°51'42"W Thirty–three and Seventy–seven Hundredths (33.77) feet;

thence S88°08'18"W One Hundred Twenty and Eighty–nine Hundredths (120.89) feet to the point of beginning;

thence N01°51'42"W Ten and One Hundredth (10.01) feet;

thence S88°08'18"W Twenty–four and Sixty–four Hundredths (24.64) feet;

thence S01°51'42"E Fifty (50.00) feet;

thence N88°08'18"E Fifty (50.00) feet;

thence N01°51'42"W Twenty–four and Ninety–nine Hundredths (24.99) feet;

thence S88°08'18"W Twenty–five and Thirty–six Hundredths (25.36) feet;

thence N01°51'42"W Fifteen (15.00) feet to the point of beginning containing 1866 square feet (0.04 acres).

CES FILE NO. 2883

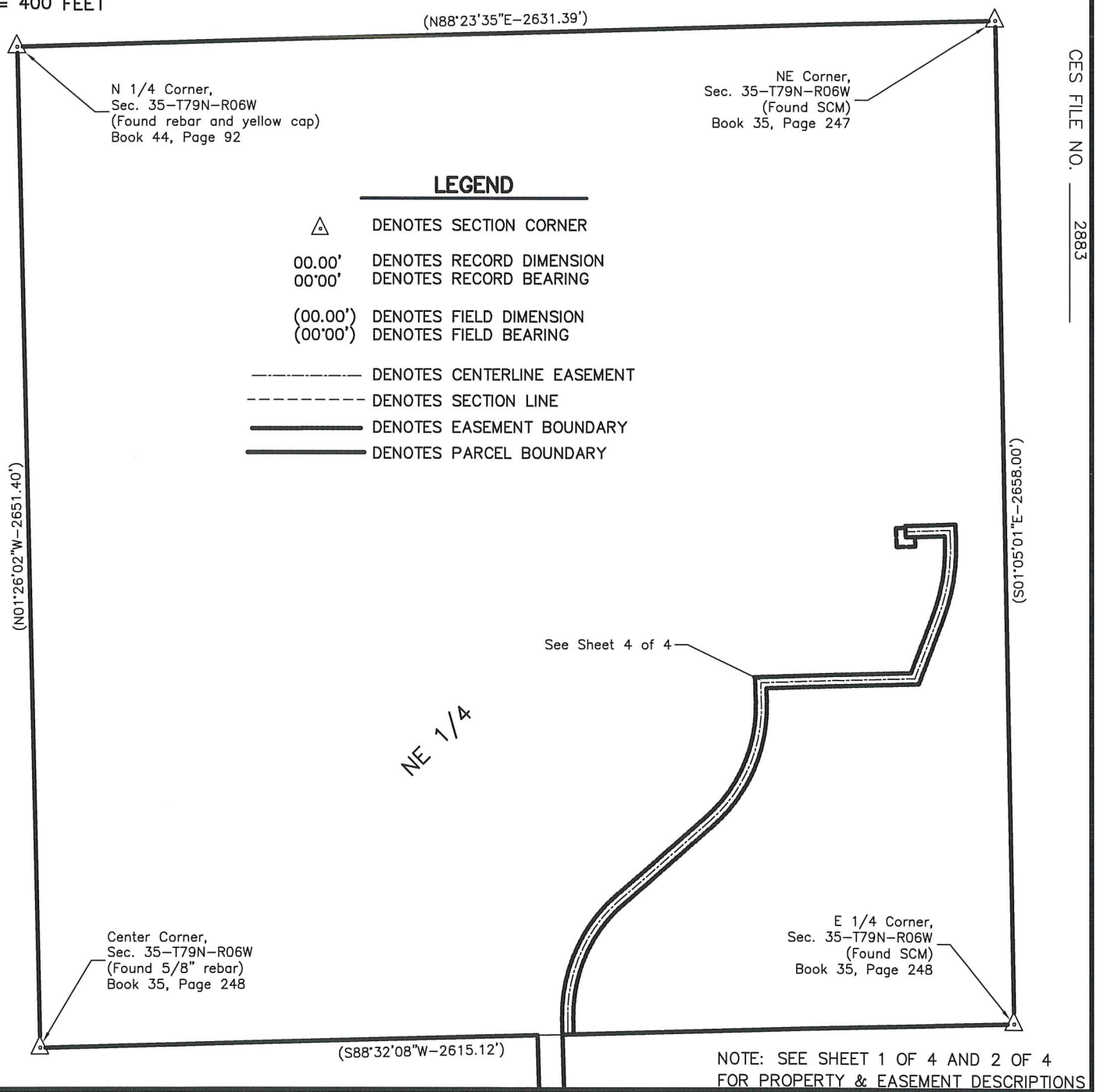
DRAWN BY: DLS	OWNER(S): City of Iowa City	MIDAMERICAN ENERGY COMPANY®	
CHECKED: WJC	Wayne Claassen Engineering and Surveying, Inc. 2705 University Avenue · P.O. Box ~~898~~ · Waterloo, Iowa 50701 Phone: (319) 235–6294 · Fax: (319) 235–0028		
APPROVED:			
DATE: 03–12–2026	JOHNSON CO. SECTIONS 35, T–79N R–06W	EXHIBIT "A" SHEET 2 OF 4	TRACT No. IACTWWTP–001
SCALE:			
APPROVED:			

GAS PIPELINE EASEMENT EXHIBIT "A"
SECTION 35, T79N, R06W
IOWA CITY, JOHNSON COUNTY, IOWA

R-06W

0 400

1 INCH = 400 FEET



CES FILE NO. 2883

NOTE: SEE SHEET 1 OF 4 AND 2 OF 4 FOR PROPERTY & EASEMENT DESCRIPTIONS

DRAWN BY: DLS	OWNER(S): City of Iowa City
CHECKED: WJC	Wayne Claassen Engineering and Surveying, Inc. 2705 University Avenue · P.O. Box 898 · Waterloo, Iowa 50701 Phone: (319) 235-6294 · Fax: (319) 235-0028
APPROVED:	
DATE: 03-12-2026	JOHNSON CO. SECTIONS 35, T-79N R-06W
SCALE: 1"=400'	EXHIBIT "A" SHEET 3 OF 4
APPROVED:	TRACT No. IACTWWTP-001

MIDAMERICAN ENERGY COMPANY®

GAS PIPELINE EASEMENT EXHIBIT "A"
SECTION 35, T79N, R06W
IOWA CITY, JOHNSON COUNTY, IOWA
R-06W

0 200

1 INCH = 200 FEET

LEGEND

- △ DENOTES SECTION CORNER
- 00.00' DENOTES RECORD DIMENSION
- 00°00' DENOTES RECORD BEARING
- (00.00') DENOTES FIELD DIMENSION
- (00°00') DENOTES FIELD BEARING
- DENOTES CENTERLINE EASEMENT
- DENOTES SECTION LINE
- DENOTES EASEMENT BOUNDARY
- DENOTES PARCEL BOUNDARY

CES FILE NO. 2883

See Detail below left

(S88°08'18"W) (120.89')

(33.77') (N01°51'41"W)

NE 1/4

C3

(N01°44'25"W) (51.01')

(N88°15'35"E-414.89')

(15.00')

(174.36') (N21°12'25"E)

(15.00')

30.00' Gas Pipeline Easement (62,036 Sq. Ft.) (1.42 Acres)

C2

L2 L1 L7 L3 L6 L5 L4

(S88°08'18"W-120.89')

Gas Pipeline Easement (1866 Sq. Ft.) (0.04 Acres)

DETAIL
NO SCALE

(N49°14'20"E-321.41')

C1

T-79N

Center Corner, Sec. 35-T79N-R06W (Found 5/8" rebar) Book 35, Page 248

(41.78') (N01°15'35"W)

(S88°32'08"W-1200.16')

E 1/4 Corner, Sec. 35-T79N-R06W (Found SCM) Book 35, Page 248

(S88°32'08"W-2615.12')

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD B
C1	(352.55')	(400.00')	(341.25')	(N23°59'22"E)
C2	(355.90')	(400.00')	(344.28')	(N23°44'57"E)
C3	(201.31')	(500.00')	(199.95')	(N09°40'22"E)

LINE TABLE		
LINE	DISTANCE	BEARING
1	(10.01')	(N01°51'42"W)
2	(24.64')	(S88°08'18"W)
3	(50.00')	(S01°51'42"E)
4	(50.00')	(N88°08'18"E)
5	(24.99')	(N01°51'42"W)
6	(25.36')	(S88°08'18"W)
7	(15.00')	(N01°51'42"W)

NOTE: SEE SHEET 1 OF 4 AND 2 OF 4 FOR PROPERTY & EASEMENT DESCRIPTIONS

DRAWN BY: DLS	OWNER(S): City of Iowa City	MIDAMERICAN ENERGY COMPANY
CHECKED: WJC	Wayne Claassen Engineering and Surveying, Inc. 2705 University Avenue · P.O. Box 898 · Waterloo, Iowa 50701 Phone: (319) 235-6294 · Fax: (319) 235-0028	
APPROVED:		
DATE: 03-12-2026	JOHNSON CO. SECTIONS 35, T-79N R-06W	EXHIBIT "A" SHEET 4 OF 4
SCALE: 1"=200'		TRACT No. IACTWWTP-001
APPROVED:		

Item Number: 10.b.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Ordinance amending Title 2, Human Rights, Chapter 1, General Provisions, Section 1, Definitions: to add a definition of “Sex Stereotyping”, and Title 2, Human Rights, Chapter 2, Human Rights Commission, Section 3, Structure: to amend the Human Rights Commissioner terms to two years in accordance with State law. (First Consideration)

Prepared By:	Eric R. Goers, City Attorney
Reviewed By:	Stefanie Bowers, Human Rights Coordinator Geoff Fruin, City Manager
Fiscal Impact:	none
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	Ordinance

Executive Summary:
This amendment is spurred by legislative changes made at the State level this spring. The State amended the length of term for commissioners on local civil rights commissions. The Iowa City Human Rights Commission serves as the City's local civil rights commission, so their terms are being changed from three years to two. The State also prohibited local governments from offering any civil rights protections beyond those delineated in the Iowa Civil Rights Act. The City therefore lost the ability to enforce the additional protections it had previously offered.

Background / Analysis:
The sex stereotyping definition is intended to ensure that residents and business owners are aware that discrimination based on sex stereotypes, such as a person's conformity to another's expectations on how a person of their sex should dress, speak, or present themselves, is sex discrimination, which remains illegal under both the Iowa City Human Rights Ordinance and the Iowa Civil Rights Act. Any such allegations will be fully investigated and enforced.

Prepared by: Eric R. Goers, City Attorney, 410 E. Washington Street, Iowa City, IA 52240; 319-356-5030

Ordinance number: _____

Ordinance amending Title 2, Human Rights, Chapter 1, General Provisions, Section 1, Definitions: to add a definition of “Sex Stereotyping”, and Title 2, Human Rights, Chapter 2, Human Rights Commission, Section 3, Structure: to amend the Human Rights Commissioner terms to two years in accordance with State law.

Whereas, for years the City of Iowa City has prohibited discrimination based on gender identity; and

Whereas, on March 13th, 2026, Governor Reynolds signed Senate File 579, which stated that “A city or local government shall not enact any ordinance or other law which is broader or has different categories of unfair or discriminatory practices than those provided in this chapter.”; and

Whereas, the City of Iowa City had already enacted the protections, so City staff took the position that the City could continue to enforce its ordinance; and

Whereas, HF 2800 added the words, “or enforce” to the earlier statutory amendment, prohibiting cities from either enacting or enforcing any protections beyond those provided by the Iowa Civil Rights Act; and

Whereas, on May 18th, 2026, House File 2800, having passed both the Iowa House and Senate, was sent to the Governor for her consideration; and

Whereas, Governor Reynolds had not yet signed HF 2800 as of May 26th, but the City has no reason to think the Governor will not do so; and

Whereas, the City wishes to make clear that sex stereotyping constitutes sex discrimination, which remains illegal under both the City’s Human Rights ordinance and the State’s Civil Rights Act; and

Whereas, the Council finds that:

- Sex stereotyping is a form of sex discrimination because it imposes burdens based on expectations derived from a person’s sex; and
- The United States Supreme Court held in *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989), that an employer who acts on the basis of a belief that a woman cannot be aggressive, or that she must not be, has acted on the basis of sex; and
- The Council intends the prohibition on sex stereotyping to reach all conduct in which a person is measured against, and penalized for departing from, expectations associated with their sex — without regard to how the person identifies, how the discriminating party characterizes the basis for its action, or whether the conduct also implicates any other characteristic; and
- No protected characteristic that is not enumerated in this ordinance shall be deemed incorporated by this definition, which operates solely within the established meaning of sex discrimination; and

Whereas, in order to fully inform the public of the continuing prohibition against sex

discrimination, including via sex stereotyping, the City wishes to offer greater clarity in the City's Definitions section by defining sex stereotyping as a form of sex discrimination, as has been held by the courts since 1989; and

Whereas, SF 579 also mandated the term for local civil rights commissions as follows, "The term of a commissioner appointed to a local agency or local commission shall be for two years."; and

Whereas, under City Code 2-2-3, the City's Human Rights Commission serves as the City's local civil rights commission and currently sets the term of Human Rights Commissioners as follows, "Appointees shall serve for a term of three (3) years and thereafter until a successor has been appointed."; and

Whereas, so as to comply with State Code, City Code 2-2-3 should be amended to reflect commissioner terms of two years; and

Whereas, it is in the best interests of the City to approve these amendments.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

Section 1. Amendments.

Title 2, Human Rights, Chapter 1, General Provisions, Section 1, Definitions: is hereby amended by adding the following **bold** text:

2-1-1: Definitions:

…

Sex Stereotyping: Relying on, enforcing, or penalizing departure from any assumption, norm, or expectation regarding how a person of a particular sex should appear, dress, speak, behave, or present themselves. Discrimination on the basis of sex includes any adverse treatment of a person because that person does not conform, or is perceived not to conform, to such expectations, regardless of whether the nonconformity is partial, complete, or intermittent. It is no defense that the respondent was unaware of the complainant's sex, or applied a uniform standard, if that standard derives from norms associated with a particular sex.

Title 2, Human Rights, Chapter 2, Human Rights Commission, Section 3, Structure: is hereby amended by adding the following **bold** text and deleting the following ~~strikethrough~~ text:

The commission shall consist of nine (9) members, appointed by vote of the city council. Appointees shall serve for a term of ~~three (3)~~ **two (2)** years~~ and thereafter until a successor has been appointed~~. Vacancies shall be filled for the remainder of the unexpired term. Appointments shall take into consideration persons of the various racial, religious, cultural, social and economic groups in the city.

Section 2. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section 3. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective date. This Ordinance shall be effective upon publication.

Passed and approved this _____ day of _____, 2026.

_____
Mayor

Attest:_____
City Clerk

Approved by

_____
City Attorney's Office

Item Number: 10.c.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants for a period of five years.(Second Consideration)

Prepared By:	Kirk Lehmann, Assistant City Manager
Reviewed By:	Geoff Fruin, City Manager Eric R. Goers, City Attorney
Fiscal Impact:	Renewal will have no impact but non-renewal would result in a loss in a loss of franchise fee revenue beginning December 2028. In FY27, MidAmerican's gas and electric franchise fees are expected to generate $1.97 million.
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	MidAmerican Iowa City Community Report, 2025 Ordinance

Executive Summary:
The City of Iowa City and MidAmerican Energy Company entered into an electric franchise agreement effective December 4, 2007 as codified at Title 12, Chapter 1 of the City Code. While the franchise has a maximum 25 year term under state law, it self-terminates if not renewed by Council each 10 years of the agreement. The renewal must be approved at least one and not more than two years prior to the self-termination date, and a public hearing is required by state law prior to any renewal. This item sets the public hearing for May 19, 2026.

Background / Analysis:
The franchise agreement codified at Title 12, Chapter 1 of the City Code was adopted following negotiations between the City and MidAmerican Energy. The City benefits from a strong working relationship with MidAmerican, and the terms of this agreement have served the City well. MidAmerican has consistently demonstrated a strong commitment to Iowa City through investments in infrastructure, including renewable energy. Attached you will find the most recent community report for Iowa City which summarizes the company's recent involvement in the Iowa City area.

City Council first extended the franchise agreement for 10 years on November 1, 2016. This franchise agreement is now set to terminate December 4, 2027 if Council does not renew the franchise by December 4, 2026. The proposed renewal to be considered on May 19 would extend the franchise agreement for its final 5 years to December 4, 2032 at which point it cannot be extended further. Should the agreement terminate, the City would lose the 2%

franchise fee currently applied to electric utility bills. The City estimates that MidAmerican's gas and electric franchise fees will generate approximately $1.97 million in Fiscal Year 2027 which help support fare-free transit, public safety, and public infrastructure.

MidAmerican Energy is a strong community partner that has been responsive to City needs and is open to collaborations as opportunities arise. As a result, staff recommends approval of the 5 year franchise renewal.

IOWA CITY COMMUNITY REPORT

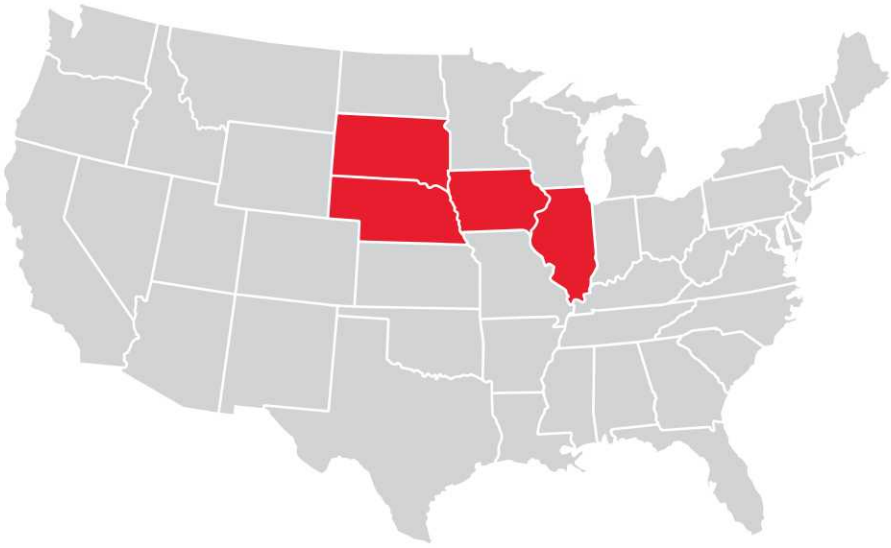
CALENDAR YEAR 2025

This report provides an annual update on the partnership between Iowa City and MidAmerican Energy. It summarizes the company's 2025 activities in the community, including employee engagement, local initiatives and corporate citizenship.

MidAmerican maintains a strong relationship with Iowa City through its operations and active involvement. For decades, MidAmerican has been the utility provider in Iowa City, with its service center located at 1630 Lower Muscatine Road. Eighty of MidAmerican's employees work out of this location to support electric and natural gas customers – they also live in and are actively involved in the community.

MIDAMERICAN ENERGY COMPANY
Obsessively, Relentlessly At Your Service®

MIDAMERICAN PROUDLY SERVES CUSTOMERS IN FOUR MIDWESTERN STATES



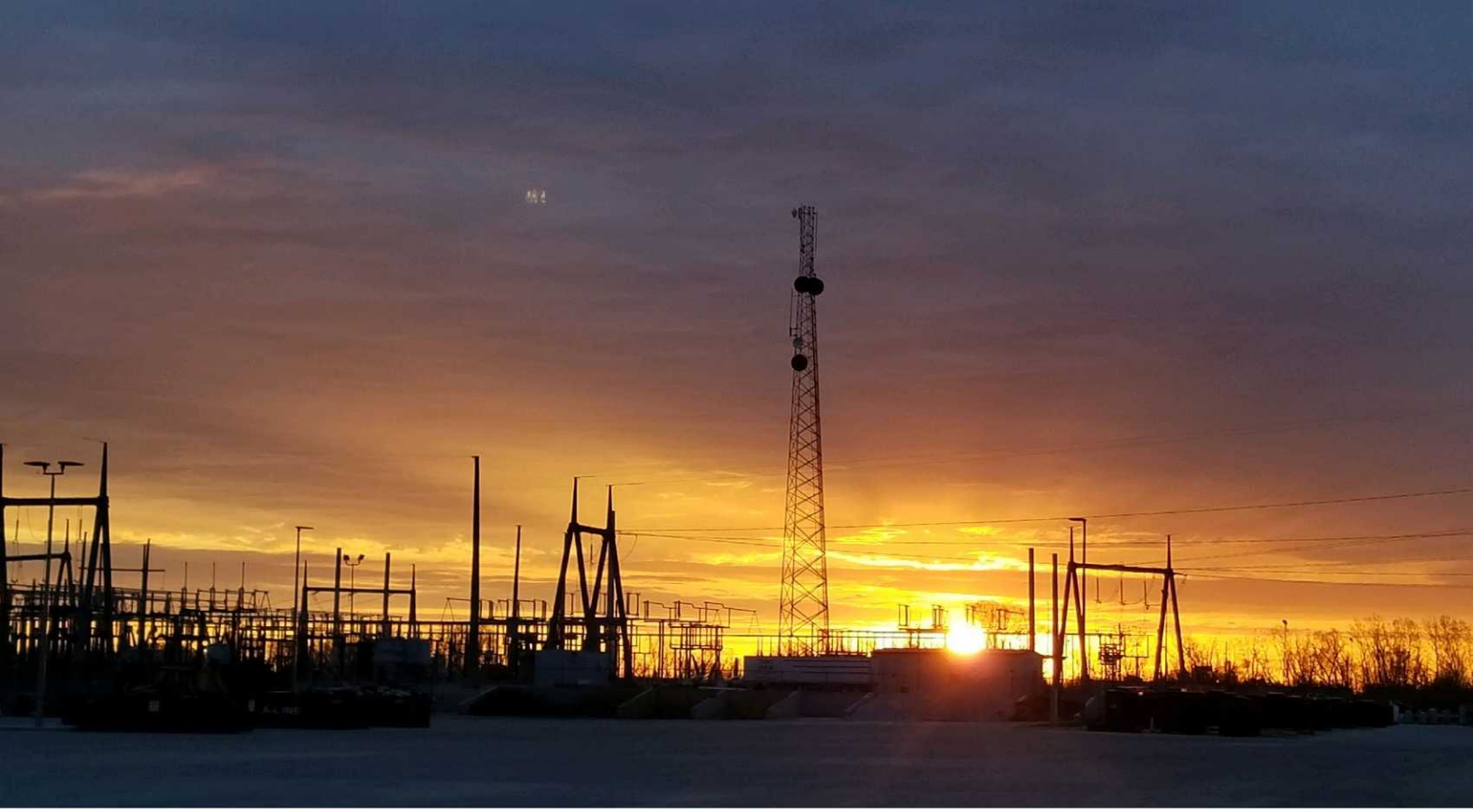
MidAmerican provides electric and natural gas service in Iowa, Illinois and South Dakota, and natural gas service in Nebraska.

We serve more than **838,000** electric customers

We safely manage more than **30,500** miles of power lines and **705,000** utility poles

We serve **811,000** natural gas customers

We safely operate more than **25,300** miles of natural gas pipelines, including natural gas distribution and transmission lines and equipment



RECENT PROJECTS SUPPORT IOWA CITY

MidAmerican has several expansive construction and infrastructure improvement projects to support Iowa City's continued growth.

2025 WORK

- Completed construction of the Lehman Avenue Substation
- Commissioned four remotely operated switches to improve outage restoration times
- Relocated and placed electric facilities underground in support of the East Court Street reconstruction project
- Relocated and placed electric facilities underground in support of the North Gilbert Street reconstruction project
- Completed the overhead-to-underground conversion of electric facilities on Denbeigh Drive to increase reliability

PLANNED FOR 2026

- Relocate and place electric facilities underground in support of the South Gilbert Street (phase two) reconstruction project
- Relocate and place electric facilities underground in support of the Taft Avenue reconstruction project
- Relocate and place electric facilities underground in support of the Dodge Street reconstruction project
- Install two new electric distribution circuits out of the new Lehman Avenue Substation to facilitate growth and improve reliability to the southeast part of Iowa City

OUR ALL-OF-THE-ABOVE APPROACH

MidAmerican meets customer demand through our all-of-the-above approach. We have a continued commitment to renewable energy, with proven, on-call power sources that meet our customers' growing demand.

MidAmerican is leading the nation in renewable energy. To complement our more than 7,800 megawatts of wind energy, we are very excited to announce our 2025 Solar Reliability Project is officially approved! The Iowa Utilities Commission (IUC) gave the 800-megawatt project the go-ahead. The approval clears the way for the largest solar expansion in state history and sets the stage for us to ensure affordable, reliable and sustainable power for customers for years to come, especially as demand for electricity continues to grow. The project will be located at several sites across Iowa, including 450 megawatts in Johnson, Mills, Sac and Washington counties. More sites are being identified to reach the full 800 megawatts. Once operational, the solar installations will produce enough energy to power 144,000 homes. Through the project, we will also provide nearly $25 million in property tax payments and $270 million in landowner lease payments. Construction has begun, with energy generation slated for 2026, 2027 and 2028.

In addition to our wind and solar resources, we are also constructing a simple-cycle natural gas combustion turbine (CT) project, generating up to 777 megawatts, in rural Adair County. CTs can cost effectively generate energy when customers need it the most. Natural gas is used to power CTs that produce electricity. CTs can start quickly to provide power during periods of high demand. They serve as "peaker" resources, only generating energy occasionally when demand is high and other forms of energy are not available to meet that demand. The facility is expected to operate less than 10% of the year but will be critical to generating energy when customers need it the most. MidAmerican has a decades-long track record of safely and successfully operating natural gas-fired CTs – there are 28 units across seven sites in our existing portfolio. It is a key addition to MidAmerican's all-of-the-above generation strategy.

New winter peak demand

MidAmerican is setting new records while delivering on our commitment to providing energy that is safe, reliable and affordable. We achieved a new winter peak demand of 4,931 megawatts on January 21, 2025. Our wind and coal resources worked together, allowing us to both meet our customers' needs and provide support for the broader region. Thanks to our diversified energy generation mix, our customers had reliable service throughout some of the coldest days of 2025.

OUR GREENADVANTAGE® PROGRAM

In 2025, MidAmerican delivered the equivalent of 95.9% carbon-free energy to serve Iowa customers' electricity usage over the course of the year. To support changing customer preferences and priorities, MidAmerican redefined the **GreenAdvantage program** in 2024 to track carbon-free energy. This includes sources, like nuclear, in addition to renewable energy, like wind and solar. The adjustment includes retiring emission-free energy certificates along with renewable energy credits originally included in the program.

Did you know?

Our Hills solar project, near Iowa City, includes 10,000 solar panels and delivers 3 megawatts of clean, renewable energy to our customers.

ECONOMIC DEVELOPMENT

MidAmerican works closely with site selectors, commercial developers, plus local, regional and state partners to attract and retain businesses. With our low rates, dependable and renewable energy, and reliable infrastructure, companies have competitive and economic advantages in MidAmerican's service area. **Economic development** is a key component of MidAmerican's value-added service to customers.

MidAmerican and our economic development team actively support the Greater Iowa City Inc. by providing financial assistance, serving on the executive committee, providing staff time to support business retention and expansion activities, plus providing utility expertise and other community development expertise to the organization. In addition to the executive board, MidAmerican has employees participating in the Economic Innovation Council and the Community Development Innovation Council.

The economic development team is working with the city to install a renewable natural gas (RNG) injection facility at the wastewater treatment plant (WWTP). The RNG facility will capture methane gas from the WWTP and inject the methane gas into the MidAmerican gas distribution system. The city benefits from selling the renewable attributes of the injected methane gas. The project is expected to be operational in June 2027.

Plus, MidAmerican's economic development and engineering teams are actively working to strengthen the long-term reliability for the University of Iowa Hospitals and the west side of the university's campus. While the hospital is currently supplied by two redundant electrical circuits, both circuits are supported by a shared transmission structure. In the event of a structural failure, both circuits would be affected. To address this risk, MidAmerican is working to separate these circuits off of the common transmission structures to create two separate feeds. This improvement will significantly enhance system resiliency by eliminating shared infrastructure and reducing the potential for concurrent outages. MidAmerican is fully absorbing the cost associated with this enhancement, demonstrating a strong commitment to supporting highly reliable electric service for the University of Iowa Hospitals and the surrounding campus.

CHARITABLE GIVING

MidAmerican is a long-standing partner and supporter of organizations around Iowa City! The company's support exceeded $124,000 in 2025. Giving from the company included:

- $81,852 to the University of Iowa Center for Advancement
- $40,000 in dues to Greater Iowa City Inc. for economic development activities
- $2,000 to the Greater Iowa City Area Home Builders Association
- $1,000 to the University of Iowa's Homecoming Parade

The **MidAmerican Energy Foundation** is also a proud supporter of many Iowa City organizations, with donations exceeding $106,000. Charitable giving in 2025 from the MidAmerican Energy Foundation included:

- $60,000 to the University of Iowa College of Engineering for FIRST Tech Challenge team programming for middle school students and high school teams
- $23,952 in contributions to United Way of Johnson and Washington Counties
- $15,000 sponsorship to the Summer of the Arts 2025 Iowa Arts Festival
- $5,000 to the Iowa Valley Habitat for Humanity Helping Hands repair program
- $1,000 to the University of Iowa College of Engineering American Society of Mechanical Engineers student club
- $500 to FILMSCENE to support the second annual Iowa Disability Film Festival
- $500 to the University of Iowa Department of Mathematics for the Sonia Kovalevsky High School Mathematics Day program
- $100 to Optimist Club of Iowa City for the 45th Annual Airport Breakfast

UNITED WAY OF JOHNSON AND WASHINGTON COUNTIES

MidAmerican believes in what United Way of Johnson and Washington Counties does to strengthen community resiliency by advancing health, youth opportunity and financial security. By supporting United Way through an annual campaign, we too are working toward a future where every person has the opportunity to reach their full potential.

In 2025, MidAmerican employees personally donated **$23,952** to the United Way of Johnson and Washington Counties.

A dollar-for-dollar match was provided by the MidAmerican Energy Foundation, totaling **$47,904** in contributions.

ENERGY EFFICIENCY

In 2025, the university collected energy efficiency dollars totaling $600,061.

The less energy customers use, the lower their energy bills. Saving energy is good for everyone.

Energy efficiency provides significant economic benefits to Iowa City residents, businesses, public facilities and the University of Iowa. We offer many programs and projects that impact residents' homes, as well as numerous commercial and community projects that reduce usage and costs.

MidAmerican's energy efficiency plan puts money back into customers' pockets and continues to provide a wide range of programs to encourage taking action to save energy.

In 2025, Iowa City residents and businesses received nearly $2 million in energy efficiency incentives and rebates, an increase of almost $128,000 from 2024. Plus, the University of Iowa continues to realize positive results from using the company's energy efficiency incentives. In 2025, the university collected energy efficiency dollars totaling $600,061.

MidAmerican also continued its **Trees Please! program** this year, providing Iowa City with a $5,000 grant to plant trees in places that can provide shade and windbreaks, saving buildings from high bills and overworked air conditioners.

PROPERTY TAXES

MidAmerican continues to be one of the largest property taxpayers in Iowa City and Johnson County. The combined property tax total for the past four years is nearly $6.4 million, broken down as follows:

- City of Iowa City - $2.5 million
- Public schools - $2.6 million
- Johnson County - $1 million
- Other - $271,873

For the tax year ending June 2025, the company paid nearly $1.6 million in property taxes, with the city receiving $620,706, schools $637,734, county $267,250 and other $68,963.

COMMUNITY INVOLVEMENT PROGRAM – CARES

Strong, vibrant and growing communities benefit everyone, and MidAmerican employees have a tradition of supporting the places we call home by volunteering for a wide variety of worthy causes. Through our **CARES initiative** – which stands for Community Enhancement, Arts and Culture, Environmental Respect, Education/ STEM and Safety – we sponsor events and donate to organizations that improve quality of life for our friends and neighbors.

"Through CARES, MidAmerican and its employees give our time, talent and resources to help build stronger and more sustainable communities through these five areas of giving," said Kathryn Kunert, vice president of economic connections and integration.

In addition to financial support, the CARES program showcases employee volunteerism. During 2025, Iowa City-area employees volunteered more than 150 hours! Across Iowa, MidAmerican employees logged nearly 17,000 hours by volunteering to participate in community betterment projects.

Highlights of 2025 CARES events and employee participation in Iowa City include:

- Iowa City School District's JA Biztown events
- Iowa Heartlander's hockey game
- ImpactLife Mobile Blood Drives at the Iowa City Service Center
- Habitat for Humanity on the Billie Townsend Women Build in Iowa City
- Domestic Violence Intervention Program: Shop for Survivors event
- Iowa Arts Festival
- No Foot Too Small Foundation Golf Classic at Finkbine Golf Course
- United Way's Ready, Set, School program
- IMOM Dental Clinic
- Table to Table, a free pop-up produce stand, and the Scattergood Farm harvest
- United Way math kits
- University of Iowa Homecoming Parade
- United Way's Holiday Adopt a Family Program

icare & BUDGET BILLING

I CARE is an energy assistance program that helps customers who are unemployed, living on fixed or low incomes, or experiencing a family crisis. The program provides assistance by helping these customers pay their heating bills or fund energy efficiency upgrades. I CARE funding comes from donations by employees and customers, with a percentage match made by MidAmerican. The I CARE program is annually advertised to customers through quarterly newsletters, billing inserts or messages on customer bills.

All donations are administered in Iowa City by Hawkeye Area Community Action Program, Inc. (HACAP). To qualify, customers must meet the state's Low-Income Home Energy Assistance Program guidelines. The 2025 donations from Iowa City customers and the company's match totaled $21,833, helping HACAP assist Iowa City area customers. To ensure all the donated funds can be used for their intended purpose, the company also pays administrative fees to HACAP.

MidAmerican helps customers manage their energy costs by offering the **Budget Billing program**. With Budget Billing, customers can sign up for a levelized payment plan based on past energy usage to allow for consistent payments, helping household budgets during the peak heating and cooling seasons.

Prepared by Kirk Lehmann, Assistant City Manager, 410 E. Washington St., Iowa City, IA (319)356-5014

Ordinance No._____

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants for a period of five years.

Whereas, the current electric franchise with MidAmerican Energy Company ("MidAmerican") was granted by Ordinance No. 07-4294 with an effective date of December 4, 2007 and is codified at Title 12, Chapter 1 "Electricity Franchise" of the City Code; and

Whereas, said ordinance embodies the terms of the agreement reached by the City and MidAmerican in negotiations preceding its adoption; and

Whereas, the franchise has a maximum 25 year term as allowed by Iowa law; and

Whereas, the franchise provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the tenth anniversary, the franchise will terminate; and

Whereas, by Ordinance No. 16-4681, the City Council renewed and continued the franchise for a period of ten years until December 4, 2027; and

Whereas, the franchise further provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the twentieth anniversary, the franchise will terminate; and

Whereas, while said ordinance requires a resolution of the Council to continue the franchise, Section 364.2(4)(a) of the Iowa Code requires that a city hold a public hearing prior to any renewal of a franchise and that the franchise be renewed by an ordinance, and the continuation is in essence a renewal; and

Whereas, the franchise will terminate on December 4, 2027 unless Council acts to renew it before December 4, 2026; and

Whereas, it is in the best interest of the City of Iowa City to renew and continue the franchise.

Now, therefore, be it resolved by the City Council of Iowa City, Iowa:

Section I. Amendments. Title 12, Chapter 1 "Electricity Franchise" is hereby amended as follows:

A. Renumbering the Chapter as Chapter 1A and renaming the Chapter as "Electric Franchise – MidAmerican Energy Company".

B. Adding a new Subsection B to Section 12-1-2 "Franchise Continuation; Termination" that reads: "This franchise is renewed and continued for a period of five (5) years until December 4, 2032."

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section III. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be effective upon publication.

Passed and approved this _____ day of _____, 2026.

_____
Bruce Teague, Mayor

Approved by:

Attest:_____
Kellie Grace, City Clerk

_____
City Attorney's Office
(Eric Goers – 05/14/2026)

Ordinance No. _____
Page No. _____

First Consideration: May 19, 2026

Vote for passage:

AYES: Bergus, Harmsen, Salih, Teague, Weilein

NAYS: None

ABSENT: Alter, Moe

Second Consideration: _____

Vote for passage:

AYES: _____

NAYS: _____

ABSENT: _____

Pass and Adopt:

It was moved by _____, and seconded by _____, that the ordinance as read be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:	
_____	_____	_____	Alter
_____	_____	_____	Bergus
_____	_____	_____	Harmsen
_____	_____	_____	Moe
_____	_____	_____	Salih
_____	_____	_____	Teague
_____	_____	_____	Weilein

Date published: _____

Item Number: 10.d.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, a natural gas system to furnish, deliver, and sell natural gas to said City and its inhabitants for a period of five years. (Second Consideration)

Prepared By:	Kirk Lehmann, Assistant City Manager
Reviewed By:	Geoff Fruin, City Manager Eric R. Goers, City Attorney
Fiscal Impact:	Renewal will have no impact but non-renewal would result in a loss of franchise fee revenue beginning December 2028. In FY27, MidAmerican's gas and electric franchise fees are expected to generate $1.97 million.
Staff Recommendation:	Approval
Attachments:	MidAmerican Iowa City Community Report, 2025 Ordinance

Executive Summary:
The City of Iowa City and MidAmerican Energy Company entered into a gas franchise agreement effective December 4, 2007 as codified at Title 12, Chapter 2 of the City Code. While the franchise has a maximum 25 year term under state law, it self-terminates if not renewed by Council each 10 years of the agreement. The renewal must be approved at least one and not more than two years prior to the self-termination date, and a public hearing is required by state law prior to any renewal. This item sets the public hearing for May 19, 2026.

Background / Analysis:
The franchise agreement codified at Title 12, Chapter 2 of the City Code was adopted following negotiations between the City and MidAmerican Energy. The City benefits from a strong working relationship with MidAmerican, and the terms of this agreement have served the City well. MidAmerican has consistently demonstrated a strong commitment to Iowa City through investments in infrastructure, including renewable energy. Attached you will find the most recent community report for Iowa City which summarizes the company's recent involvement in the Iowa City area.

City Council first extended the franchise agreement for 10 years on November 1, 2016. This franchise agreement is now set to terminate December 4, 2027 if Council does not renew the franchise by December 4, 2026. The proposed renewal to be considered on May 19 would extend the franchise agreement for its final 5 years to December 4, 2032 at which point it cannot be extended further. Should the agreement terminate, the City would lose the 2% franchise fee currently applied to gas utility bills. The City estimates that MidAmerican's gas

and electric franchise fees will generate approximately $1.97 million in Fiscal Year 2027 which help support fare-free transit, public safety, and public infrastructure.

MidAmerican Energy is a strong community partner that has been responsive to City needs and is open to collaborations as opportunities arise. As a result, staff recommends approval of the 5 year franchise renewal.

IOWA CITY COMMUNITY REPORT

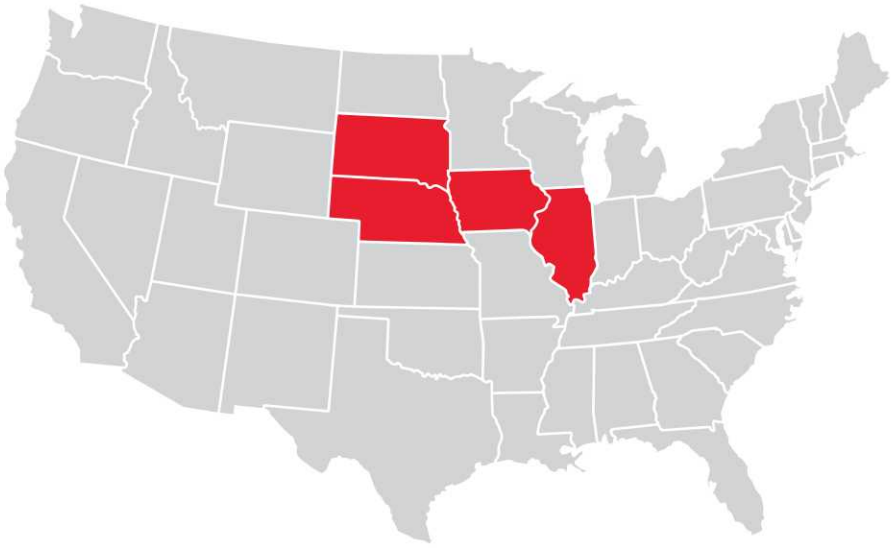
CALENDAR YEAR 2025

This report provides an annual update on the partnership between Iowa City and MidAmerican Energy. It summarizes the company's 2025 activities in the community, including employee engagement, local initiatives and corporate citizenship.

MidAmerican maintains a strong relationship with Iowa City through its operations and active involvement. For decades, MidAmerican has been the utility provider in Iowa City, with its service center located at 1630 Lower Muscatine Road. Eighty of MidAmerican's employees work out of this location to support electric and natural gas customers – they also live in and are actively involved in the community.

MIDAMERICAN ENERGY COMPANY
Obsessively, Relentlessly At Your Service®

MIDAMERICAN PROUDLY SERVES CUSTOMERS IN FOUR MIDWESTERN STATES



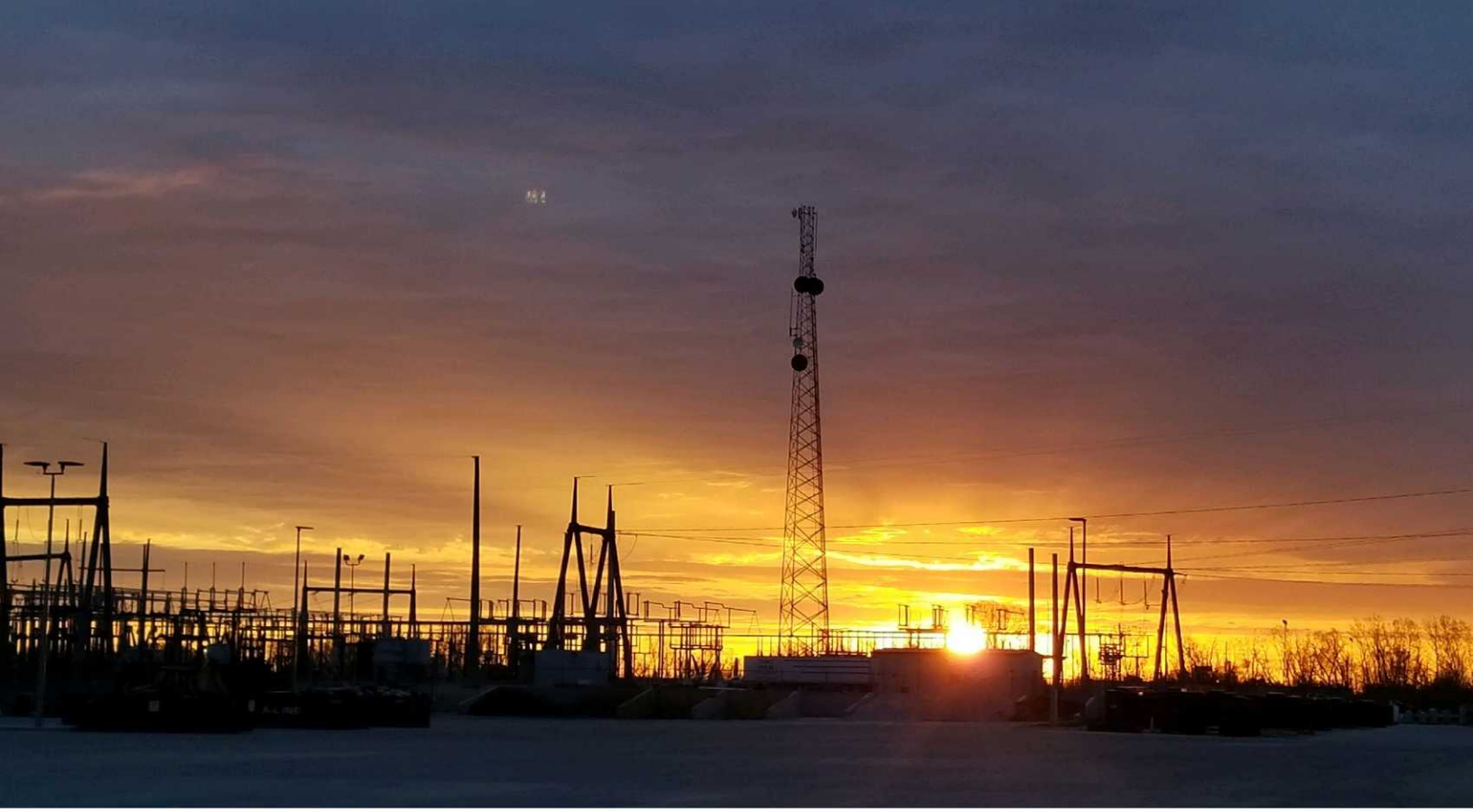
MidAmerican provides electric and natural gas service in Iowa, Illinois and South Dakota, and natural gas service in Nebraska.

We serve more than **838,000** electric customers

We safely manage more than **30,500** miles of power lines and **705,000** utility poles

We serve **811,000** natural gas customers

We safely operate more than **25,300** miles of natural gas pipelines, including natural gas distribution and transmission lines and equipment



RECENT PROJECTS SUPPORT IOWA CITY

MidAmerican has several expansive construction and infrastructure improvement projects to support Iowa City's continued growth.

2025 WORK

- Completed construction of the Lehman Avenue Substation
- Commissioned four remotely operated switches to improve outage restoration times
- Relocated and placed electric facilities underground in support of the East Court Street reconstruction project
- Relocated and placed electric facilities underground in support of the North Gilbert Street reconstruction project
- Completed the overhead-to-underground conversion of electric facilities on Denbeigh Drive to increase reliability

PLANNED FOR 2026

- Relocate and place electric facilities underground in support of the South Gilbert Street (phase two) reconstruction project
- Relocate and place electric facilities underground in support of the Taft Avenue reconstruction project
- Relocate and place electric facilities underground in support of the Dodge Street reconstruction project
- Install two new electric distribution circuits out of the new Lehman Avenue Substation to facilitate growth and improve reliability to the southeast part of Iowa City

OUR ALL-OF-THE-ABOVE APPROACH

MidAmerican meets customer demand through our all-of-the-above approach. We have a continued commitment to renewable energy, with proven, on-call power sources that meet our customers' growing demand.

MidAmerican is leading the nation in renewable energy. To complement our more than 7,800 megawatts of wind energy, we are very excited to announce our 2025 Solar Reliability Project is officially approved! The Iowa Utilities Commission (IUC) gave the 800-megawatt project the go-ahead. The approval clears the way for the largest solar expansion in state history and sets the stage for us to ensure affordable, reliable and sustainable power for customers for years to come, especially as demand for electricity continues to grow. The project will be located at several sites across Iowa, including 450 megawatts in Johnson, Mills, Sac and Washington counties. More sites are being identified to reach the full 800 megawatts. Once operational, the solar installations will produce enough energy to power 144,000 homes. Through the project, we will also provide nearly $25 million in property tax payments and $270 million in landowner lease payments. Construction has begun, with energy generation slated for 2026, 2027 and 2028.

In addition to our wind and solar resources, we are also constructing a simple-cycle natural gas combustion turbine (CT) project, generating up to 777 megawatts, in rural Adair County. CTs can cost effectively generate energy when customers need it the most. Natural gas is used to power CTs that produce electricity. CTs can start quickly to provide power during periods of high demand. They serve as "peaker" resources, only generating energy occasionally when demand is high and other forms of energy are not available to meet that demand. The facility is expected to operate less than 10% of the year but will be critical to generating energy when customers need it the most. MidAmerican has a decades-long track record of safely and successfully operating natural gas-fired CTs – there are 28 units across seven sites in our existing portfolio. It is a key addition to MidAmerican's all-of-the-above generation strategy.

New winter peak demand

MidAmerican is setting new records while delivering on our commitment to providing energy that is safe, reliable and affordable. We achieved a new winter peak demand of 4,931 megawatts on January 21, 2025. Our wind and coal resources worked together, allowing us to both meet our customers' needs and provide support for the broader region. Thanks to our diversified energy generation mix, our customers had reliable service throughout some of the coldest days of 2025.

OUR GREENADVANTAGE® PROGRAM

In 2025, MidAmerican delivered the equivalent of 95.9% carbon-free energy to serve Iowa customers' electricity usage over the course of the year. To support changing customer preferences and priorities, MidAmerican redefined the **GreenAdvantage program** in 2024 to track carbon-free energy. This includes sources, like nuclear, in addition to renewable energy, like wind and solar. The adjustment includes retiring emission-free energy certificates along with renewable energy credits originally included in the program.

Did you know?

Our Hills solar project, near Iowa City, includes 10,000 solar panels and delivers 3 megawatts of clean, renewable energy to our customers.

ECONOMIC DEVELOPMENT

MidAmerican works closely with site selectors, commercial developers, plus local, regional and state partners to attract and retain businesses. With our low rates, dependable and renewable energy, and reliable infrastructure, companies have competitive and economic advantages in MidAmerican's service area. **Economic development** is a key component of MidAmerican's value-added service to customers.

MidAmerican and our economic development team actively support the Greater Iowa City Inc. by providing financial assistance, serving on the executive committee, providing staff time to support business retention and expansion activities, plus providing utility expertise and other community development expertise to the organization. In addition to the executive board, MidAmerican has employees participating in the Economic Innovation Council and the Community Development Innovation Council.

The economic development team is working with the city to install a renewable natural gas (RNG) injection facility at the wastewater treatment plant (WWTP). The RNG facility will capture methane gas from the WWTP and inject the methane gas into the MidAmerican gas distribution system. The city benefits from selling the renewable attributes of the injected methane gas. The project is expected to be operational in June 2027.

Plus, MidAmerican's economic development and engineering teams are actively working to strengthen the long-term reliability for the University of Iowa Hospitals and the west side of the university's campus. While the hospital is currently supplied by two redundant electrical circuits, both circuits are supported by a shared transmission structure. In the event of a structural failure, both circuits would be affected. To address this risk, MidAmerican is working to separate these circuits off of the common transmission structures to create two separate feeds. This improvement will significantly enhance system resiliency by eliminating shared infrastructure and reducing the potential for concurrent outages. MidAmerican is fully absorbing the cost associated with this enhancement, demonstrating a strong commitment to supporting highly reliable electric service for the University of Iowa Hospitals and the surrounding campus.

CHARITABLE GIVING

MidAmerican is a long-standing partner and supporter of organizations around Iowa City! The company's support exceeded $124,000 in 2025. Giving from the company included:

- $81,852 to the University of Iowa Center for Advancement
- $40,000 in dues to Greater Iowa City Inc. for economic development activities
- $2,000 to the Greater Iowa City Area Home Builders Association
- $1,000 to the University of Iowa's Homecoming Parade

The **MidAmerican Energy Foundation** is also a proud supporter of many Iowa City organizations, with donations exceeding $106,000. Charitable giving in 2025 from the MidAmerican Energy Foundation included:

- $60,000 to the University of Iowa College of Engineering for FIRST Tech Challenge team programming for middle school students and high school teams
- $23,952 in contributions to United Way of Johnson and Washington Counties
- $15,000 sponsorship to the Summer of the Arts 2025 Iowa Arts Festival
- $5,000 to the Iowa Valley Habitat for Humanity Helping Hands repair program
- $1,000 to the University of Iowa College of Engineering American Society of Mechanical Engineers student club
- $500 to FILMSCENE to support the second annual Iowa Disability Film Festival
- $500 to the University of Iowa Department of Mathematics for the Sonia Kovalevsky High School Mathematics Day program
- $100 to Optimist Club of Iowa City for the 45th Annual Airport Breakfast

UNITED WAY OF JOHNSON AND WASHINGTON COUNTIES

MidAmerican believes in what United Way of Johnson and Washington Counties does to strengthen community resiliency by advancing health, youth opportunity and financial security. By supporting United Way through an annual campaign, we too are working toward a future where every person has the opportunity to reach their full potential.

In 2025, MidAmerican employees personally donated **$23,952** to the United Way of Johnson and Washington Counties.

A dollar-for-dollar match was provided by the MidAmerican Energy Foundation, totaling **$47,904** in contributions.

ENERGY EFFICIENCY

In 2025, the university collected energy efficiency dollars totaling $600,061.

The less energy customers use, the lower their energy bills. Saving energy is good for everyone.

Energy efficiency provides significant economic benefits to Iowa City residents, businesses, public facilities and the University of Iowa. We offer many programs and projects that impact residents' homes, as well as numerous commercial and community projects that reduce usage and costs.

MidAmerican's energy efficiency plan puts money back into customers' pockets and continues to provide a wide range of programs to encourage taking action to save energy.

In 2025, Iowa City residents and businesses received nearly $2 million in energy efficiency incentives and rebates, an increase of almost $128,000 from 2024. Plus, the University of Iowa continues to realize positive results from using the company's energy efficiency incentives. In 2025, the university collected energy efficiency dollars totaling $600,061.

MidAmerican also continued its **Trees Please! program** this year, providing Iowa City with a $5,000 grant to plant trees in places that can provide shade and windbreaks, saving buildings from high bills and overworked air conditioners.

PROPERTY TAXES

MidAmerican continues to be one of the largest property taxpayers in Iowa City and Johnson County. The combined property tax total for the past four years is nearly $6.4 million, broken down as follows:

- City of Iowa City - $2.5 million
- Public schools - $2.6 million
- Johnson County - $1 million
- Other - $271,873

For the tax year ending June 2025, the company paid nearly $1.6 million in property taxes, with the city receiving $620,706, schools $637,734, county $267,250 and other $68,963.

COMMUNITY INVOLVEMENT PROGRAM – CARES

Strong, vibrant and growing communities benefit everyone, and MidAmerican employees have a tradition of supporting the places we call home by volunteering for a wide variety of worthy causes. Through our **CARES initiative** – which stands for Community Enhancement, Arts and Culture, Environmental Respect, Education/ STEM and Safety – we sponsor events and donate to organizations that improve quality of life for our friends and neighbors.

"Through CARES, MidAmerican and its employees give our time, talent and resources to help build stronger and more sustainable communities through these five areas of giving," said Kathryn Kunert, vice president of economic connections and integration.

In addition to financial support, the CARES program showcases employee volunteerism. During 2025, Iowa City-area employees volunteered more than 150 hours! Across Iowa, MidAmerican employees logged nearly 17,000 hours by volunteering to participate in community betterment projects.

Highlights of 2025 CARES events and employee participation in Iowa City include:

- Iowa City School District's JA Biztown events
- Iowa Heartlander's hockey game
- ImpactLife Mobile Blood Drives at the Iowa City Service Center
- Habitat for Humanity on the Billie Townsend Women Build in Iowa City
- Domestic Violence Intervention Program: Shop for Survivors event
- Iowa Arts Festival
- No Foot Too Small Foundation Golf Classic at Finkbine Golf Course
- United Way's Ready, Set, School program
- IMOM Dental Clinic
- Table to Table, a free pop-up produce stand, and the Scattergood Farm harvest
- United Way math kits
- University of Iowa Homecoming Parade
- United Way's Holiday Adopt a Family Program

icare & BUDGET BILLING

I CARE is an energy assistance program that helps customers who are unemployed, living on fixed or low incomes, or experiencing a family crisis. The program provides assistance by helping these customers pay their heating bills or fund energy efficiency upgrades. I CARE funding comes from donations by employees and customers, with a percentage match made by MidAmerican. The I CARE program is annually advertised to customers through quarterly newsletters, billing inserts or messages on customer bills.

All donations are administered in Iowa City by Hawkeye Area Community Action Program, Inc. (HACAP). To qualify, customers must meet the state's Low-Income Home Energy Assistance Program guidelines. The 2025 donations from Iowa City customers and the company's match totaled $21,833, helping HACAP assist Iowa City area customers. To ensure all the donated funds can be used for their intended purpose, the company also pays administrative fees to HACAP.

MidAmerican helps customers manage their energy costs by offering the **Budget Billing program**. With Budget Billing, customers can sign up for a levelized payment plan based on past energy usage to allow for consistent payments, helping household budgets during the peak heating and cooling seasons.

Prepared by Kirk Lehmann, Assistant City Manager, 410 E. Washington St., Iowa City, IA (319)356-5014

Ordinance No._____

Ordinance renewing and continuing the franchise granted to MidAmerican Energy Company, its successors and assigns, to acquire, construct, erect, maintain, and operate in the City of Iowa City, a natural gas system to furnish, deliver, and sell natural gas to said City and its inhabitants for a period of five years.

Whereas, the current gas franchise with MidAmerican Energy Company ("MidAmerican") was granted by Ordinance No. 07-4293 with an effective date of December 4, 2007 and is codified at Title 12, Chapter 2 "Gas Franchise" of the City Code; and

Whereas, said ordinance embodies the terms of the agreement reached by the City and MidAmerican in negotiations preceding its adoption; and

Whereas, the franchise has a maximum 25 year term as allowed by Iowa law; and

Whereas, the franchise provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the tenth anniversary, the franchise will terminate; and

Whereas, by Ordinance No. 16-4682, the City Council renewed and continued the franchise for a period of ten years until December 4, 2027; and

Whereas, the franchise further provides that if the Council does not adopt a resolution to continue the franchise more than one, but less than two years prior to the twentieth anniversary, the franchise will terminate; and

Whereas, while said ordinance requires a resolution of the Council to continue the franchise, Section 364.2(4)(a) of the Iowa Code requires that a city hold a public hearing prior to any renewal of a franchise and that the franchise be renewed by an ordinance, and the continuation is in essence a renewal; and

Whereas, the franchise will terminate on December 4, 2027 unless Council acts to renew it before December 4, 2026; and

Whereas, it is in the best interest of the City of Iowa City to renew and continue the franchise.

Now, therefore, be it resolved by the City Council of Iowa City, Iowa:

Section I. Amendments. Title 12, Chapter 2 "Gas Franchise" is hereby amended by adding a new Subsection B to Section 12-2-2 "Franchise Continuation; Termination" that reads as follows:

B. This franchise is renewed and continued for a period of five (5) years until December 4, 2032.

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section III. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be effective upon publication.

Passed and approved this _____ day of _____, 2026.

_____
Bruce Teague, Mayor

Approved by:

Attest:_____
Kellie Grace, City Clerk

_____
City Attorney's Office
(Eric Goers – 05/14/2026)

Ordinance No. _____
Page No. _____

First Consideration: May 19, 2026

Vote for passage:

AYES: Bergus, Harmsen, Salih, Teague, Weilein

NAYS: None

ABSENT: Alter, Moe

Second Consideration: _____

Vote for passage:

AYES: _____

NAYS: _____

ABSENT: _____

Pass and Adopt:

It was moved by _____, and seconded by _____, that the ordinance as read be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:	
_____	_____	_____	Alter
_____	_____	_____	Bergus
_____	_____	_____	Harmsen
_____	_____	_____	Moe
_____	_____	_____	Salih
_____	_____	_____	Teague
_____	_____	_____	Weilein

Date published: _____

Item Number: 10.e.

CITY OF IOWA CITY
COUNCIL ACTION REPORT

June 2, 2026

Ordinance granting to Eastern Iowa Light and Power Cooperative, its successors and assigns, the right and franchise to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants, and to enact a two percent (2%) franchise fee on the gross revenue derived from the distribution, delivery, and retail sale of electricity by franchisees to customers within the current or future corporate limits of the City of Iowa City. (Second Consideration)

Prepared By:	Kirk Lehmann, Assistant City Manager
Reviewed By:	Geoff Fruin, City Manager Eric R. Goers, City Attorney
Fiscal Impact:	Application of the 2% franchise fee will increase general fund revenue effective October 1, 2026.
Staff Recommendation:	Approval
Commission Recommendations:	N/A
Attachments:	Eastern Iowa REC Service Territory Map Ordinance

Executive Summary:
Eastern Iowa Light and Power is a rural electric cooperative (REC) that provides electricity in several counties in southeast Iowa, including within a portion of Iowa City as shown in the attached service territory map. Eastern Iowa REC previously operated under a license agreement rather than under a franchise agreement, though the license agreement expired in 2008. The proposed ordinance grants Eastern Iowa a franchise for an electric and power system until December 4, 2032 which coincides with the maximum extension for the City's franchise agreements with MidAmerican Energy Company. The proposed ordinance also applies the City's 2% franchise fee on electricity to include Eastern Iowa REC. A public hearing is required by state law when a municipality is considering whether to grant a franchise.

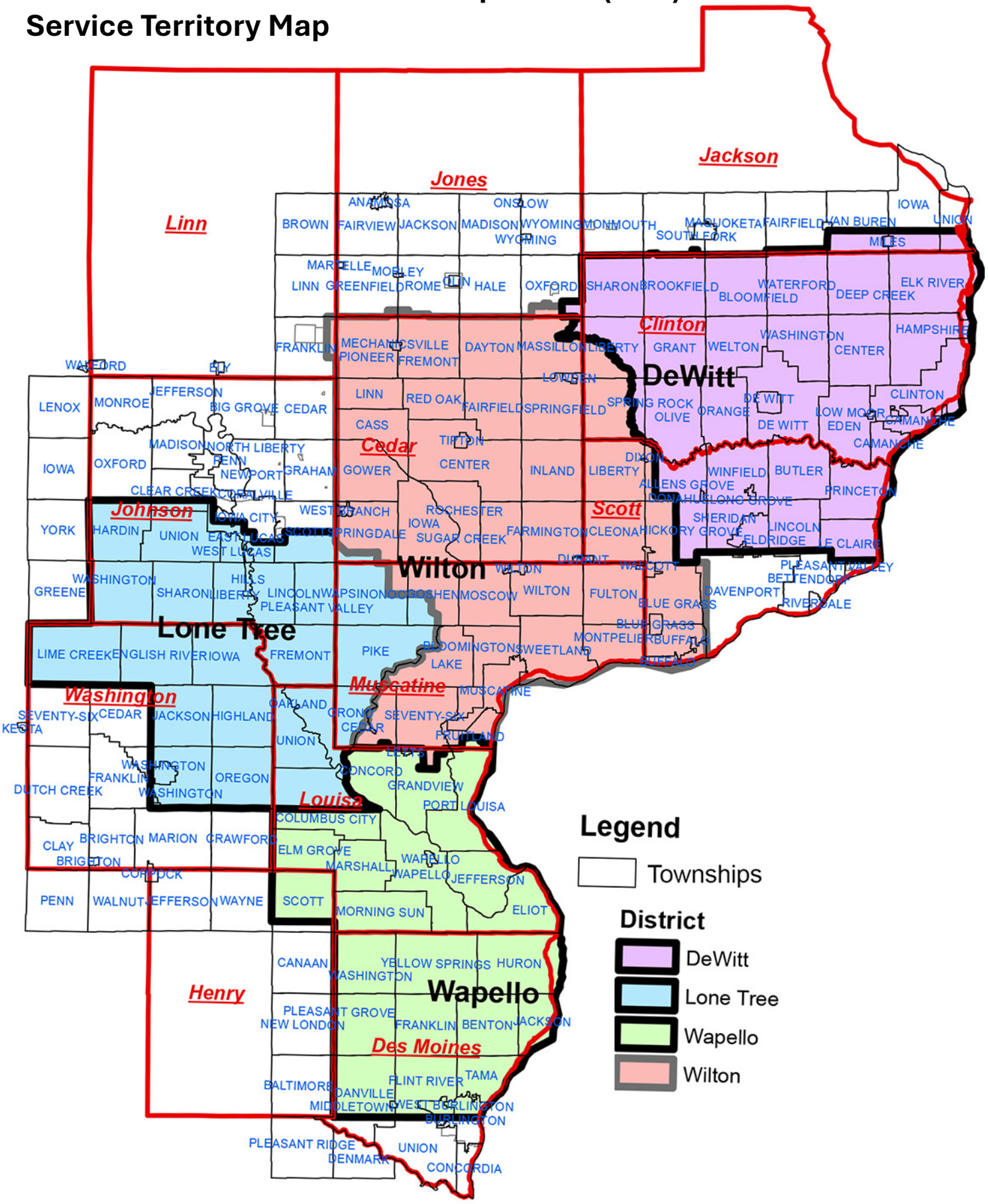
Background / Analysis:
This ordinance would codify a franchise agreement with Eastern Iowa REC at Title 12, Chapter 1B of the City Code. The proposed franchise agreement is similar to the City's agreement with MidAmerican Energy Company, the terms of which have served the City well. Some elements were updated based on current terminology, technology, and practice. Eastern Iowa REC reviewed the agreement and their comments were incorporated.

The proposed agreement to be considered on May 19, 2026, is set to terminate December 4, 2032, which corresponds to the full term of the City's agreement with MidAmerican Energy. This allows concurrent renegotiation of all franchise agreements in the future.

Approval of the franchise agreement as well as application of the City's 2% franchise fee to Eastern Iowa's electric utility bills would generate additional revenue that is aligned with the City's revenue purpose statement contained in Section 12-5-4 of the City Code. A map of Eastern Iowa's service territory is attached. The fee would go into effect October 1, 2026 to provide adequate notice to Eastern Iowa REC. The City uses this fee to help support fare-free transit, public safety, and public infrastructure.

Staff recommends approval of the franchise agreement through December 4, 2032.

Eastern Iowa Rural Electric Cooperative (REC)
Service Territory Map



Source: https://www.easterniowa.com/service-territory, April 29, 2026

Prepared by Kirk Lehmann, Assistant City Manager, 410 E. Washington St., Iowa City, IA (319)356-5014

Ordinance No._____

Ordinance granting to Eastern Iowa Light and Power Cooperative, its successors and assigns, the right and franchise to acquire, construct, erect, maintain, and operate in the City of Iowa City, an electric light and power system to furnish, deliver, and sell electric energy to said City and its inhabitants, and to enact a two percent (2%) franchise fee on the gross revenue derived from the distribution, delivery, and retail sale of electricity by franchisees to customers within the current or future corporate limits of the City of Iowa City.

Whereas, Eastern Iowa Light and Power Cooperative ("Eastern Iowa") currently provides electricity to portions of Iowa City and desires to continue providing such service; and

Whereas, Section 364.12, Code of Iowa (2025), provides that cities are responsible for keeping public grounds, streets and public ways free from nuisance; and

Whereas, the City previously extended to Eastern Iowa certain rights to use City right-of-way, in consideration for Eastern Iowa's agreement to abide by certain regulations by executing a license agreement which expired in April 2008; and

Whereas, the City adopted a 2% franchise fee applicable to electric utilities operating within the City pursuant to State Code after the agreement expired; and

Whereas, the non-exclusive franchise granted herein will formalize the relationship between the City and Eastern Iowa and allow the City to apply its 2% franchise fee to Eastern Iowa effective October 1, 2026; and

Whereas, the franchise will terminate on December 4, 2032, to coincide with the franchise granted to the gas and electric franchises granted to MidAmerican Energy Company; and

Whereas, it is in the best interest of the City of Iowa City to enact the following franchise ordinance.

Now, therefore, be it resolved by the City Council of Iowa City, Iowa:

Section I. Amendments.

A. Amend Title 12 "Franchises" by retitling Chapter 1 "Electricity Franchise" as "Chapter 1A Electricity Franchise – MidAmerican Energy Company" and renumbering the entire Chapter, along with all subsections, as 1A.

B. Amend Title 12 "Franchises" by adding Chapter 1B "Electricity Franchise – Eastern Iowa Light and Power Cooperative" as follows:

12-1B-1: Franchise Granted:
There is hereby granted to Eastern Iowa Light and Power Cooperative, an Iowa Cooperative, hereinafter called the "franchisee", and its successors and assigns, the nonexclusive right and franchise to acquire, construct, erect, maintain and operate in the city of Iowa City, hereinafter the "City", an electric light and power system including the right to erect and maintain the necessary poles, lines, wire, transmission lines, conduits and other appliances for the transmission and distribution of electric energy along, under and upon the streets, avenues and alleys to serve customers within and without said City, and to furnish and sell electric energy to said City and its inhabitants. The City Council reserves to itself the right to extend this franchise to other public places at the request of the franchisee. Rights are hereby granted for all existing facilities located in other public places prior to the date of this agreement.

12-1B-2: Franchise Termination:
This franchise will terminate on December 4, 2032.

12-1B-3: Rights of Franchisee Subject To Applicable Provisions:
The rights and privileges hereby granted to the franchisee, its successors and assigns, are subject to applicable provisions of the Iowa Code, including, but not limited to, the restrictions and limitations of Iowa Code Chapter 364 (2025) or as subsequently amended or changed, this code, any other applicable statutes or regulations promulgated by federal or state agencies under federal or state laws, all of said laws, codes, ordinances, statutes and regulations as presently enacted or subsequently amended. The franchisee reserves the right to challenge or contest the City's interpretation or application of any of said laws, codes, ordinances, statutes, and regulations. The City may make such lawful and reasonable amendments to the provisions of this code affecting or regulating the franchisee in its operation of the electric utility, as the City deems necessary and proper, within the scope of its authority as authorized by the Constitution and Code of Iowa. The franchise granted herein shall not restrict in any manner the right of the City in the exercise of any power which it now has or which may hereafter be authorized or permitted by the Constitution or laws of the State of Iowa.

12-1B-4: Restructured Retail Electric Utility Industry:
Nothing in this agreement shall be construed or interpreted to limit or prohibit the City, residents or businesses of Iowa City from participating in or enjoying any benefits and protections of a restructured retail electric utility industry to the extent that such benefits and protections are made available to consumers of competitive retail electric services under state and federal rules, regulations and law.

12-1B-5: Placement and Mapping Of Facilities And Structures:
The franchisee shall have the right to erect all necessary poles and to place thereon the necessary wires, fixtures and accessories as well as to excavate and bury conduits or conductors for the distribution of electric energy in and through the city, provided the same shall be placed in accord with this franchise and any regulation the City may from time to time adopt or amend regarding the placement of facilities or structures of utilities, and other right of way users' facilities or structures, in the right of way. All electric utility system components placed above, upon, in, or under public right of way,

and the wires placed thereon or therein, shall comply with the national electrical safety code as adopted by the regulations of the Iowa Utilities Commission. The franchisee shall not without express approval from the City place in the right of way any substation operating at greater than fifteen thousand (15,000) volts, transmission lines, equipment or appliances operated at greater than fifteen thousand (15,000) volts or pad-mounted distribution facilities of greater than fifteen thousand (15,000) volts serving an underground distribution feeder system.

Upon reasonable request, the franchisee shall provide the City, on a project-specific basis, information indicating the horizontal location, relative to boundaries of the right of way, of all facilities and equipment which it owns or over which it has control that is located in City right of way, including documents, maps, and other information in paper, electronic, or other forms ("Information") identifying the location or type of equipment which the franchisee owns or controls. The franchisee and City recognize the Information provided will, under current Iowa law, constitute public records, but that some information provided may be confidential under state or federal law or both. Therefore, any Information provided by franchisee to the City which franchisee believes is legally protected from public disclosure shall be marked as "confidential" by franchisee. The City agrees that no documents, maps or Information provided to the City by the franchisee and marked as "confidential" shall be made available to the public or other entities if such documents or information are exempt from disclosure under the provisions of either the Federal Energy Regulatory Commission Critical Energy Infrastructure requirements pursuant to 18 CFR 388.113 or Chapter 22 of the Code of Iowa, as such statutes and regulations may be amended from time to time. In the event the City and franchisee disagree about the City's legal obligation to disclose Information, the City shall not disclose the Information without giving franchisee ten (10) business days to seek an injunction, unless a Court order commands earlier disclosure.

12-1B-6: Excavations:
The franchisee is authorized to make excavations in City streets, avenues, and alleys for purposes of routine repair, replacement, and maintenance of poles, wires, conduits, lines, or other electric utility system components. In making such excavations, the franchisee shall obtain a City permit therefor and shall not unnecessarily obstruct the use of streets, avenues, alleys, trails, or sidewalks, shall provide the Public Works Director with forty-eight (48) hours' notice prior to the actual commencement of the work, and shall comply with all provisions and requirements of the City in its regulation of the use of City right of way in performing such work. In emergencies which require immediate excavation, the franchisee may proceed with the work without first applying for or obtaining the permit, provided, however, that the franchisee shall apply for and obtain the excavation permit as soon as possible after commencing such emergency work.

12-1B-7: Customer Notification of Work:
Prior to commencing significant construction or maintenance projects in the public right of way, the franchisee shall use its best efforts to notify the contiguous affected customers. Best efforts shall include, but are not limited to, at least one of the following: door hangers, telephone contact, or direct mail. Notification shall not be required in the event of emergency repairs or electric outage restoration efforts.

12-1B-8: Tree Pruning:

The franchisee is authorized and empowered consistent with this franchise to prune or remove at franchisee expense any tree extending into any street, alley, right of way or public grounds to maintain electric reliability, safety, to restore utility service and to prevent limbs, branches or trunks from interfering with the wires and facilities of the franchisee. The pruning shall be completed in accordance with nationally accepted safety and utility industry standards, ANSI Z133.1 - 2017, American national standard for arboriculture operations - safety requirements, and ANSI A300, American national standard for tree, shrub, and other woody plant maintenance - standard of practices pruning, or subsequent revisions to these standards, and City ordinances regarding the pruning of trees and the protection of its facilities upon public ground. The franchisee shall not remove or prune any tree on public grounds, other than right of way, except in an emergency or when necessary to alleviate an existing electrical outage without first obtaining permission of the City's Public Works Director, nor shall the franchisee dig or otherwise excavate under the canopy of any tree on public ground, unless using trenchless technologies or directional boring, except in an emergency or when necessary to alleviate an existing electrical outage, without having first given the City's Public Works Director forty-eight (48) hours' notice. The franchisee shall dispose of all waste generated through pruning or removals at franchisee expense.

12-1B-9: Indemnification:
The franchisee shall defend, indemnify and save harmless the City from any and all claims, suits, losses, damages, costs, or expenses on account of injury or damage to any person or property caused or occasioned in whole or in part by the franchisee's negligence in construction, reconstruction, excavation, operation, or maintenance of the electric facilities authorized by this franchise; provided, however, that the franchisee shall not be obligated to defend, indemnify and save harmless the City for any costs or damages arising from the negligence of the City, its officers, employees, or agents.

12-1B-10: Authority of Franchisee:
The franchisee, and its successors and assigns, is authorized to extend its lines, wires and conduits, to expand its transmission and distribution systems, to engage in repair work and to install new distribution and transmission systems within the City.

12-1B-11: Availability of Service:
The franchisee shall maintain the availability of service throughout the entire City including newly annexed areas, excluding areas designated by the Iowa Utilities Commission to be the exclusive service territory of another electric provider, by extending lines or facilities in a manner consistent with Iowa law.

12-1B-12: Street Modifications:
The City shall, in the extension or modification of streets and roads, make provision for the placement of franchisee service lines and facilities on City owned right of way without charge to franchisee to the extent practicable in the discretion of its Public Works Director. In planning for the extension or modification of streets and roads, the City shall use good faith efforts to minimize the need for the relocation of franchisee facilities if, in the opinion of the Public Works Director, doing so is reasonable. Nothing in this franchise shall be construed as a guarantee that in either existing right of way or in future acquired right of way the City will provide sufficient space for any particular need of the franchisee, nor shall the City be required to obtain additional right of way

solely for the use of the franchisee. Where available, the City may require the franchisee to locate or relocate lines and facilities into a joint utility trench or other similar method to help manage space within its right of way.

12-1B-13: Furnish Sufficient Energy for Demand:
The said franchisee, its successors and assigns, as long as it shall operate under the terms of this franchise, shall furnish electric energy in sufficient quantities to supply the reasonable demands of said City and the inhabitants thereof in accordance with the franchisee's rules, regulations and conditions of service as approved by the Iowa Utilities Commission.

12-1B-14: Franchisee Contributions to Benefit City:
If requested by the City, the franchisee shall make an annual written report to the City Council summarizing community contributions which benefit the people of Iowa City which have been made by the franchisee or its foundation. The written report shall include the name of each entity to which such contributions have been made, the amount of such contribution and a comparison showing contributions for that year and the three (3) prior years. The report shall be filed with the City Council within three (3) months of the close of the franchisee's fiscal year.

12-1B-15: City Use of Franchisee Poles:
The City shall be privileged upon thirty (30) days' advance notice to the franchisee, without charge, to make use of the distribution poles of the franchisee that are placed within City right of way for any City alarm, City control, or City communication function, excluding any paid subscriber services (but including any City owned cable, fiber, or wireline communication system for which use the City shall pay an amount consistent with federal law), to the extent that such use shall not interfere with their use by the franchisee, but the City shall hold the franchisee harmless from any and all causes of action, litigation or damages arising through the placing of the facilities of the City upon the franchisee's poles. If at the sole discretion of the franchisee, it is determined that said attachments may create a clearance violation or other hazardous situation, or that wind or other conditions may place undue stress on specific franchisee facilities, the City shall not be authorized to attach to those facilities. If attachments are in place, upon notification by the franchisee of damage or potential damage, the City shall promptly remove said attachments.

12-1B-16: Franchise Fee; Audit:
A. The City reserves the right to impose a franchise fee pursuant to the Iowa Code, on the gross revenue of the franchisee, minus uncollectible accounts, derived from the distribution and the retail sale of electricity by the franchisee to customers within the current or future corporate limits of the City. The City shall provide the franchisee with ninety (90) days' advance notice of the effective date of any franchise fee put into effect by the City, or any change thereto.
B. The franchisee shall remit franchise fee revenues, minus uncollected amounts, to the City no more frequently than on or before the last business day of the month following each calendar year quarter. Franchisee shall notify the City at least thirty (30) days in advance of any changes made in this collection schedule, including any alterations in the calendar quarters or any other changes in the remittance periods. In no event will franchisee fail to make quarterly payments any later than the last business day of the month following each calendar year quarter.

C. The City may require the franchisee to provide an accounting to establish that the fee has been correctly calculated. The City may include a requirement that an audit of the calculation and basis for calculation of the franchise fee be conducted by an auditor of the City's selection and the franchisee will cooperate with such an audit. Said audit shall not be conducted more than once a year. The City shall pay the costs of the audit unless the audit shows an underpayment of franchise fees by an amount equal to three percent (3%) or more of the fees, in which event the franchisee shall pay the cost of the audit.

12-1B-17: Eminent Domain:
With the permission of the City Council, to be separately given in regard to each application to use powers of eminent domain, franchisee shall have the power to condemn private property for the purpose of providing electric service to the public and in a reasonable relationship to an overall plan of distributing electrical energy within the City. The franchisee must establish the necessity of each taking of private property and, when so established, the City Council shall approve the condemnation of the private property by resolution if the Council finds the use of such powers is in the public interest, does not create an unacceptable public safety problem, and there is not any reasonable alternative.

12-1B-18: Location and Relocation Of Installations:
The franchisee shall, at its cost and expense, locate and relocate its installations in, on, over, or under any public street or alley in the City in such manner as the City may at any time reasonably require for the purposes of facilitating the construction, reconstruction, maintenance or repair of any public improvement of, in, or about any such street or alley, or promoting the efficient operation of any such improvement. The City may require the franchisee to place or bury its electrical utility system components underground as consistent with franchisee tariffs (it is the understanding of the parties that under current tariffs the franchisee shall assume and pay as its own expense the cost of moving a line from one aboveground location to another aboveground location and the City shall reimburse the franchisee for any additional cost occasioned by moving an aboveground line underground).

12-1B-19: Energy Efficiency and/or Conservation Programs:
The franchisee shall, at all times during which this franchise is in effect, maintain, administer and operate energy efficiency and/or conservation programs within the City, as required by the Iowa Utilities Commission.

12-1B-20: Disaster or Emergency Response Communications Task Force:
If requested by the City, the franchisee shall participate in a disaster or emergency response communications task force to address such topics as a dedicated communications link between the City and the franchisee during emergencies, an interoperable radio communications system between the franchisee and the City, a reverse telephone messaging system and participation by the franchisee in City and Johnson County joint drills and emergency training exercises. It is the intent of the parties that such participation may be established by a separate agreement which refers to this franchise.

12-1B-21: Renewable Energy Options:
If requested by the City, the franchisee shall participate in a City task force to identify and utilize City-generated renewable energy options. In the event that the City should

at any time during the term of this franchise become an alternate energy producer of electrical energy at a municipally owned or operated facility the franchisee shall, if requested by the City, enter into an agreement to purchase the electric energy produced from such qualifying alternate generating facility, subject to applicable statutory requirements and regulations.

12-1B-22: Franchise Is Binding; Assignment or Termination Of Franchise:
This franchise shall apply to and bind the City and the franchisee and their successors and assigns; provided that any assignment by the franchisee shall be subject to the approval of the City Council by resolution, which approval shall not be unreasonably withheld. The City expressly reserves the right to terminate the franchise granted herein if the franchisee breaches any of the provisions of this franchise; provided, however, there shall be no termination if the franchisee shall correct the breach within sixty (60) days' written notice provided by the City to do so.

The franchisee shall not be excused from complying with any of the terms and conditions of this franchise by any failure of the City to insist upon or seek compliance with any such terms or conditions. Further, it is agreed that the subject matter of this franchise is unique and may be enforced by specific performance, at the City's option, since a remedy at law may be inadequate.

12-1B-23: Effective Date:
This chapter shall become effective and binding upon its approval and passage in accordance with Iowa law and the written acceptance by the franchisee. The franchisee shall within thirty (30) days after the approval of this chapter by the City Council, file in the office of the Clerk of the City its acceptance in writing of all the terms and provisions of this chapter. Following City Council approval and written acceptance by the franchisee, this chapter shall be published as required by Iowa Code section 362.3, as amended. The effective date hereof shall be the date of publication.

12-1B-24: Severability:
If any of the provisions of this franchise ordinance are for any reason declared to be illegal or void, the lawful provisions of this franchise ordinance, which are severable from said unlawful provisions, shall be and remain in full force and effect, the same as if the franchise ordinance contained no illegal or void provisions. In the event any provision or provisions are ruled illegal or void by a court of competent jurisdiction, the City and the franchisee shall forthwith amend this franchise to insert a successor provision that complies with the applicable court ruling.

C. Amend Title 12, Chapter 5 "Franchise Fees" by adding text that is underlined and deleting text that is stricken as follows:

12-5-1: Electric Franchise Fee:

A. Pursuant to section 12-1A-16 of the City's franchise agreement with MidAmerican Energy Company and section 12-1B-16 of the City's franchise agreement with Eastern Iowa Light and Power Cooperative (hereinafter "~~company~~franchisee"), there is hereby imposed upon each franchisee a franchise fee in an amount equal to two percent (2%) of the gross revenue of each franchisee, minus uncollectible accounts, derived from the distribution, delivery and retail sale of electricity by the company to customers within the current or future corporate limits of the City.

Franchise fees collected by MidAmerican Energy Company shall commenceing with gross revenue received on or after November 15, 2025.

B. Franchise fees collected by Eastern Iowa Light and Power Cooperative shall commence with gross revenue received on or after October 1, 2026.

12-5-2: Gas Franchise Fee:

Pursuant to section 12-2-13 of the City's franchise agreement with MidAmerican Energy cCompany (hereinafter "company"), there is hereby imposed upon the company a franchise fee in an amount equal to two percent (2%) of the gross revenue of the company, minus uncollectible accounts, derived from the distribution, delivery and retail sale of natural gas by the company or other natural gas providers utilizing the distribution system of the company, to customers within the current or future corporate limits of the City, commencing with gross revenue received on or after November 15, 2025.

12-5-3: Audit:

The city may, at its option, require that an audit of the calculation and basis for calculation of the franchise fee be conducted by an auditor of the city's selection and the company franchisees will cooperate with such an audit. Said audit shall not be conducted more than once a year. The city shall pay the costs of the audit unless the audit shows an underpayment of franchise fees by an amount equal to three percent (3%) or more of the fees, in which event the company franchisees shall pay the cost of the audit.

12-5-4: Revenue Purpose Statement:

The revenue collected from said franchise fees will be expended for any of the following purposes:

A. Inspecting, supervising and otherwise regulating the MidAmerican Energy Company's gas and electric franchises or Eastern Iowa Light and Power's electric franchise.
B. Property tax relief.
C. The repair, remediation, restoration, cleanup, replacement, and improvement of existing public improvements and other publicly owned property, buildings, and facilities.
D. Projects designed to prevent or mitigate future disasters.
E. Energy conservation measures for low-income homeowners, low-income energy assistance programs, and weatherization programs.
F. Public safety, including the equipping of fire, police, emergency services, sanitation, street, and civil defense departments.
G. The establishment, construction, reconstruction, repair, equipping, remodeling, and extension of public works, public utilities, and public transportation systems.
H. The construction, reconstruction, or repair of streets, highways, bridges, sidewalks, pedestrian underpasses and overpasses, street lighting fixtures, and public grounds, and the acquisition of real estate needed for such purposes.
I. Property tax abatements, building permit fee abatements, and abatement of other fees for property damaged by a disaster.
J. Economic development activities and projects.
K. Any other lawful purpose.

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section III. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be effective upon publication.

Passed and approved this _____ day of _____, 2026.

_____
Bruce Teague, Mayor

Approved by:

Attest:_____
Kellie Grace, City Clerk

_____
City Attorney's Office
(Eric Goers – 05/14/2026)

Ordinance No. _____
Page No. _____

First Consideration: May 19, 2026

Vote for passage:

AYES: Bergus, Harmsen, Salih, Teague, Weilein

NAYS: None

ABSENT: Alter, Moe

Second Consideration: _____

Vote for passage:

AYES: _____

NAYS: _____

ABSENT: _____

Pass and Adopt:

It was moved by _____, and seconded by _____, that the ordinance as read be adopted, and upon roll call there were:

AYES:	NAYS:	ABSENT:	
_____	_____	_____	Alter
_____	_____	_____	Bergus
_____	_____	_____	Harmsen
_____	_____	_____	Moe
_____	_____	_____	Salih
_____	_____	_____	Teague
_____	_____	_____	Weilein

Date published: _____