



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

**Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement**

MEMORANDUM

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator

From: Steven Boka, Director of Community Development

Date: March 31, 2011

Re: Agreement for Engineering Services
Update Airport Zoning Ordinance

INTRODUCTION: The City of Muscatine continues to utilize Anderson-Bogert Engineers & Surveyors, Inc, for design and consulting services for projects at the Muscatine Municipal Airport.

BACKGROUND: The Airport Advisory Commission and the City Council have approved a 5-year CIP for the airport that includes an update of the existing Airport Zoning Ordinance that was adopted over 35 years ago. The project will also include the enactment of an ordinance for Muscatine County. Further, it may be necessary to enact regulations for the City of Fruitland and Muscatine County. The ordinances are intended to protect the airport from encroachments into protected airspace at various heights and distances from the runways. Additional information regarding the scope of engineering services expected under this Agreement may be referred to Exhibit A attached hereto.

RECOMMENDATION/RATIONALE: The cost for the project is provided through an agreement with the State of Iowa Division of Aviation that was approved by the City Council in November of 2012. The Agreement provides 85% state funding, not to exceed \$25,000.00 and a 15% local share. It is recommended that the City Council approve the Agreement for Engineering Services with Anderson Bogert Engineers and Surveyors as attached hereto.

BACKUP INFORMATION:

1. Agreement for Professional Services



BOGERT

Committed to providing professional and relationship-based engineering services.

4001 River Ridge Drive NE
Cedar Rapids, IA 52402
Office: (319) 377-4629
Fax: (319) 377-8498

ANDERSON BOGERT
PROJECT NO. 213020

**AGREEMENT FOR
ENGINEERING AND/OR LAND SURVEYING SERVICES**

This AGREEMENT, made and entered into as of this ____ day of April, 2013, by and between the City of Muscatine, the CLIENT, mailing address of 215 Sycamore Street, Muscatine, Iowa 52761, and ANDERSON-BOGERT Engineers & Surveyors, Inc., the CONSULTANT, for professional services concerning the following PROJECT: Update Zoning Ordinances

The CLIENT agrees to employ the CONSULTANT to perform services hereinafter enumerated and the CONSULTANT hereby accepts such employment and agrees to perform said scope of services in connection with: per Exhibit "A", Scope of Services. (hereinafter called the PROJECT).

The CLIENT agrees to furnish to the CONSULTANT full information as to the CLIENT'S requirements including any special or extraordinary considerations for the PROJECT or special services needed, and also to make available pertinent existing data. Any extra services authorized by client will be charged as extra work. This extra work will be based on our standard hourly rates.

The General Terms and Conditions set forth and attached hereto are herein incorporated into and made a part of this AGREEMENT.

Other terms and conditions of this AGREEMENT are as follows: per Exhibit "B-1", Cost Summary

In consideration for services performed by the CONSULTANT covering the work described above, the CLIENT agrees to pay the CONSULTANT on the following basis: (AS CHECKED)

- ☐ Lump sum in the amount of \$ _____
☒ Per the attached fee schedule
☒ Others as stated here Fees shall be charged on a time and expense basis per the attached standard rates (Exhibit B-2), not to exceed \$22,406 unless approval is granted by the City of Muscatine.

Payment shall be made as per the General Terms and Conditions on a monthly basis unless otherwise indicated in this AGREEMENT.

THIS AGREEMENT represents the entire and integrated AGREEMENT between the CLIENT and the CONSULTANT for the PROJECT described and supersedes all prior negotiations, representations or agreements, either written or oral. THIS AGREEMENT may be amended only by written instrument signed by both the CLIENT and the CONSULTANT.

THIS AGREEMENT executed the day and year written above.

FOR CLIENT

FOR CONSULTANT

William W. Bogert, P.E., Principal



4001 River Ridge Drive NE
Cedar Rapids, IA 52402
Office: (319) 377-4629
Fax: (319) 377-8498

EXHIBIT A, SCOPE OF SERVICES

CITY OF MUSCATINE UPDATE ZONING ORDINANCES AGREEMENT FOR ENGINEERING AND/OR LAND SURVEYING SERVICES

1. Update City of Muscatine Title 10 Zoning, Chapter 18 A-P Airport District Ordinance
 - a. Review existing 2/5/1976 ordinance and revise to match current FAA/IDOT requirements.
 - b. Update ordinance to match current approved Airport Layout Plan (ALP) and the current FAR Part 77 imaginary surfaces shown on the approved Airspace Plan.
 - c. Update the Muscatine Municipal Airport Zoning Map, consisting of two sheets and dated October 16, 1975, which is referenced in the current zoning ordinance. Also, create an airport height overlay map.
 - d. In updating the ordinance, follow the guidance provided in Chapter 4, Airport Land Use Compatibility Zones and Appendix Q, Airport Land Use & Height Overlay Zoning Ordinance Outline, in the Iowa Airport Land Use Guidebook at <http://www.iowadot.gov/aviation/airports/IowaAirportLandUseGuidebook2008.htm>.
 - e. Prepare the final ordinance document and provide assistance to the City with the adoption of the ordinance throughout the adoption process.
2. Update City of Fruitland Zoning Ordinance
 - a. Review the existing zoning ordinance.
 - b. Create suggested language for a new airport zoning district, including general description, uses permitted, special uses permitted, building height permitted, plans required, permits required, and any additional regulations.
 - c. In creating the suggested language, follow the guidance provided in Chapter 4, Airport Land Use Compatibility Zones and Appendix Q, Airport Land Use & Height Overlay Zoning Ordinance Outline, in the Iowa Airport Land Use Guidebook at <http://www.iowadot.gov/aviation/airports/IowaAirportLandUseGuidebook2008.htm>.
 - d. Create a land use/height zoning map and a height overlay map.
 - e. Evaluate the impact associated with each map zone.
 - f. Prepare the final ordinance document and provide assistance to the City with the adoption of the ordinance throughout the adoption process.

3. Update Muscatine County Zoning Ordinance

- a. Review the existing zoning ordinance.
- b. Create suggested language for a new airport zoning district, including general description, uses permitted, special uses permitted, building height permitted, plans required, permits required, and any additional regulations.
- c. In creating the suggested language, follow the guidance provided in Chapter 4, Airport Land Use Compatibility Zones and Appendix Q, Airport Land Use & Height Overlay Zoning Ordinance Outline, in the Iowa Airport Land Use Guidebook at <http://www.iowadot.gov/aviation/airports/IowaAirportLandUseGuidebook2008.htm> .
- d. Create a land use/height zoning map and a height overlay map.
- e. Evaluate the impact associated with each map zone.
- f. Prepare the final ordinance document and provide assistance to the County with the adoption of the ordinance throughout the adoption process.

4. Update Louisa County Zoning Ordinance

- a. Review the existing zoning ordinance.
- b. Create suggested language for a new airport zoning district, including general description, uses permitted, special uses permitted, building height permitted, plans required, permits required, and any additional regulations.
- c. In creating the suggested language, follow the guidance provided in Chapter 4, Airport Land Use Compatibility Zones and Appendix Q, Airport Land Use & Height Overlay Zoning Ordinance Outline, in the Iowa Airport Land Use Guidebook at <http://www.iowadot.gov/aviation/airports/IowaAirportLandUseGuidebook2008.htm> .
- d. Create a land use/height zoning map and a height overlay map.
- e. Evaluate the impact associated with each map zone.
- f. Prepare the final ordinance document and provide assistance to the County with the adoption of the ordinance throughout the adoption process.

EXHIBIT B-1, COST SUMMARY
CITY OF MUSCATINE
UPDATE ZONING ORDINANCES
AGREEMENT FOR ENGINEERING AND/OR LAND SURVEYING SERVICES

Task	Planner Hours	Rate	Fee	Tech Hours	Rate	Fee	Clerical Hours	Rate	Fee	Total Fee
City of Muscatine										
Review Iowa Airport Land Use Guidebook	3	\$142	\$426	0	\$84	\$0	0	\$68	\$0	\$426
Review existing zoning ordinance (airport district chapter)	2	\$142	\$284	0	\$84	\$0	0	\$68	\$0	\$284
Update city zoning ordinance airport district chapter	6	\$142	\$852	0	\$84	\$0	4	\$68	\$272	\$1,124
Update existing airport zoning map	6	\$142	\$852	12	\$84	\$1,008	0	\$68	\$0	\$1,860
Create airport height overlay map	6	\$142	\$852	12	\$84	\$1,008	0	\$68	\$0	\$1,860
Evaluate the impact associated with each map zone	6	\$142	\$852	0	\$84	\$0	0	\$68	\$0	\$852
Assist City with adoption of updated ordinance	8	\$142	\$1,136	0	\$84	\$0	0	\$68	\$0	\$1,136
Subtotal	37		\$5,254	24		\$2,016	4		\$272	\$7,542
City of Fruitland										
Review existing zoning ordinance	2	\$142	\$284	0	\$84	\$0	0	\$68	\$0	\$284
Create suggested language for a new airport zoning district	6	\$142	\$852	0	\$84	\$0	4	\$68	\$272	\$1,124
Create land use & height zoning map	3	\$142	\$426	6	\$84	\$504	0	\$68	\$0	\$930
Create airport height overlay map	3	\$142	\$426	6	\$84	\$504	0	\$68	\$0	\$930
Evaluate the impact associated with each map zone	6	\$142	\$852	0	\$84	\$0	0	\$68	\$0	\$852
Assist with adoption of the new ordinance	8	\$142	\$1,136	0	\$84	\$0	0	\$68	\$0	\$1,136
Subtotal	28		\$3,976	12		\$1,008	4		\$272	\$5,256
Muscatine County										
Review existing zoning ordinance	2	\$142	\$284	0	\$84	\$0	0	\$68	\$0	\$284
Create suggested language for a new airport zoning district	6	\$142	\$852	0	\$84	\$0	4	\$68	\$272	\$1,124
Create land use & height zoning map	3	\$142	\$426	6	\$84	\$504	0	\$68	\$0	\$930
Create airport height overlay map	3	\$142	\$426	6	\$84	\$504	0	\$68	\$0	\$930
Evaluate the impact associated with each map zone	6	\$142	\$852	0	\$84	\$0	0	\$68	\$0	\$852
Assist with adoption of the new ordinance	8	\$142	\$1,136	0	\$84	\$0	0	\$68	\$0	\$1,136
Subtotal	28		\$3,976	12		\$1,008	4		\$272	\$5,256

[illegible]