

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, MARCH 22, 2023 10:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center. Present: Chairperson Zumbach, Vice Chairperson Rogers and Supervisor Running-Marquardt.. Board members voting "AYE" unless otherwise noted.

Chairperson Zumbach called the meeting to order and led the Pledge of Allegiance.

Motion by Rogers, seconded by Running-Marquardt to approve Consent Agenda as follows:

Resolution 2023-3-38

WHEREAS, the Board of Supervisors, hereafter referred to as "the Board", believes the M-PAVEMENT MARKINGS(23), hereafter referred to as "the project" is in the best interest of Linn County, Iowa, and the residents thereof. The project is defined as pavement markings at various locations throughout Linn County ; and

WHEREAS, the Board has sought appropriate professional guidance for the concept and planning for the project and followed the steps as required by the Code of Iowa for notifications, hearings, and bidding/letting; and

WHEREAS, The Board finds this resolution appropriate and necessary to protect, preserve, and improve the rights, privileges, property, peace, safety, health, welfare, comfort, and convenience of Linn County and its citizens, all as provided for in and permitted by section 331.301 of the Code of Iowa; and

IT IS THEREFORE RESOLVED by Board to accept the bid from Advanced Traffic Control, Inc., in the amount of \$233,690.00 and awards the associated contract(s) to the same;

BE IT FURTHER RESOLVED that all other resolutions or parts of resolutions in conflict with this resolution are hereby repealed. If any part of this resolution is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution or action of The Board as a whole or any part thereof not adjudged invalid or unconstitutional. This resolution shall be in full force and effect from and after the date of its approval as provided by law; and

BE IT FURTHER RESOLVED by the Board of Supervisors of Linn County, Iowa, that after receiving the necessary contract documents, including but not limited to, the contractor's bond and certificate of insurance, Bradley J. Ketels, the County Engineer for Linn County, Iowa, be and is hereby designated, authorized, and empowered on behalf of the Board of Supervisors of said County to execute the contracts in connection with the afore awarded construction project let through the DOT for this county.

Resolution 2023-3-39

A Resolution approving a Residential Parcel Split for Pearson Family Addition, case JPS22-0021.

The following description is a summary of Resolution No. 2023-3-39 as passed and approved by Linn County Board of Supervisors, effective March 22, 2023.

Pearson Family Addition (Case # JPS22-0021) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lettered lot A, a subdivision of real estate located in the NESE of Section 21, Township 85 North, Range 6 West of the 5th P.M., Linn County, Iowa, described as follows: Commencing at the East Quarter Corner of Section 21, Township 85 North, Range 6 West of the Fifth Principal Meridian; thence S0°43'37"E along the east line of the Southeast Quarter of said Section 21, a distance of 704.11 feet to the point of beginning; thence continuing S0°43'37"E along said east line, 315.97 feet; thence S89°16'23"W, 315.00 feet; thence N0°43'37"W, 315.97 feet; thence N89°16'23"E, 315.00 feet to the point of beginning. The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at www.linncountyiowa.gov.

Approve and authorize Chair to sign an American Rescue Plan Act (ARPA) Subaward Agreement between Linn County and the City of Springville for the Springville Water Meter Radio Replacements Project in the amount of \$110,948.00.

Approve and authorize Chair to sign an Amendment to the Local Public Health Services contract LPHS-LCCS-2023 adding a budget line with no change in funds or effective date of the original contract.

Motion by Rogers, seconded by Running-Marquardt to approve Claims for AP checks #71010378-#71010421 in the amt. of \$112,182.84 and AP PEO ACH in the amt. of \$5,163.06 and AP ACH in the amt. of \$944,640.18 for a total of \$1,061,986.08; and payment to JP Morgan for Theodore Dorscher in the amt. of \$15.00.

Motion by Zumbach, seconded by Rogers to remove the following from the agenda:

Resolution authorizing execution of a contract with East Central Iowa Council of Governments for Community Development Block Grant Disaster Recover Grant Administration and Project Delivery Services for the Dows Pocket Neighborhood Project and Contract between the Iowa Economic

Development Authority and Linn County for Community Development Block Grant Disaster Recovery funding.

Charlie Nichols, Planning & Development, stated that the two documents that he asked be removed from the agenda had not been reviewed by legal staff. He presented the following Dows Property related items for approval:

Motion by Rogers, seconded by Running-Marquardt to approve and authorize Chair to sign signature authorization for CEO change form for Community Development Block Grant funding.

Motion by Rogers, seconded by Running-Marquardt to adopt Resolution 2023-3-40

RESOLUTION ADOPTING REQUIRED POLICIES FOR CDBG FUNDING

WHEREAS, Linn County has received federal funding through the Community Development Block Grant Disaster Recovery (CDBG-DR) program; and,

WHEREAS, all recipients of CDBG-DR funds are required to adopt policies that 1) minimize the direct and indirect displacement of people from their homes, 2) provide equal opportunity to all employees, applicants, and program beneficiaries in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship, or sexual orientation 3) advise the public it will administer program and activities relating to housing and community development in a manner that prohibits discrimination on the basis of race, color, creed, religion, sex, national origin, disability, or familial status 4) ensure sound business judgement is utilized in all procurement procedures, and 5) ensure no conflict of interest, fraud, waste, or abuse arises from officers, employees, or agents of Linn County.

WHEREAS, Linn County endorses policies that 1) minimize the direct and indirect displacement of people from their homes, 2) provide equal opportunity to all employees, applicants, and program beneficiaries in a manner that does not discriminate against any person because of race, creed, color, religion, sex, national origin, disability, age, familial status, political affiliation, citizenship, or sexual orientation 3) advise the public it will administer program and activities relating to housing and community development in a manner that prohibits discrimination on the basis of race, color, creed, religion, sex, national origin, disability, or familial status 4) ensure sound business judgement is utilized in all procurement procedures, and 5) ensure no conflict of interest, fraud, waste, or abuse arises from officers, employees, or agents of Linn County, and

WHEREAS, Linn County has a currently adopted Equal Employment Opportunity Policy and Diversity Philosophy that complies with CDBG requirements.

NOW, THEREFORE BE IT RESOLVED, that Linn County hereby adopts the following provisions as its official policy:

- 1) Residential Anti-displacement and Relocation Assistance Plan (RARA)
- 2) Affirmative Fair Housing Policy & Fair Housing Plan
- 3) Procurement Policy
- 4) Code of Conduct

Motion by Rogers, seconded by Running-Marquardt to adopt Resolution 2023-3-41

RESOLUTION ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Linn County has received federal funding through the Community Development Block Grant (CDBG) program; and,

WHEREAS, Section 519 of the Department of Veteran Affairs and U.S. Department of Housing and Urban Development, and Independent Agencies Appropriations Act of 1990 requires that all CDBG recipients adopt and enforce a policy to prohibit the use of excessive force by law enforcement agencies within the recipient's jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

WHEREAS, all recipients of CDBG funds are further required to follow a policy of enforcing applicable state and local laws against physically barring entrances or exits to a facility that is the subject of a nonviolent protest demonstration; and

WHEREAS, the Linn County endorses a policy prohibiting the use of excessive force and will inform all law enforcement agencies within its jurisdiction of this policy, and

WHEREAS, the Linn County Sheriff's Office has previously adopted a Use of Force policy that promotes respect for "the value and dignity of all human life without prejudice to anyone," and which substantially complies with the objectives of the federal policy requirement regarding excessive use of force,

THEREFORE, BE IT RESOLVED, the Linn County hereby prohibits any law enforcement agency operating within its jurisdiction from using excessive force against any individuals engaged in nonviolent civil rights demonstrations. In addition, Linn County agrees to enforce any applicable state or local laws against physically barring entrances or exits from a facility or location that is the subject of a non-violent protest demonstration. Linn County further pledges enforcement of this policy within its jurisdiction and encourages any individual or group who feels that Linn County has not complied with this policy to file a complaint. Information and assistance relative to excessive force complaints shall be provided by the Linn County Sheriff at (319) 862-6100.

Motion by Rogers, seconded by Running-Marquardt to approve and authorize Chair to sign an acknowledgement of environmental review requirements for Community Development Block Grant funding.

Paula Mitchell, ECICOG, stated the signature authorization for CEO change form will need to occur annually as the Chairperson changes.

Darrin Gage, Dir. of Policy & Admin., presented the bid results for the Treasurer's Office Glazing and Millwork Project (one bid received). He stated that the bid would have been within the ARPA funding awarded to the Treasurer's Office if they had not added the Board of Supervisor's piece (the difference is \$5,666). He noted that funding is available.

Motion by Rogers, seconded by Running-Marquardt to adopt Resolution 2023-3-42
A RESOLUTION AWARDED CONTRACT FOR THE LINN COUNTY TREASURER'S OFFICE GLAZING AND MILLWORK PROJECT

WHEREAS, pursuant to a Notice to Bidders duly posted as prescribed by Resolution 2023-02-19 of the Linn County, Iowa Board of Supervisors ("Board"), and as required by Iowa law, the Board received sealed bids for the "Linn County Treasurer's Office Glazing and Millwork Project" (the "Project"); and,

WHEREAS, each bid submitted for the Project received careful consideration, and it is necessary and advisable to award the contract for the Project.

BE IT THEREFORE RESOLVED by the Board as follows:

1. The bid for the Project submitted by the contractor, and in the amount set out below, is lowest responsible bid received for the Project, and is fully responsive to the plans and specifications for the Project.

Contractor Bid Amount

Unzeitig Construction Co. \$214,400.00

1619 F Avenue NE

PO Box 1028

Cedar Rapids, IA 52406

2. The Board hereby awards the contract for the Project to such contractor, and for the total estimated cost set out above, with final settlement to be made on the basis of the unit prices set out in said contract, and on the actual final quantity of each class of material(s) furnished, and said contract is subject to the Notice to Bidders, the plans and specifications for the Project, and the terms of the bidder's written proposal.

3. The Board hereby fixes the amount of the contractor's performance and/or payment bonds at 100 percent of the amount of the contract.

Motion by Rogers, seconded by Running-Marquardt to authorize Chair to sign a form authorizing alternate signatories for Section 106 Compliance for Community Development Block Grant funding.

Adjournment at 10:15 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor
By: Rebecca Shoop, Deputy Auditor

Approved by:

LOUIS J. ZUMBACH, Chairperson
Board of Supervisors