

LINN COUNTY BOARD OF SUPERVISORS
CEDAR RAPIDS, LINN COUNTY, IOWA
WEDNESDAY, NOVEMBER 23, 2022 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.
Present: Vice Chairperson Zumbach and Supervisor Walker. Absent: Chairperson Rogers (personal business). Board members voting "AYE" unless otherwise noted.

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

Motion by Zumbach, seconded by Walker to approve Consent Agenda as follows:

Approve and authorize Chair to sign an American Rescue Plan Act (ARPA) Subaward Agreement between Linn County and City of Cedar Rapids for the Cedar Rapids Westside Library Construction in the amount of \$4,000,000.00.

Approve and authorize Chair to sign contract with The Gazette for design, printing, and distribution services for the FY2022 Linn County Popular Annual Financial Report (PAFR) in the amount of \$6,500.

Approve and authorize Chair to sign an amended contract 5883HC08 between Iowa Department of Public Health and Linn County Community Services for HIV Client Services Program for the contract period April 1, 2022 through March 31, 2023. This contract amendment adds \$87,244 dollars to the original contract for a contract total of \$998,223.

Approve purchase order #P0408 to Lynch Ford for a Ford F550 truck for Facilities in the amount of \$91,310.00.

Motion by Zumbach, seconded by Walker to approve minutes of November 21, 2022 as printed.

Motion by Walker, seconded by Zumbach to approve Claims for payroll deduction checks #71009210-#71009230 in the amt. of \$701,051.65; payroll deduction ACH in the amt. of \$27,391.94; and payroll wires in the amt. of \$2,100,287.88 for a total of \$2,828,731.47; AP checks #71009156 - #71009209 in the amt. of \$51,155.23, and AP ACH in the amt. of \$573,273.74 for a total of \$624,428.97; and voided check #71008916 in the amt. of \$42.21.

Motion by Zumbach, seconded by Walker to open a public hearing to discuss applications for Community Development Block Grant Disaster Recovery (CDBG-DR) housing funds and to collect input for a Community Development and Housing Needs Assessment.

Charlie Nichols, Planning & Development Dir., presented proof of publication and introduced Paula Mitchell, ECICOG, who explained the following:

Proposed Project Activities

1. How the need for the proposed activity or project was identified.

Linn County has determined that new construction of housing for sale, and new construction of rental housing, are critical to the recovery of the region from the August 2020 derecho, and to ease the overall housing shortage that exists in the community. Linn County has been engaged in recovery efforts and assessing recovery needs ever since the 2020 disaster event. This has included participation in local coordinating groups such as Linn Area Partners Active in Disaster (LAP-AID), the Linn County Long Term Recovery group, in which member agencies share data concerning emerging recovery needs and work together to coordinate community response. Housing needs have been a major focus of these discussions.

As a result of these early efforts, Linn County led the formation of the Alliance for Equitable Housing, a multi-jurisdictional, multi-agency working group, to facilitate action on immediate housing needs while planning for more long-term solutions. The Alliance conducted a SWOT analysis that identified a scarcity of affordable units to meet the needs of all residents as a potential threat to the community if not addressed. Housing Needs Assessments for communities in the metro area, Cedar Rapids, Marion, and Hiawatha were also reviewed. The proposed projects would add 10 affordable for-sale units and 5 affordable rental units to help address the current housing shortage.

2. How the proposed activity or project will be funded and the source of the funds.

The Dows Farm Pocket Neighborhood Project (owner-occupied, for sale housing) will be funded by conventional financing secured by the developer, developer contribution, and a request for \$2,385,000.00 in Community Development Block Grant Disaster Recovery (CDBG-DR) Funding.

The Dows Commons Project (rental housing) will be funded by conventional financing secured by the developer, developer contribution, and a request for \$860,000.00 in Community Development Block Grant Disaster Recovery (CDBG-DR) funding.

3. The date the CDBG-DR application will be submitted.

The application will be submitted online no later than December 30, 2022.

4. Amount of federal funds to be requested.

The amount of federal funds to be requested for the Dows Pocket Neighborhood Project is \$2,385,000.00.

The amount of funding to be requested for the Dows Commons Project is \$860,000.00.

5. Estimated portion of federal funds that will benefit persons of low and moderate income.

One hundred percent of the funds for the Dows Pocket Neighborhood Project will benefit households with incomes at or below 80 percent of the area's median income level. At least 51% of the funds for the Dows Commons Project will benefit households with incomes at or below 80 percent of the area's median income level.

6. Where the proposed activity or project will be.

The proposed activity will be located 622 Dows Road, Cedar Rapids, IA 52403, bordered by Mount Vernon Road on the south, Dows Road on the west, and Squaw Creek Ridge residential development on the northeast.

7. Plans to minimize displacement of persons and businesses as a result of funded activities or projects.

Because the proposed project site for both projects is vacant land that is currently owned by Linn County, no displacement of residents or businesses is expected to occur. The project site is leased year to year for farming activities, however the purchase agreement between the county and the developer for the sale and development of the land pre-dates the availability of, or application for CDBG-DR funds, and both Linn County and the developer have been in communication with the farmer regarding the plans to phase in development over time.

8. Plans to assist persons actually displaced.

Again, because the project sites are on vacant land that is owned by Linn County no displacement of persons is expected to occur directly as a result of this project.

9. The nature of the proposed activity or project.

The purpose of the CDBG-DR New Resilient Affordable Housing Program is intended to help communities meet replacement housing needs created by the August 10, 2020 derecho event. The Dows Pocket Neighborhood project will construct 10 units of affordable for-sale housing to be sold to owner-occupants who meet income eligibility guidelines. Units must remain affordable for 15 years.

The Dows Commons project will construct 5 units of affordable rental housing, of which at least 51% must be affordable to, and occupied by, households earning at or below 80% of the area median income. Rental projects consisting of 5 or more units must remain affordable for 20 years.

Maximum federal dollars to be spent per home for new construction costs is \$100,000.00 for owner-occupied homes and \$75,000.00 per unit for rental projects plus up to \$70,000 per unit for infrastructure in support of housing. Additional incentives for mitigation are up to \$25,000.00 per unit for owner-occupied homes and up to \$15,000.00 per unit for rental projects. Down payment assistance is available for buyers of for sale housing up to \$35,000.00 per unit. Additional funding is available for project delivery. The federal funds utilized for new construction will be secured by forgivable loans in order to secure affordability periods of 15-20 years.

All units constructed using CDBG-DR funding must first be marketed for four months to persons who were impacted by the August 2020 derecho before being offered to other eligible members of the public.

Community Development and Housing Needs Assessment

(to be discussed at Board of Supervisors meeting and invite public input on identified needs)

Community Name: Linn County, Iowa

Description of the Housing Market in the Community

Estimated 101,901 residential units in Linn County

73% owner occupied units

23% multifamily units

4% mobile homes

50% of homes built pre-1980

Typical home value is \$211,050, up 26% from values just 2 years ago

37% of renters in the region considered cost-burdened

Homeowner vacancy rate is currently 0.6%

Rental vacancy rate is 2%

Disaster Recovery & Housing Improvement Activities - Last 5 years

August 11, 2020 - Activation of the Emergency Volunteer Center by Linn County Emergency Management

September 2020 - My Care Community Needs Assessment Questionnaire Developed with community partners to identify rural community needs post-derecho

March 2021 - Contributed \$1 million in ARPA funding to the PATCH Program to assist Linn County homeowners with repairs from the derecho

Description of the Impact the Project Will Have on Disaster Recovery

Derecho caused \$10 million in damages to residential homes and \$25 million to multifamily properties

More than 3000 homes significantly damaged or destroyed

At least 542 demolition permits issued in Linn County

Dows Pocket Neighborhood Project will add 10 affordable units with down payment assistance available

Dows Commons will add 5 affordable rental units

All units will be built to be energy efficient, resilient and to better withstand future disaster events.

Community Development and Housing Needs of Low- to Moderate-Income Persons

Development of new resilient affordable rental housing that is affordable to low-and-moderate-income households.

Development of new resilient single-family homes that are affordable to low-and-moderate-income buyers.

Increase opportunities for home purchase for low-to-moderate income homebuyers
Ensure public services are provided at affordable rates for persons with low- to moderate income

Other Community Development and Housing Needs

Rehabilitation of the County's older housing stock

Increase opportunities for economic development to ensure residents have access to jobs that allow them to afford housing in the community

Improved access to transportation, parks/open space, and amenities near neighborhoods

Increased access to energy efficiency in the built environment

Planned or Potential Activities to Address Housing and Community Needs

Apply for funding under the Community Development Block Grant Program Disaster Recovery Program to replace owner-occupied homes that are affordable to low-and-moderate-income households

Apply for funding under the Community Development Block Grant Program Disaster Recovery Program to replace rental units that are affordable to low-and-moderate-income households

Develop incentives to increase the energy efficiency of new development

Support preventative maintenance programs and the rehabilitation of deteriorated housing stock, as needed, through cooperative ventures with area housing providers

Date and location assessment was prepared: Linn County Board of Supervisors Meeting on November 23, 2022

Number of local residents participating: 0

The following discussion followed:

Discussion followed:

Supervisor Walker thanked Mitchell for the presentation and the work that she does noting that it is abundantly clear that housing is a significant need in the community. He is encouraged to see different groups, particularly those affiliated with the Housing Alliance rising to the occasion. He asked Mitchell to give him an idea of (10 units for one project and another 5 rental units for the other) how that compares to the scope of the issue. How many units of affordable housing do they need to create over the next 5-10 years to really get at the issue.

Mitchell responded she does not have that figure in front of her but looking at the market analysis, it would be hundreds of units. The market supports these projects and probably any projects that would move forward in Linn County.

Walker also asked her to give him an idea of the amount of funds that would be requested to assist in this project (pocket neighborhood was \$2.3 million and the Dows Commons \$860,000). What is the overall costs of those two projects respectively. He's trying to understand what percentage of the costs those requested funds will cover.

Mitchell stated that those numbers have not been finalized yet, however, the developer might be able to answer that. Typically, the CBDGR funding is just a piece of the equation, and the majority of the project (75%) is supported by conventional debt.

Chad Pelly, 300 Country Club Dr., Mt. Vernon, stated that they haven't got the final bids in. There are some unique features and elements designed into the homes to make them resilient and energy efficient, etc. There is a certain level of bonus points as well since they are all scored. They are going through the bidding process right now and will have a final budget plan by the 8th of December. At this point, he would use 15-20% comfortably but they will be back in the near future with a firm number based off of actual bids. Economic times are different today than they were a year ago and for him, he likes to develop neighborhoods and he firmly believes that a thriving neighborhood has a lot of components but most importantly, they have a diverse group of owner occupied and rental.

Walker also asked if there was any feedback from homeowners in the area about the project.

Pelly responded by saying that there was initial kickback received and he reached out to some of those individuals that were adjacent (3-4). Since those initial contacts, he has not received any negative feedback. Obviously, people get nervous especially when talking about subsidized housing (there are misconceptions that get out) and that was to blame for the initial reaction.

Mitchell offered the following suggestions based on what she has seen reviewing the county's documents:

- New replacement housing for both owner occupants and renters is identified as a need.
- Because of increases of For Sale market costs, down payment assistance resources for buyers (which is a component of this grant) is a need.
- Overall public services at affordable rates to low and moderate income people to make sure they are successful in housing is a need.

Additional feedback and comments on the CD/Housing Needs Analysis were sought during the presentation, and that during the presentation Mitchell offered to take down notes for any changes or additions to the recommendations.

Supervisor Walker stated that in the early days of his time on the Board a major component of what he thought would help them to address poverty was to address the housing issue. The housing issue has ballooned into a housing crisis and referred to the number of homeless in Cedar Rapids (record levels), so he is encouraged to see projects of this nature happening.

Supervisor Zumbach stated that a lot of the things Mitchell talked about for the development hits on a lot of areas if not all of them and he is looking forward to it getting lifted off the ground.

Motion by Zumbach, seconded by Walker to close public hearing.

Motion by Zumbach, seconded by Walker to adopt Resolution 2022-11-179

A RESOLUTION EXTENDING THE MORATORIUM ON ACCEPTING REZONING APPLICATIONS FOR THE RENEWABLE ENERGY OVERLAY DISTRICT IN ACCORDANCE WITH PROVISIONS IN LINN COUNTY CODE OF ORDINANCES CHAPTER 107, ARTICLE VII
WHEREAS, the Linn County Board of Supervisors ("Board") on October 12, 2022, duly adopted Ordinance No. 17-10-2022 entitled, "An Ordinance Amending the Code of Ordinances, Linn County, Iowa by Amending Provisions in Chapter 107, Article VII Relating to the Enactment of a Moratorium on Accepting Rezoning Applications for the Renewable Energy Overlay District" ("Moratorium Ordinance"); and
WHEREAS, the passage and publication of the Moratorium Ordinance as prescribed by Iowa Code enacted a new subsection 107-149(h)(1) in the Linn County Code of Ordinances that states, "The County shall not approve any request to rezone property to the Renewable Energy Overlay District for a period or periods as described in Sections 107-149(h)(2) while the Board of Supervisors reviews and possibly revises language in this chapter related to utility-scale solar and wind installations;" and
WHEREAS, the passage and publication of the Moratorium Ordinance as prescribed by Iowa Code further enacted a new subsection 107-149(h)(2)(a) that stipulates that Subsection 107-149(h) shall be repealed automatically on December 31, 2022, unless extended before that date by Resolution of the Board of Supervisors until no later than March 31, 2023; and
WHEREAS, upon the request and recommendation of the Linn County Planning and Development Director, the Board finds and determines that it is necessary, desirable, and in the best interests of Linn County to extend the moratorium deadline of December 31, 2022, as established by Linn County Code of Ordinances Section 107-149(h)(2)(a), to provide for additional time for the review and possible revisions of language in Linn County Code of Ordinances Chapter 107 related to utility-scale solar and wind installations.
NOW, THEREFORE, THE LINN COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES that the moratorium on requests to rezone property to the Renewable Energy Overlay District, as established by Linn County Code of Ordinances Section 107-174(h)(2)(a), is extended from December 31, 2022, until March 31, 2023, unless extended before that date by Resolution of the Board of Supervisors.

Discussion: Charlie Nichols stated that updates will not be done by end of year and he is asking for a three month extension. The advisory committee members will have a kickoff meeting between Dec. 14 & 16. They are moving ahead slow but steady.

Supervisor Walker thanked Nichols for being at the helm noting that it has not been easy but he has project managed with considerable grace and competence. Walker stated that he is not involved in who serves on the committee and he has assured those that are asking about it that the committees should be balanced and will ultimately glean as much information from affected members of the public and subject matter experts. They are trying to make the ordinance better than it is while recognizing that is was in pretty good shape from the start. He stated that Nichols is doing an incredible job and no matter what he does, he won't make everyone happy. The goal is for a good product in the end.

Nichols stated that by the end of the three-month extension, they will have some certainty on how much additional time will be needed.

Supervisor Walker encouraged Nichols to work with a quickened pace as he worries about what could happen if they belabor the process. If they move at a quickened pace, it will not appear that they are stalling.

VOTE: All Aye.

Motion by Zumbach, seconded by Walker to postpone resolution approving a Final Plat for Rolling Hill Farms First Addition, case JF22-0024 until there is full board participation

Discussion: Stephanie Lientz, Planning & Development, stated that the applicant would also like to postpone. VOTE: All Aye

Darrin Gage, Dir. of Policy & Admin., explained that during bid opening on Monday for the Secondary Road Dist. 1 Shop Building – Phase 2, it was discovered that the public hearing notice was not published by the Gazette.

Motion by Zumbach, seconded by Walker to adopt Resolution 2022-11-180

A RESOLUTION TO PROVIDE FOR A NOTICE OF PUBLIC HEARING ON THE

PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED TOTAL COST FOR THE LINN COUNTY SECONDARY ROAD DISTRICT 1 SHOP BUILDING – PHASE 2 PROJECT

WHEREAS, it is proposed that the Linn County, Iowa Board of Supervisors (the “Board”) authorize the construction of the public improvement(s) as described in the proposed plans, specifications, and form of contract prepared by Martin Gardner Architecture (the “Project Architect”), which may be hereinafter referred to as the “Linn County Secondary Road District 1 Shop Building – Phase 2 Project”, or the “Project”; and, WHEREAS, the proposed plans, specifications, form of contract, and estimated total cost for the project (the “Contract Documents”) are on file with the Board; and, WHEREAS, it is necessary to set a time and place for a public hearing on the Contract Documents, to publish a Notice of Public Hearing on the Contract Documents, and to advertise for sealed bids on the Project.

BE IT THEREFORE RESOLVED by the Board as follows:

1. The Board shall hold a public hearing on the proposed contract documents on November 30, 2022 at 11:00 am in the Formal Board Room of the Linn County Public Service Center located at 935 – 2nd Street SW, Cedar Rapids, Iowa, at which time any interested person may appear and file objections to the proposed Contract Documents, and, after hearing objections, the Board may proceed with approval of said Contract Documents.

2. The Board hereby authorizes and directs the publication of a notice of public hearing on the Contract Documents for the Project at least once, not less than four (4) nor more than twenty (20) days before the date of the hearing in one or more newspapers that meet the requirements of Iowa Code Section 618.14.

Board Member Reports: Supervisor Walker stated that the Board room was 76 degrees this morning and that is unacceptable.

Adjournment 11:35 a.m.

Respectfully submitted,

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

Approved by:

LOUIS J. ZUMBACH, Vice Chairperson
Board of Supervisors