

AGENDA
SPECIAL JOINT MEETING OF THE AMES CITY COUNCIL AND
ELECTRIC UTILITY OPERATIONS REVIEW AND ADVISORY BOARD (EUORAB),
AND REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
NOVEMBER 12, 2013

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion. **If you wish to speak, please complete an orange card and hand it to the City Clerk. When your name is called, please step to the microphone, state your name for the record, and limit the time used to present your remarks in order that others may be given the opportunity to speak.** The normal process on any particular agenda item is that the motion is placed on the floor, input is received from the audience, the Council is given an opportunity to comment on the issue or respond to the audience concerns, and the vote is taken. On ordinances, there is time provided for public input at the time of the first reading. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring.

CALL TO ORDER: 6:00 PM

SPECIAL JOINT MEETING OF THE AMES CITY COUNCIL AND EUORAB

1. Energy Resource Options:
 - a. Presentation of input from public forums
 - b. Resolution determining that the primary fuel of the City's Power Plant should be natural gas, rather than coal

ADJOURNMENT:

REGULAR MEETING OF AMES CITY COUNCIL*

*The Regular Meeting of the Ames City Council will immediately follow the Special Joint Meeting of the Ames City Council and EUORAB.

CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time the Council members vote on the motion.

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of October 15, 2013, and October 29, 2013, and Regular Meeting of October 22, 2013
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for October 16-31, 2013
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue
 - b. Class B Liquor – Country Inn & Suites, 2605 SE 16th Street
 - c. Class C Liquor & Outdoor Service – Outlaws, 2522 Chamberlain
 - d. Class B Native Wine – Chocolaterie Stam, 230 Main Street
 - e. Class C Beer – Swift Stop #8, 705 24th Street
6. Resolution approving appointment of David Carnes to fill vacancy on Building Board of Appeals
7. Resolution approving Investment Report for quarter ending September 30, 2013
8. Resolution approving Annual Urban Renewal Report

9. Resolution proposing vacation of public utility easement located at 2801 E. 13th Street and setting November 26, 2013, as date of public hearing
10. WebFilings:
 - a. Resolution supporting submittal of application from WebFilings, LLC, for economic development assistance from IEDA with local match to be provided in the form of Industrial Property Tax Abatement
 - b. Resolution approving amendment to 2010 Economic Development Agreement with WebFilings and Iowa Economic Development Authority to adjust terms of State of Iowa credit for sales tax and Investment Tax Credits
11. Resolution approving preliminary plans and specifications for Motor Repair for Power Plant; setting December 18, 2013, as bid due date and January 14, 2014, as date of public hearing
12. Resolution awarding contract for purchase of Boiler Tubes and Bends for Units 7 and 8 Superheat Sections to Chicago Tube & Iron Co. of Romeoville, Illinois, in the amount of \$88,148.20
13. Resolution approving contract and bond for 2012/13 Flood Response and Mitigation Project (Northridge Parkway Subdivision) and 2009/10 Storm Water Facility Rehabilitation Program (Moore Memorial Park)
14. Resolution approving Change Order with Veenstra & Kimm for Sanitary Sewer System Evaluation in an amount not to exceed \$263,250
15. Resolution approving Change Order No. 23 with Henkel Construction Company to connect CyRide facility to ISU's Cooling Tower System in connection with CyRide Bus Facility Expansion Project in the amount of \$72,355.11
16. Resolution approving Change Order Nos. 6 and 7 with A&P/Samuels Group for the Library Renovation and Expansion Project in the total amount of \$53,508
17. Resolution accepting completion of public improvements required for Estates of Natures Crossing and releasing security
18. Resolution accepting completion of Phase I of City Hall Renovation Project
19. Resolution accepting completion of FY 2012/13 Lime Sludge Disposal Contract
20. Resolution accepting completion of 2012/13 Ames Municipal Cemetery Improvements (Paving Improvements)
21. Resolution approving Plat of Survey for 3602 and 3606 Story Street

PUBLIC FORUM: This is a time set aside for comments from the public on topics of City business other than those listed on this agenda. Please understand that the Council will not take any action on your comments at this meeting due to requirements of the Open Meetings Law, but may do so at a future meeting. The Mayor and City Council welcome comments from the public; however, at no time is it appropriate to use profane, obscene, or slanderous language. **The Mayor may limit each speaker to five minutes.**

PERMITS, PETITIONS, AND COMMUNICATIONS:

22. Motion approving 5-Day licenses for Olde Main Brewing at ISU Alumni Center, 420 Beach Avenue:
 - a. Special Class C Liquor License (Nov. 14-18)
 - b. Special Class C Liquor License (Nov. 19-23)
23. Requests from Arthritis Foundation for Jingle Bell Run on December 7, 2013:
 - a. Resolution approving closure of westbound lane of Mortensen Road from approximately 8:45 to 9:30 a.m.

24. Requests from Main Street Cultural District for Holiday activities:
 - a. Motion approving blanket Temporary Obstruction Permit and Blanket Vending License in the Central Business District on November 22
 - b. Resolution approving waiver of fees for electricity for holiday activities/lighting from November 22 through December 31
 - c. Resolution approving closure of ten parking spaces along Main Street and one parking space on the west side of Douglas Avenue on Friday, November 22
 - d. Resolution approving closure of Burnett Avenue, from Main Street to Fifth Street, from 2:00 to 8:00 p.m. on November 22 for planned activities
 - e. Resolution approving waiver of fee for Blanket Vending License
25. Resolution approving request to carry over unspent funding from 2012/13 for Ames International Partner Cities Association (AIPCA)
26. Request from Octagon Center for the Arts to allow five banners to be temporarily displayed on Downtown corner posts to promote the Festival of Trees event:
 - a. Motion to allow the banners for this one instance and direct staff to establish policy for future requests
27. Request from Ames Convention and Visitors Bureau for City funding to finance flat space addition to the Scheman Building
 - a. Motion directing staff to develop ballot language for March 4, 2014, Referendum

PLANNING & HOUSING:

28. 2520 Chamberlain Street:
 - a. Motion directing staff to prepare Remote Parking Agreement and Easement
 - b. Resolution approving/motion denying eligibility for tax abatement in Campustown Urban Revitalization Area
29. Resolution adopting amendment to Ames Urban Fringe Plan Land Use Framework Map pertaining to expansion of ISU Research Park

HEARINGS:

30. Campustown Urban Renewal Area (Kingland Redevelopment Project):
 - a. Presentation of project scope by Kingland
 - b. Hearing on Campustown Urban Renewal Area:
 - i. Resolution adopting Campustown Urban Renewal Plan
 - ii. Resolution establishing Campustown Urban Renewal Area
 - iii. First passage of ordinance creating Campustown Tax Increment Financing District
 - c. Staff review of proposed TIF Agreement terms:
 - i. Motion directing City Attorney to prepare Agreement
 - ii. Motion setting December 10, 2013, as date of public hearing for Campustown Tax Increment Financing Development Agreement
 - d. Hearing on Zoning Text Amendment to change Campustown building height step-back (continued from October 22, 2013):
 - i. First passage of ordinance
31. Hearing on Water and Pollution Control Facility Blower Replacement:
 - a. Resolution approving final plans and specifications and awarding contract to Woodruff Construction of Ames, Iowa, in the amount of \$156,300

WATER & POLLUTION CONTROL:

32. Resolution awarding a contract to FOX Engineering Associates, Inc., of Ames, Iowa, for design, bid, and construction phase engineering services for WPC Digester Improvements Project in an amount not to exceed \$99,400 without prior approval

TRANSIT:

33. Resolution approving up to 12 two-month fuel contracts at a total price not-to-exceed \$1,764,000 and accepting fixed rate plus mark-up/deduct for the remainder of CyRide fuel purchases

PUBLIC WORKS:

34. Staff presentation of proposed Post-Construction Storm Water Management Ordinance:
a. Motion directing staff to place ordinance on November 26, 2013, Agenda for first reading

ORDINANCES:

35. Second passage of ordinance repealing Chapter 14 of the *Municipal Code* and enacting new Chapter 14 to be consistent with Iowa Civil Rights Act
36. Third passage and adoption of ORDINANCE NO. 4162 establishing 921 - 9th Street as an Urban Revitalization Area

COUNCIL COMMENTS:

HUMAN RESOURCES:

37. Motion to hold Closed Session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy

ADJOURNMENT:

***Please note that this agenda may be changed up to 24 hours before the meeting time as provided by Section 21.4(2), *Code of Iowa*.**

COUNCIL ACTION FORM

SUBJECT: ENERGY RESOURCE OPTIONS RECOMMENDATION

BACKGROUND:

Over the past several years, Electric Services staff and contracted consultants have been carefully studying electric generating and power supply options to meet our community's future needs. During this time, the City Council has also been involved in several workshops and presentations on this key strategic decision. Under consideration are current, pending, and anticipated environmental rules, as well as increased availability and reduced pricing of natural gas. Another consideration unique to Ames is our practice of processing garbage and converting it to Refuse Derived Fuel (RDF), which is then burned with coal to produce electricity. Presentations to the City Council on this topic were made on March 11, 2013 and Oct 15, 2013.

This unusual combination of coal supplemented by RDF makes our decision on future electricity production at the Ames Power Plant even more complex. Staff's research has determined the two most viable options are to continue to burn coal and install emission-reducing technology, or convert the boilers to burn natural gas. Both of these choices are expensive. As this decision will have long-term impacts on electric rates and other community aspects, the Electric Utility Operations Review and Advisory Board (EUORAB) held two public forums. Input from those forums will be shared with Council just prior to this Council meeting.

After considering all of the input and information provided to date, the Electric Services staff recommended to the EUORAB that power plant units #7 & #8 be converted to natural gas, based on the following considerations:

- The Black & Veatch study indicated that new and proposed rules from the Environmental Protection Agency could be met using either a coal/RDF-fueled power plant or a natural gas/RDF-fueled power plant.
- Capital and operating cost comparisons of the two options did not indicate one to be a clear lower cost option.
- Further analysis by staff regarding environmental, social, fuel sourcing, constructability, and regulatory comparisons clearly indicated that conversion to natural gas/RDF operation is the correct recommendation at this time.
- A majority of public input EUORAB received to convert to natural gas was supportive, although there was also a desire by some for more renewable generation.

At the EUORAB meeting held on Oct 30, 2013, the EUORAB agreed to accept staff's recommendation to convert the plants to natural gas and to forward it to the City Council.

Should the City Council concur with the recommendation to convert units #7 and #8 to natural gas/RDF operation, staff will begin work on two parallel paths. Figures 1 and 2 attached below are flowcharts for each path.

Path A – Determine Preferred Method For Transporting Gas

Staff will compare and contrast two methods to deliver natural gas from a Northern Natural gas line in Story City to the Ames Power Plant. The two options are for the City 1) to construct its own gas line or 2) enter into a transport service agreement with Alliant Energy to provide gas delivery through their pipeline. Acquiring the natural gas commodity itself will remain a City function under either of these scenarios. Staff will be coming back to the City Council throughout this process with updates and to gain the necessary approvals.

Path B – Retrofit Units #7 & #8 To Accommodate The Burning Of Natural Gas

Staff will evaluate and hire an engineering firm to develop detailed specifications to convert unit #7 & #8 so they can accommodate natural gas as their primary fuel source. These specifications, formatted into a Request for Proposal, will be submitted to the industry for responses. Staff and its engineering consultant will evaluate and select a preferred firm to supply equipment, perform installation, test, and train employees. Again, staff will be coming back to the City Council throughout this process with updates and to gain the necessary approvals.

In addition, Electric Services staff will work closely with Finance Department staff to develop a funding plan for this transition to natural gas and report back to the City Council on the impact this transition will have on our electric rates.

ALTERNATIVES:

1. The City Council can approve staff & EUORAB's recommendation to begin the necessary work to convert power plant units #7 & #8 to operate using natural gas as its primary boiler fuel and supplementing it with RDF.

In approving this alternative, staff will begin to re-prioritize its Capital Improvements Plan, removing coal-centric projects, and redirecting budgeted engineering dollars towards natural gas conversion.

2. The City Council can direct staff continue operating power plant units #7 & #8 on coal and begin the necessary engineering work to add equipment to meet the EPA's environmental regulations.
3. The City Council can delay the decision.

MANAGER'S RECOMMENDED ACTION:

For over 115 years, the City has provided electric serve to the residents of Ames. For nearly as long, the City has produced part of this energy from coal-fired generation. The current regulatory environment, public perception, and the abundance of low-cost natural gas have caused staff to chart a new course for future electric generation. Converting to natural gas will allow the City to meet/exceed the EPA's current environmental regulations within the timeframe mandated, to continue to burn RDF, and to utilize a fuel is more socially acceptable than coal. In addition, converting to natural gas now does not preclude the City from considering more renewable sources of energy in the future. A long delay in charting our future course, or no decision, will impede staff's ability to meet the Environmental Power Agency's new Mercury and Air Toxics Standards by the deadline of April 2016. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.**

Figure #1 – Path A – Determine Preferred Method of Transporting Gas

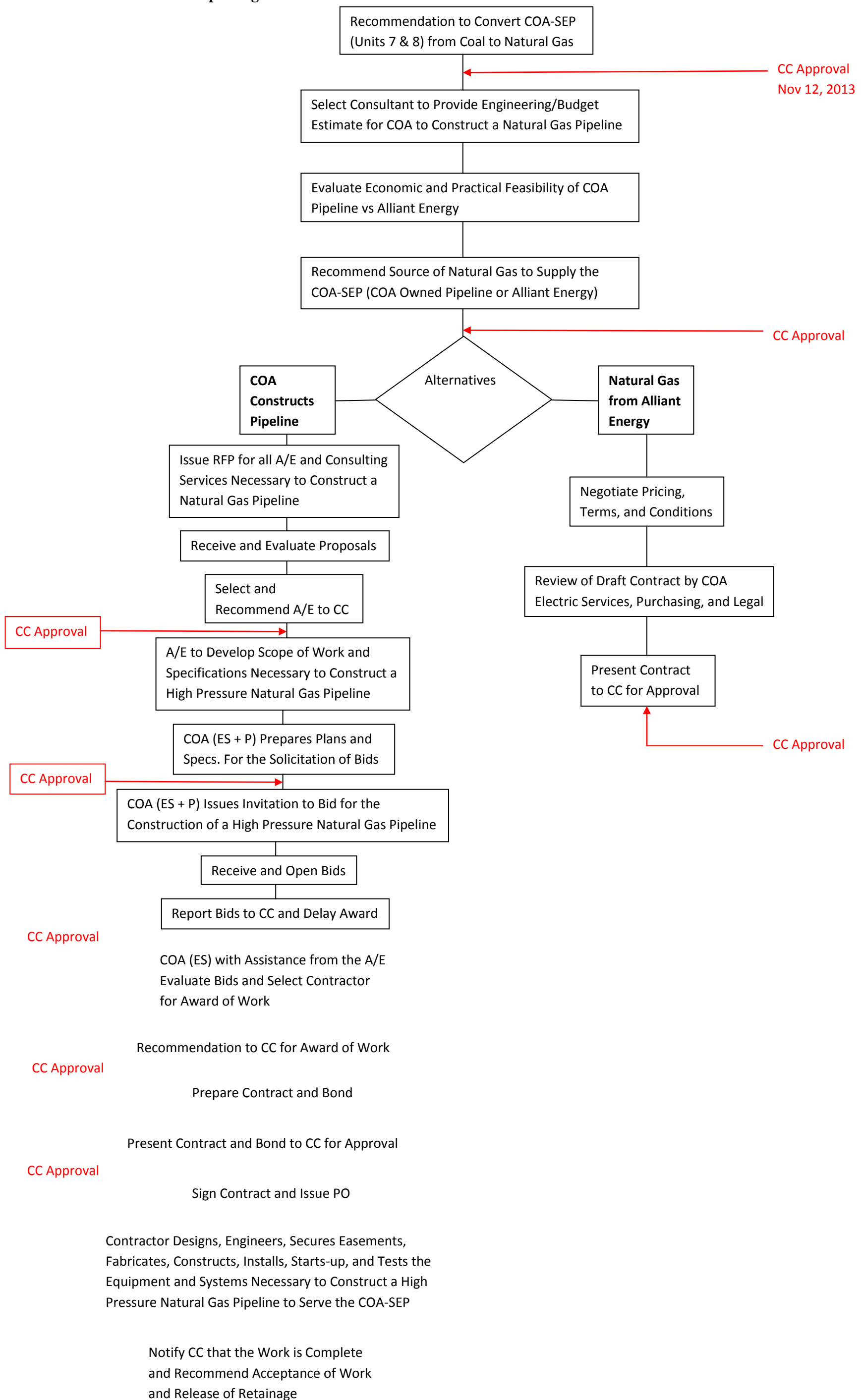
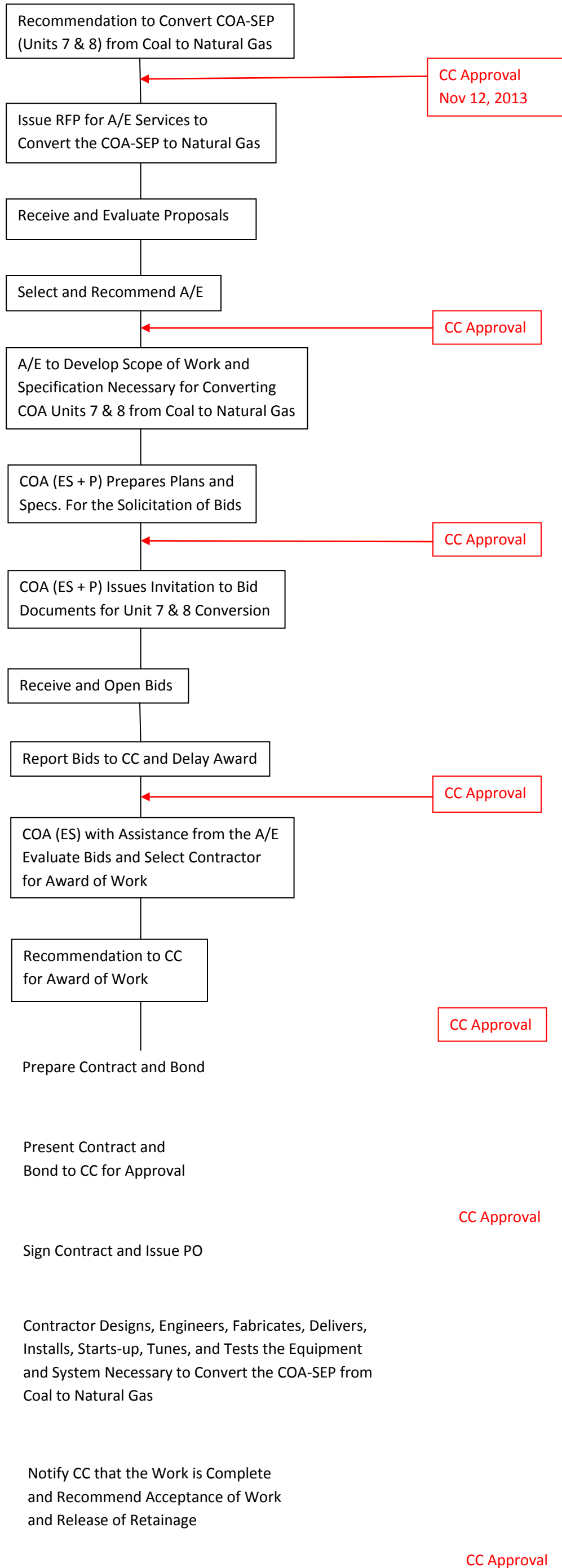


Figure #2 – Path B – Retrofit Units #7 & #8 to Accommodate the Burning of Natural Gas



MINUTES OF THE SPECIAL JOINT MEETING OF THE AMES CITY COUNCIL AND ELECTRIC UTILITY OPERATIONS REVIEW AND ADVISORY BOARD

AMES, IOWA

OCTOBER 15, 2013

Mayor Ann Campbell called the Special Joint Meeting of the Ames City Council and Electric Utility Operations Review and Advisory Board (EUORAB) to order at 7:00 p.m. with Jeremy Davis, Matthew Goodman, Jami Larson, Victoria Szopinski, and Tom Wacha present. Council Member Orazem arrived at 7:05 p.m. EUORAB members present were Cathy Brown, Jim Converse, and Max Morris.

STAFF PRESENTATION REGARDING ENERGY RESOURCE OPTIONS: City of Ames Electric Services Director Donald Kom recalled that City staff has been working with a consultant (Black & Veatch) over the last two years on an Energy Resource Options study regarding the future of electric generation in Ames. Staff and the EUORAB have spent time reviewing the findings and looking at possible alternatives moving forward. At least two public input sessions will be held before the Council is asked to make a final decision. Mr. Kom indicated that this decision will have a major impact on the electric utility, setting its direction for the next 20-plus years.

Director Kom explained that the Ames Municipal Electric System owns four generators: two coal-fired units (Units 7 and 8) at the Power Plant and two peaking generators located on Dayton Avenue. With those generators, the Utility is able to produce all of the electricity needed by the residents of Ames at any given time. Approximately half of the city's energy is produced internally by burning coal and refuse derived fuel (RDF) from the Resource Recovery Plant. Mr. Kom stated that the Plant is operated for a variety of reasons, one being that burning RDF is an environmentally beneficial way to get rid of garbage. Another is for reliability; having internal generation allows the City to suffer less in the event of a power outage or failure. Mr. Kom explained that, aside from providing electricity for the city, the Power Plant also operates in order to meet "capacity obligations." Whether generated internally or bought from the market, the Utility needs to be capable of producing at least 107% of its ultimate peak demand; owning capacity or having it under contract is a requirement. Mr. Kom noted that the City also has a long-term wind contract that produces some energy, but it is located outside city limits and it does not provide the same capacity and reliability protection as the Plant's main generation.

According to Mr. Kom, the driving force behind this discussion is that the United States Environmental Protection Agency (EPA) is coming out with new regulations related to mercury, NOx (nitrogen oxides), SOx (sulphur oxides), coal residue, etc., over the next few years, and staff has been evaluating those rules to see how the Power Plant needs to adjust. Additionally, natural gas has dropped in price in recent years, which factors into looking at it as a long-term fuel source. Mr. Kom explained that City staff came up with 16 different alternatives, reviewed them with the consultant, and eventually came to two fundamental options: continuing to power Units 7 and 8 with coal and adding equipment to meet EPA guidelines, or converting both units to natural gas. While evaluating both options, staff concluded that the burning of RDF does not change the final recommendation one way or another. Not having a viable alternative to do anything else with the RDF, staff's analysis assumes that it will continue to be burned.

Electric Services Assistant Director Brian Trower reviewed the general changes that would be required to either continue operating on coal or to convert the Plant to natural gas. He explained that the main force driving the need to change is the EPA's newly-adopted Mercury and Air Toxics Standard (MATS), which regulates emissions of acid gases, mercury, and ten other heavy metals.

He stated that, in order to keep Units 7 and 8 on coal and in compliance with MATS, three major installations of equipment would be necessary. The first would be a dry sorbent injection system, which would neutralize acid gas emissions. Additionally, a powder activated carbon system would be installed to collect and strip mercury out of the flue gas stream. Third, a fabric filter bag house would be required to manage heavy metal emissions. Mr. Trower indicated that the addition of the fabric filter would cause the generators to be “de-rated.” Because of the Plant’s capacity obligations (107% of peak load), the Utility would then either need to somehow bolster the existing operation or purchase a combustion turbine to offset the de-rating.

According to Mr. Trower, in order to convert the Power Plant to natural gas, the Utility would first need to locate a natural gas source. The City could either contract with a provider such as Alliant Energy, or build its own pipeline directly to a wholesaler. Director Kom added that there is not a local pipe currently available that is capable of meeting the demand of the Plant; the closest high-volume gas line is located in Story City. The City of Ames would either build a line to Story City or enter into a long-term contract with Alliant and use its pipe. Council Member Orazem inquired about the possibility of other potential users subcontracting to use the City’s line if it were built. Mr. Kom said that the City would build the line to power its own generation. He cannot speculate what else the line might be used for.

Mr. Trower explained that another component to natural gas conversion would be to put new gas burners in the boiler. Additionally, a natural gas source would need to be located outside the building and then plumbed inside. Fire protection upgrades, venting, safety equipment, combustion controls, and other code considerations would also apply.

Upon being questioned by Council Member Goodman regarding building a pipe versus contracting with Alliant, Mr. Kom indicated that there is still a lot of research to do and discussions to have with Alliant. He stated that if the City does build a pipe, it will not be creating a whole new utility for the City to sell gas to hundreds of homes and businesses; it would simply be a fuel source into the Power Plant.

Mr. Kom presented the Council with a “stop light” table, which highlighted regulatory, permitting, political, and social issues, the status of each issue, and the impact of each if the Plant remained on coal or switched to natural gas. The table was reviewed in detail by Assistant Director Trower.

Title V Operating Permit: Mr. Trower explained that the Title V Operating Permit is an existing requirement that the Plant currently maintains. Under the coal option, the Permit would need to be modified and reissued to reflect the changes in the Power Plant and pollution control equipment. Prior to Permit reissuance, there would be a mandatory public notice period, during which “third party interveners” (environmental groups or other organizations that want to weigh in) would likely object. Mr. Trower explained that an annual air emissions inventory is required to maintain the Operating Permit; the Plant pays a fee for every ton of pollution emitted. If the Plant remained on coal, the annual inventory process would be more difficult, with significantly more complex stack testing.

Under the natural gas option, the Permit would also need to be modified and reissued. During the public notice period, third party interveners are not likely to object. The annual air emissions inventory process and stack testing requirements would be less than current requirements.

Cross State Air Pollution Rule (CSAPR): Mr. Trower provided a history behind the Rule and explained that its final ruling is awaiting determination from the U.S. Supreme Court. There would likely be both NO_x and SO₂ (sulphur dioxide) compliance issues under coal. Under natural gas, there would be possible NO_x issues, but no SO₂ compliance issues. Mr. Trower added that NO_x is produced as a part of combustion, not necessarily from the fuel source itself.

Mercury and Air Toxics Standard (MATS): As stated earlier, Mr. Trower indicated that the MATS rule has one of the biggest impacts on the future of the Plant. Standard compliance is required by April of 2015; the City has already filed for an extension, which is still pending, through April of 2017. Mr. Trower reiterated that three major equipment installations would be required under the coal option. However, the MATS rule does not apply to natural gas units. Council Member Orazem asked if natural gas is exempt because it doesn't have the same emissions issues as coal. Mr. Trower said that it is conceivably exempt because, from a mercury and heavy metals standpoint, it is a cleaner fuel. However, he believes that it may also be exempt partially for political reasons.

Coal Combustion Residuals (CCR): According to Mr. Trower, the CCR rule is highly politicized and controversial, and is not yet finalized. If and when there is a final ruling, the City's existing ash pond would need to be excavated to remove CCR solids and then lined, or the site would need to be phased out and closed within five years of the final ruling. If the Plant was converted to natural gas, the CCR rule would not apply. However, the existing ash pond would still need to be phased out and closed, likely within five years of the ruling.

National Pollutant Discharge Elimination System (NPDES): The NPDES rule is currently in place. With coal generation, coal pile runoff and cooling tower blowdown would continue to be regulated as it is now. Under natural gas, the cooling tower blow down would be regulated as it is now. The coal pile would be cleaned up and reseeded, so coal runoff would no longer be an issue.

Effluent Limitations Guidelines (ELG): Mr. Trower indicated that the ELG is a proposed rule published in June of 2013, and it could force major equipment modifications for a coal-powered plant. Fly ash from the fabric filter bag house would likely need to be handled dry or dewatered for zero discharge. Non-chemical metal cleaning wastes, such as wash water from ash removal, could be subject to copper and iron limits. The scrutiny would be similar for natural gas since RDF would continue to produce fly ash. However, it would be more manageable since the Plant would discharge an estimated 80 percent fewer tons of ash per year. Council Member Larson recalled that there had been discussion in the past about RDF gasification. Mr. Trower said that, at the moment, the plan is to continue direct burning of RDF.

Startup, Shutdown, and Malfunction (SSM): The SSM is a proposal that is pending final ruling. Mr. Trower stated that it would be a big issue for a coal-powered plant; it would likely require Units 7 and 8 to be retrofitted to be able to light off and start up the boiler with natural gas. If the plant were powered by natural gas, there may be a minor SSM issue relating to NO_x.

Best Available Control Technology (BACT): Mr. Trower explained that BACT is not a rule or law, but rather an expectation that, as units age, are modified, or built new, the best available control technology should be used. With the coal option, even with the added equipment discussed earlier, there would still be compliance issues for NO_x and SO₂. A third party

intervener could potentially sue the City if it questioned the Plant's BACT compliance. Under natural gas, there would still be a possible compliance risk related to NOx.

National Ambient Air Quality Standard (NAAQS): The NAAQS relates to ground-level emissions exposure. Mr. Trower indicated that staff was initially concerned about the Plant's ability to comply with the Standard due to its location at the end of Main Street, inside city limits, and within the Municipal Airport's three-mile fringe. The consultants and City staff modeled both coal and natural gas options thoroughly and determined that the Plant can operate under existing patterns and maintain NAAQS compliance.

Prevention of Significant Deterioration - New Source Review (PSD-NSR): Mr. Trower explained that PSD-NSR is an existing construction permit process through the Iowa Department of Natural Resources (DNR) that is required in order to modify the Plant. If the Plant remained on coal, permits would be required for the three major equipment installations. Detailed and complex analyses would be required to justify the use of coal, and a long lead time would likely be needed in order to receive the permits from the DNR. There would also be a mandatory public comment period, during which third party intervention would be likely. Permits would also be required for modifying and converting the Plant from coal to natural gas. However, analyses required by the DNR would be minimal, and lead time for permitting would likely be normal.

New Source Performance Standard (NSPS): According to Mr. Trower, the NSPS is an existing rule that applies to new or modified plants. He explained that there is an exclusion, as long as the modifications cost less than 50% of the reconstruction costs. The modifications needed to remain on coal would likely fall under this exclusion. Unit 7 was originally designed to burn natural gas prior to 1971, so it is automatically excluded under the natural gas option. For Unit 8, the NSPS exclusion would apply as long as the modifications would cost less than 50% of the reconstruction costs.

Greenhouse Gas Regulations - CO₂e (GHG): Mr. Trower said that these regulations are currently being written by the EPA and should publish around June of 2014. Because coal produces 83% greater GHG emissions than natural gas, these regulations would be very challenging for a coal-fired plant.

Construction Permitting - Non-Power Plant: No construction permitting would be required under the coal option. Mr. Trower explained that construction permitting would also not be required if a tariff for natural gas can be reached with Alliant Energy. However, if the City were to build its own natural gas line, it would require Iowa Utilities Board franchise approval, as well as easement agreements from landowners along the route.

Third Party Intervention: Mr. Trower reiterated that third party intervention is likely if the Plant remains on coal; the City could expect to be targeted eventually. He explained that, due to the threat of a lawsuit, both MidAmerican Energy Company and Alliant Energy have signed "consent decrees" with a third party environmental group. Intervention is still possible, but not likely, if the Plant were converted to natural gas.

Fuel Delivery: According to Mr. Trower, the (coal) customer base of the Alliant Energy-Williams Bulk Transfer facility in Williams, Iowa is shrinking, and Alliant's interest in operating the facility long-term is unknown. The captive customer price of a future contract for coal

delivery would be expected to escalate significantly. Mr. Trower noted that when the City's current contract renewed in 2010, the delivery charge increased by 50%.

The two natural gas supply options (contracting or building a line) were discussed. Mr. Trower pointed out that if the City were to contract with Alliant, that would only be for the delivery of the gas. For both supply options, the City would still be able to "shop" for natural gas prices. Upon being questioned by Mr. Goodman, Director Kom indicated that there is an open, tradeable market for natural gas, similar to the Midwest Independent Transmission System Operator (MISO).

Ash Disposal: Mr. Trower reiterated that there would be significant ash disposal issues, as well as collection of fly ash with mercury and acids, with a coal plant. There would be some issues with disposing of RDF ash under the natural gas option.

RDF Burning: If the Plant remained on coal, there would be no change in RDF volume compared to current usage. However, if converted to natural gas, the study estimated that there would be a 13% decrease in the amount of RDF the boilers would be able to consume. Mr. Trower added that the Utility must retain the capability to burn coal to remain as an Electric Generating Unit and not be regulated as an incinerator under the CISWI (Commercial Industrial Solid Waste Incinerators) rule. The coal equipment would be kept to maintain coal capability, even under a natural gas option, because otherwise it would change the way the Plant is regulated. Mr. Trower explained that a coal fire creates a turbulent and aggressive heat release situation; natural gas burns differently. Because of that, staff feels that the Plant could not consume as much RDF successfully. Mayor Campbell inquired about what the City might do with that 13%. Director Kom said that there have already been discussions with Resource Recovery Plant staff, and that the sustainability task force is also working on it. He added that, historically, the Plant has had power outages, during which times RDF is not being burned. There is some data showing that with a more reliable/efficient boiler, the Plant could possibly burn more garbage over the long run. The Plant's overall availability and "up time" may help offset the 13% shortfall.

Employee Impact: Keeping the plant on coal would lead to a probable increase of full-time employees; natural gas would lead to a possible decrease.

Political Acceptance - Public Support: Coal is likely controversial due to the current political discourse regarding using coal as a power plant fuel, and natural gas is likely favorable.

Engineering - Degree of Difficulty: Mr. Trower said that engineering would be difficult due to the limited available space to place new equipment for coal operation. Converting to natural gas would also pose engineering challenges; the routing of gas piping inside the Plant would be difficult. Furthermore, if the City determines to build its own natural gas pipe, engineering of two gas gates and 14 miles of pipeline would be complex and time-consuming.

Construction - Degree of Difficulty: According to Mr. Trower, potential construction challenges are similar to the aforementioned engineering issues.

Mr. Trower concluded that, of the two options, remaining as a coal-powered utility would present more challenges than converting to natural gas.

Director Kom reviewed System Cost Impact and Rate Impact charts, which compared the costs of remaining on coal versus changing to natural gas. He pointed out that, on both system cost and rate impacts, coal and natural gas are virtually even. Upon being questioned by Council Member Goodman, Mr. Kom explained that the figures in the charts considered carbon tax, wind energy, purchase power, labor, environmental equipment, and other factors.

A “Natural Gas vs. Coal” pros and cons table was presented and discussed in detail. Mr. Kom noted that a lack of fuel diversification between the City and the energy market is one downfall of converting to natural gas. He explained that gas commodity prices fluctuate; coal prices are more stable. Noting that there were originally 16 different options, Mr. Larson inquired as to whether or not the consultants considered keeping one boiler on coal and converting the other to natural gas. Mr. Kom said that it was considered; however, that option would double the capital costs. Pipe infrastructure would be required for Unit 7, and the extra environmental control equipment for 8, which would result in twice the permitting effort and twice the money. Council Member Szopinski noted that the Plant will maintain the capability of burning coal, which could possibly be an advantage in the long run. Mr. Trower concurred.

Mr. Kom stated that City staff’s recommendation, based on the Black & Veatch study, is to convert the Power Plant from coal to natural gas. He said that this is a monumental, fundamental shift. Staff and EUORAB would like to hold public input sessions on October 28 and 30, and come back at the November 12 City Council meeting to ask for support from Council at that time. Mr. Kom indicated that “the clock is ticking,” because many of the guidelines need to be met by April of 2016.

Council Member Davis asked for the estimated cost of both options. Mr. Kom indicated that the capital cost of natural gas would be approximately \$37 million, not including the cost of building a gas line or contracting with Alliant. Keeping the plant on coal would be close to \$71 million for both Units 7 and 8.

Mr. Goodman noted that many have said that natural gas is a temporary solution. He asked for City staff’s opinion on the topic of nuclear and solar energy. Assistant Director Trower said that the recent disaster at the nuclear plant in Japan has been a major political detriment to nuclear power plants. Furthermore, he believes that a nuclear plant is not an economically viable option in Ames because of its size. With regard to solar generation, Mr. Trower stated that it is not a realistic economic option at this time. Coal-fired generation costs approximately \$30 per megawatt hour, natural gas is around \$60, and solar is close to \$150. Director Kom added that there are applications where solar energy works well, but on a utility scale in the upper Midwest, the prices need to come down more. Additionally, because solar energy cannot be called on during any given moment, capacity obligations might not be met.

City Manager Schainker noted that the Council is being asked to approve the public input process as submitted. Staff will send out letters to Neighborhood Associations, service clubs, and a press release will also be sent out to encourage as much attendance as possible.

Moved by Goodman, seconded by Davis, to approve the Public Input Plan as presented by City Staff. Vote on Motion: 6-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Orazem, seconded by Davis, to refer to staff the email dated October 10 from Emily Erickson regarding parking on Twain Circle.

Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Szopinski, to refer to Parks & Recreation staff for feedback the email from Angie DeWaard regarding establishment of a “children’s park” in Ames.

Vote on Motion: 6-0. Motion declared carried unanimously.

Mayor Campbell noted that the Council’s regular meetings in December are on the 10th and 24th; it has been suggested that the second meeting be moved to the 17th.

Moved by Davis, seconded by Wacha, to set the regular meeting dates to December 10 and 17.

Vote on Motion: 6-0. Motion declared carried unanimously.

Ms. Szopinski referenced a letter received from the Young Professionals of Ames (YPA) regarding its participation in the 4th of July fireworks display and funding for such. Discussion ensued regarding the City’s grant program, funding through the Ames Convention and Visitor’s Bureau (ACVB), and the portion of funding from the hotel/motel fund.

Moved by Goodman, seconded by Szopinski, to ask staff to report to Council the dollar amount of hotel/motel funding in the ACVB grant program, and whether or not that amount has changed since the beginning of the program.

Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 8:57 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Emily Burton, Recording Secretary

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

OCTOBER 29, 2013

Mayor Ann Campbell called the Special Meeting of the Ames City Council to order at 7:00 p.m. with Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha present. *Ex officio* Member Alexandria Harvey was also present.

Mayor Campbell announced that the Council would be operating from an Amended Agenda. The additional item was approval of Change Order No. 1 for Unit 8 Generator Repairs/Re-Wedging Stator.

ENCROACHMENT PERMIT FOR MARRS WEALTH MANAGEMENT, 313 FIFTH

STREET: Moved by Davis, seconded by Wacha, to approve an Encroachment Permit for a canopy at Marrs Wealth Management, 313 Fifth Street.

Vote on Motion: 6-0. Motion declared carried unanimously.

CHANGE ORDER NO. 1 FOR UNIT 8 GENERATOR REPAIRS/RE-WEDGING STATOR:

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-493 approving Contract Change Order No. 1 to Generator & Motor Services, Turtle Creek, Pennsylvania, in an amount not-to-exceed \$68,000 for Unit 8 Generator Repairs/Re-Wedging Stator.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

STAFF REPORT ON FLOOD MITIGATION ALTERNATIVES:

Water and Pollution Control Director John Dunn told the Council that the alternatives that would be presented at this meeting were not new. They were the same alternatives presented to the Council on April 16, 2013; however, they had now been “packaged” in some combinations that made logical sense to the consultants and staff. Mr. Dunn reviewed the process that staff had followed since July 2012 when the Council entered into a Professional Services Agreement with HDR to develop a flood mitigation strategy. He specifically noted the extensive public involvement process that had occurred. Director Dunn provided conclusions that had come from the hydrologic and hydraulic mapping and modeling done by HDR. He quoted the direction given to staff by the City Council on April 12, 2013. At that meeting, staff had specifically been directed to come up with alternatives that included a combination of the most-beneficial upstream flood storage strategies and levees.

The three combination alternatives were defined as follows:

1. Combination Alternative 1: Lengthen Highway 30 Bridge and Reshape Squaw Creek Channel. This alternative combines two discrete elements: (1) lengthen the US Highway 30 Bridge over the South Skunk River and (2) make improvements to the shape of the Squaw Creek Channel immediately upstream and also downstream of the South Duff Avenue Bridge.

The construction cost estimate is:	\$ 4,720,000	Reshaping
	<u>7,740,000</u>	Bridge
	<u>\$12,460,000</u>	Total

Benefit/Cost Ratio: 3.50

The improvement to the US Highway 30 Bridge was modeled as a 430' extension of the west of the existing bridge deck. When the City rebuilt SE 16th Street, the portion to the west of the Skunk River was intentionally designed to go under water in a flood event that exceeds the 2% chance ("50 year" flood), and no additional modification to SE 16th Street would be needed. According to Mr. Dunn, staff had discussed the likely timing for this bridge lengthening project with the Iowa Department of Transportation. The bridges on US 30 were constructed nearly 50 years ago in 1964, and at this time, they are not scheduled for replacement in IDOT's current Five-Year Program and IDOT does not have a formal long-range plan for bridge replacements. Given the bridges are 50 years old, IDOT reported that they would likely replace the structures within the next 20 years. At the time of replacement; however, IDOT does plan on lengthening the structures. While the actual configuration of the structures will depend on studies conducted at that point in time, the IDOT currently envisions that the structures would be lengthened approximately 400 feet to the west.

Mr. Dunn stated that the second element, channel modification, involves reconstruction of the Squaw Creek Channel into a more hydraulically efficient trapezoidal cross-section. This modification would extend approximately 2,000 feet upstream and also downstream of the South Duff crossing over the Creek. This alternative would have a pronounced impact on the 1% chance ("100-year" flood) elevations in the immediate vicinity of South Duff Avenue, lowering the water surface elevation by an estimated 1.4 feet. But the benefit would fall off rapidly upstream, with little to no impact realized at Lincoln Way. However, Iowa State University and CyRide have already undertaken significant mitigation measures for structures in this area.

2. Combination Alternative 1 Variation: Lengthen Highway 30 Bridge and Remove Vegetation from Squaw Creek Channel

Construction Cost Estimate:	\$ 2,940,000	Clear Vegetation
	\$ 7,740,000	Bridge
	<u>\$10,680,000</u>	Total

Benefit/Cost Ratio: Not Calculated

Director Dunn advised that this alternative was not evaluated by the consultant; thus, no Benefit/Cost Ratio was determined, but staff wanted to offer a possible variation to Combination Alternative 1. This variation would be to combine the US Highway 30 bridge lengthening with clearing vegetation along the Squaw Creek Channel in an approximately 300' wide swath (150' each side of the center of the channel), beginning at Lincoln Way and continuing downstream to the confluence with Skunk River. This work is anticipated to result in an approximate 2.1 foot reduction in the 1% chance ("100-year") flood elevation along this entire length of the Creek.

Mr. Dunn pointed out that this alternative offers a lower construction cost than Combination Alternative 1. The conclusion in the consultant's report that this option is "free of major environmental impacts" is based on there being no anticipated hurdles, such as threatened and endangered species, large contaminated parcels of land involved, wetlands that couldn't be easily mitigated, or insurmountable permitting requirements. According to Director

Dunn, staff believes that there could be negative feedback should this alternative be pursued simply due to the large quantity of vegetation that would be removed.

3. Combination Alternative 2: Lengthening Highway 30 Bridge, Reshape Squaw Creek Channel Plus Levees.

Construction Cost (with 100-yr Levees):	\$ 7,740,000	Bridge
	\$ 4,720,000	Reshaping
	<u>\$10,900,000</u>	100-yr Levees
	<u>\$23,360,000</u>	Total

Benefit/Cost Ratio: 1.85

Construction Costs (With 500-Yr. Levees):	\$ 7,740,000	Bridge
	\$ 4,720,000	Reshaping
	<u>\$13,000,000</u>	500-yr Levees
	<u>\$25,460,000</u>	Total

Benefit/Cost Ratio: 1.72

Director Dunn advised that this alternative includes both elements from Combination Alternative 1 paired with a levee system. Three individual levee walls are envisioned. One would start at Stuart Smith Park on the north side of Squaw Creek and run east, then cross South Duff Avenue and run north behind the Super Wal-Mart and Target properties, then cross East Lincoln Way and tie into the railroad embankment. A second levee would run on the east side of the Skunk River, starting at the railroad embankment and running south along the edge of the floodplain to Highway 30. A third small levee was included to protect the commercial establishments and mobile home park on Duff Avenue south of Squaw Creek. Mr. Dunn reported that the third levee had not been included in the options originally presented to the Council last April. Two different elevations were modeled for the levees. The first would construct levees to an elevation that is three feet above the updated 100-year flood elevation as calculated by the consultant. The second would construct the levees to an elevation that matches the 500-year flood elevation as calculated by the consultant.

Mr. Dunn reported that levees do not actually lower the elevation of flood waters; they simply keep the flood waters away from the protected properties. When levees are installed, some means of moving trapped storm water runoff from the protected side of the levee is needed. In this case, storm water pumping stations would be required to move storm water past the flood levees and into the rivers. These pump stations would be costly both to construct and to operate. According to Mr. Dunn, levees typically are not eligible for FEMA funding because they do not remove properties from the floodplain. If levees were to be considered, staff believes that it would be a good idea for the City to try to partner with the Army Corps of Engineers because it might have access to some funding. Mr. Dunn also said that levees are sometimes considered unsightly. However, to make them less so means an increase in cost.

The Council was told that, as a stand-alone alternative, both levee options have a Benefit/Cost Ratio (BCR) of less than 1.0, meaning that they are not cost-effective. When combined with Alternative 1, the levee options do have a Benefit/Cost Ratio of greater than

1.0, but result in a doubling of the capital cost for a comparatively small additional reduction in the Estimated Annual Damage Reduction.

4. Combination Alternative 3: Cost-effective Regional Storage.

Construction Cost Estimate: \$21,900,000

Benefit/Cost Ratio: 2.16

Mr. Dunn advised that this alternative does not build on either of the previous two alternatives; instead, it looks to slow the flow of flood waters by constructing two regional storage basins upstream. He pointed out that the Regional Storage Alternative presented to Council in April 2013 consisted of 14 regional storage basins, at an estimated construction cost of \$145,000,000. These consisted of a series of tributary detention and smaller main stem dams. Based on direction from the City Council, the consultants had reviewed this alternative to identify which of the individual storage basins contribute the greatest degree of reduction in flood levels experienced in Ames.

Combination Alternative 3 includes just two storage basins. One would be located on Skunk River north of Ellsworth and one would be located on Squaw Creek just outside the Ames city limits. This alternative would provide the greatest Estimated Annual Damage Reduction of any of the Combination Alternatives. The recommended placement of the Skunk River basin would not increase the flooding potential for any other communities; in fact, it would provide increased protection for Ellsworth and Story City as well as Ames.

According to Mr. Dunn, while having a comparatively high construction cost estimate, it still has a Benefit/Cost Ratio of 2.16, significantly greater than 1.0. Not factored into the economic evaluation were potential recreational benefits such structures may offer. However, the multi-jurisdictional nature of this strategy would significantly lengthen the time required to fully implement it. While the consultant's report notes that this has smaller environmental impacts than the larger storage options, it could have a substantial impact on Onion Creek. A previous study performed by the City as a part of a sewer routing study noted this as high quality woodlands, and the Council could anticipate possible negative feedback should this alternative be pursued due to the impact on Onion Creek.

Mr. Dunn brought the Council members' attention to a summary of the Combination Alternatives that had been included as part of the staff report.

Regulatory Alternatives. Planning and Housing Department Director Kelly Diekmann presented the current regulations of the City's Floodplain Ordinance. He listed possible further prohibitions and regulations that the Council might want to consider in addition to the engineered alternatives. If the Council was interested in discussing Floodplain Ordinance modifications, it was suggested that staff be directed to bring the subject back to Council in a workshop setting.

Funding Considerations. Director Dunn presented the most frequently used funding sources for flood mitigation projects. He emphasized that the availability of grant funding and grant eligibility requirements can vary from year to year.

1. Flood Mitigation Assistance Grants (FMA) - a FEMA Grant Program. The usual criterion is that the proposed project must provide a benefit for repetitive loss properties. This past year a requirement was included that at least some of the benefitted properties had to be flood insurance policyholders. This program has no maximum dollar cap on the grant award and provides a 75% federal share and a 25% local match.
2. Pre-Disaster Mitigation (PDM) Grants - a FEMA Grant Program. This Program is intended for both hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. This grant program has a \$3,000,000 cap and also provides a 75% federal share and a 25% local match.

Mr. Dunn advised that the federal funding cycle typically begins in May when communities would learn for sure what dollar amounts are available and how the grant awards would be determined. The submittal deadline for applications is usually mid-October. Communities then would learn in December if their application was successful; and if so, the funds are generally available by February.

3. Local Matches. Local matching funds can come from any source other than the federal government.
4. Eligible Projects. Both grant programs define eligible applicants as including states, local governments, and Indian tribes or tribal organizations. It is not yet clear whether either of these two programs could be used to help fund the improvements to the Highway 30 bridge, as it is a federal highway. Mr. Dunn said that an inquiry had been made to the Regional FEMA office to see how a grant application that included the bridge project might be viewed.

Director Dunn stated that FEMA grants are intended to be one-time projects that reduce the potential for future emergency assistance. As such, applications for projects that are viewed by FEMA as being “routine maintenance” would likely have a low likelihood for success. For example, the suggested alternative for clearing vegetation from the Squaw Creek Channel could be determined to be “routine maintenance.”

5. Properties Eligible for Protection. FEMA would generally restrict its funding to improvements that project to the current effective FEMA 100-year flood. Should a community desire to protect to a level beyond that, supplemental funding sources would be needed.

Director Dunn added that if any of the projects could be packaged in a way that would provide source-water protection for drinking water, there would be an opportunity through the State Revolving Fund to get funding at 0% for 20 years.

Council Member Larson asked if there would be any Department of Transportation federal funding available for the bridge that would not involve FEMA. Mr. Dunn said that one possibility is that Iowa DOT has stated that it would like to do that project, but it does not appear in its immediate planning horizon. One approach would be to do the conveyance improvements and wait for the DOT to bring the project forward. Another option would be for the City to try to encourage them to accelerate it by bring in some City funding. It was stated by Mr. Dunn that the federal programs exclude federal infrastructure from the FEMA grants, but because it is a

U. S. Highway that is being managed by the state, there is a little bit of a gray area. Mr. Dunn reiterated that staff did ask the Regional Office and were told no, but they are not completely convinced yet. Staff hopes to have more discussion.

In reviewing potential next steps, Mr. Dunn advised that the one that appeared to be the most attractive to staff was the Combination Alternative 1 (Highway 30 Bridge Extension and Reshaping of the Channel). The reasons for that determination were that it is a more permanent solution than the clearing of the vegetation, the disturbed area would be much smaller than some of the other alternatives (lesser environmental impact), and the reshaping portion does appear to be eligible for some FEMA funding.

Council Member Szopinski recalled that one of the concerns of the Council was that whatever option was chosen, it should not further injure those who live south of Ames. Mr. Dunn noted that part of doing the conveyance improvements on Squaw Creek and not simultaneously on the Skunk River is to disrupt the timing of the peak on the two rivers. He explained that if the conveyance capacity is increased on Squaw Creek, you can allow the peak, which generally comes through a little quicker anyway, to move through and not have the coincident peaks coming from the two rivers. By doing so, there should not be a significant difference in the downstream flood elevations caused from the conveyance improvement.

In terms of timing of whatever alternative is chosen, Director Dunn told the Council that staff should start pursuing the grant in the next fiscal year (2014 cycle). The likely cost for preparing the grant application would be in the range of \$75,000 - \$100,000 to prepare everything that FEMA would require. Construction would likely not be able to move forward until the third year of the Capital Improvements Plan (CIP). The first year would be needed just to secure the funds, and there would be some period of time needed for design work and permitting.

Upon being questioned by Council Member Goodman about the Benefit/Cost Analysis ratio, Water Resources Engineer Andy McCoy from HDR replied that the amount of benefit is across all of the potential flood events (the 50% annual chance) all the way to 1%; however, it encompasses a whole range. The actual Benefit/Cost ratio takes into account all the probability of flooding at that particular location. The Benefit/Cost ratio compares capital cost and the maintenance of a project on an annual basis to the expected annual benefit.

Mr. Dunn added that an important next step would be for the City to attempt to encourage the Iowa DOT to accelerate the project on Highway 30. Another step would be to partner or work with the Squaw Creek Watershed Management Authority on the Regional Storage option.

Assistant City Manager Bob Kindred advised that the City was a founding member of the Squaw Creek Watershed Management Authority. Recently, the Authority received a \$160,000 grant to initiate a strategic plan (pertaining only to Squaw Creek, not the Skunk River). Mr. Kindred said that most of the projects that were contained in the report presented at this meeting dealt with projects in and around Ames; however, the water comes from upstream and throughout the Watershed. Therefore, working with the partners in the Watershed Management Authority would present the greatest long-term opportunity to make a significant difference in the Squaw Creek Basin. He added that this is not a "quick fix" - it might take decades or even generations to accomplish. As land management practices change and evolve, education occurs, and as agencies that make up the Watershed Management Authority work together, there could be a significant impact made upstream and affect what is reaching Ames.

Director Dunn stated that another potential next step would be for the Council to direct staff to schedule a workshop to review some of the non-structural more-regulatory-types of controls on floodplain management.

City Manager Schainker advised that the City Council was not being asked to make any decisions at this Workshop. The earliest date that this would come back to the City Council would probably be the second Regular Council Meeting in November.

Council Member Szopinski called attention to a letter that the City had received from Story Soil and Water Conservation District. She believes that it speaks to long-term land management.

Council Member Goodman noted that another alternative would be to do what the City currently does and that is to allow private property owners to ensure their properties against losses and to take the public's focus on making these investments.

Mayor Campbell noted, for the record, that a letter had been sent by Douglas Doolittle, 55238-130th Street, Story City, Iowa, who was unable to be present at this Workshop. Mr. Doolittle listed the location of farmland that he owns in Story and Hamilton Counties and asked that the City of Ames reconsider blocking any of the water passages (Skunk River, Kegley Branch Creek) that impact his farmland..

Public Input. Erv Klaas, 1405 Grand Avenue, Ames, said that he had waited 13 years to say, "I told you so." He explained that, in April 2000, he asked for the opportunity to speak before the City Council for 45 minutes on the subject of relocating the floodway boundaries on the Squaw Creek and Skunk River. Mr. Klaas said he argued in 2000 for a wider floodway than what had been established. According to Mr. Klaas, the City had the opportunity at that time with FEMA funding to remove 17 businesses from the Duff Avenue Corridor because they were in the way of flood storage. Cherokee, Iowa, had, at a relatively low cost, moved 135 residences and businesses from the floodplain of the Little Sioux River. Ames was not willing to do that – the political will was not there and the business community fought it. Mr. Klaas pointed out that today most of the businesses that could have been moved in 2000 are gone. They have been replaced with bigger box stores and other structures.

Mr. Klaas referenced the ordinance adopted by the City to require that the buildings be raised three feet above a 100-year floodplain, but reminded the Council that the climatologist who participated in the workshop told the City that it could expect another 30% increase in rainfall after the previous 30 years had increased by 10%. That has held true, and the City experienced floods in 2008 and 2010. Mr. Klaas alleged that the City is spending millions of dollars for things that could have been avoided for a relatively low cost in 2000. According to Mr. Klaas, cities all over the country have invested in their watershed when they have to have protection for some reason, be it flooding or drinking water. Referring to the amount of money referenced in the Flood Mitigation Study (\$23 million), Mr. Klaas believes that re-engineering the watershed in combination with conservation practices would do wonders for Ames and be less-costly.

Mr. Klaas expressed his disappointment that the consultants did not discuss the results of the Study with the Soil and Water Districts that manage the land in the watersheds. He noted that drainage districts are installing bigger pipes and farmers are installing larger tiles, both of which bring more water to Ames. It was recommended by Mr. Klaas that the City work with the

Drainage Districts, Soil and Water Conservation Districts, and Natural Resource Conservation Service in order to bring about a solution. Mr. Klaas cautioned the City about building reservoirs. He thinks the City should have evaluated a number of small dry basins – maybe 100 or 200 - to see what that would accomplish.

Mike Jensen, Mayor of Story City, stated that his community has a vested interest in what the City of Ames does on this subject. He advised that the City of Story City would adamantly oppose anything that would back water up into his community anymore than it already does. Mr. Jensen pointed out that, at one of the public meetings on this subject, it was brought up that the fill dirt that Ames has allowed to be brought in along Hwy. 30 has actually raised the flood level two and one-half to three feet along South Duff. Mr. Jensen said it appeared that the dirt should come out if the City was planning to build a longer bridge.

Dinah Kerksieck, 621 Garden Road, Ames, said that she was concerned by the comments of the presenters concerning taking the fill dirt being put into the properties in the floodplain “instance-by-instance.” As she sees the new businesses on South Duff adding fill dirt, she is wondering what happens when the “last gap gets filled” on the corner of South 5th and Duff Avenue. In her opinion, instead of a floodplain, there will be a dam of consecutive raised places with a few gaps where the water rushes through. She asked that the Council consider that a property-by-property decision may not be the best way and that there possibly should be changes to the regulations for the properties in the floodplain.

Karl Miskel, Story City, said that he had heard that, a few years ago, the Ames City Council had stated that it was not going to allow properties to infringe on the floodplain anymore. Then a new group came in and “look what it has done.” Mr. Miskel believes that they brought on their own troubles. According to Mr. Miskel, tiling won’t do that much to slow down large amounts of water. He said that he had been on the State Soil Conservation Drainage Committee for several years and shared outcomes from some of the decisions made. Mr. Miskel noted that silt stair-steps. He believes that the City of Ames is going to run into trouble because if farms are ruined, those people are eventually going to sue Ames. He asked the Council to think about what it is doing.

Jim Dresser, Ames, asked if a study had been done on what it would be like if Ames had a 100-year flood if any of the alternatives being presented by the staff were followed. Specifically, he asked how much property would be flooded if Alternative 1 was chosen. Water and Pollution Control Director Dunn explained that that Alternative would be lowering the flood elevation so it would mean fewer properties would be flooded than what is currently being inundated at that same level. Mr. Dresser said that he lives on the west end of the mobile home park on South Duff, and in 1993, the park had no water come through it; in 2008, the water came in on the east side; and, in 2010, he had one and one-half feet up on the curtain of his mobile home. He emphasized that it was important for him to know how much water he could expect to have around his property when it floods again. Mr. Dunn pointed out that the purpose of all the alternatives is to reduce the amount of property that is being impacted. Mr. Dresser acknowledged that, but said he wanted to know how much of a reduction there would be.

Piper Wall, 912 Park Avenue, Ames, said that she has an interest in the property at 811 S. Duff as it is her husband’s shop. Ms. Wall reported that reducing vegetation is pretty hard on the health of a stream. From the search that she had performed on various studies, she has learned that over the long haul, channelization, cleaning vegetation, and the things that go with

urbanization and decreasing permeability of surfaces actually increases flooding. Ms. Piper said, for those reasons, she does not see those as being a good strategy. She had also found out that with decreased vegetation comes increased city heat and decreased air quality. Also, Ms. Wall noted that when the City allows increased elevation for a property, but not necessarily for the parking on a property-by-property basis, there is a direct impact on the neighbors to that property, especially because it determines where the water flows and the speed of the flow of the water.

City Manager Schainker clarified that staff, after an extensive review of the information, felt that the best engineering solution would be Alternative Combination 1, which is the re-shaping the Squaw Creek Channel and lengthening the Highway 30 Bridge. He noted that Council would need to make that decision and give direction to the Council at a future meeting.

Council Member Goodman recalled that actual data taken from the reading of gauges showed much higher elevations during major rain events prior to the developments. His understanding was that it was a combination of larger rain events and development.

Council Member Goodman also pointed out that City staff had spent approximately one and one-half years of time in attempts to get FEMA grants for previous flooding events, and none of those things proved successful. He asked what the chances are that Ames would actually receive FEMA grants. Director Dunn stated that you must prove repetitive loss. Representatives from the Regional FEMA Funding Office had told him that there actually had only been three applications filed during last year's funding cycle. All three were for planning studies; there were not any for actual construction. Mr. Dunn said he saw that to mean that there might be some untapped money for Ames. The amount of money that is available in any funding cycle varies from year to year, depending on the federal authorization; there is no guarantee that there will actually be any money available.

Council Member Orazem raised a question about whether it would be beneficial for the City to update its flood maps. The Council was told by Mr. Dunn that, while an updated Flood Frequency Analysis (FFA) was performed as a part of the Study, the scope of work requested of HDR did not include submission to FEMA for map revisions. The FFA did determine a statistical increase in the 100-year flood discharge flow of between 10 and 30%. A request to have the maps updated could have both positive and negative implications for the community. By increasing the size of the floodplain, additional property value could be considered when calculating the Benefit Cost Analysis for a project, which could increase a project's potential for FEMA funding. However, it could also increase the amount of property that becomes undevelopable in the future. Mr. Dunn stated that requesting a FEMA map revision is a time-consuming process; it would take multiple years..

Council Member Wachal pointed out that the Council has a very difficult decision to make regarding this issue. He believes that no matter what decision is made, there will be people who will not be happy with that decision.

Council Member Goodman noted that on the iowafloodcenter.org page, there was the option to pick a flood event and then choose a remedy to see the impact. He asked if the three possible alternatives been added to that list of remedies. Mr. Dunn said that they had.

Council Member Szopinski was concerned that the Soil and Water Conservation District was not consulted as part of the engineering study. Options to include additional basins should be looked at by the Council. Those might not be solutions separately, but combined with the engineering solutions might bring Ames to the goal it hopes to achieve.

City Manager Schainker noted that staff had told the Council that regulation would not protect existing properties, but may help eliminate future problems.

Moved by Szopinski, seconded by Goodman, to direct staff to schedule a workshop on the regulatory issues.

Council Member Larson stated his hope that the study of the regulatory issues would not slow down the progress of making a decision on one of the alternatives.

Vote on Motion: 6-0. Motion declared carried unanimously.

Assistant City Manager Kindred added that there appears to be three initiatives involved: (1) engineered capital improvements, (2) regulatory aspect, and (3) watershed widening.

The meeting recessed at 8:31 p.m. and reconvened at 8:39 p.m.

WEBFILINGS: City Manager Schainker stated that WebFilings had announced its intention to add 700 jobs with salaries ranging from approximately \$56,000 to \$80,000 to the Ames community with the completion of its second 60,000 square foot building at the ISU Research Park. That complex will be designated as the company's corporate headquarters. The Iowa Economic Development Authority has agreed to provide \$5,500,000 in incentives to the company. However, a condition on that financial package is that the City of Ames must provide a tax abatement incentive totaling \$2,740,000 as a local match.

Mr. Schainker recalled that he had always cautioned the Council about offering incentives above and beyond its traditional incentives; however, he felt that if there is any project that is worthy of extraordinary assistance, this company would be it. The City has traditionally offered three partial tax abatement schedules (three-, five-, and ten-year decreasing abatement options) for projects within an urban revitalization area that meet prescribed criteria. With the recent passage of the "High Quality Jobs Act" by the Iowa Legislature, cities are now empowered to offer 100% abatement for up to a 20-year period.

City Manager Schainker described the terms of a prospective agreement with WebFilings, as follows:

1. Provide a 100% tax abatement on the incremental value of the improvement of the new building for up to \$2,700,000 or ten years, whichever comes first.
2. Require a minimum assessment agreement at a taxable value that will ensure the required abatement incentive is provide in at least ten years. The assessed value could be higher or increase over the term of the agreement, but could not go lower.

3. Include a requirement that the property owner cannot apply for or be eligible for other abatement programs during the term of the agreement for property included in the agreement.
4. A commitment that employment in Ames be increased by 700 full-time employees meeting the pay and benefits qualifications and time requirement (five years to meet target) in the IEDA Agreement.
5. A commitment that Ames be designated as the WebFilings company headquarters.
6. A provision that any abatement or reduction in property tax on the property covered by the agreement that is provided due to the provisions of the State of Iowa Property Tax Reform Bill of 2013 will be counted towards the maximum abatement amount.
7. The inclusion of penalty provisions that will provide for stopping of the property tax abatement if terms of the agreement (for example: job creation, continuation of operations within Ames, and designation of Ames as the company headquarters) are not met.
8. The requirement to pay pro rata penalties to the City of job creation numbers are not met (\$3,915 per job not created).
9. The Agreement will include other provisions typical of this type of incentive agreement.

City Manager Schainker advised that, if the Council agrees with the philosophy of the incentives, it would approve the suggested contract terms and direct the City Attorney to develop a contract. The contract would be presented to WebFilings for signature, and it would come back to the City Council for final approval, probably at one of the November meetings.

Council Member Goodman asked if the state had “clawbacks” in its agreement. Mr. Schainker answered that he had not seen the State’s agreement, so he was unsure if it did or not.

Council Member Orazem noted that if 700 jobs are added at the rate promised, the payroll would equate to approximately \$35 million/year. If each person only spends one-fourth of that in Ames, that would equate to approximately \$1.7 million in sales tax. He felt that the City was justified in offering an abatement to the company of \$270,000/year for ten years.

Mr. Schainker emphasized that the City is not giving cash incentives; it would be an abatement. In addition, there will be a building constructed that will have value. Council Member Goodman expressed his thoughts that offering the abatement was very reasonable based on the improvement and jobs that Ames would be getting.

Moved by Davis, seconded by Larson, to approve the contract terms suggested by City staff and direct the City Attorney to develop a contract that reflects the concepts.

Vote on Motion: 5-0-1. Voting aye: Davis, Goodman, Larson, Orazem, Szopinski. Voting nay; None. Abstaining due to a conflict of interest: Wacha. Motion declared carried.

COUNCIL COMMENTS: Moved by Orazem, seconded by Goodman, to refer to staff the letter from Attorney Brian Torresi, Davis-Brown Law Firm, pertaining to the Breckenridge property.

Council Member Orazem clarified that he would like staff to engage in negotiations regarding all three parcels and potentially looking at relaxation of the zoning requirements and including Development Agreement language that would protect the neighborhoods' concerns that were raised in former discussions.

Council Member Goodman stated that he would like to have conversation about the Breckenridge property, but would not be in favor of a carte blanche approval of everything in the letter from Mr. Torresi. Council Member Orazem agreed.

Council Member Larson noted that he would be uncomfortable doing anything other than supporting the referral to staff of the letter and asking staff to provide their input on it. Mr. Goodman agreed that conversation on this issue should be held at a future meeting.

City Manager Schainker asked for clarification as to the next step in this process. It would be brought back to the Council for review of the issues, not to begin negotiations. At that time, the Council might choose to provide direction to staff; it might lead into negotiations.

Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Goodman, to refer to staff the letter from Attorney Larry Curtis dated October 29, 2013, requesting that the Ames Golf & Country Club be removed from the City of Ames' Northern Growth Area.

Vote on Motion: 6-0. Motion declared carried unanimously.

Mayor Campbell thanked James Heggen, Ames Tribune reporter, for his coverage of City Council meetings for the past year. Mr. Heggen has announced that he and his wife have moved to North Liberty, and this is his Council meeting.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 8:58 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

OCTOBER 22, 2013

Mayor Ann Campbell called the Regular Meeting of the Ames City Council to order at 7:00 p.m. with Council Members Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha present. *Ex officio* Member Alexandria Harvey was also present.

PRESENTATION OF “YOUNG LEADER OF THE YEAR AWARD” FROM AMERICAN PUBLIC WORKS ASSOCIATION (APWA): Eric Cowles, Civil Engineer II with the City of Ames, appeared before the Council as the Iowa Chapter Awards Chairman for the American Public Works Association (APWA) to present awards on behalf of the Iowa Chapter. He recognized the following Chapter dignitaries in support of these achievements: Larry Stevens, National APWA President-Elect, Tracy Warner, Iowa Chapter President, Nate Easter, Chapter Regional Director, and John Joiner, Alternate Chapter Delegate and Past President.

Mr. Cowles stated that the “Young Leader of the Year Award” recognizes and encourages APWA members to demonstrate an initial commitment to the profession and show potential growth within the Chapter by contributing to its well-being. Recipients of this award must be an active member for five consecutive years and not exceed 35 years of age as of the award deadline. Candidates must also demonstrate an ability to act on the branch level by serving on committees, as an officer, or leading projects. Mr. Cowles said that this year’s recipient is Ben McConville, City of Ames GIS Coordinator, and that he exemplifies what it means to be a City employee and a steward of Public Works.

PRESENTATION OF “PROJECT OF THE YEAR AWARD” FROM APWA: Iowa Chapter Awards Chair Eric Cowles recognized the 2011/12 Downtown Street Improvement - Kellogg Avenue and Main Street Project as the 2013 “Project of the Year” in the Transportation, less than \$5 million category. The projects are evaluated on safety and environmental considerations, community relations, and construction scheduling and management. Mr. Cowles recognized Justin Clausen, Construction Supervisor with the City of Ames, Doug Waite from Con-Struct, Inc., the prime contractor, and the design team of Civil Design Advantage of Grimes, Iowa, represented by Gary Reed.

Mr. Cowles stated that both Ben McConville’s and the Kellogg/Main Street Project’s Iowa Chapter awards will be submitted to the National American Public Works Association for consideration of the national awards.

CONSENT AGENDA: Moved by Davis, seconded by Wacha, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of October 8, 2013
3. Motion approving Report of Contract Change Orders for October 1-15, 2013
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Cave Events Room, 122 Welch Avenue
 - b. Class C Beer & B Wine – Southgate Expresse, 110 Airport Road
 - c. Class B Native Wine – Kitchen, Bath & Home, 201 Main Street
 - d. Class C Liquor - London Underground, 212 Main Street
5. RESOLUTION NO. 13-480 approving appointment of members to Central Iowa Regional Housing Authority (CIRHA) Board of Commissioners

6. RESOLUTION NO. 13-481 approving Human Relations Commission Contract with Iowa Civil Rights Commission
7. RESOLUTION NO. 13-482 approving preliminary plans and specifications for Spring 2014 Boiler Repairs; setting November 27, 2013, as bid due date and December 10, 2013, as date of public hearing
8. RESOLUTION NO. 13-483 awarding contract for 2013/14 Winter & Summer Tree Trimming for Public Works to LawnPro, LLC, of Colo, Iowa, in the amount of \$75,000
9. RESOLUTION NO. 13-484 awarding contract for Automated Materials Handling System to RFID Library Solutions of Minneapolis, Minnesota, in the amount of \$290,014
10. RESOLUTION NO. 13-485 awarding contract for purchase of Unit No. 7 Steam Coil Air Heaters to Advanced Coil Technology, LLC, of Owatonna, Minnesota, in the amount of \$58,500 (plus applicable sales taxes to be paid by City to State of Iowa)
11. RESOLUTION NO. 13-486 approving contract and bond for Replacement Superheater Attenuator
12. RESOLUTION NO. 13-487 approving Change Order No. 1 with Scott Peterson Construction, Inc., of Tyler, Minnesota, in the amount of \$38,250 for work on window sashes for Library Renovation project
13. RESOLUTION NO. 13-488 approving Change Order No. 2 with Terracon of Des Moines, Iowa, in the amount of \$14,400 for additional asbestos testing, analysis, and abatement monitoring for Library Renovation project
14. RESOLUTION NO. 13-489 accepting final completion of 2012/13 Low-Point Drainage Improvements (Oliver Circle)
Roll Call Vote: 6-0. Resolutions/Motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: No one spoke during this time.

OUTDOOR SERVICE AREA EXTENSION FOR WALLABY'S 3720 LINCOLN WAY: Moved by Davis, seconded by Larson, to approve an Outdoor Service Area extension on November 8, 2013, for Wallaby's, 3720 Lincoln Way.

Vote on Motion: 6-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE FOR HY-VEE #1 CLUBROOM: Moved by Davis, seconded by Larson, to approve a Class C Liquor License for Hy-Vee #1 Clubroom, 3800 West Lincoln Way.

Vote on Motion: 6-0. Motion declared carried unanimously.

CLASS C LIQUOR LICENSE, B WINE, AND OUTDOOR SERVICE FOR +39 RESTAURANT AND CANTINA: Moved by Davis, seconded by Szopinski, to approve a Class C Liquor, B Wine, and Outdoor Service License, 2640 Stange Road, pending receipt of Certificate of Occupancy.

Vote on Motion: 6-0. Motion declared carried unanimously.

5-DAY LICENSES FOR OLDE MAIN BREWING COMPANY: Moved by Davis, seconded by Szopinski, to approve:

- a. Special Class C Liquor at ISU Alumni Center, 420 Beach Avenue
- b. Special Class C Liquor at CPMI Event Center, 2321 North Loop Drive
- c. Special Class C Liquor at ISU Alumni Center, 420 Beach Avenue

Vote on Motion: 6-0. Motion declared carried unanimously.

ENCROACHMENT PERMIT FOR SIGN AT 340 SOUTH DAYTON AVENUE: Moved by Davis, seconded by Wacha, to approve the encroachment permit to allow a sign to encroach approximately four feet into the City right-of-way for Jerry Carney & Sons, 340 South Dayton Avenue.

Vote on Motion: 6-0. Motion declared carried unanimously.

ISU HOMECOMING REQUESTS: Melanie Anderson, 122 Beach Avenue, #306, and Carly Taylor, 425 Welch Avenue, #207, co-chairs for ISU Homecoming 2013, were present on behalf of the Student Alumni Leadership Council (SALC) at Iowa State University. The SALC is preparing to celebrate the 101st anniversary of Homecoming at Iowa State, October 28 through November 9. The 2013 Homecoming celebration will include a wide variety of events for students, alumni, and members of the community. A pep rally, ExCYtement in the Streets, lawn displays, the pancake feed on Central Campus, and the football game are just some of the events occurring during the celebration. Ms. Taylor thanked the City Council for its contribution for funding a portion of the Central Campus pancake feed.

To facilitate the events, organizers are asking the Council to approve street closures for ExCYtement in the Streets on November 8, 2013, and a fireworks permit scheduled on November 9.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 13-490 approving the following street closures on November 8, 2013, from approximately 6:30 p.m. until 11 p.m.: Sunset Drive from Ash Avenue to just west of the intersection with Beach Avenue; Ash Avenue from Gable Lane to Knapp Street; Gray Avenue from its intersection with Gable Lane to Greeley Street; and, Pearson Avenue between Greeley Street and Sunset Drive.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

Moved by Goodman, seconded by Davis, to approve a Temporary Obstruction Permit to cover the closed streets, as well as the triangular-shaped median at the intersection of Pearson and Sunset. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Goodman, seconded by Davis, to approve a Fireworks Permit for a ground effects fireworks display on Central Campus to begin at Midnight on Saturday, November 9, 2013.

Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON AMENDMENT TO PLANNED RESIDENCE DISTRICT PLAN FOR WESTWOOD VILLAGE: City Planner Jeff Benson reported that Westwood Village is a Planned Residence District (PRD) with a variety of housing types located in west Ames bounded by Lincoln Way, Marshall Avenue, Hickory Drive, and McDonald Drive. There is an approved Major Site Development Plan (MSDP) for the subject area, and the property owner is now requesting approval of modifications to the previously approved Plan. Mr. Benson explained that the owner is proposing to expand from a two-story, 16-unit building to a three-story 24-unit building, which increases the bedrooms for the entire project from 169 to 217. He described the existing locations of the Village ingresses/egresses. The owner intends to construct the three-story apartment building farther to the west, which will place the parking lot to the east of it. The total number of parking spaces on the site will be increased from 196 spaces to 248.

Planner Benson presented pictures of an oak grove on the site, and he described the trees' locations in conjunction with the proposed layout of the site. Three trees will need to be removed to accommodate the construction, with five trees to be removed due to condition at the recommendation of a botanist. Mr. Benson indicated that oak trees are sensitive to construction and certain activities, therefore, it is important to protect the area within the crown, or drip-line, of the trees.

Mr. Benson stated that the Planned Residence District allows for more flexibility, but there are standards. The report analyzes the *Code* criteria. He advised that staff is recommending the Council approve the proposed revisions to the Major Site Development Plan for Westwood Village. Staff has concluded that the change in building location will help reduce its visual impact from the east, and that the location change and alternative pavement design of parking will better protect the mature oak grove.

Upon questioning by Council Member Wacha, Planner Benson said that neighbors have expressed concerns about increased traffic in the surrounding neighborhood. He presented a map which showed the three driveways that accessed the area. One driveway is off West Lincoln Way with a right turn only. There are two existing drives off of Marshall Avenue; one is intended to be right turn out and right turn in. The other driveway is farther north, with the approach straight in off of Marshall.

Mr. Benson explained that in 1974 when Westwood Village was first approved, it was zoned low density. The idea was to help it fit into the neighborhood with single-family and multi-family housing, townhomes, etc.

Planner Benson reviewed the visuals of the proposed elevations for the three-story building. Upon questioning, he replied that the trees are much taller than the building.

In response to Council Member Szopinski's question, Mr. Benson stated that there is nothing that would prevent the property owner from locating the two-story building's footprint farther away from the oak grove. However, the developer does have an approved Plan to build it where it is shown on the map.

Robert Sill, 3700 Woodland Street, said he resides near the corner of Woodland Street and Hickory Drive. He asked the Council to deny the proposal as it is inconsistent with the environment and the low-density zoning of the neighborhood. Mr. Sills stated that this development requires a much smaller footprint. The fringe of the area is wooded in character.

Douglas Provow, 3655 Story Street, indicated that he lives on the north side of the development. He is opposed to the plan for several reasons—one being that the PUD is a huge expansion that juts into an area of single-family homes. The structure that is currently there, in addition to the proposed three-story apartment, will result in twice the number of bedrooms. Mr. Provow said that the authorized two-story building would have 24 bedrooms, but a three-story structure would have 72, which equates to three times of what is now allowed. He said that the neighborhood has been continually harassed with constant revisions. This is the 32nd time he has appeared before the Planning and Zoning Commission or the City Council.

Mr. Provow had solicited an opinion from William Boon, retired professor emeritus in Landscape Architecture at Iowa State University, and submitted his letter to the City Council. In his letter,

Mr. Boon had indicated that he appreciated that the new plan for the apartments shows the new, larger structure has been moved back away from the oak grove. However, the road and parking spaces east of the proposed apartment unit are too close to the oak grove, and the access road through the south edge of the grove threatens the life of the trees.

Mr. Provow expressed his disapproval of removal of any of the trees. He said that when any construction occurs near oak trees, there is a risk of damage to the trees that will not show up for years. In addition, he saw no need to remove any of the existing trees on the premise of them being diseased. An absence of two or three parking spaces would be much better than removal of trees. Mr. Provow remarked that if the developer wanted to save the oaks, he could move the two-story building to the west. He further remarked that the proposed expansion will create more traffic congestion. He concluded that the three-story apartment building is not compatible with the area, and he asked the Council to deny the amendments.

Ken Platt, 3620 Woodland Street, stated his agreement with the previously made comments. He asked the Council to reject the proposed revisions. He reported that one of the goals of the PRD must be aesthetic in design and sensitive to the natural features of the site. He opposed the removal of some of the oaks just to make room for more parking. He felt that the proposed three-story building is not consistent with the goal of aesthetics and sensitivity to the natural features. Mr. Platt said that the building will be one-third higher than all of the other buildings, with a 67% larger footprint. The building would reduce the open spaces currently available, thereby reducing the number of recreational amenities. He stated that this poses a safety concern for children and the neighborhood's quality of life. Mr. Platt said the developer contends that.... "while this was a legitimate concern at the time of the original proposal, it is no longer a valid issue, because the Edwards School will close." He stated that even so, the dwellings in the area are predominantly single-family, and there are children in these neighborhoods. The neighbors are concerned about the increased traffic flow.

Mr. Platt said that there is concern for what may impact the oak grove, and he added that this grove is a unique characteristic of Ames—not just that of the neighborhood. Mr. Platt urged the Council to deny the proposed amendments to the Plan, and he recommended that the developer move the two-story building back from the trees and consider putting the parking spaces to the south so that the lot empties out onto Lincoln Way.

Sue Ravenscroft, 455 Westwood Drive, wanted the Council to see the visual impact of what was being discussed. She showed several pictures of the three-story apartment building that was approved and built in 2006. It has a 7,020 square-foot footprint and is dwarfed by the proposed 10,900 square foot building. She showed a picture of an existing two-story building on the property, and indicated that the visual impact is so much more bearable than that of the three-story structure. Granting the request to construct the three-story apartment building also grants a significant number of additional bedrooms. She showed pictures of the surrounding areas where the parking lots would be located, as well the proposed footprint of the three-story building. Ms. Ravenscroft remarked that the road the developer built in 2006 was done so against the neighbors' wishes, and it destroyed several trees in the grove at that time.

Ms. Ravenscroft advised that, in 2006, the neighbors negotiated with the developer and promises were made, but very few of them were kept. There was a sidewalk installed along Lincoln Way. There was suppose to be a sidewalk installed along Marshall Avenue, but it's never been done. There was suppose to be signage along the south drive that was installed directing people to turn

right onto Lincoln Way. This sign lasted for about two months, and then disappeared. The sign was posted again only about two weeks ago. Signage was also supposed to be installed on the north drive, and these signs were not maintained. She indicated that there was also suppose to be the design of a one-way drive intersection in an attempt to limit traffic on Marshall Avenue, and this also has never occurred. Ms. Ravenscroft stated that the developer is asking for much, but is not giving anything back to the neighborhood.

Troy Benjegerdes, of 2508 17th Avenue South, Minneapolis, Minnesota, advised that he owns two rental properties on North Franklin Avenue and Oliver Avenue. He supported environmental sustainability, which is one of the Council's goals, and wondered why the Council would support building more parking lots. Mr. Benjegerdes stated that the trends for young people are riding bikes, walking, and car-sharing. There should be no more added parking spaces, and the Council should come up with a transit-oriented solution.

Mr. Benjegerdes also explained that higher density and in-fill is a requirement, and people in single-family homes need to realize that this community does need more density. However, he felt that there were other areas along Lincoln Way that would provide better space for higher-density dwellings.

Eve Wurtele, 3425 Oakland Street, stated that the structure is out of balance with the neighborhood, and she doesn't want to see it turned in to a high-density, ugly development. There is room for high-density areas in Ames, but not in single-family neighborhoods. She hopes that the Council will consider the feelings of the neighbors.

Deb Carnine, 3654 Story Street, explained that she bought her home because of the views she had of the oak grove. She is opposed to the chiseling away of these trees that are not diseased. She supported moving the building footprint more to the west; however, that is the only modification that she supports. The addition of a three-story building would be a monstrous intrusion into the neighborhood. She asked that the Council approve the change in building placement, but urged it to deny the revisions that add a third floor and 48 more beds.

Linda Feldman, 1111 Stafford Avenue, wished to speak more to the process of the request for amendments to the PRD for Westwood Village. In 2006, the developer was directed to meet with the neighborhood. There were several meetings, the neighbors felt involved with validation from the Council, and compromises were made. This time, there was no such process of communication between the neighbors and the developer. Ms. Feldman stated that the only neighbors that received any notification of the proposed amendments were those within 200 feet of the affected property, and no meetings were set up. She advised that she is a supporter of dialogue within neighborhoods, and she further supports thoughtful, in-fill projects where stakeholders have input. Ms. Feldman said that these types of proposed projects will create instability in the surrounding single-family homes. Such growth patterns cause long-term harm to Ames. She further said that neighborhood associations help to facilitate communication and be a part of the growth in their neighborhoods. Ms. Feldman asked that the City Council not act hastily.

Scott Renaud of FOX Engineering, 1601 Golden Aspen Drive, appeared on behalf of the developer. Mr. Renaud presented an aerial photograph of the existing building at the top with the proposed three-story building towards the bottom of the photograph. With regard to the placement of the proposed building, it will be 14 to 15 feet off the sidewalk so the trees on the other side will not be impacted by the construction. He reported that the existing gravel that is under a portion of the

trees has always been there, and the developer will be paving it instead. Mr. Renaud explained that asphalt and a paver combination will be used. The pavers will allow water and air into the root zone. Granite will be used due to the pH adjustment of the soil. The developer is trying to provide a more optimum growing environment for the trees. He indicated that he is not in agreement that this type of construction always stresses the trees. There are 64 oak trees on the site. Mr Renaud explained that in preparation for these revisions to the Plan, measures are being implemented to preserve more of the trees. Mark Gleason with the Department of Horticulture at ISU advised the property owner that some of the trees were diseased or had other issues, and should be removed.

Mr. Renaud stated that a one-day traffic study was performed during a 12-hour period (from 7:00 a.m. - 7:00 p.m.) focusing on Story Street entering the neighborhoods to the east and to the north. He reviewed the results of that study. The percentage of traffic that was from the apartment complex is 3.61%, which is a very small percentage. He explained that there is a high volume of tenants that either walk, bike, or use the bus system. This development is located near a major arterial, there is shopping directly across the street, and it is an ideal location for a more dense in-fill project.

Mr. Renaud reported that the approved two-story building in the Plan is set back 55 feet from the Marshall Avenue right-of-way; the new proposal would set the three-story building back 107 feet. The parking spaces are farther back as well, with the nearest parking at 85 feet. He stated that with regard to the parking spaces, there may be excess, however, the development is meeting the City's requirements.

Ex officio Member Harvey questioned what implications there might be with regard to flooding and the watershed from the parking lots. Mr. Renaud explained that the stormwater will be infiltrated and stored in a tank on site. If flooding occurs, the site "would be flooding itself." The flooding concern would be more for the developer than anyone else.

Brent Haverkamp, 4720 Mortensen Road, reported that about six months ago, he was faced with the decision that the Council is facing. He has an approved site plan for "Building A" and, realistically, it is in the wrong place. To build at that location, along with the installation of sidewalks, would mean destroying most of the oak grove. His goal is to make it a better project, which he feels has been accomplished by these changes. Mr. Haverkamp explained that the trees are about twice as high as what the building elevation is. He decided that the building should be moved about 170 feet back from the street. He explained the layout of the other buildings in Westwood Village, and that the only thing facing Marshall Avenue are the oak trees. He has worked very hard with the engineers and City staff over the last few months, and felt he has done everything he could to save the natural features on the site. In his opinion, this is a much better project today. It is an in-fill project, and this site is an excellent place to put this type of housing.

With regard to the traffic study, Mr. Haverkamp reiterated that only about 3% of the traffic from his apartment complex goes into the neighborhood. By adding a three-story structure, it would be adding less than one trip per hour into this same neighborhood. The impact of closing Edwards School will be hundreds of trips fewer per day, so the impact of constructing a three-story apartment building is dwarfed by that of the closing of the school. Mr. Haverkamp stated that the Planning and Zoning Commission feels that this is a better Plan, and he asked the Council to approve his request.

Council Member Wacha questioned Mr. Haverkamp about the 2006 sidewalk agreement that Ms. Ravenscroft referred to. Mr. Haverkamp said that the sidewalk along Lincoln Way has been installed. According to this 2006 agreement, the other sidewalk was to be installed on the west side of Marshall Avenue. Mr. Haverkamp stated that he would agree to install the sidewalk on Marshall Avenue.

Council Member Szopinski stated that the traffic volumes due to the closure of Edwards School are still “an unknown,” as it is not known who will purchase the property. Ms. Szopinski asked why the configuration of “Building A” has changed in size and building footprint. Mr. Haverkamp stated that on the entire site, as a whole, he is increasing the number of units 8% and the bedroom count 28%. He felt that this is a good site for in-fill development. Many people call his office every day indicating that they want to live in Ames, and he can not offer them a unit to live in. Ames has a need for housing, and he feels this is an excellent place to add units. Overall, it is a very low-density site. Mr. Haverkamp said that if he were a neighbor, he would like “Building A” situated behind the trees better than having the oak grove killed and having the building that much closer to the street.

Council Member Goodman asked Mr. Haverkamp if the neighbors formed an association and got a commitment from him that this would be the last time he would request revisions, would he be comfortable with that. Mr. Haverkamp responded that he has no plans to construct any more buildings at Westwood Village, and he would be happy to place a building moratorium on this site.

Council Member Larson questioned if there was anything related to the size of the structure when the PRD was approved in 2006. Mr. Haverkamp said his understanding is that he has an approved Site Plan for a two-story building at the exact spot, which is closer to Marshall Avenue. He further said that he only had so much time to build housing before next August, and he wanted to see if he could do better. If he couldn't do better, he would have no choice and would build “Building A” as previously approved.

Council Member Larson stated that some of the comments made tonight rang true. He asked if Mr. Haverkamp had reached out to the neighbors in an effort to solve some of their concerns. Mr. Haverkamp stated that he was surprised by the neighborhood comments received just two days prior to the Planning and Zoning Commission meeting. If he had had better foresight, he would have handled this situation differently, as he did not expect to have opposition.

Council Member Szopinski stated that the parking lot is still at issue, because the construction of the lot will still take out trees. Mr. Haverkamp reported that the parking lot will be situated much farther west than that of the existing “Building A” footprint. It was designed to have minimal impact on the oak grove, and most of the trees that will be taken out were recommended for removal by a botanist.

Council Member Orazem asked Mr. Haverkamp to expound on the number of parking spaces needed versus what the City will require. Mr. Haverkamp stated that he is fairly close to the minimum spaces that is needed. He explained that City Planner Jeff Benson thought there were nine spaces over what is required. He further said that he would be willing to leave that as green space if he was over the required number of parking spaces needed.

There being no one else wishing to speak, Mayor Campbell closed the hearing.

Council Member Larson stated his dismay regarding the lack of communication between the developer and the neighbors.

Moved by Larson, seconded by Orazem, to postpone and refer back to City staff the applicant's request, with the direction that the developer meet with the neighbors in an attempt to come to an agreement on the proposed revisions to the Westwood Village Major Site Development Plan.

Council Member Larson stated that he is a pro-development person, and he wants to see this in-fill project happen. However, there was a contract made in 2006 to perform certain tasks. He felt it is unfair to alter that contract without some serious conversations involving the neighbors. Council Member Larson said that, with his motion, it was his intention that City staff will be involved in coordinating the meeting(s) and working with the group.

Council Member Wacha questioned what will happen when the two parties can not come to an agreement without a specific end goal in mind. Council Member Larson responded that if that were the case, the developer can then go ahead with the Plan as previously approved. It is his hope that there will be more communication.

Vote on Motion: 6-0. Motion declared carried unanimously.

The meeting recessed at 8:45 p.m.

The meeting was reconvened at 8:55 p.m.

HEARING ON ZONING TEXT AMENDMENT TO CHANGE CAMPUSTOWN BUILDING HEIGHT STEP- BACK: Mayor Campbell declared the hearing open.

Planning and Housing Director Kelly Diekmann requested that this hearing be continued to November 12, 2013.

Moved by Davis, seconded by Goodman, to continue the hearing on the zoning text amendment to change the Campustown building height step-back to November 12, 2013.

Vote on Motion: 6-0. Motion declared carried unanimously.

CAMPUSTOWN URBAN RENEWAL PLAN: Mayor Campbell pointed out that the Council will not be making any decisions on this item at tonight's meeting; rather, it will hear staff's presentation of the pending process for the Urban Renewal Plan.

Planning and Housing Director Diekmann stated that staff is returning with a draft of the Urban Renewal Plan (URP) since being directed by the Council at the August 27, 2013, meeting to initiate the URP for Campustown. At that meeting, Kingland Systems had requested that the Council direct City staff to pursue the creation of a Urban Renewal Plan to allow for a Tax Increment Financing (TIF) rebate of approximately \$2 million. Mr. Diekmann explained that this is the first step in the statutory process of creating the URP. Most importantly, the public hearing date needs to be established for November 12, 2013, for the review of the draft Plan and terms of the TIF Ordinance. At that point, Kingland Systems will be bringing back more information regarding its project.

Director Diekmann explained the number of steps that will be forthcoming—all related to this item. Discussion ensued regarding the process and the criteria for the establishment of this URA.

Moved by Wacha, seconded by Davis, to adopt RESOLUTION NO. 13-491 setting date of public hearing for November 12, 2013, on the designation of the Campustown Urban Renewal Area and the Urban Renewal Plan; referring the Draft Urban Renewal Plan to the Planning and Zoning Commission; and, appointing the Director of the Planning and Housing Department as the representative in connection with the consultation process.

Roll Call Vote: 5-1. Voting Aye: Davis, Larson, Orazem, Szopinski, Wacha. Voting Nay: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

XENIA RURAL WATER UPDATE: Assistant City Manager Bob Kindred explained that the report before the Council summarizes progress made since the previous Council update on August 13. He indicated that working with Xenia Rural Water has been a high priority for the City to add more land for residential development on the north side of Ames.

Council Member Orazem asked for a summarization regarding the agreement between the Ames Golf & Country Club (AGCC) and Bella Homes. In response, Mr. Kindred reported that the Fringe Area Plan shows the AGCC as being developed within Story County as Rural Transitional Residential, and not in the City. When the Rose Prairie and Grant Avenue proposed development was unfolding, changes within the Land Use Policy Plan (LUPP) and the Northern Growth Area were made to include all land west of George Washington Carver and south of 190th Street. This amendment then included the AGCC and the Borgmeyer land. The City Council then added the Athen property in. That policy map would imply development within the City limits, therefore, there are two different policies that are not aligned. City staff met with AGCC representatives in trying to move forward with its goal, which is to develop 16 large-lot residential lots and some townhomes on the west side of its property.

Assistant City Manager Kindred advised that the AGCC lies within the Ada Hayden lake drainage area, and must be subject to the Conservation Subdivision Ordinance. A key element is the sanitary sewers in the area. A proposal for the Bella Homes calls for septic systems on site, and a relocation of the Country Club's lagoon area. These are important issues that could affect the Ada Hayden watershed. Mr. Kindred said that there are key issues to be worked out, since the City Council is greatly concerned about the environmental impact on the lake and watershed. Meetings will still be taking place on these matters. It is possible that the AGCC may request that it be taken out of the Northern Growth Area. However, with it still located within the Ada Hayden watershed, the Council may not want to grant the request so that it has greater control of this important aspect.

Council Member Larson asked if this is linked in any way with requests for annexation and development that has been before the Council. Mr. Kindred reported that the only connection would be that the sanitary sewer lines will run up Grant Avenue and will serve the area to the west side of the railroad tracks over to George Washington Carver. He said there are questions regarding the size of the sewer connection district and whether it includes any of the golf course or the Borgmeyer property.

Planning Director Diekmann clarified that the City has the sewer connection district for the annexations, as well as subdivision authority within the Fringe Area Plan. Mr. Kindred reported

that staff has scheduled a meeting with the Borgmeyers to educate them on development that will be occurring in this area, and to discuss the potential extension of City utility service to their property, as well as potential annexation of their land.

Council Member Wacha asked about the time line on the steps to finalize agreements on the pending annexations. Mr. Kindred stated that, optimistically, it would be December 2013 or January 2014. He reported that, in terms of the agreements with the developers, the attorneys have been working together and all are very close to finalization. The next step is that those will go to the Xenia Board of Directors. The Board will most likely not have this on its agenda until its November meeting. Xenia is drafting an agreement with the City of Ames confirming arrangements that the City does have this territory. If all comes together and gets to the November Board meeting, along with hurrying all of these agreements through the USDA with Assured Guarantees, it could be back before the City Council in December. Mr. Kindred said that it is staff's intent to finalize the City-Xenia agreement and the Council's annexation agreements with the developers, put those on a Council agenda, and, at the same time, have continuation of the public hearing on the annexations. The next step would be to move quickly on the sanitary sewer and water line extensions up Grant Avenue for installation next year. The last component will be the paving of Grant Avenue, which the Council will see during the 2014/15 Budget and CIP sessions early next year.

CHANGE ORDER FOR ELECTRIC DISTRIBUTION LINE CLEARANCE PROGRAM:

Moved by Davis, seconded by Orazem, to adopt RESOLUTION NO. 13-492 approving Change Order No. 1 with Asplundh Tree Expert Co. of Fairfax, Iowa, in the amount of \$100,000 for the FY 2013/14 Electric Distribution Line Clearance Program.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE REPEALING CHAPTER 14 AND ENACTING NEW CHAPTER 14: Assistant City Manager Melissa Mundt stated that the Human Relations Commission is eager to update this section of the *Municipal Code* to be consistent with the Iowa Civil Rights Act.

Moved by Davis, seconded by Orazem, to pass on first reading an ordinance repealing Chapter 14 of the *Municipal Code* and enacting a new Chapter 14 to be consistent with the Iowa Civil Rights Act.

Roll Call vote: 6-0. Motion declared carried unanimously.

ORDINANCE ON URBAN REVITALIZATION PLAN FOR 921 - 9TH STREET: Moved by Davis, seconded by Wacha, to pass on second reading an ordinance establishing 921- 9th Street as an Urban Revitalization Area.

Roll Call Vote: 6-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Moved by Davis, seconded by Orazem, to place on the City Council's October 29, 2013, special agenda the letter from the Ames Economic Development Commission regarding WebFilings.

City Manager Steve Schainker stated that the Council needs to move as quickly as possible on this request, as a response is needed by the Iowa Economic Development Authority (IEDA). He explained that this is a special type of funding mechanism, and he will lay out the basic concepts

of the agreement at the Council's special meeting on the 29th. He will then come back at the next Council meeting for the actual approval of the agreement. Mr. Schainker indicated that he is seeking policy direction for the items that the Council wants incorporated into the contract.

Vote on Motion: 5-0-1. Voting Aye: Davis, Goodman, Larson, Orazem, Szopinski. Voting Nay: None. Abstaining: Wacha. Motion declared carried.

Council Member Davis referenced a staff memo that was distributed in response to a letter from the Ames Rental Association (ARA) (which was referred to staff on August 13). The ARA letter asked for City staff to review certain *Rental Housing Code* sections that were confusing and of concern. City Manager Schainker explained that there are six issues the ARA wanted staff to review. He said that those items have been addressed in this memo, and it is now up to the Council as to how to proceed.

Council Member Larson indicated that he would like to have staff respond to each of the issues and make a recommendation. The Council can then react to the recommendation.

Council Member Wacha stated that from what he read in the ARA's letter, there is nothing new from what was discussed three years ago during numerous Council meetings; he does not see a need to re-hash it.

Council Member Larson said that the only new issues he found was that there are some *Municipal Code* sections that contradict other *Municipal Code* sections, thereby leading to some confusion. He indicated that staff is in the position to interpret these concerns.

Moved by Davis, seconded by Orazem, to refer the Ames Rental Association's list of concerns back to staff to review each of the six items and to get clarification, or recommendations for changes that clarify, on each of the six *Code* issues.

Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Wacha, seconded by Goodman, to direct that the letter from Kevin Cook, President of the Ames Convention & Visitors Bureau, be placed on a future Council meeting agenda for a report on a funding model for convention space.

Vote on Motion: 6-0. Motion declared carried unanimously.

Council Member Goodman indicated that an issue has arisen with regard to applying the *Rental Housing Code* to Greek houses. He asked for clarification as to where this matter stands at this point. City Manager Schainker advised that Council wanted staff to look at items within the *Rental Housing Code* to see which ones it thought were not life-safety issues.

Council Member Goodman remarked that he has recently been made aware of some misinformation that is circulating within the Greek system, which, he felt, is hindering the ability of the community to hold a well-informed and fair election. He has never gotten the sense from any Council member that they are not comfortable exempting fraternities and sororities from the *Rental Housing Code*, but he also wanted to be assured that there was nothing risky that would be put upon the Greek houses by such an exemption.

Mr. Goodman explained that he has had conversations with two ISU students from Greek houses who have indicated that the current Council is looking to apply the *Rental Housing Code* and

hinder their abilities to continue existing as Greek houses. He reported that, according to these conversations, there are two candidates running in that particular ward and at-large who are campaigning that they would not do so.

Council Member Goodman stated that he wanted to move ahead with the exemption process of these houses, while still asking these questions about safety in the *Rental Housing Code*. Mr. Goodman advised that he is concerned with the conversations he has had, because he doesn't think anyone around the dais is against this idea. He stated that the Council is already exempting the fraternities and sororities due to non-enforcement.

Council Member Larson stated that the Council's message has been very clear, and if there is some misinformation, it needs to be squashed immediately. He further stated that Council Member Davis and he have represented the interests of the Greek houses, although they can not vote on that issue. He indicated that there are candidates running that understand the Greek houses and how they work, and these candidates are using that to their advantage during their campaigning.

Mayor Campbell stated that this discussion is leaning towards hearsay, and that if one of the Council members wants to place this issue on an upcoming agenda, a motion needs to be made.

Moved by Goodman, seconded Szopinski, to place on a future City Council agenda the exemption of Greek houses from the *Rental Housing Code*.

Ex officio Harvey stated that there have been some miscommunications within the Greek community, and she has also heard some of these conversations. She was going to meet with Greek members involved and try to clear up the communication gap. Ms. Harvey stated that the Government of the Student Body (GSB) is also going to provide a united front on its position regarding the *Rental Housing Code*.

Vote on Motion: 4-0-2. Voting Aye: Goodman, Orazem, Szopinski, Wacha. Voting Nay: None. Abstaining: Davis, Larson. Motion declared carried.

Moved by Davis to adjourn at 9:40 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Jill L. Ripperger, Recording Secretary

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

OCTOBER 24, 2013

The Ames Civil Service Commission met in regular session at 8:15 a.m. on October 24, 2013, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Adams and Shaffer present. Commission Member Crum was absent.

APPROVAL OF MINUTES: Moved by Shaffer, seconded by Adams, to approve the minutes of the September 26, 2013, Civil Service Commission meeting as written.

Vote on Motion: 2-0. Motion declared carried unanimously.

CERTIFICATION OF ENTRY-LEVEL APPLICANTS: Moved by Shaffer, seconded by Adams, to certify the following individuals to the Ames City Council as entry-level applicants:

Animal Control Officer:	Kathleen Brown	94
	Sean Morehouse	89
	Abigail Dunn	83
	Ellen Norton	78
Human Resources Officer:	Thomas Turner	89
	Chelsey Aisenbrey	87
	Darla Gabrielson	82
	Gretchen Houser	82
	Cindy Spellerberg	82
	Laurie Textor	81
	Mary Gustofson	78
	Chad Hauge	77
	Charles DeKovic	76
	Melissa Fields-Allgeyer	73
Jessica Lingo	71	

Vote on Motion: 2-0. Motion declared carried unanimously.

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for November 21, 2013, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:17 a.m.

Terry Adams, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – end of month
Month and year:	October 2013	
For City Council date:	November 12, 2013	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact Person/Buyer
Transit	CyRide Bus Facility Expansion, Ames IA	11	\$4,489,000.00	Henkel Construction Company	\$241,062.33	\$3,470.04	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	12	\$4,489,000.00	Henkel Construction Company	\$244,532.37	\$2,795.82	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	13	\$4,489,000.00	Henkel Construction Company	\$247,328.19	\$2,748.90	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	14	\$4,489,000.00	Henkel Construction Company	\$250,077.09	\$2,142.58	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	15	\$4,489,000.00	Henkel Construction Company	\$252,219.67	\$676.28	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	16	\$4,489,000.00	Henkel Construction Company	\$252,895.95	\$3,230.48	S. Kyras	MA

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact Person/Buyer
Transit	CyRide Bus Facility Expansion, Ames IA	17	\$4,489,000.00	Henkel Construction Company	\$256,126.43	\$3,584.50	S. Kyras	MA
Transit	CyRide Bus Facility Expansion, Ames IA	18	\$4,489,000.00	Henkel Construction Company	\$259,710.63	\$22,208.98	M. Mundt	MA
Transit	CyRide Bus Facility Expansion, Ames IA	19	\$4,489,000.00	Henkel Construction Company	\$281,919.91	\$1,884.30	M. Mundt	MA
Library	Ames Public Libray	3	\$1,527,325.00	Meyer Scherer & Rockcastle Ltd.	\$12,000.00	\$16,783.00	M. Mundt	MA
Public Works	2013/14 CDBG Public Facilities Neighborhood Infrastructure Improvements (S. Maple)	1	\$367,803.20	Con-Struct, Inc.	\$0	\$40,883.10	B. Kindred	MA
Public Works	2013/13 Ames Municipal Cemetery Improvements (Paving Improvements)	1	\$65,945.10	Manatt's, Inc.	\$0	\$(-8,515.52)	J. Joiner	MA
Public Works	2012/13 Downtown Street Pavement Improvements (Clark & Gilchrist)	1	\$551,295.70	Con-Struct, Inc.	\$0	\$1,920.00	T. Warner	MA
Fleet/ Facilities	Dispatch Furniture for Police Remodel	3	\$40,293.25	Ergoflex Systems	\$21,793.00	\$1,291.50	P. Hinderaker	LM



MEMO

*Caring People
Quality Programs
Exceptional Service*

5 a-e

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: November 3, 2013

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
November 12, 2013

The Council agenda for November 12, 2013, includes beer permits and liquor license renewals for:

- Class C Liquor – Fuji Japanese Steakhouse, 1614 S Kellogg Ave
- Class B Liquor – Country Inn & Suites, 2605 SE 16th St
- Class C Liquor and Outdoor Service – Outlaws, 2522 Chamberlain St
- Class B Native Wine – Chocolaterie Stam, 230 Main St (*wine tasting*)
- Class C Beer – Swift Stop #8, 705 24th St

A routine check of police records found no violations for Fuji Japanese Steakhouse, Country Inn & Suites, Chocolaterie Stam, or Swift Stop #8.

During the past twelve months, officers investigated two liquor law violations at Outlaws. The first was for serving alcohol after hours and a manager was cited. The second was a public intoxication arrest called in by the bar on someone attempting to gain entrance. We have also responded to three assault calls in the past year at Outlaws.

The Police Department would recommend renewal of all five licenses.



MEMO

6

To: Members of the City Council

From: Ann H. Campbell, Mayor

Date: November 8, 2013

Subject: Appointment to Fill Vacancy on Building Board of Appeals

Due to David Francis' resignation from the Building Board of Appeals, it will be necessary to appoint an individual to fill this vacancy. I have chosen David Carnes to fill the unexpired term of office.

Therefore, I recommend that the City Council approve the appointment of David Carnes to the Building Board of Appeals.


AHC/jlr



City Treasurer

P. O. Box 811
515 Clark Avenue
Ames, Iowa 50010
515-239-5119
Fax 515-239-5320

TO: Mayor and City Council

FROM: Roger Wisecup, CPA 
City Treasurer

DATE: October 14, 2013

SUBJECT: Investment Report for Quarter Ending September 30, 2013

Introduction

The purpose of this memorandum is to present a report summarizing the performance of the City of Ames investment portfolio for the quarter ending September 30, 2013.

Discussion

This report covers the period ending September 30, 2013 and presents a summary of the investments on hand at the end of September 2013. The investments are valued at amortized cost; this reflects the same basis that the assets are carried on the financial records of the City. All investments are in compliance with the current Investment Policy.

Comments

The Federal Reserve has continued to maintain its target rate for federal funds at zero to 0.25 percent. While the yield curve has a normal shape, rates are at historic lows. This means that future investments will be made at lower rates and future interest income will decrease. The current outlook has the Federal Reserve maintaining the target rate into 2015. Therefore, we will maintain our investment strategy, extending some investments maturities to the twelve months and longer range.

CITY OF AMES, IOWA

CASH AND INVESTMENTS SUMMARY
AND SUMMARY OF INVESTMENT EARNINGS

FOR THE QUARTER ENDED SEPTEMBER 30, 2013
AND THE ACCUMULATED YEAR-TO-DATE

DESCRIPTION	BOOK VALUE	MARKET VALUE	UN-REALIZED GAIN/(LOSS)
CERTIFICATES OF DEPOSIT	16,500,000	16,500,000	0
FEDERAL AGENCY DISCOUNTS	1,946,960	1,913,820	(33,140)
FEDERAL AGENCY SECURITIES	70,894,405	70,405,658	(488,747)
COMMERCIAL PAPER	7,997,286	7,998,230	944
INVESTMENT POOLS			0
PASS THRU SECURITIES PAC/CMO	34,329	35,176	847
MONEY FUND SAVINGS ACCOUNTS	23,333,549	23,333,549	0
STRIP BONDS			0
US TREASURY SECURITIES			0
INVESTMENTS	120,706,529	120,186,433	(520,096)
CASH ACCOUNTS	14,506,911	14,506,911	
TOTAL FUNDS AVAILABLE	135,213,440	134,693,344	(520,096)

ACCRUAL BASIS INVESTMENT EARNINGS

YR-TO-DATE

GROSS EARNINGS ON INVESTMENTS:

61,039

INTEREST EARNED ON CASH:

7,506

TOTAL INTEREST EARNED:

68,545



**Investments FY 2012-2013
Portfolio Management
Portfolio Summary
September 30, 2013**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit	16,500,000.00	16,500,000.00	16,500,000.00	13.67	909	351	0.868	0.880
Money Market	15,310,843.13	15,310,843.13	15,310,843.13	12.68	1	1	0.362	0.367
Passbook/Checking Accounts	8,022,706.21	8,022,706.21	8,022,706.21	6.65	1	1	0.247	0.250
Commercial Paper Disc. -Amortizing	8,000,000.00	7,998,230.00	7,997,286.11	6.63	165	41	0.294	0.298
Federal Agency Coupon Securities	70,489,000.00	70,405,658.19	70,894,404.52	58.73	1,321	1,017	0.707	0.717
Federal Agency Disc. -Amortizing	2,000,000.00	1,913,820.00	1,946,960.00	1.61	1,513	1,339	0.641	0.650
Pass Through Securities /PAC/CMO	33,070.18	35,175.74	34,329.10	0.03	1,717	254	2.152	2.182
Investments	120,355,619.52	120,186,433.27	120,706,529.07	100.00%	936	670	0.627	0.636

Total Earnings	September 30 Month Ending
Current Year	61,038.80
Average Daily Balance	122,986,234.74
Effective Rate of Return	0.60%

**US TREASURY CONSTANT MATURITY RATES
PERIOD ENDING SEPTEMBER 30, 2013
3 YEAR COMPARISON**

	September 30, 2013	September 30, 2012	September 30, 2011
3 Months	0.02%	0.10%	0.02%
6 Months	0.04%	0.14%	0.06%
1 Year	0.10%	0.17%	0.13%
2 Years	0.33%	0.26%	0.25%
3 Years	0.63%	0.34%	0.42%
5 Years	1.39%	0.65%	0.96%

I certify that these reports are in conformance with the Iowa Public Investment Act.

Roger J. Wiseman II, CPA 10-14-13
 Roger J. Wiseman II, City Treasurer

Reporting period 09/01/2013-09/30/2013

Run Date: 10/04/2013 - 11:19

No fiscal year history available

Portfolio 2013
 AC
 PM (PRF_PM1) 7.3.0
 Report Ver. 7.3.5

Investments FY 2012-2013
Portfolio Management
Portfolio Details - Investments
September 30, 2013

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Certificates of Deposit												
144241702	144241702	Great Western Bank		10/01/2012	2,000,000.00	2,000,000.00	2,000,000.00	0.360	0.355	0.360	80	12/20/2013
144241705	144241705	Great Western Bank		10/01/2012	2,000,000.00	2,000,000.00	2,000,000.00	0.510	0.503	0.510	262	06/20/2014
144241707	144241707	Great Western Bank		10/01/2012	3,500,000.00	3,500,000.00	3,500,000.00	0.710	0.700	0.710	365	10/01/2014
SYS7809399202	7809399202	Wells Fargo		10/14/2011	4,500,000.00	4,500,000.00	4,500,000.00	1.064	1.049	1.064	243	06/01/2014
SYS7809399210	7809399210	Wells Fargo		10/14/2011	4,500,000.00	4,500,000.00	4,500,000.00	1.226	1.209	1.226	608	06/01/2015
Subtotal and Average			17,766,666.67		16,500,000.00	16,500,000.00	16,500,000.00		0.868	0.880	351	
Money Market												
12224067	12224067	Great Western Bank		05/30/2013	6,004,488.78	6,004,488.78	6,004,488.78	0.300	0.296	0.300	1	
SYS4531558874A	4531558874A	Great Western Bank			4,104,032.05	4,104,032.05	4,104,032.05	0.550	0.542	0.550	1	
SYS4531558874B	4531558874B	Great Western Bank			5,202,322.30	5,202,322.30	5,202,322.30	0.300	0.296	0.300	1	
Subtotal and Average			15,309,585.01		15,310,843.13	15,310,843.13	15,310,843.13		0.362	0.367	1	
Passbook/Checking Accounts												
SYS6952311634A	6952311634A	Wells Fargo			4,011,536.27	4,011,536.27	4,011,536.27	0.250	0.247	0.250	1	
SYS6952311634B	6952311634B	Wells Fargo			4,011,169.94	4,011,169.94	4,011,169.94	0.250	0.247	0.250	1	
Subtotal and Average			8,022,365.54		8,022,706.21	8,022,706.21	8,022,706.21		0.247	0.250	1	
Commercial Paper Disc. -Amortizing												
0347M2YF7	0639-13	Angelsea		05/30/2013	3,000,000.00	2,999,130.00	2,998,500.00	0.400	0.401	0.406	45	11/15/2013
4497W0Y85	0638-13	ING Commercial Paper		05/30/2013	5,000,000.00	4,999,100.00	4,998,786.11	0.230	0.230	0.233	38	11/08/2013
Subtotal and Average			7,996,339.58		8,000,000.00	7,998,230.00	7,997,286.11		0.294	0.298	41	
Federal Agency Coupon Securities												
3133EAWY0	0599-12	Federal Farm Credit		07/10/2012	1,000,000.00	989,140.00	1,000,000.00	1.040	1.026	1.040	1,378	07/10/2017
3133EAZK7	0600-12	Federal Farm Credit		07/25/2012	1,500,000.00	1,478,775.00	1,500,000.00	0.970	0.957	0.970	1,392	07/24/2017
3133EA3H9	0609-12	Federal Farm Credit		10/11/2012	1,000,000.00	996,470.00	1,000,000.00	0.470	0.464	0.470	832	01/11/2016
3133EA4G0	0610-12	Federal Farm Credit		10/11/2012	1,000,000.00	984,620.00	1,000,000.00	0.700	0.690	0.700	1,288	04/11/2017
3133EA4H8	0614-12	Federal Farm Credit		10/19/2012	1,500,000.00	1,471,515.00	1,500,000.00	0.820	0.809	0.820	1,379	07/11/2017
3133EA4H8	0617-12	Federal Farm Credit		11/16/2012	890,000.00	873,098.90	890,000.00	0.820	0.809	0.820	1,379	07/11/2017
3133EC2L7	0618-12A	Federal Farm Credit		11/20/2012	1,500,000.00	1,497,795.00	1,500,000.00	0.440	0.434	0.440	773	11/13/2015
3133EC2L7	0618-12B	Federal Farm Credit		11/20/2012	1,000,000.00	998,530.00	1,000,000.00	0.440	0.434	0.440	773	11/13/2015
3133ECAS3	0621-12	Federal Farm Credit		12/31/2012	1,000,000.00	994,990.00	999,616.38	0.450	0.459	0.466	902	03/21/2016
3133EC3B8	0631-13	Federal Farm Credit		04/15/2013	1,299,000.00	1,294,076.79	1,299,000.00	0.520	0.513	0.520	961	05/19/2016
3133ECQT4	0636-13	Federal Farm Credit		05/30/2013	2,000,000.00	1,968,880.00	2,000,000.00	0.750	0.740	0.750	1,337	05/30/2017

Investments FY 2012-2013
Portfolio Management
Portfolio Details - Investments
September 30, 2013

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Coupon Securities												
3133ECQF4	0637-13	Federal Farm Credit		05/28/2013	1,000,000.00	999,340.00	1,000,157.54	0.250	0.237	0.240	604	05/28/2015
31331SYW7	0642-13	Federal Farm Credit		05/30/2013	2,000,000.00	2,137,760.00	2,137,466.16	4.450	0.306	0.310	608	06/01/2015
313373EE8	0530-11	Federal Home Loan Bank		04/15/2011	3,500,000.00	3,531,080.00	3,501,018.67	1.420	1.356	1.375	241	05/30/2014
3133792M0	0594-12	Federal Home Loan Bank		04/17/2012	3,500,000.00	3,511,550.00	3,500,000.00	0.540	0.533	0.540	577	05/01/2015
313380Z26	0613-12A	Federal Home Loan Bank		10/24/2012	1,500,000.00	1,486,545.00	1,500,000.00	0.625	0.616	0.625	1,119	10/24/2016
313380Z26	0613-12B	Federal Home Loan Bank		10/24/2012	1,000,000.00	991,030.00	1,000,000.00	0.625	0.616	0.625	1,119	10/24/2016
313381AN5	0615-12	Federal Home Loan Bank		11/23/2012	1,500,000.00	1,479,975.00	1,500,000.00	0.800	0.789	0.800	1,330	05/23/2017
313381UR4	0627-13	Federal Home Loan Bank		04/05/2013	1,500,000.00	1,500,060.00	1,500,000.00	0.375	0.370	0.375	667	07/30/2015
313382MC4	0628-13	Federal Home Loan Bank		04/15/2013	1,500,000.00	1,494,090.00	1,500,000.00	0.500	0.493	0.500	927	04/15/2016
313382TL7	0633-13	Federal Home Loan Bank		05/02/2013	2,250,000.00	2,240,865.00	2,250,387.92	0.500	0.487	0.493	944	05/02/2016
313379ER6	0640-13	Federal Home Loan Bank		05/30/2013	1,550,000.00	1,552,867.50	1,554,851.69	0.500	0.311	0.315	619	06/12/2015
313371PC4	0641-13	Federal Home Loan Bank		05/30/2013	1,500,000.00	1,512,225.00	1,511,009.24	0.875	0.257	0.260	437	12/12/2014
3134G3NA4	0581-12	Federal Home Loan Mortgage Co.		02/28/2012	1,500,000.00	1,501,875.00	1,500,000.00	0.750	1.295	1.313	1,246	02/28/2017
3137EACL1	0590-12	Federal Home Loan Mortgage Co.		03/30/2012	1,000,000.00	1,000,570.00	1,000,422.11	0.875	0.306	0.310	27	10/28/2013
3134G23H3	0591-12	Federal Home Loan Mortgage Co.		03/30/2012	1,000,000.00	1,000,150.00	1,000,069.62	0.500	0.316	0.320	14	10/15/2013
3134G3M23	0607-12	Federal Home Loan Mortgage Co.		09/28/2012	1,000,000.00	982,920.00	1,000,000.00	1.020	1.006	1.020	1,458	09/28/2017
3137EACT4	0612-12	Federal Home Loan Mortgage Co.		10/17/2012	4,500,000.00	4,726,845.00	4,735,319.40	2.500	0.503	0.510	969	05/27/2016
3134G33R9	0626-13	Federal Home Loan Mortgage Co.		03/20/2013	1,500,000.00	1,493,910.00	1,500,000.00	0.450	0.444	0.450	836	01/15/2016
3134G4BX5	0643-13	Federal Home Loan Mortgage Co.		07/24/2013	1,000,000.00	1,001,080.00	1,000,000.00	2.200	2.170	2.200	1,757	07/24/2018
3135G0KM4	0611-12	Federal Nat'l Mtg. Assoc.		10/17/2012	3,500,000.00	3,513,230.00	3,507,478.53	0.500	0.365	0.370	603	05/27/2015
3136G05X5	0616-12	Federal Nat'l Mtg. Assoc.		11/30/2012	2,000,000.00	1,968,880.00	2,000,000.00	0.750	0.740	0.750	1,337	05/30/2017
3136G07M7	0619-12	Federal Nat'l Mtg. Assoc.		11/27/2012	1,500,000.00	1,459,410.00	1,500,000.00	0.900	0.888	0.900	1,518	11/27/2017
3135G0TD5	0620-12A	Federal Nat'l Mtg. Assoc.		12/31/2012	1,500,000.00	1,461,420.00	1,500,000.00	1.000	0.986	1.000	1,549	12/28/2017
3135G0TD5	0620-12B	Federal Nat'l Mtg. Assoc.		12/31/2012	1,000,000.00	974,280.00	1,000,000.00	1.000	0.986	1.000	1,549	12/28/2017
3136G0VP3	0624-13	Federal Nat'l Mtg. Assoc.		02/28/2013	1,000,000.00	1,000,480.00	1,000,383.11	0.625	0.579	0.587	1,239	02/21/2017
3136G1BZ1	0625-13	Federal Nat'l Mtg. Assoc.		03/08/2013	1,000,000.00	983,940.00	999,557.60	0.500	1.158	1.174	1,582	01/30/2018
3136G1BU2	0629-13	Federal Nat'l Mtg. Assoc.		04/05/2013	2,000,000.00	1,955,360.00	2,002,232.52	0.850	0.811	0.822	1,490	10/30/2017
3136G1E96	0632-13	Federal Nat'l Mtg. Assoc.		04/15/2013	3,000,000.00	2,970,120.00	3,005,434.03	0.900	0.893	0.906	1,333	05/26/2017
3136G1KG3	0634-13	Federal Nat'l Mtg. Assoc.		05/08/2013	3,000,000.00	2,957,400.00	3,000,000.00	0.750	0.740	0.750	1,315	05/08/2017
3135G0WU3	0635-13A	Federal Nat'l Mtg. Assoc.		05/15/2013	1,500,000.00	1,478,040.00	1,500,000.00	0.750	0.740	0.750	1,322	05/15/2017
3135G0WU3	0635-13B	Federal Nat'l Mtg. Assoc.		05/15/2013	1,000,000.00	985,360.00	1,000,000.00	0.750	0.740	0.750	1,322	05/15/2017
3136G1TC3	0644-13	Federal Nat'l Mtg. Assoc.		09/12/2013	1,000,000.00	1,005,110.00	1,000,000.00	2.000	1.973	2.000	1,807	09/12/2018
Subtotal and Average			71,902,443.77		70,489,000.00	70,405,658.19	70,894,404.52		0.707	0.717	1,017	

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CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Disc. -Amortizing												
31359MEL3	0630-13	Federal Nat'l Mtg. Assoc.		04/10/2013	2,000,000.00	1,913,820.00	1,946,960.00	0.631	0.641	0.650	1,339	06/01/2017
Subtotal and Average			1,946,960.00		2,000,000.00	1,913,820.00	1,946,960.00		0.641	0.650	1,339	
Pass Through Securities /PAC/CMO												
31371LGW3	0454-09	Federal Nat'l Mtg. Assoc.		06/16/2009	555.52	589.77	577.57	5.000	2.742	2.780	31	11/01/2013
31371LMX4	0458-09	Federal Nat'l Mtg. Assoc.		09/18/2009	15,406.02	16,390.77	15,925.97	4.000	2.109	2.138	151	03/01/2014
31371LWK1	0465-09	Federal Nat'l Mtg. Assoc.		10/08/2009	10,046.12	10,681.24	10,498.20	4.500	2.252	2.284	365	10/01/2014
31371LVX4	0466-09	Federal Nat'l Mtg. Assoc.		10/19/2009	7,062.52	7,513.96	7,327.36	4.000	2.056	2.084	335	09/01/2014
Subtotal and Average			41,874.17		33,070.18	35,175.74	34,329.10		2.152	2.182	254	
Total and Average			122,986,234.74		120,355,619.52	120,186,433.27	120,706,529.07		0.627	0.636	670	

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CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Certificates of Deposit												
144241702	144241702	GWB	2,000,000.00	0.360	12/20/2013	10/01/2012	0.355	0.360	12/20 - At Maturity		2,000,000.00	2,000,000.00
144241705	144241705	GWB	2,000,000.00	0.510	06/20/2014	10/01/2012	0.503	0.510	06/20 - At Maturity		2,000,000.00	2,000,000.00
144241707	144241707	GWB	3,500,000.00	0.710	10/01/2014	10/01/2012	0.700	0.710	10/01 - At Maturity		3,500,000.00	3,500,000.00
SYS7809399202	7809399202	WF	4,500,000.00	1.064	06/01/2014	10/14/2011	1.049	1.064	06/01 - At Maturity		4,500,000.00	4,500,000.00
SYS7809399210	7809399210	WF	4,500,000.00	1.226	06/01/2015	10/14/2011	1.209	1.226	06/01 - At Maturity		4,500,000.00	4,500,000.00
Certificates of Deposit Totals			16,500,000.00				0.868	0.880		0.00	16,500,000.00	16,500,000.00
Money Market												
12224067	12224067	GWB	6,004,488.78	0.300		05/30/2013	0.296	0.300	06/01 - Monthly		6,004,488.78	6,004,488.78
SYS4531558874A	4531558874A	GWB	4,104,032.05	0.550			0.542	0.550	07/01 - Monthly		4,104,032.05	4,104,032.05
SYS4531558874B	4531558874B	GWB	5,202,322.30	0.300			0.296	0.300	07/01 - Monthly		5,202,322.30	5,202,322.30
Money Market Totals			15,310,843.13				0.362	0.367		0.00	15,310,843.13	15,310,843.13
Passbook/Checking Accounts												
SYS6952311634A	6952311634A	WF	4,011,536.27	0.250			0.247	0.250	10/31 - Monthly		4,011,536.27	4,011,536.27
SYS6952311634B	6952311634B	WF	4,011,169.94	0.250			0.247	0.250	10/31 - Monthly		4,011,169.94	4,011,169.94
Passbook/Checking Accounts Totals			8,022,706.21				0.247	0.250		0.00	8,022,706.21	8,022,706.21
Commercial Paper Disc. -Amortizing												
0347M2YF7	0639-13	ANGLES	3,000,000.00	0.400	11/15/2013	05/30/2013	0.401	0.406	11/15 - At Maturity		2,994,366.67	2,998,500.00
4497W0Y85	0638-13	ING	5,000,000.00	0.230	11/08/2013	05/30/2013	0.230	0.233	11/08 - At Maturity		4,994,825.00	4,998,786.11
Commercial Paper Disc. -Amortizing Totals			8,000,000.00				0.294	0.298		0.00	7,989,191.67	7,997,286.11
Federal Agency Coupon Securities												
3133EAWY0	0599-12	FFCB	1,000,000.00	1.040	07/10/2017	07/10/2012	1.026	1.040	01/10 - 07/10		1,000,000.00	1,000,000.00
3133EAZK7	0600-12	FFCB	1,500,000.00	0.970	07/24/2017	07/25/2012	0.957	0.970	01/24 - 07/24	Received	1,500,000.00	1,500,000.00
3133EA3H9	0609-12	FFCB	1,000,000.00	0.470	01/11/2016	10/11/2012	0.464	0.470	01/11 - 07/11		1,000,000.00	1,000,000.00
3133EA4G0	0610-12	FFCB	1,000,000.00	0.700	04/11/2017	10/11/2012	0.690	0.700	04/11 - 10/11		1,000,000.00	1,000,000.00
3133EA4H8	0614-12	FFCB	1,500,000.00	0.820	07/11/2017	10/19/2012	0.809	0.820	01/11 - 07/11	Received	1,500,000.00	1,500,000.00
3133EA4H8	0617-12	FFCB	890,000.00	0.820	07/11/2017	11/16/2012	0.809	0.820	01/11 - 07/11	Received	890,000.00	890,000.00
3133EC2L7	0618-12A	FFCB	1,500,000.00	0.440	11/13/2015	11/20/2012	0.434	0.440	05/13 - 11/13	Received	1,500,000.00	1,500,000.00
3133EC2L7	0618-12B	FFCB	1,000,000.00	0.440	11/13/2015	11/20/2012	0.434	0.440	05/13 - 11/13	Received	1,000,000.00	1,000,000.00
3133ECAS3	0621-12	FFCB	1,000,000.00	0.450	03/21/2016	12/31/2012	0.459	0.466	03/21 - 09/21	Received	999,500.00	999,616.38
3133EC3B8	0631-13	FFCB	1,299,000.00	0.520	05/19/2016	04/15/2013	0.513	0.520	05/19 - 11/19	Received	1,299,000.00	1,299,000.00

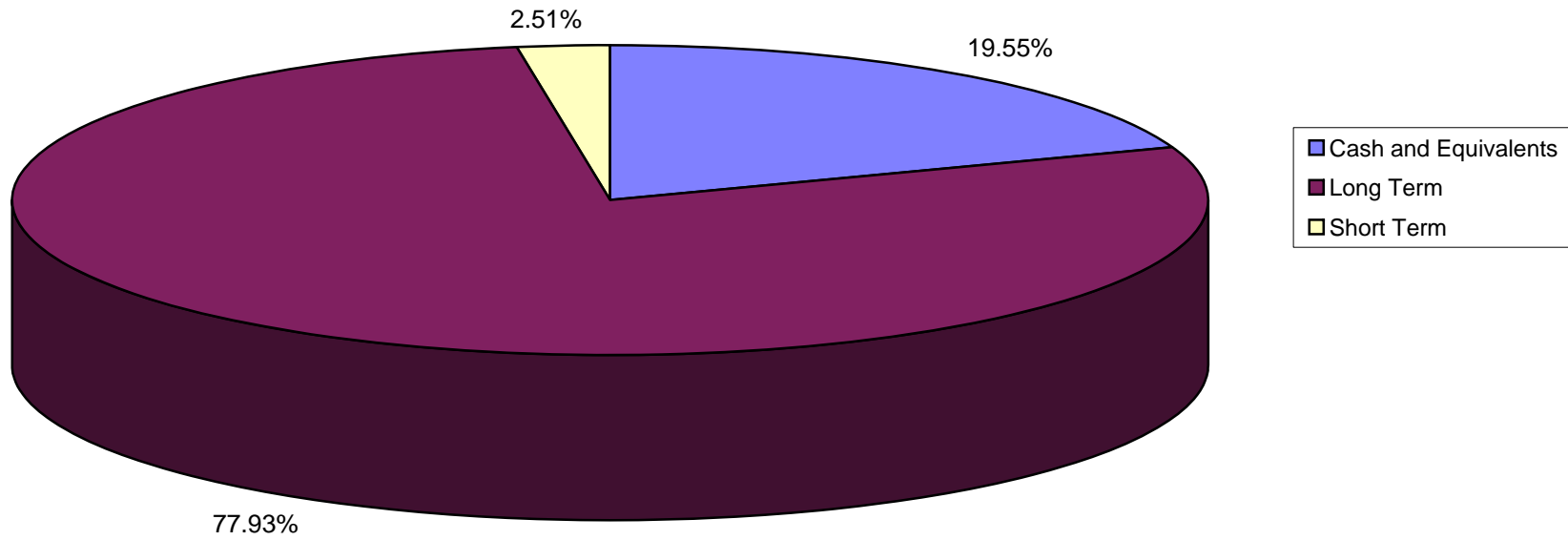
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CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency Coupon Securities												
3133ECQT4	0636-13	FFCB	2,000,000.00	0.750	05/30/2017	05/30/2013	0.740	0.750	11/30 - 05/30		2,000,000.00	2,000,000.00
3133ECQF4	0637-13	FFCB	1,000,000.00	0.250	05/28/2015	05/28/2013	0.237	0.240	11/28 - 05/28		1,000,190.00	1,000,157.54
31331SYW7	0642-13	FFCB	2,000,000.00	4.450	06/01/2015	05/30/2013	0.306	0.310	06/01 - 12/01	Received	2,165,188.50	2,137,466.16
313373EE8	0530-11	FHLB	3,500,000.00	1.420	05/30/2014	04/15/2011	1.356	1.375	05/30 - 11/30	Received	3,504,795.00	3,501,018.67
3133792M0	0594-12	FHLB	3,500,000.00	0.540	05/01/2015	04/17/2012	0.533	0.540	05/01 - 11/01		3,500,000.00	3,500,000.00
313380Z26	0613-12A	FHLB	1,500,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,500,000.00	1,500,000.00
313380Z26	0613-12B	FHLB	1,000,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,000,000.00	1,000,000.00
313381AN5	0615-12	FHLB	1,500,000.00	0.800	05/23/2017	11/23/2012	0.789	0.800	05/23 - 11/23		1,500,000.00	1,500,000.00
313381UR4	0627-13	FHLB	1,500,000.00	0.375	07/30/2015	04/05/2013	0.370	0.375	07/30 - 01/30	Received	1,500,000.00	1,500,000.00
313382MC4	0628-13	FHLB	1,500,000.00	0.500	04/15/2016	04/15/2013	0.493	0.500	10/15 - 04/15		1,500,000.00	1,500,000.00
313382TL7	0633-13	FHLB	2,250,000.00	0.500	05/02/2016	05/02/2013	0.487	0.493	11/02 - 05/02		2,250,450.00	2,250,387.92
313379ER6	0640-13	FHLB	1,550,000.00	0.500	06/12/2015	05/30/2013	0.311	0.315	06/12 - 12/12	Received	1,555,812.50	1,554,851.69
313371PC4	0641-13	FHLB	1,500,000.00	0.875	12/12/2014	05/30/2013	0.257	0.260	06/12 - 12/12	Received	1,514,100.00	1,511,009.24
3134G3NA4	0581-12	FHLMC	1,500,000.00	0.750	02/28/2017	02/28/2012	1.295	1.313	08/28 - 02/28		1,500,000.00	1,500,000.00
3137EACL1	0590-12	FHLMC	1,000,000.00	0.875	10/28/2013	03/30/2012	0.306	0.310	04/28 - 10/28	Received	1,008,880.00	1,000,422.11
3134G23H3	0591-12	FHLMC	1,000,000.00	0.500	10/15/2013	03/30/2012	0.316	0.320	04/15 - 10/15	Received	1,002,760.00	1,000,069.62
3134G3M23	0607-12	FHLMC	1,000,000.00	1.020	09/28/2017	09/28/2012	1.006	1.020	03/28 - 09/28		1,000,000.00	1,000,000.00
3137EACT4	0612-12	FHLMC	4,500,000.00	2.500	05/27/2016	10/17/2012	0.503	0.510	11/27 - 05/27	Received	4,819,995.00	4,735,319.40
3134G33R9	0626-13	FHLMC	1,500,000.00	0.450	01/15/2016	03/20/2013	0.444	0.450	07/15 - 01/15	Received	1,500,000.00	1,500,000.00
3134G4BX5	0643-13	FHLMC	1,000,000.00	2.200	07/24/2018	07/24/2013	2.170	2.200	01/24 - 07/24		1,000,000.00	1,000,000.00
3135G0KM4	0611-12	FNMA	3,500,000.00	0.500	05/27/2015	10/17/2012	0.365	0.370	11/27 - 05/27	Received	3,511,795.00	3,507,478.53
3136G05X5	0616-12	FNMA	2,000,000.00	0.750	05/30/2017	11/30/2012	0.740	0.750	05/30 - 11/30		2,000,000.00	2,000,000.00
3136G07M7	0619-12	FNMA	1,500,000.00	0.900	11/27/2017	11/27/2012	0.888	0.900	05/27 - 11/27		1,500,000.00	1,500,000.00
3135G0TD5	0620-12A	FNMA	1,500,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,500,000.00	1,500,000.00
3135G0TD5	0620-12B	FNMA	1,000,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,000,000.00	1,000,000.00
3136G0VP3	0624-13	FNMA	1,000,000.00	0.625	02/21/2017	02/28/2013	0.579	0.587	08/21 - 02/21	Received	1,000,450.00	1,000,383.11
3136G1BZ1	0625-13	FNMA	1,000,000.00	0.500	01/30/2018	03/08/2013	1.158	1.174	07/30 - 01/30	Received	999,500.00	999,557.60
3136G1BU2	0629-13	FNMA	2,000,000.00	0.850	10/30/2017	04/05/2013	0.811	0.822	04/30 - 10/30	Received	2,002,500.00	2,002,232.52
3136G1E96	0632-13	FNMA	3,000,000.00	0.900	05/26/2017	04/15/2013	0.893	0.906	08/26 - 02/26	Received	3,006,120.00	3,005,434.03
3136G1KG3	0634-13	FNMA	3,000,000.00	0.750	05/08/2017	05/08/2013	0.740	0.750	11/08 - 05/08		3,000,000.00	3,000,000.00
3135G0WU3	0635-13A	FNMA	1,500,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,500,000.00	1,500,000.00
3135G0WU3	0635-13B	FNMA	1,000,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,000,000.00	1,000,000.00
3136G1TC3	0644-13	FNMA	1,000,000.00	2.000	09/12/2018	09/12/2013	1.973	2.000	03/12 - 09/12		1,000,000.00	1,000,000.00
Federal Agency Coupon Securities Totals			70,489,000.00				0.707	0.717		0.00	71,031,036.00	70,894,404.52

**Investments FY 2012-2013
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CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency Disc. -Amortizing												
31359MEL3	0630-13	FNMA	2,000,000.00	0.631	06/01/2017	04/10/2013	0.641	0.650	/ - Final Pmt.		1,946,960.00	1,946,960.00
Federal Agency Disc. -Amortizing Totals			2,000,000.00				0.641	0.650		0.00	1,946,960.00	1,946,960.00
Pass Through Securities /PAC/CMO												
31371LGW3	0454-09	FNMA	555.52	5.000	11/01/2013	06/16/2009	2.742	2.780	07/25 - Monthly	Received	577.57	577.57
31371LMX4	0458-09	FNMA	15,406.02	4.000	03/01/2014	09/18/2009	2.109	2.138	10/25 - Monthly	Received	15,925.97	15,925.97
31371LWK1	0465-09	FNMA	10,046.12	4.500	10/01/2014	10/08/2009	2.252	2.284	11/25 - Monthly	Received	10,498.20	10,498.20
31371LVX4	0466-09	FNMA	7,062.52	4.000	09/01/2014	10/19/2009	2.056	2.084	11/25 - Monthly	Received	7,327.36	7,327.36
Pass Through Securities /PAC/CMO Totals			33,070.18				2.152	2.182		0.00	34,329.10	34,329.10
Investment Totals			120,355,619.52				0.627	0.636		0.00	120,835,066.11	120,706,529.07

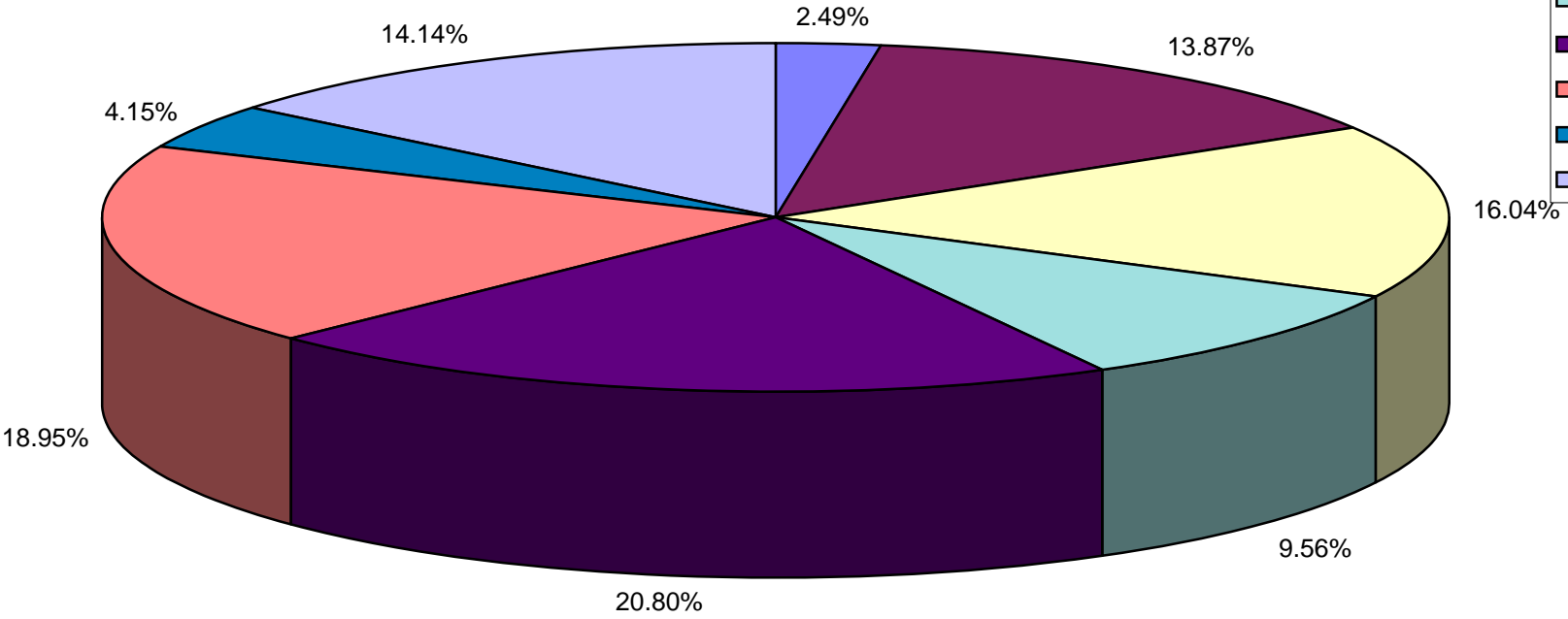
Portfolio by Asset Class



For Quarter Ending September 30, 2013

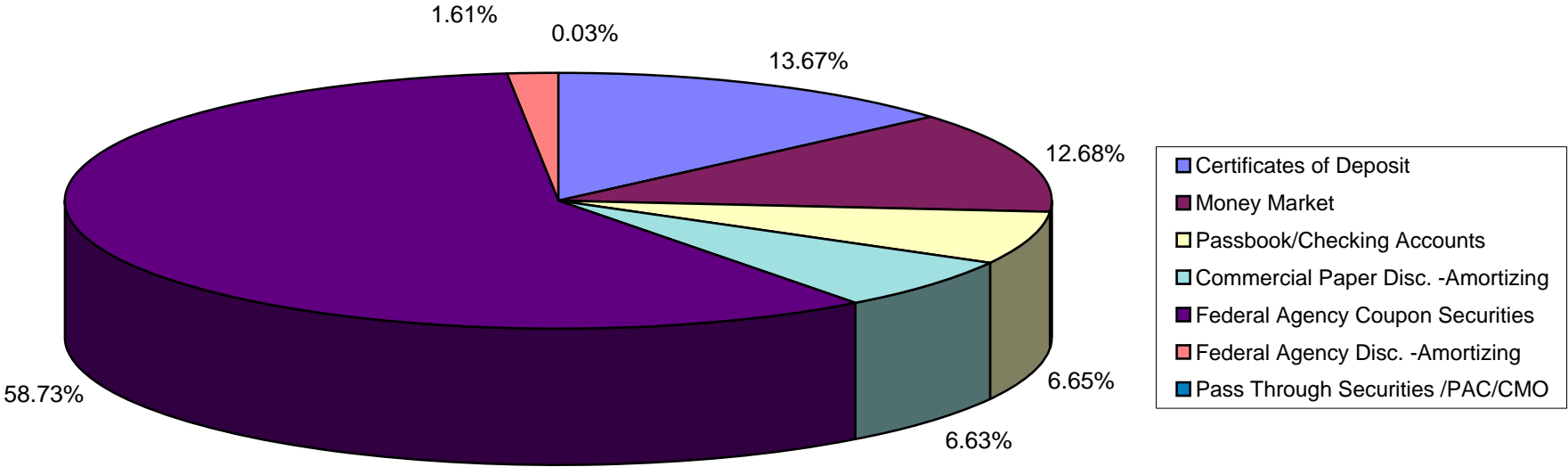
Par Value by Issuer Graph

- ANGLESEA
- FFCB
- FHLB
- FHLMC
- FNMA
- GWB
- ING
- WF



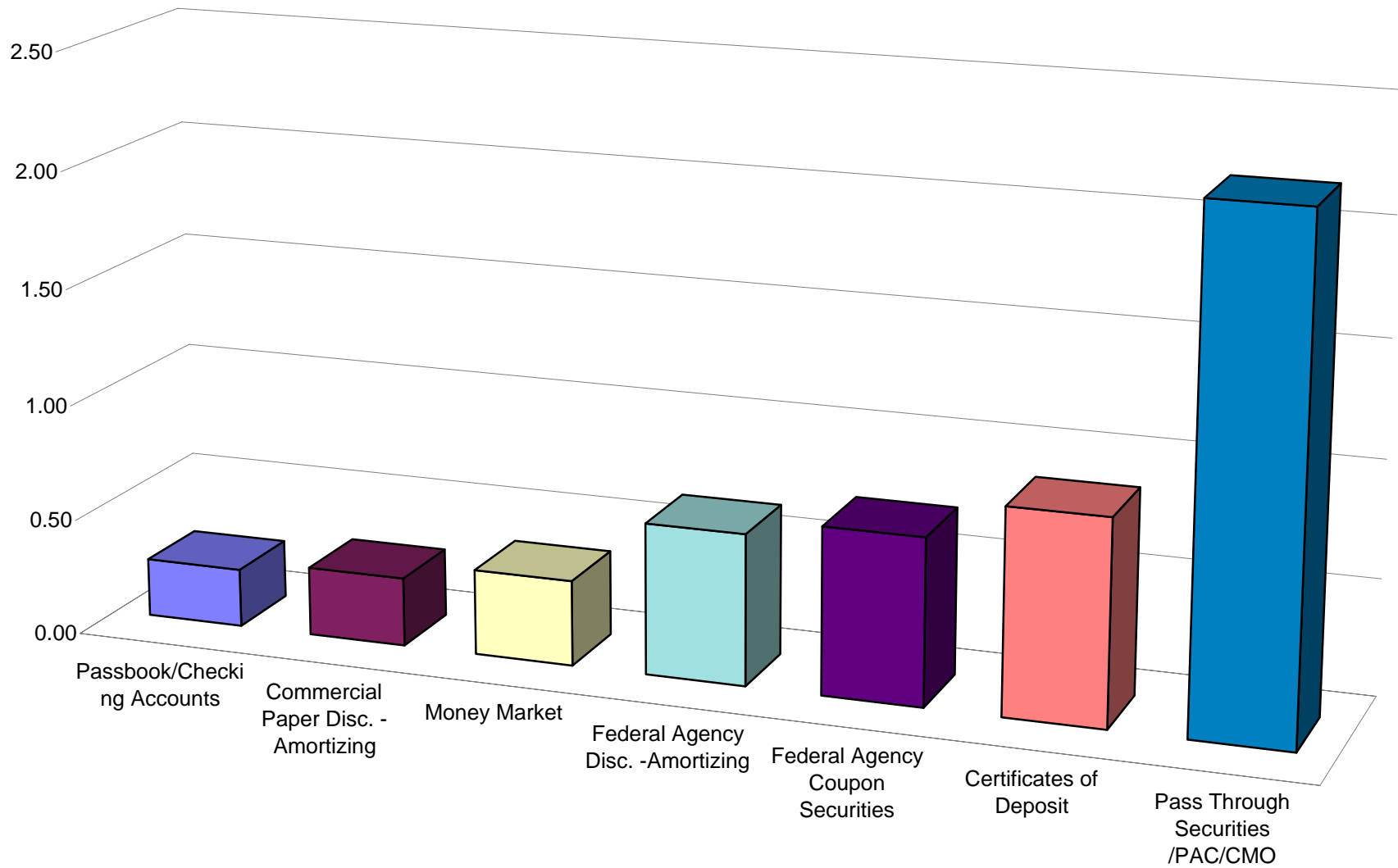
For Quarter Ending September 30, 2013

Book Value By Investment Type



For Quarter Ending September 30, 2013

Investment Yield by Type



For Quarter Ending September 30, 2013

COUNCIL ACTION FORM

SUBJECT: ANNUAL URBAN RENEWAL REPORT

BACKGROUND:

In 2012 the State of Iowa adopted an Iowa Urban Renewal and Tax Increment Financing Reform bill. Provisions of the bill included new reporting requirements. One of the required reports is the Annual Urban Renewal Report, which must be approved by the governing board and provided to the Iowa Department of Management to be made available to the public on an internet site.

This report includes uploading documents related to the City's urban renewal districts, such as the plan document and City Council action establishing each district, as well as financial information on tax increment financing (TIF) funds related to urban renewal districts. The due date for the report to be filed is December 1 of each year, and the penalty for non-compliance is withholding certification of tax levies. This is the second year of reporting under the new law, and the attached report is for the fiscal year ending June 30, 2013.

The attached report describes the City's one active TIF District, which is the South Bell Avenue Urban Renewal Area established in 2009. The report also refers to the Ames Community Development Park Urban Renewal Area, which was established in 1997. All debt for that district was previously retired and the property was released to general taxation.

ALTERNATIVES:

1. Approve the City's annual 2013 Urban Renewal Report.
2. Do not approve the 2013 Urban Renewal Report, and refer back to staff.

MANAGER'S RECOMMENDED ACTION:

In order for the City to comply with mandated reporting requirements, it is necessary to submit this report to the Iowa Department of Management by December 1 of this year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2013 Urban Renewal Report.

Annual Urban Renewal Report, Fiscal Year 2012 - 2013

Levy Authority Summary

Local Government Name: AMES
 Local Government Number: 85G811

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
AMES COMMUNITY DEVELOPMENT PARK URBAN RENEWAL	85012	1
AMES SOUTH BELL AVENUE URBAN RENEWAL	85021	2

TIF Debt Outstanding: 1,066,924

TIF Sp. Rev. Fund Cash Balance		Amount of 07-01-2012 Cash Balance
as of 07-01-2012:	48,929	0
		Restricted for LMI

TIF Revenue:	180
TIF Sp. Revenue Fund Interest:	-375
Asset Sales & Loan Repayments:	0
Total Revenue:	-195

Rebate Expenditures:	0
Non-Rebate Expenditures:	116,817
Returned to County Treasurer:	0
Total Expenditures:	116,817

TIF Sp. Rev. Fund Cash Balance		Amount of 06-30-2013 Cash Balance
as of 06-30-2013:	-68,083	0
		Restricted for LMI

Year-End Outstanding TIF Obligations, Net of TIF Special Revenue Fund Balance: 1,018,190

Urban Renewal Area Data Collection

Local Government Name: AMES (85G811)
 Urban Renewal Area: AMES COMMUNITY DEVELOPMENT PARK URBAN RENEWAL
 UR Area Number: 85012

UR Area Creation Date: 11/1997

UR Area Purpose: Enhance the availability of sites to accommodate the construction of new industrial and commercial buildings and encourage and support development that will expand the tax base.

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
AMES CITY/AMES SCH/AMES COMMUNITY DEVELOPMENT PARK URBAN RENEWAL TIF INCREM	85526	85126	0

Urban Renewal Area Value by Class - 1/1/2011 for FY 2013

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2012: 0 0 **Amount of 07-01-2012 Cash Balance Restricted for LMI**

TIF Revenue:	0
TIF Sp. Revenue Fund Interest:	0
Asset Sales & Loan Repayments:	0
Total Revenue:	0

Rebate Expenditures:	0
Non-Rebate Expenditures:	0
Returned to County Treasurer:	0
Total Expenditures:	0

TIF Sp. Rev. Fund Cash Balance as of 06-30-2013: 0 0 **Amount of 06-30-2013 Cash Balance Restricted for LMI**

256 Characters Left

Sum of Private Investment Made Within This Urban Renewal Area
during FY 2013

TIF Taxing District Data Collection

Local Government Name: AMES (85G811)
 Urban Renewal Area: AMES COMMUNITY DEVELOPMENT PARK URBAN RENEWAL (85012)
 TIF Taxing District Name: AMES CITY/AMES SCH/AMES COMMUNITY DEVELOPMENT PARK URBAN RENEWAL TIF INCREM
 TIF Taxing District Inc. Number: 85126
 TIF Taxing District Base Year: 0
 FY TIF Revenue First Received:
 Subject to a Statutory end date? No

UR Designation	
Slum	No
Blighted	No
Economic Development	No

TIF Taxing District Value by Class - 1/1/2011 for FY 2013

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2013	43,167	0	0	0	0

FY 2013 TIF Revenue Received: 0

Urban Renewal Area Data Collection

Local Government Name: AMES (85G811)
 Urban Renewal Area: AMES SOUTH BELL AVENUE URBAN RENEWAL
 UR Area Number: 85021

UR Area Creation Date: 01/2009

UR Area Purpose: To expand the available inventory of fully serviced industrial land within Ames.

Tax Districts within this Urban Renewal Area	Base No.	Increment No.	Increment Value Used
AMES CITY/AMES SCH/SOUTH BELL AVENUE URBAN RENEWL TIF INCREM	85586	85186	7,370
AMES CITY AG/AMES SCH/SOUTH BELL AVENUE URBAN RENEWAL TIF INCREM	85587	85187	0

Urban Renewal Area Value by Class - 1/1/2011 for FY 2013

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	21,900	0	0	0	21,900	0	21,900
Taxable	0	0	21,900	0	0	0	21,900	0	21,900
Homestead Credits									0

TIF Sp. Rev. Fund Cash Balance as of 07-01-2012: 48,929 0 **Amount of 07-01-2012 Cash Balance Restricted for LMI**

TIF Revenue: 180
 TIF Sp. Revenue Fund Interest: -375
 Asset Sales & Loan Repayments: 0
Total Revenue: -195

Rebate Expenditures: 0
 Non-Rebate Expenditures: 116,817
 Returned to County Treasurer: 0
Total Expenditures: 116,817

TIF Sp. Rev. Fund Cash Balance as of 06-30-2013: -68,083 0 **Amount of 06-30-2013 Cash Balance Restricted for LMI**

Projects For AMES SOUTH BELL AVENUE URBAN RENEWAL

Ames Comm. Dev. Park 4th Addition (S. Bell)

Description:	Public infrastructure for including roads and utilities.
Classification:	Roads, Bridges & Utilities
Physically Complete:	Yes
Payments Complete:	Yes

Debts/Obligations For AMES SOUTH BELL AVENUE URBAN RENEWAL

2009B GO Bonds

Debt/Obligation Type:	Gen. Obligation Bonds/Notes
Principal:	921,864
Interest:	145,060
Total:	1,066,924
Annual Appropriation?:	No
Date Incurred:	10/29/2009
FY of Last Payment:	2020

Non-Rebates For AMES SOUTH BELL AVENUE URBAN RENEWAL

TIF Expenditure Amount:	116,817
Tied To Debt:	2009B GO Bonds
Tied To Project:	Ames Comm. Dev. Park 4th Addition (S. Bell)
TIF Expenditure Amount:	0

TIF Taxing District Data Collection

Local Government Name:	AMES (85G811)	
Urban Renewal Area:	AMES SOUTH BELL AVENUE URBAN RENEWAL (85021)	
TIF Taxing District Name:	AMES CITY/AMES SCH/SOUTH BELL AVENUE URBAN RENEWL TIF INCREM	
TIF Taxing District Inc. Number:	85186	
TIF Taxing District Base Year:	2008	UR Designation
FY TIF Revenue First Received:	2010	Slum No
Subject to a Statutory end date?	No	Blighted No
		Economic Development 01/2009

TIF Taxing District Value by Class - 1/1/2011 for FY 2013

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	21,900	0	0	0	21,900	0	21,900
Taxable	0	0	21,900	0	0	0	21,900	0	21,900
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2013	3,300	18,600	7,370	11,230	274

FY 2013 TIF Revenue Received: 180

TIF Taxing District Data Collection

Local Government Name:	AMES (85G811)	
Urban Renewal Area:	AMES SOUTH BELL AVENUE URBAN RENEWAL (85021)	
TIF Taxing District Name:	AMES CITY AG/AMES SCH/SOUTH BELL AVENUE URBAN RENEWAL TIF INCREM	
TIF Taxing District Inc. Number:	85187	
TIF Taxing District Base Year:	0	UR Designation
FY TIF Revenue First Received:		Slum No
Subject to a Statutory end date?	No	Blighted No
		Economic Development No

TIF Taxing District Value by Class - 1/1/2011 for FY 2013

	Agricultural	Residential	Commercial	Industrial	Other	Military	Total	Gas/Electric Utility	Total
Assessed	0	0	0	0	0	0	0	0	0
Taxable	0	0	0	0	0	0	0	0	0
Homestead Credits									0

	Frozen Base Value	Max Increment Value	Increment Used	Increment Not Used	Increment Revenue Not Used
Fiscal Year 2013	0	0	0	0	0

FY 2013 TIF Revenue Received: 0

COUNCIL ACTION FORM

SUBJECT: PUBLIC UTILITY EASEMENT VACATION AT 2801 EAST 13TH STREET (KUM & GO SITE)

BACKGROUND:

The engineering firm representing Kum & Go at 2801 East 13th Street has made a request to vacate the public utility easement currently shown running north/south through the existing lot shown on Attachment A. The vacation is requested in order for the property owner to move forward with the process to expand their existing store.

This request was originally planned to be presented to Council at the April 9, 2013 meeting. However, at that time staff had not yet received a response from all utility users as to the existence or potential use of the existing easement. Therefore, this item was pulled from the Council agenda.

Public Works staff has now received responses from all registered right-of-way users as to the extent of utilities in this immediate area and any intention to utilize the existing easement. The only affected utility is Century Link. The property owner has agreed to maintain a 10' easement over the portion occupied by Century Link, as shown in Attachment B. None of the other utility owners have an existing use or any plans to use the current public utility easement.

ALTERNATIVES:

1. Set November 26, 2013, as the date of public hearing for the proposed vacation of the westerly 30' of the existing public utility easement at 2801 East 13th Street while maintaining the easterly 10' of the existing easement.
2. Direct staff to pursue other options.

MANAGER'S RECOMMENDED ACTION:

By moving forward with the process to approve a partial vacation of the easement, Council will meet this property owner's need to move forward with the expansion of their existing store.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting November 26, 2013, as the date of public hearing for the proposed vacation of the westerly 30' of the existing public utility easement at 2801 East 13th Street while maintaining the easterly 10' of the existing easement.

KUM & GO #113

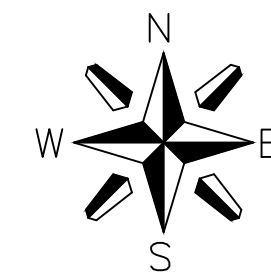
PARCEL "B", IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 84 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF AMES, COUNTY OF STORY, STATE OF IOWA

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE STATE OF IOWA, COUNTY OF STORY AND IS DESCRIBED AS FOLLOWS:

COMMENCING 1335.5 FEET WEST OF THE SOUTH QUARTER CORNER, SECTION 31, TOWNSHIP 84 NORTH, RANGE 23 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, THENCE NORTH 0°00' EAST 116.3 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF 13TH STREET, AS NOW ESTABLISHED, THENCE NORTH 0°00' EAST 158.5 (158.7 PLAT) FEET, THENCE NORTH 90°00' WEST 265.0 FEET, THENCE SOUTH 0°00' EAST 169.2 FEET, TO SAID NORTH RIGHT OF WAY LINE, THENCE NORTH 87°45' EAST ALONG SAID RIGHT OF WAY LINE, 265.3 FEET TO THE POINT OF BEGINNING.

NOW ALSO KNOWN AS PARCEL "B", IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 84 NORTH, RANGE 23 WEST OF THE 5TH P.M., STORY COUNTY, AS SHOWN ON THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON THE 7TH DAY OF OCTOBER 1998 AS INSTRUMENT NO. 98-13937, AND RECORDED IN SLIDE 3, PAGE 3.

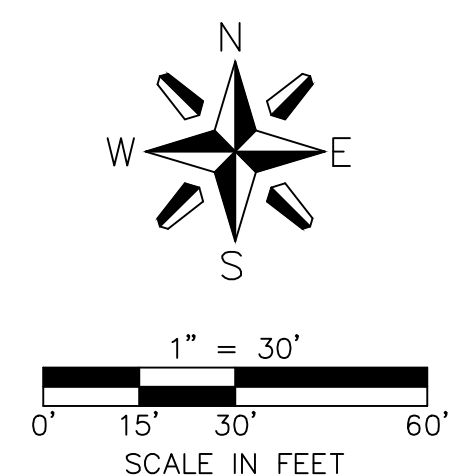


VICINITY MAP
NOT TO SCALE

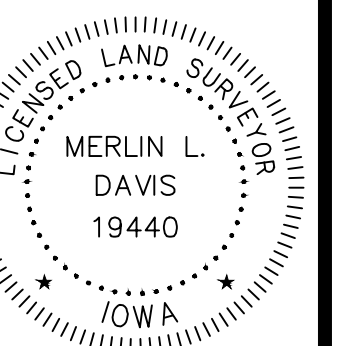


LEGEND

	BOUNDARY
	PROPERTY LINE
	EASEMENT
	CENTERLINE
	CENTERLINE
	EASEMENT HATCH
	FOUND 5/8" REBAR (UNLESS NOTED OTHERWISE)
	SET CHISELED "X"
	SECTION CORNER CUT "S"
	MEASURED DISTANCE
	RECORDED DISTANCE



MOLSSON ASSOCIATES
 11335 Aurora Avenue
 Johnston, IA 50131
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 FAX: 515-223-1658
 www.molssonassociates.com



6400 Westown Parkway
 West Des Moines, Iowa
 50266
 P: 515-226-0128
 F: 515-223-9873

STORE #113 - AMES, IA
 2801 E 13TH STREET
 VACATED EASEMENT AREA

KG PROJECT TEAM:
 RDR: JXH
 SDM: SGH
 GPM: RJD

REVISION DESCRIPTION	DATE

DATE: 11-04-13

SHEET NUMBER:

1 OF 1

DWG: F:\Projects\013-0904\SRVY\Exhibits\130904_VACATED_EASEMENT.dwg
 DATE: Nov 04, 2013 11:01am
 USER: ocarlo

KUM & GO #113

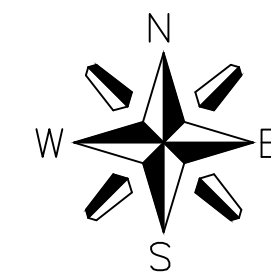
PARCEL "B", IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 84 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF AMES, COUNTY OF STORY, STATE OF IOWA

LEGAL DESCRIPTION

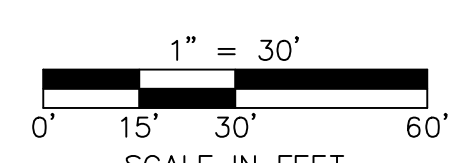
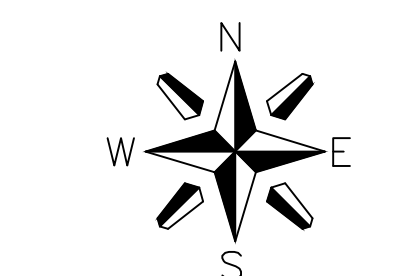
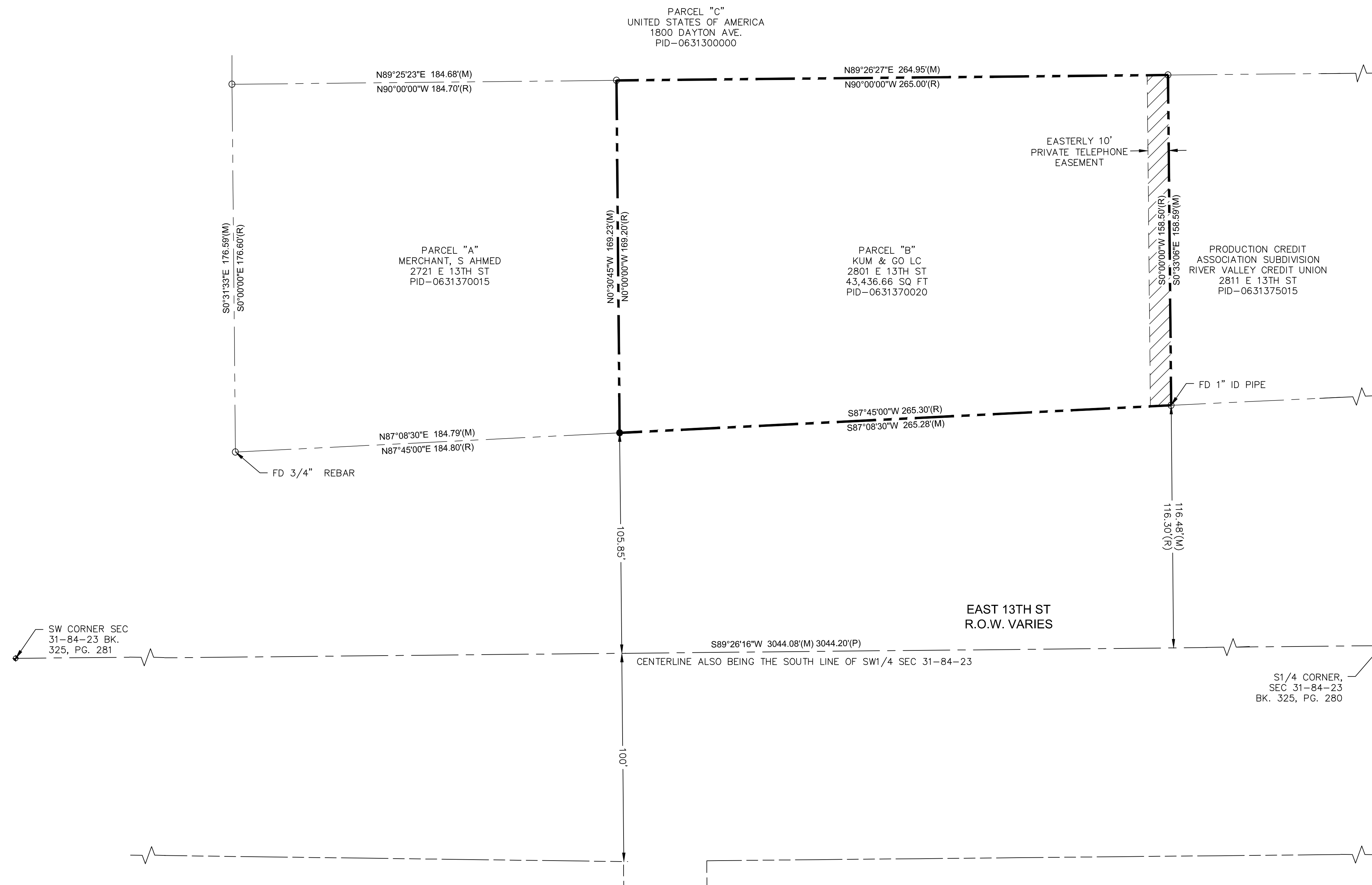
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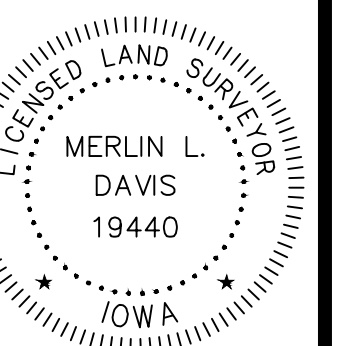
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VICINITY MAP
NOT TO SCALE



MOLSSON ASSOCIATES
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50266
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STORE #113 - AMES, IA
2801 E 13TH STREET
PRIVATE TELEPHONE EASEMENT

KG PROJECT TEAM:
RDR: JXH
SDM: SGH
GPM: RJD

REVISION DESCRIPTION	DATE

DATE: 11-04-13

SHEET NUMBER:

1 OF 1

DWG: F:\Projects\013-0904_Survey\Exhibits\130904_Telephone Easement.dwg
 DATE: Nov 04, 2013 11:05am
 USER: cccario
 XREFS:

COUNCIL ACTION FORM

SUBJECT: ENDORSEMENT OF IOWA ECONOMIC DEVELOPMENT AUTHORITY APPLICATION FOR FINANCIAL ASSISTANCE FOR WEBFILINGS LLC WITH LOCAL MATCH IN THE FORM OF PROPERTY TAX ABATEMENT

BACKGROUND:

WebFilings, LLC is a company that has developed an Internet based service to provide support for preparing and submitting documents required by the Securities and Exchange Commission (SEC). WebFilings, which has software development and sales and marketing support operations located in the ISU Research Park, has applied for economic development assistance for a project that includes an additional 60,000 square foot building at the ISU Research Park, the addition of 700 new full-time positions, and designation of the Ames complex as the company's corporate headquarters.

The Iowa Economic Development Authority (IEDA) has agreed to provide \$5,500,000 in incentives to the company. This includes \$500,000 in sales tax rebates, a \$2,500,000 grant, and \$2,500,000 in the form of a no interest loan. A condition of this financial package is that the City of Ames provides a tax abatement incentive totaling \$2,740,000 as a local match to the State funding. At its October 29, 2013 meeting, the City Council approved the general terms of an agreement to provide a local match. **The next step in the process is to endorse the application to the IEDA for economic development assistance as the local sponsor.**

IEDA has approved the WebFilings application for assistance contingent on approval of the City of Ames as the local sponsor. For the IEDA to continue with this project, the Council must adopt a resolution supporting the submittal of the WebFilings application for IEDA assistance, including the local match. The agreement for the local match will be brought before the Council for approval at a later date.

ALTERNATIVES:

1. Adopt a resolution supporting the submittal of an application from WebFilings, LLC requesting economic development assistance from IEDA with local match to be provided in the form of property tax abatement in an amount not to exceed \$2,740,000.
2. Do not adopt a resolution of support for WebFilings' application.

MANAGER'S RECOMMENDED ACTION:

WebFilings is a rapidly growing software company in Ames that is making a significant investment of capital to expand high paying jobs. In keeping with the Council's goal to promote economic development, this project will expand the number of quality jobs within our community.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby adopting a resolution supporting the submittal of an application from WebFilings, LLC requesting economic development assistance from IEDA with local match to be provided in the form of property tax abatement in an amount not to exceed \$2,740,000.

COUNCIL ACTION FORM

SUBJECT: AMENDMENT TO ECONOMIC DEVELOPMENT CONTRACT BETWEEN THE IOWA ECONOMIC DEVELOPMENT AUTHORITY, WEBFILINGS AND THE CITY OF AMES

BACKGROUND:

In December 2010, the City entered into an economic development agreement with the Iowa Economic Development Authority and WebFilings for construction of Phase 1 of the WebFilings office facility. The City commitment included a \$100,000 loan to the company. The company is current with the loan and has met the employment requirements for the agreement. State assistance included loan and various State tax incentives.

The company is now asking to amend the contract to allow for direct collection of sales tax related to construction of the building rather than receiving credit back from the State of Iowa. The amendment also makes a small adjustment to the Investment Tax Credit provided by the State. This amendment will have no impact on the City of Ames portion of the agreement, but the City does need to sign the amendment as a party to the original agreement.

ALTERNATIVES:

1. Adopt a resolution authorizing the Mayor to enter into an amendment to the 2010 economic development agreement with WebFilings and the Iowa Economic Development Authority to adjust the terms of State of Iowa credit for sales tax and Investment Tax Credits.
2. Deny the request to amend the contract.

MANAGER'S RECOMMENDED ACTION:

The proposed amendment has no impact on the terms of the contract that apply to the City of Ames, and will assist this local company in the completion of an existing economic development project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1 as described above.

COUNCIL ACTION FORM

SUBJECT: MOTOR REPAIR CONTRACT FOR POWER PLANT

BACKGROUND:

Electric Services' two coal-fired, high-pressure steam turbine electric generating units located at the Power Plant are referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of regularly planned repairs and services during scheduled outages, as well as emergency service. The repair of these generating units requires professional trade crafts such as boilermakers, electricians/control technicians, steam/pipe fitters, and millwrights, to list a few. The units operate under environmental conditions with high heat and high pressure.

Due to these operational conditions, numerous motors are necessary to safely and reliably operate the Power Plant. All of this equipment must be professionally maintained, serviced, adjusted, repaired, and rebuilt. Rather than bid and get prices for this work multiple times per year with the inconsistency of work and quality as different vendors participate, it is recommended that this work be outsourced on an annual renewable contract basis.

Having a Motor Repair Contract reduces the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage. City staff will save considerable time obtaining quotes, evaluating proposals and preparing specifications and other procurement documentation. Funding in the amount of \$94,000 is available for this work in the approved FY2013/14 Electric Production operating budget.

ALTERNATIVES:

1. Approve preliminary plans and specifications for a motor repair contract for Power Plant, and set December 18, 2013, as the bid due date and January 14, 2014, as the date of public hearing and award of contract.
2. Purchase motor maintenance services on an as-needed basis.

MANAGER'S RECOMMENDED ACTION:

This contract is necessary to properly maintain motors and to carry out emergency and scheduled repairs resulting from equipment failures. This contract should achieve a consistent, high quality diagnosis, repair and/or overhaul of a motor, and to return it to good operating condition with a minimum of delay and cost. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: **CONTRACT TO FURNISH BOILER TUBES AND BENDS FOR
POWER PLANT UNITS 7 AND 8**

BACKGROUND:

This bid is for the purchase of tube material that will be used for repairing or replacing Unit 7 and Unit 8 superheater tube sections in the Power Plant due to tube failures. It is prudent to maintain an inventory of material on hand to expedite repairs if a boiler tube failure occurs.

On October 1, 2013, an invitation to bid (IFB) document was issued to eleven firms. The IFB was advertised on the Current Bid Opportunities section of the Purchasing webpage, and the bid was sent to one plan room.

On October 15, 2013, four bids were received as shown below:

BIDDER	BID PRICE
Chicago Tube & Iron Co Romeoville, IL	\$88,148.20
Boiler Tube Company of America Lyman, SC	\$164,805.40
The Babcock & Wilcox Co. Barberton, OH	\$210,134.11
R-S Matco, Inc. Oakboro, NC	Non-Responsive

After evaluation, staff determined that the bid submitted by R-S Matco, Inc. is non-responsive because they did not provide a mandatory signature on the bid form. As a result, three bids remained for consideration. A spreadsheet is attached showing details of these bids. Staff has concluded that the apparent low bid in the amount of \$88,148.20 (inclusive of Iowa sales tax) submitted by Chicago Tube & Iron Co, Romeoville, IL, is acceptable.

Funding is available in the approved FY2013/14 Electric Production operating budget to cover the cost for these boiler parts.

ALTERNATIVES:

1. Award a contract to Chicago Tube & Iron Co, Romeoville, IL, for the purchase of boiler tubes and bends for Units 7 and 8 superheat sections, in the amount of \$88,148.20 (inclusive of Iowa sales tax).

2. Reject all bids and delay the purchase of boiler tubes and bends.

MANAGER'S RECOMMENDED ACTION:

The purchase of boiler tubes and bends is critical in order to replenish inventory so that material is available for both planned maintenance and emergency repairs to the superheater tube sections.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

RFQ 2014-074 Boiler Tubes and Bends for Unit's 7 & 8 Superheat Sections

BIDDER:				Chicago Tube & Iron Co Romeoville, IL		Boiler Tube Company of America Lyman, SC		The Babcock & Wilcox Co. Barberton, OH		R-S Matco, Inc. Oakboro, NC	
Item	Description	Tube Mat'l Spec	Qty	Unit Price	Total Price	Unit Price	Total Price		Unit Price	Total Price	
Part 1: Unit 7 Palten Superheater											
1.	Tight hairpin	2 1/8" OD .200" mwt 213 T11	8	\$290.00	\$2,320.00	\$761.75	\$6,094.00		\$360.00	\$2,880.00	Non-Responsive. Did not fill out and provide signature on last page of bid form.
2.	Center hairpin	2 1/8" OD .134" mwt 213 T11	8	\$140.00	\$1,120.00	\$761.75	\$6,094.00		\$283.00	\$2,264.00	
3a.	Outer hairpin	2 1/8" OD .134" mwt 213 T11	8	\$142.00	\$1,136.00	\$761.75	\$6,094.00		\$283.00	\$2,264.00	
3b.	Outer hairpin	2 1/8" OD .148" mwt 213 T11	8	\$152.00	\$1,216.00	\$761.75	\$6,094.00		\$294.00	\$2,352.00	
Part 1 Sub-total:				\$5,792.00		\$24,376.00			\$9,760.00		
Part 2: Unit 7 Secondary Superheater											
1a.	Tight hairpin	2 1/2" OD .200" mwt A-192	4	\$123.00	\$492.00	\$542.75	\$2,171.00		\$454.00	\$1,816.00	
1b.	Tight hairpin	2 1/2" OD .180" mwt 213 T11	8	\$235.00	\$1,880.00	\$542.75	\$4,342.00		\$372.00	\$2,976.00	
1c.	Tight hairpin	2 1/2" OD .148" mwt 213 T11	8	\$216.00	\$1,728.00	\$542.75	\$4,342.00		\$352.00	\$2,816.00	
1d.	Tight hairpin	2 1/2" OD .134" mwt 213 T11	8	\$165.00	\$1,320.00	\$542.75	\$4,342.00		\$338.00	\$2,704.00	
2a.	Medium hairpin	2 1/2" OD .200" mwt A-192	4	\$135.00	\$540.00	\$542.75	\$2,171.00		\$318.00	\$1,272.00	
2b.	Medium hairpin	2 1/2" OD .180" mwt 213 T11	8	\$184.00	\$1,472.00	\$542.75	\$4,342.00		\$338.00	\$2,704.00	
2c.	Medium hairpin	2 1/2" OD .134" mwt 213 T11	8	\$156.00	\$1,248.00	\$542.75	\$4,342.00		\$305.00	\$2,440.00	
Part 2 Sub-total:				\$8,680.00		\$26,052.00			\$16,728.00		
Part 3: Unit 8 Secondary Superheater											
1a.	Tight hairpin	2" OD .180" mwt 213 T-11	4	\$417.00	\$1,668.00	\$502.00	\$2,008.00		\$482.00	\$1,928.00	
1b.	Tight hairpin	2 1/2" OD .225" mwt 213 T-11	4	\$484.00	\$1,936.00	\$502.00	\$2,008.00		\$565.00	\$2,260.00	
1c.	Tight hairpin	2 1/2" OD .220" mwt 213 T-12	4	\$483.00	\$1,932.00	\$502.00	\$2,008.00		\$565.00	\$2,260.00	
1d.	Tight hairpin	2 1/4" OD .350" mwt 213 T-12	4	\$542.00	\$2,168.00	\$502.00	\$2,008.00		\$637.00	\$2,548.00	
1e.	Tight hairpin	2 1/4" OD .250" mwt 213 T-12	4	\$484.00	\$1,936.00	\$502.00	\$2,008.00		\$563.00	\$2,252.00	
1f.	Tight hairpin	2 1/2" OD .235" mwt 213 T-12	4	\$495.00	\$1,980.00	\$502.00	\$2,008.00		\$579.00	\$2,316.00	
2a.	Medium hairpin	2" OD .180" mwt 213 T-11	4	\$184.00	\$736.00	\$502.00	\$2,008.00		\$407.00	\$1,628.00	
2b.	Medium hairpin	2 1/2" OD .225" mwt 213 T-11	4	\$250.00	\$1,000.00	\$502.00	\$2,008.00		\$494.00	\$1,976.00	
2c.	Medium hairpin	2 1/2" OD .220" mwt 213 T-12	4	\$250.00	\$1,000.00	\$502.00	\$2,008.00		\$494.00	\$1,976.00	
2d.	Medium hairpin	2 1/4" OD .350" mwt 213 T-12	4	\$233.00	\$932.00	\$502.00	\$2,008.00		\$569.00	\$2,276.00	
2e.	Medium hairpin	2 1/4" OD .250" mwt 213 T-12	4	\$249.00	\$996.00	\$502.00	\$2,008.00		\$492.00	\$1,968.00	
2f.	Medium hairpin	2 1/2" OD .235" mwt 213 T-12	4	\$261.00	\$1,044.00	\$502.00	\$2,008.00		\$508.00	\$2,032.00	
Part 3 Sub-total:				\$17,328.00		\$24,096.00			\$25,420.00		
Part 4: Straight Tube (nominal 20 ft. lengths)											
								min. length (ft)			min. length
1.	N/A	2 1/2" OD .148" mwt 213 T11	200	\$14.92	\$2,984.00	\$13.50	\$6,615.00	490	\$23.45	\$9,755.20	416
2.	N/A	2 1/2" OD .180" mwt 213 T11	200	\$16.98	\$3,396.00	\$15.99	\$6,524.00	408	\$27.35	\$9,162.25	335
3.	N/A	2 1/2" OD .134" mwt 213 T11	200	\$13.65	\$2,730.00	\$12.35	\$6,608.00	535	\$21.30	\$9,861.90	463
4.	N/A	2 1/2" OD .225" mwt 213 T11	200	\$20.66	\$4,132.00	\$19.55	\$4,966.00	254	\$32.70	\$9,581.10	293
5.	N/A	2 1/2" OD .220" mwt 213 T12	200	\$20.64	\$4,128.00	\$20.74	\$5,393.00	260	\$32.50	\$9,750.00	300
6.	N/A	2 1/2" OD .235" mwt 213 T12	200	\$21.91	\$4,382.00	\$22.16	\$5,319.00	240	\$34.55	\$9,674.00	280
7.	N/A	2" OD .180" mwt 213 T11	200	\$13.33	\$2,666.00	\$12.51	\$5,542.00	443	\$20.70	\$9,936.00	480
8.	N/A	2" OD .203" mwt 213 T11	200	\$14.70	\$2,940.00	\$10.26	\$2,052.00		\$22.45	\$10,506.60	468
9.	N/A	2 1/4" OD .250" mwt 213 T12	200	\$20.56	\$4,112.00	\$20.65	\$5,411.00	262	\$32.20	\$9,724.40	302
10.	N/A	2 1/4" OD .290" mwt 213 T12	200	\$23.26	\$4,652.00	\$23.38	\$7,061.00	302	\$35.30	\$10,625.30	301
11.	N/A	2 1/4" OD .350" mwt 213 T12	200	\$27.10	\$5,420.00	\$27.27	\$4,909.00	180	\$43.10	\$9,438.90	219
12.	N/A	2 1/8" OD .134" mwt 213 T11	200	\$11.49	\$2,298.00	\$10.38	\$5,024.00	484	\$18.00	\$10,152.00	564
13.	N/A	2 1/8" OD .148" mwt 213 T11	200	\$12.55	\$2,510.00	\$11.34	\$5,693.00	502	\$19.80	\$10,078.20	509
14.	N/A	2 1/8" OD .200 mwt 213 T-11	200	\$15.55	\$3,110.00	\$14.68	\$5,579.00	380	\$25.25	\$9,367.75	371
Part 4 Sub-total:				\$49,460.00		\$76,696.00			\$137,613.60		
Total of all 4 Parts:				\$81,260.00		\$151,220.00			\$189,521.60		
7% IA Sales Tax				\$5,688.20		\$10,585.40			\$13,266.51		
Freight				\$1,200.00		\$3,000.00			\$7,346.00		
OVERALL				\$88,148.20		\$164,805.40			\$210,134.11		



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: November 8, 2013

Subject: Contract and Bond Approval

There is Council Action Form for Item No. 13. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

SUBJECT: SANITARY SEWER SYSTEM EVALUATION CHANGE ORDER

BACKGROUND:

The ability of the sanitary sewer system to convey wastewater well into the future is dependent on the removal of the current large amount of infiltration and inflow (I/I) in the system that occurs during rain events. In order to minimize the need for costly expansions to the Water Pollution Control (WPC) facility, as well as to convey flows from new development as the City grows, the City must work to reduce the overall I/I in the system. To help accomplish this goal, a 2008 Sanitary Sewer System Study recommended development of a full Sanitary Sewer System Evaluation (SSSE).

This evaluation is a comprehensive and systematic program for identifying the defects that may contribute I/I across the entire City-wide sanitary sewer system. It also involves prioritizing those defects and establishing rehabilitation costs so that repairs can be included in the Capital Improvements Plan. The SSSE program generally consists of the following tasks: data collection, sewer televising, smoke testing, manhole inspection, flow monitoring and hydraulic modeling. Not only does the SSSE identify sources of I/I, it also identifies areas of aging infrastructure in need of repair to prevent unexpected failures and emergency repairs.

On March 27, 2012, the City Council approved a contract in the amount of \$2,198,500 with Veenstra & Kimm (V&K) engineering consultants to complete the SSSE. As the data collection phase now nears completion, it has become evident that investigation of the siphons (which enable flow of water beneath rivers and creeks) should also have been included in the original contract. Therefore, a change order to the contract is now being requested to accomplish this work. The proposed change order also includes additional funding for heavy cleaning of sanitary sewers and additional flow meters/flow monitoring. Additional needs beyond those identified in the original contract have been identified for areas that cannot be cleaned by City crews, due to the nature of the needed equipment. The overall change order is for an amount not to exceed \$263,250. This will increase the overall contract amount to \$2,461,750.

This project was included in the 2010/11, 2011/12, and 2012/13 approved budgets and Capital Improvement Plans, with total financing of \$2,560,000 in the Sanitary Sewer Fund.

ALTERNATIVES:

1. Approve the change order to the Engineering Services Agreement with Veenstra & Kimm for the Sanitary Sewer System Evaluation in an amount not to exceed \$263,250.
2. Reject the change order.

MANAGER'S RECOMMENDED ACTION:

Additional SSSE tasks have been identified and need to be added to this large contract. This includes evaluating the aged siphons, which are an important part of the City's sanitary sewer collection system, as well as additional heavy cleaning of sanitary sewers in areas that cannot be completed by City crews.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Change Order to Engineering Services Agreement with Veenstra & Kimm for the Sanitary Sewer System Evaluation in an amount not to exceed \$263,250.

COUNCIL ACTION FORM

SUBJECT: **CYRIDE BUS FACILITY EXPANSION PROJECT CONSTRUCTION
CHANGE ORDER #23**

BACKGROUND:

CyRide’s current facility construction project includes expanding bus storage, adding flood walls and gates and reconfiguring duct work to raise the ceiling height in portions of the bus storage building. The following list details the history of contract modifications for this construction project:

Original Contract Sum	\$ 4,489,000.00
Net change with Change Order #1-22	<u>\$ 286,201.83</u>
Contract sum prior to Change Order #23	\$4,775,201.83
Change in Contract Sum Requested per Change Order #23	<u>\$ 72,355.11</u>
New Contract Sum including Change Order #23	\$4,847,556.94

Henkel Construction has prepared a \$72,355.11 change order to provide a connection from CyRide’s building to ISU’s Cooling Tower. This connection will allow CyRide’s new bus storage facility to be heated via circulation of ISU’s heated water, thereby reducing CyRide’s energy bill to utilize this new portion of the facility.

The Transit Board of Trustees met and approved this change order on October 30, 2013.

Funds for the change order are available from the CyRide Bus Facility Expansion Project’s contingency budget, which currently equals \$75,918.23. After this \$72,355.11 reduction, the remaining project contingency will be \$3,563.12.

ALTERNATIVES:

1. Approve Change Order #23 to Henkel Construction Company for an additional amount of \$72,355.11 to connect CyRide’s facility to ISU’s Cooling Tower system.
2. Do not approve Change Order #23.

MANAGER’S RECOMMENDED ACTION:

Approval of this modification will allow for reuse of a resource from ISU’s neighboring cooling tower, allowing CyRide to reduce its energy consumption and allowing eleven

buses to be housed in the new portion of the facility with virtually no energy usage to heat the facility to 50 degrees. This will allow buses to start in the cold, winter months and make the temperature in the buses more comfortable for CyRide's customers.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving a \$72,355.11 change order to the Henkel Construction contract, increasing this contract to \$4,847,556.94.

COUNCIL ACTION FORM

**SUBJECT: LIBRARY RENOVATION AND EXPANSION PROJECT
CHANGE ORDERS NO. 6 AND 7 WITH A&P/SAMUELS GROUP**

BACKGROUND:

Progress continues on the Library Renovation and Expansion project. Eleven changes are being requested in Change Orders No. 6 and No. 7. City Council approval is requested because the combined cost of these change orders exceeds \$50,000.

Change Order #6 was approved by the City Manager's staff on October 1, 2013, in the amount of \$31,871. It included the following items:

- 1) Add \$7,316 for 1904 floor demolition in a weak area of the northeast corner;
- 2) Add \$14,519 for additional work on the north stair ceiling;
- 3) Add \$3,969 for new steel columns;
- 4) Add \$1,962 for additional electrical work;
- 5) Add \$998 for resetting an exterior stone window sill; and
- 6) Add \$3,107 for additional elevator demolition.

Change Order #7 in the amount of \$21,637 has now been presented to the library. Five contract changes are itemized as follows:

- 1) Add \$285 for self-check station design changes, drinking fountain revisions, and additional data ports and speakers;
- 2) Add \$4,282 for miscellaneous structural work;
- 3) Add \$8,062 for additional lighting controls and revisions to mechanical ducts;
- 4) Add \$1,005 for new glazing on north stair steel windows; and
- 5) Add \$8,003 for roller shades in seminar rooms.

The following table provides a glance at the Samuels Group's contract to date:

Original Contract Sum	\$12,543,350
Net changes authorized through Change Order #5	57,305
Contract Sum after processing of Change Order #5	12,600,655
Contract Sum increase by approval of Change Orders #6 and #7	53,508
New Contract Sum including Change Orders #6 and #7	12,654,163

The contractor's change order allowance after approval of Change Order #5 was \$942,695. With approval of Change Orders # 6 and #7, **the remaining amount reserved for potential change orders will be \$889,187.** The Library Board of Trustees has been apprised of these changes and the Library's Building Project Committee recommends approval.

ALTERNATIVE:

1. Approve Change Orders #6 and #7 with A&P/Samuels Group, A Joint Venture, to allow for necessary floor demolition, work on the north stair ceiling, new steel columns, certain design changes, additional electrical work, structural work, lighting controls, revisions to mechanical ducts, new glazing on steel windows, roller shades in seminar rooms, resetting of a stone window sill, and additional elevator demolition for a total added cost of \$53,508.
2. Do not approve Change Orders #6 and #7.

MANAGER'S RECOMMENDED ACTION:

The requested Change Orders address a variety of items that have arisen during progress on the Library's Renovation and Expansion Project. Certain aspects, such as the need to replace a section of the floor in the oldest part of the building and replacement of unstable steel columns, address conditions that could not be foreseen. Other items are reasonable requests that ensure the project is completed in the most professional and structurally sound manner, and to ultimately meet the community's needs.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving General Contractor Change Orders #6 and #7 with A&P/Samuels Group, A Joint Venture, for a total added cost of \$53,508.



Public Works Department
515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 ♦ Fax 515-239-5404

17

October 21, 2013

Honorable Mayor and Council Members
City of Ames
Ames, Iowa 50010

Ladies and Gentlemen:

I hereby certify that the surface course of asphalt, and adjustment of manholes required as a condition for approval of the final plat of **Estates of Natures Crossing** have been completed in an acceptable manner by **Manatts, Inc. of Ames, IA**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be released in full.

Sincerely,

John C. Joiner, P.E.
Director

JJ/jc

cc: Finance, Contractor, Construction Supervisor, PW Senior Clerk, Planning & Housing,
Subdivision file

Description	Unit	Quantity
Inlet Protection	EA	11
8-inch Sanitary Sewer	LF	1,080
18-inch Sanitary Sewer	LF	279
48-inch Dia. Sanitary Manhole (A)	EA	7
Manhole Adjustment (Minor)	EA	1
Manhole Reconstruction	EA	1
18-inch Sanitary Sewer Removal	LF	297
Structure Removal	EA	1
4-inch Sanitary Service	EA	24
8-inch Water Main	LF	1,343
8-inch M.J. Gate Valve	EA	2
8-inch 11.25 Degree M.J. Bend	EA	11
14"x8" M.J. Tapping Valve and Tee	EA	1
Hydrant and Hydrant Run (includes 8"x8"x6" M.J. Tee, 6" M.J.	EA	5
Temporary Blowoff Hydrant (includes 8"x6" M.J. Reducer, 6"	EA	1
1-inch Water Service	EA	23
Rip Rap, Class 'D'	TON	10
6-inch Collector Line	LF	823
12-inch RCP, Class III	LF	4
15-inch RCP, Class III	LF	369
18-inch RCP, Class III	LF	29
21-inch RCP, Class III	LF	214
24-inch RCP, Class III	LF	78
12-inch F.E.S.	EA	2
15-inch F.E.S.	EA	1
24-inch F.E.S.	EA	1
Storm Sewer Intake (M-A)	EA	3
Storm Sewer Intake (M-B)	EA	2
Storm Sewer Intake (M-C)	EA	4
Storm Sewer Intake (M-D)	EA	1
Storm Sewer Manhole (Sanitary Type A)	EA	1
Collector Line Cleanout	EA	3
1.5-inch Sump Service	EA	24
Pavement Removal	SY	28
Subgrade Preparation	SY	5308
30-inch P.C.C. Curb and Gutter	LF	2644
6-inch P.C.C. Pedestrian Ramp	SY	17
Detectable Warning Material	SF	32
9.5-inch H.M.A. Pavement	SY	2674
8-inch P.C.C. Pavement	SY	157

COUNCIL ACTION FORM

**SUBJECT: CITY HALL – ACCEPTANCE OF COMPLETION OF PHASE I
RENOVATION OF EMERGENCY OPERATIONS CENTER**

BACKGROUND:

On February 19, 2013, Council approved the preliminary plans and specifications for the renovation of the Emergency Operations Center (EOC) in City Hall. On March 26, 2013, Council approved a construction contract with HPC, LLC, Ames, IA, for the renovation of the EOC in City Hall in the amount of \$770,000.

During construction, four change orders were approved for various unknown items discovered during demolition and for additional items determined to be needed to complete the intent of the renovation. The total amount of these change orders is \$36,057, bringing the final total cost of the construction project to \$806,057.00.

Funding for this project came from two sources – a Homeland Security Grant of \$600,000, and the City’s General Fund of \$1,023,577 for a total funding pool of \$1,623,577. It was hoped that any remaining funds after completing this first phase will be available for the second phase (renovation of the basement and remaining Police Department spaces) of the City Hall renovation project.

Summary Project Costs:

Amount Available		\$1,623,573
Architectural Fees – by Shive Hattery	\$150,955	
Construction Advisory Fees – by ISU (Estimate)	10,000	
Construction Expenses – by HPC	<u>806,057</u>	
Total Project Expenses		<u>\$ 967,012</u>
Unencumbered Balance		\$ 656,561

There also are additional costs for moving expenses, new furniture and equipment that will be paid from this budget. All purchases are not completed as of today. However, this is estimated to be around \$90,000, leaving an estimated unencumbered amount of \$566,561 that can be held for funding the next phase of the renovation project at a later date. Substantial completion date for this project was October 15, 2013; with final completion set on October 28, 2013.

ALTERNATIVES:

1. Accept completion of the City Hall phase I renovation project by HPC, LLC, as of October 28, 2013, in the amount of \$806,057.

2. Do not accept completion of this project at this time.

MANAGER'S RECOMMENDED ACTION:

While all of the required work has not been completed as of the time of this writing, it is anticipated that it will be done by the night of the Council meeting. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion of the phase I renovation project in city hall by HPC, LLC, as of October 28, 2013, in the amount of \$806,057.

Staff is planning an open house at a later date, which will highlight the City's new EOC capabilities for the public.

COUNCIL ACTION FORM

**SUBJECT: COMPLETION OF 2012/13 WATER TREATMENT PLANT LIME
SLUDGE DISPOSAL OPERATIONS**

BACKGROUND:

On June 10, 2008, the City Council awarded a contract for the Water Treatment Plant Lime Sludge Disposal Operations to Wulfekuhle Injection and Pumping of New Vienna, Iowa in the amount of \$316,220. This contract included the option of extending the contract up to five additional years, with the FY 12/13 portion of the contract being the fifth and final year of the agreement.

During the dry 2012 summer, increased water demands resulted in an increase in lime sludge production. Additional lime sludge disposal was necessary to maintain adequate lime sludge storage capacity. A change order was issued on May 30, 2013 increasing the FY 12/13 contract to \$360,932.77. This included the removal of up to an additional 4,023 wet tons of lime sludge. The change order also included an additional dust control application on the lime pond haul road to minimize dust drifting on adjacent residential property.

All work under the FY 12/13 contract for lime sludge disposal has now been satisfactorily completed. The actual cost for these disposal operations was \$357,442.33.

ALTERNATIVES:

1. Accept completion of the FY 12/13 Water Treatment Plant Lime Sludge Disposal Operations contract and release retainage, in an amount of \$17,872.12, to Wulfekuhle Injection and Pumping in accordance with the contract documents.
2. Do not accept completion of the FY 12/13 Water Treatment Plant Lime Sludge Disposal Operations at this time.

MANAGER'S RECOMMENDED ACTION:

All work required to complete the FY 12/13 (fifth and final year) of the five-year Water Treatment Plant Lime Sludge Disposal Operations has been satisfactorily completed.

Therefore it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion of the FY 12/13 Water Treatment Plant Lime Sludge Disposal contract and releasing retainage to Wulfekuhle Injection and Pumping.

COUNCIL ACTION FORM

SUBJECT: 2012/13 AMES MUNICIPAL CEMETERY IMPROVEMENTS (PAVING IMPROVEMENTS)

BACKGROUND:

Nearly two miles of paved lanes within the Ames Municipal Cemetery provide public access for visitors to gravesites and for funerals, as well as access for crews and equipment for funeral preparations and maintenance of the sites and grounds. Prior to 2008/09, endowed care funds were used for surface maintenance of the cemetery lanes. Beginning in 2008/09, state regulations were put into place that prohibited the use of these funds for all cemetery costs. As a result of the funding loss created by these regulations, maintenance of these lanes has been minimal and led to continued deterioration.

This project entailed a three-inch overlay of the lane next to the office and associated parking lot and two-inch overlays on some of the southern lanes. Slurry seal was also done this year on some of the lanes in the cemetery under a different contract. This is part of a multi-year plan to improve the lanes in the cemetery.

On June 11, 2013, City Council awarded this project to Manatt's, Inc. of Ames, Iowa, in the amount of \$65,945.10. A balancing change order for this project was administratively approved by staff. This change order was a deduction of \$8,515.52 to reflect actual quantities installed in the field. Construction was completed in the amount of \$57,429.58. Engineering and contract administration costs totaled \$400, bringing overall project costs to \$57,830.

The available funding for this project was \$59,075 of Local Option Sales Tax from the Capital Improvements Plan in FY 11/12 and 12/13, and \$17,065 from remaining cemetery fence project funds, bringing total available funding to \$76,140. Unused funding will be used for future improvements in the cemetery.

ALTERNATIVES:

1. Accept the 2012/2013 Ames Municipal Cemetery Improvements (Paving Improvements) as completed by Manatt's, Inc. of Ames, Iowa, in the amount of \$57,429.58.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the approved plans and specifications and is within the approved budget. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 3602 & 3606 STORY STREET

BACKGROUND:

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The site is located at:

Street Address: 3602 & 3606 Story Street
Assessor's Parcel #: 09-05-453-090, 09-05-453-100
Legal Description: Lots 1 & 2, Walnut Ridge Subdivision, First Addition
Owner: C & B Lincoln Way LLC

This plat of survey consolidates Lots 1 and 2 into a single parcel for construction of a single residential structure. A copy of the proposed plat of survey is attached for Council consideration.

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department that the proposed lots meet zoning standards, e.g. lot area, width, depth and access.

The preliminary decision of approval requires all public improvements associated with and required for the proposed plat of survey be:

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

Under Section 23.308(5), the Council renders a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

MANAGER'S RECOMMENDED ACTION:

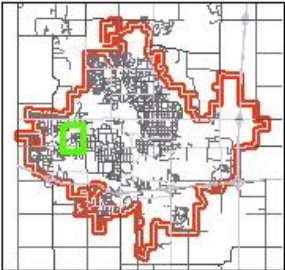
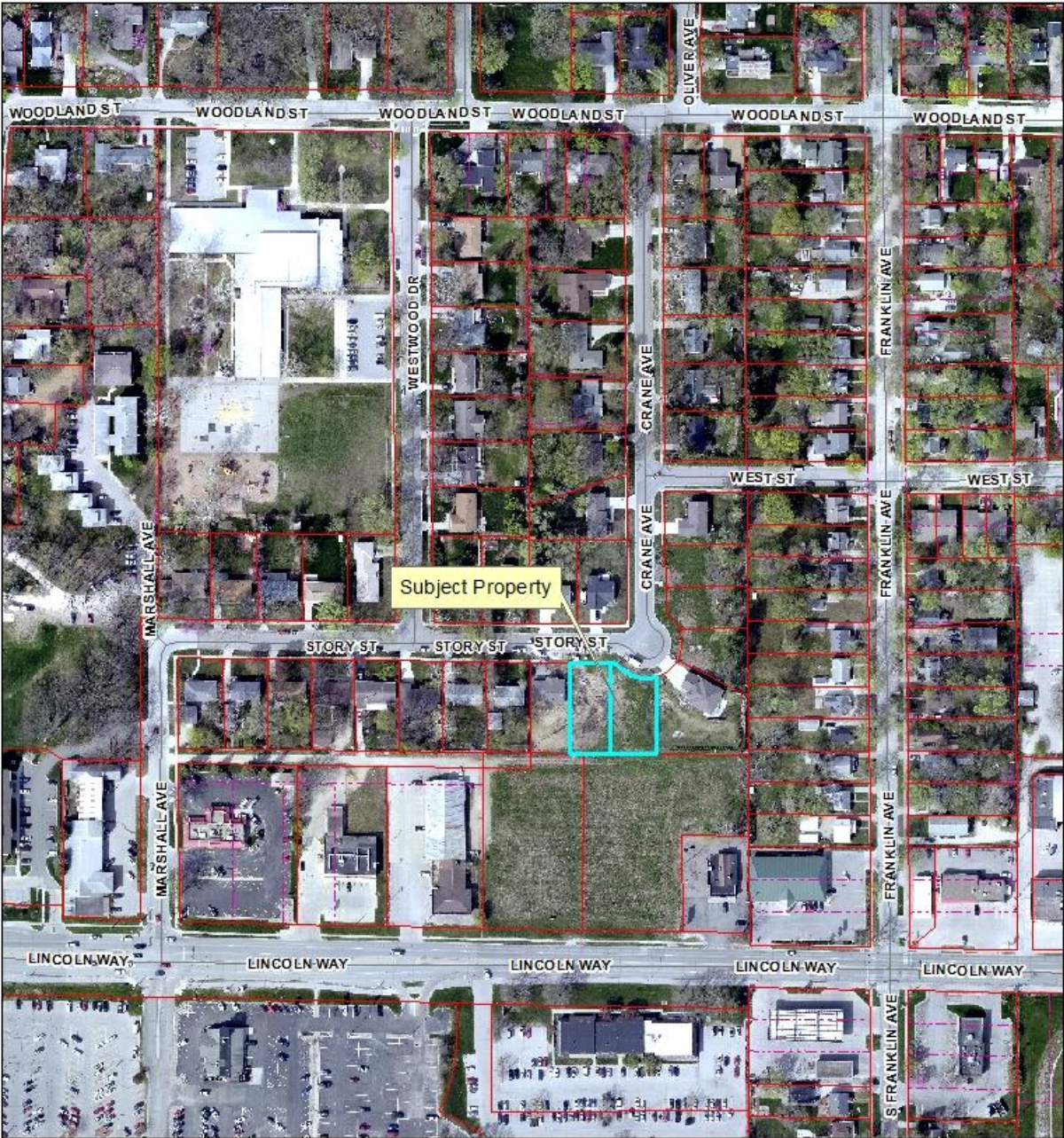
The Planning & Housing Department has determined that the proposed plat of survey satisfies all code requirements and has rendered a preliminary decision to approve the proposed plat of survey.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

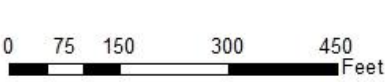
Approval of the resolution will allow the applicant to prepare the official plat of survey, and the Planning & Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

It should be noted that the official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT A



**Location Map
3602 & 3606 Story Street**



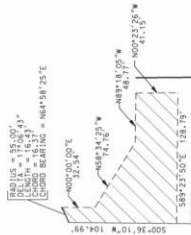
EXISTING CONDITIONS

NOTES

1. Walnut Ridge Subdivision is located in the City of Ames, Story County, Iowa.
2. The West line of Lot 1 is assumed to bear S00°23'31"E.
3. Total area of Addition - 136,440 square feet dedicated to the City of Ames for street.
4. Lot A, containing 26,378 square feet, to be dedicated to the City of Ames for street.
5. 500' R.O.W. was established in 1963 within this plat which have been identified by the City of Ames as having setts that more construction of utilities is required.
6. Easements as shown.
7. Coordinates shown at the SE Corner of Lot 1 are: Northing = 156,443.77; Easting = 18,137.77; UTM Zone 18Q UTM Coordinate System, UTM North Zone (NAD 83).
8. This survey meets or exceeds Iowa Code 355.8 (15).

LEGAL DESCRIPTION

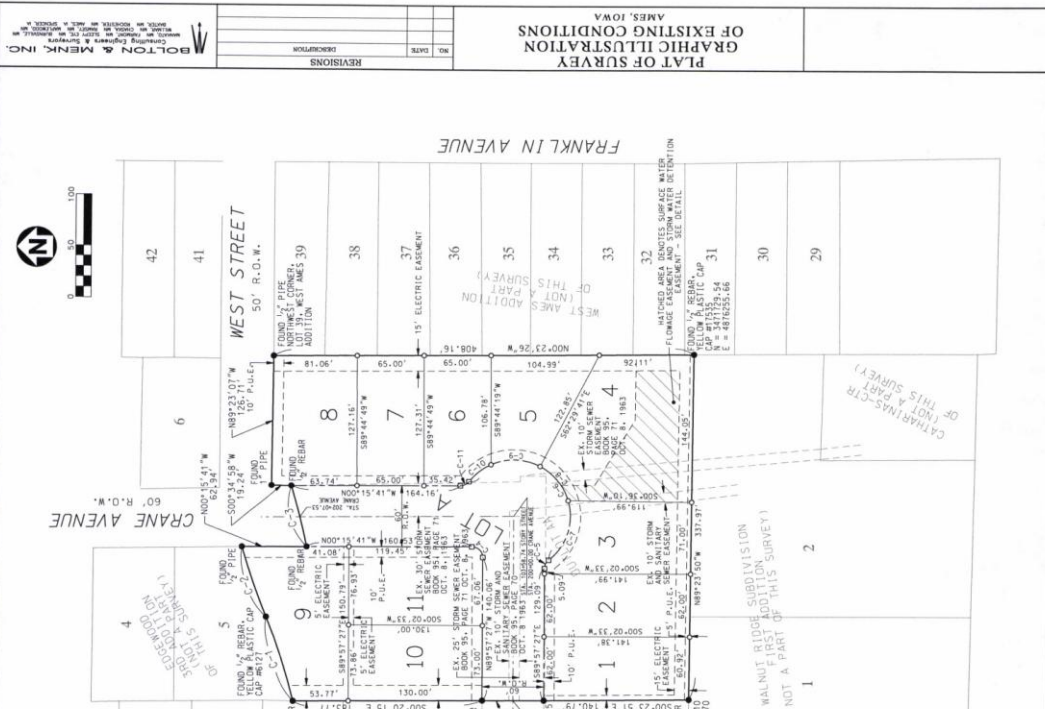
Outlot AA, Walnut Ridge Subdivision, First Addition, Ames, Story County, Iowa.



SURFACE WATER FLOWAGE EASEMENT AND STORM WATER DETENTION EASEMENT DETAIL

CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C-1	156.99'	126.48'	104.98'	104.98'	104.98'
C-2	156.99'	126.48'	104.98'	104.98'	104.98'
C-3	156.99'	126.48'	104.98'	104.98'	104.98'
C-4	156.99'	126.48'	104.98'	104.98'	104.98'
C-5	156.99'	126.48'	104.98'	104.98'	104.98'
C-6	156.99'	126.48'	104.98'	104.98'	104.98'
C-7	156.99'	126.48'	104.98'	104.98'	104.98'
C-8	156.99'	126.48'	104.98'	104.98'	104.98'
C-9	156.99'	126.48'	104.98'	104.98'	104.98'
C-10	156.99'	126.48'	104.98'	104.98'	104.98'
C-11	156.99'	126.48'	104.98'	104.98'	104.98'

LOT	ADDRESS	AREA (SQUARE FEET)
1	1850 S STORY STREET	8,184
2	1850 S STORY STREET	8,184
3	1850 S STORY STREET	8,184
4	1850 S STORY STREET	8,184
5	2008 CRANE AVENUE	8,074
6	2008 CRANE AVENUE	8,074
7	2112 CRANE AVENUE	8,270
8	2112 CRANE AVENUE	8,270
9	2112 CRANE AVENUE	8,270
10	1850 S STORY STREET	8,184
11	1850 S STORY STREET	8,184



PLAT OF SURVEY
GRAPHIC ILLUSTRATION
OF EXISTING CONDITIONS
AMES, IOWA

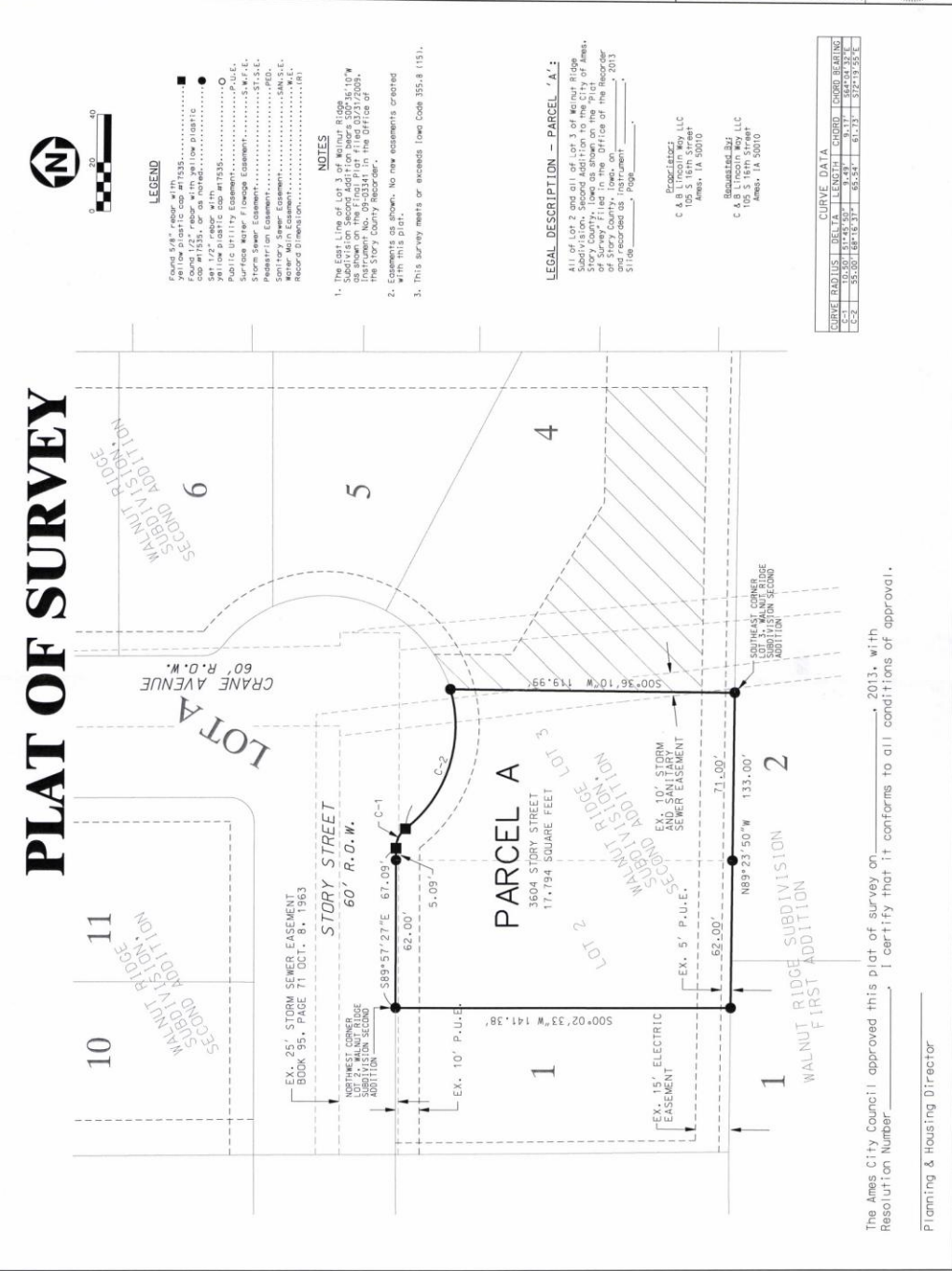
NO. DATE DESCRIPTION REVISIONS

BOLTON & MENK, INC.
 1000 WEST 10TH STREET, SUITE 100
 AMES, IOWA 50010
 PHONE: 562-2222 FAX: 562-2223

ATTACHMENT C – PROPOSED PLAT OF SURVEY

PLAT OF SURVEY
AMES, IA

Prepared by: Eugene R. Dreyer, Bolton & Menk, Inc.
Professional Engineer License No. 11535
Surveyor License No. 11535
Map No. 11535
Date: 10/21/2014
Scale: AS SHOWN



Prepared by: Eugene R. Dreyer, Bolton & Menk, 2730 Ford Street/PD Box 668, Ames, IA 50010 Phone: 515-291-4065

The Ames City Council approved this plat of survey on _____, 2013, with Resolution Number _____. I certify that it conforms to all conditions of approval.

Planning & Housing Director _____

Applicant

Name of Applicant:	<u>LJPS Inc</u>		
Name of Business (DBA):	<u>Olde Main Brewing Company</u>		
Address of Premises:	<u>420 Beach Ave.</u>		
City: <u>Ames</u>	County: <u>Iowa</u>	Zip: <u>50011</u>	
Business Phone:	<u>(515) 232-0553</u>		
Mailing Address:	<u>PO Box 1928</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

Contact Person

Name:	<u>Matt Sinnwell</u>		
Phone:	<u>(505) 400-5981</u>	Email Address:	<u>mattombc@gmail.com</u>

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 11/14/2013

Expiration Date: 11/18/2013

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>286196</u>	Federal Employer ID #	<u>77-0613629</u>

Ownership

Daniel GriffenFirst Name: DanielLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Scott GriffenFirst Name: ScottLast Name: GriffenCity: AmesState: IowaZip: 50010Position Owner% of Ownership 50.00 %

U.S. Citizen

Susan GriffenFirst Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

Name of Applicant:	<u>LJPS Inc</u>		
Name of Business (DBA):	<u>Olde Main Brewing Company</u>		
Address of Premises:	<u>420 Beach Ave.</u>		
City: <u>Ames</u>	County: <u>Iowa</u>	Zip: <u>50011</u>	
Business Phone:	<u>(515) 232-0553</u>		
Mailing Address:	<u>PO Box 1928</u>		
City: <u>ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

Contact Person

Name:	<u>Matt Sinnwell</u>		
Phone:	<u>(515) 232-0553</u>	Email Address:	<u>mattombc@gmail.com</u>

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 11/19/2013

Expiration Date: 11/23/2013

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>286196</u>	Federal Employer ID #	<u>77-0613629</u>

Ownership

Daniel GriffenFirst Name: DanielLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Scott GriffenFirst Name: ScottLast Name: GriffenCity: amesState: IowaZip: 50010Position Owner% of Ownership 50.00 %

U.S. Citizen

Susan GriffenFirst Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Founders Insurance CompanyPolicy Effective Date: 11/19/2013Policy Expiration Date: 11/24/2013

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

COUNCIL ACTION FORM

SUBJECT: JINGLE BELL RUN/WALK FOR ARTHRITIS

BACKGROUND:

The Arthritis Foundation is proposing to hold the 3rd annual Jingle Bell Run/Walk on Sunday, December 7, 2013, beginning at 9:15 a.m. and concluding by noon. The event includes a 5K run and a fun run/walk. This year, the event will take place around the Ames Middle School, utilizing the same route as Run for the Roses.

In order to facilitate the race, organizers are requesting the closure of the westbound lane of Mortensen Road, from State Avenue to Dotson Drive, from approximately 8:45 a.m. to 9:30 a.m. Runners will transition to the shared use path just east of the Middle School, and the road will be reopened as soon as the last participant is through.

The CyRide red route enters the Middle School turnaround at 9:06 and leaves on the westbound lane of Mortensen at approximately 9:11. Organizers will move the barricades for the bus to ensure that it remains on schedule, and the race will begin shortly after CyRide is through.

The Police Department has reviewed the race plans and is not requiring any off-duty officers for this event. Public Works will provide barricades, cones, and message boards for the race.

ALTERNATIVES:

1. Approve the request to close Mortensen Road as detailed above.
2. Direct staff to find an alternate location for the event.
3. Do not approve the request.

MANAGER'S RECOMMENDED ACTION:

The 2011 and 2012 Jingle Bell Runs were both successful events Downtown. By moving the event to the new location, the race can grow in size while affecting fewer adjacent businesses.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the designated street closure for the 3rd annual Jingle Bell Run/Walk.

ITEM # 24a-e
DATE: 11-12-13

COUNCIL ACTION FORM

SUBJECT: MAIN STREET CULTURAL DISTRICT HOLIDAY ACTIVITY REQUESTS

BACKGROUND:

The Main Street Cultural District (MSCD) is planning Holiday activities again this year. The District requests the use of power to be donated from the Electric Services Department for the lighting on street poles, along the buildings on Main Street, on Burnett Avenue, and in Tom Evans Plaza, from November 22 through December 31. They are also requesting the closure of four parking spaces on the south side of Main Street, west of Burnett, and one parking space on the west side of Douglas Avenue, between Main Street and Fifth Street, for pick up and drop off locations for horse and buggy rides on Friday, November 22 from 4:00 to 7:00 p.m. Six additional parking spaces on Main Street have been requested by Worldly Goods via the MSCD for vendors and other Snow Magic activities during the day on November 22.

The District also requests the closure of Burnett Avenue, from Main Street to Fifth Street, from 2:00 to 8:00 p.m. on November 22 to facilitate the planned activities in the area.

MSCD also requests a Blanket Temporary Obstruction Permit and Blanket Vending License be granted for the Central Business District on November 22, and that the fee for the Blanket Vending License be waived.

These requests are consistent with the City's Land Use Policy goal "to enhance the role of Downtown as a community focal point."

ALTERNATIVES:

1. The City Council can approve the requests as submitted by the MSCD.
2. The City Council can deny these requests.

MANAGER'S RECOMMENDED ACTION:

The MSCD's Holiday activities provide our citizens with an opportunity to enjoy family oriented holiday activities in our central commercial area. Because of the City Council's goal of enhancing commercial development in the Downtown, this type of event should be supported.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



November 7, 2013

Mayor and City Council
City of Ames
515 Clark Ave
Ames, IA 50010

Dear Honorable Mayor Campbell and City Council Representatives,

The Main Street Cultural District is partnering with many sponsors to celebrate this year's annual Snow magic Celebration. MSCD would like to host a number of events during this annual celebration. A calendar of events is below:

- November 22nd 4-7pm Tree Lighting, Holiday Kickoff, and Open Houses in Central Business District (CBD) and Tom Evans Plaza

At this time, MSCD requests the council consider the following specific requests:

1. The MSCD requests to use Tom Evans Plaza on November 22nd between the hours of 4pm and 7pm for the downtown holiday tree lighting, live music, and carolers. MSCD also requests the use of electricity in and near Tom Evans Plaza and further requests the waiver of electricity costs for power to light the holiday trees and other holiday decorations during the duration of the holiday season.
2. MSCD requests the use of four parking spaces on the south side of Main Street just west of Burnett Avenue and for the use of one parking space on the west side of Douglas Avenue between Main and 5th as pickup and drop off locations for the free horse and buggy rides. MSCD requests the spaces for Friday, November 22nd from 4-7pm.
3. MSCD requests to close Burnett Avenue between Main and 5th Street on Friday, November 22nd from 2-8pm (activity hours are 4-7pm) to host a number of activities including providing free train rides for kids. In addition, this section of roadway will be a location for food vendors.
4. The MSCD requests a temporary obstruction permit for the entire CBD on November 22nd to allow stores to display merchandise and for MSCD to place Snow Magic festivities on city sidewalks (includes face painters, Santa, popup tents, etc.). At least four feet of open sidewalk space will be available at every Snow Magic activity location to keep sidewalks open to pedestrian traffic.
5. The MSCD requests a Blanket Vending Permit for the entire Cultural District for November 22nd for businesses to sell on the sidewalk if they so choose. MSCD further requests the permit fee be waived as the businesses selling products will be members of the MSCD. We intend for regular street vendors that have permits through the city to continue their operations as usual in the Cultural District during this time.

Thank you for your consideration of these requests and we sincerely appreciate your continued support of the Main Street Cultural District. We look forward to seeing you throughout the holiday season for Snow Magic on Main.

Sincerely,

Cari Hague
Executive Director
Main Street Cultural District

Cari,

We would like 2 spots in front of Duckworth reserved, 2 spots in front of Worldly Goods reserved and 2 spots in front of Evert's reserved. Right now we only have the popcorn guy confirmed for food vendors. The other spots will be for activities. I will keep you posted as we add items. Let me know if you have any questions or need anything.

Thank you so much!!

Andrea

Andrea D Gronau

Worldly Goods

Store Manager

223 Main St

Ames, IA 50010

[515-233-4568](tel:515-233-4568)

[www.worldlygoods.org](http://worldlygoods.org/)<http://worldlygoods.org/>

A Fair Trade, Non-Profit Store

Dianne Brotherson
400 Ash Ave.
Ames, IA 50014
October 21, 2013

Dear Mayor & Members of the City Council:

The Ames International Partner Cities Association (AIPCA) thanks you for your support of our organization. Thanks to your financial contribution, membership dues, and in-home hosting of the Japanese delegates by Ames residents, we have been able to provide the visiting delegates with educational and culturally-rich experiences. This year, 2013, marks the 20th anniversary of our sister-city relationship. We sent an adult delegation to Japan in June and received a delegation from Japan in September, which are both costly endeavors and have strained our finances.

Since we were celebrating our 20th anniversary as a sister city, we had such additional expenses as scheduling a Welcome dinner and Farewell dinner, and inviting fourteen Japanese English teachers (JETs) who are studying at Iowa State University to assist in translating for the Ames host families and their Japanese guests. Having a translator was so helpful that several host families then invited a JET on their Saturday outings to translate and make verbal communication possible. We also had some additional expenses because we created pins and magnets to commemorate the event and had the anniversary graphic etched onto a walnut box for the gift to Kosu city.

We became aware that our organization did not use \$1,554.76 from our budgeted allocation in FY 2012-2013. Based on the financial expenditures during this fiscal year, we would like to request that this money be carried over to this current fiscal year.

Again, we appreciate your financial support of our organization and we look forward to many more sister-city delegations.

Sincerely,

Dianne Brotherson

Dianne Brotherson
Ames International Partner Cities Association President



To: Mayor and City Council

From: Steven L. Schainker, City Manager

Date: November 8, 2013

Subject: Request from Octagon To Place Banners On City Corner Posts

Heather Johnson, the Executive Director of the Octagon for the Arts, has requested that the City grant permission for her organization to place banners promoting the Festival of Trees on the “corner posts” at five locations.

Apparently, over the years the Main Street Cultural District has been using these posts to hold banners highlighting various upcoming events. To the best of my knowledge, no formal approval was ever granted by the City for this type of use. Therefore, when approached for formal approval to utilize the posts, Heather was surprised that permission could not be granted.

The City Council will remember that the use of public property to display signs is a complex issue that is ripe for First Amendment issues. If we are to begin offering these locations as venues for displaying messages, I believe it is imperative that the City Council first has established a defensible policy.

Unfortunately, the Festival of Trees event begins on November 15th and runs through December 1. It will not be possible to develop and obtain Council approval of a policy before the event begins in mid-November.

Since usage of the posts has been occurring for some time, I see no problem if the Council would grant approval to the Octagon for this one event on November 12th and direct staff to develop a policy for your consideration.

OCTAGON CENTER for the ARTS

Board of Trustees

Tina Colburn
President

Rob Wallace
Vice President

Lee Anne Wilson
Treasurer

Linda Lewis Lieberman
Secretary

Beth Weninger
Executive-at-Large

C. Arthur Croyle
Linda Gibbs
Melissa Hulme
Steve Kawaler
Mary Jo Matilla
Lisa Phillips
Merry Rankin
Luis Rico-Guitierrez
Terry Stark
Kim Townsend

Octagon Staff

Heather Johnson
Executive Director
director@octagonarts.org

Blythe Miles
Education Director
education@octagonarts.org

Emily Jespersen
**Membership/Volunteer
Services Director**
membership@octagonarts.org

Ruth Wiedemeier
Gallery Shop Manager
shop@octagonarts.org

Kristin Roach
Exhibits Manager
exhibits@octagonarts.org

October 31, 2013

Mayor and City Council
515 Clark Ave.
Ames, IA 50010

Honorable Mayor and City Council,

The Octagon Center for the Arts will be hosting the Festival of Trees from November 15 – December 1. This is a fun and free event for families to enjoy together. Last year approximately 1750 people attended the event over 2 weeks. This event helps to bring visitors to the downtown Main Street Cultural District, who also shop at other downtown businesses. The Octagon welcomes various local businesses and organizations to decorate a tree or wreath in a theme of their choice. Approximately 70 trees and wreaths are displayed each year. Unlike similar events, the Octagon does not charge admission for viewing of the trees and wreaths. The Octagon does appreciate any goodwill donations received during the event. The Octagon also offers 3 free workshops for children to make crafts during the event.

The Octagon is requesting 5 banners (3 x 5 feet in size) to be temporarily displayed on downtown corner posts via zip ties to promote the Festival of Trees. Banners would be removed Monday, December 2. Locations would be the following: Main & Douglas corner; Main and Kellogg (2 banners in opposite corners); Main and Burnett; and Main and Clark.

For the last couple of years, the Main Street Cultural District has displayed banners on downtown corner posts for events such as Farmers Market, ArtWalk, MusicWalk, Oktoberfest and Snow Magic. Last year the Octagon started to also display same sized vinyl banners for the Octagon Art Festival and Festival of Trees. Recently, the Octagon submitted a banner application available on the city of Ames website along with design of the banner. The Octagon was trying to follow the banner procedure by submitting a request to the city to display temporary banners at the corner locations. We received notice from the city of concern that other groups may want to also advertise by placing the banners on the corner posts. If there's a concern of receiving various requests to advertise, the corner banners could be reserved only to promote free events open to the community that take place in the Main Street Cultural District. My question is, if there was a concern, why has the Main Street Cultural District still been able to display banners for numerous events over the last 2 years without having to submit a banner application?

A uniform banner policy for downtown corner posts should be in place for design review and application process, similar to banners requests for over Main Street and on lamp posts. The Octagon is a non-profit organization that has a very limited marketing budget that relies on grass root promotions, such as display of banners which are more economical than other marketing tools. The Festival of Trees banners are already printed and ready to be installed. I support a policy review to be taken into consideration for the new calendar year.

Based on a recommendation from city staff, the Octagon respectfully requests that the city council members hold a special meeting next week to discuss the display of the banners for the Festival of Trees, a free community event that takes place in the Main Street Cultural District, which starts November 15.

On behalf of the Octagon Center for the Arts, we appreciate the City of Ames supporting artistic and cultural experiences such as the Festival of Trees. We invite the mayor and city council members to stop by the Festival of Trees to enjoy the numerous trees and wreath artistically decorated for the season.

Much gratitude for your consideration,

Heather Johnson
Executive Director

427 Douglas Ave
Ames, IA 50010
515.232.5331
www.octagonarts.org

OCTAGON CENTER
for the ARTS

Staff Report

REQUEST FROM AMES CONVENTION AND VISITORS BUREAU FOR CITY FUNDING TO FINANCE FLAT SPACE ADDITION TO THE SCHEMAN BUILDING

November 12, 2013

As you know, the Ames Convention and Visitors Bureau (ACVB) has been analyzing the need for additional convention space in our community to keep us competitive with other cities throughout Iowa. With assistance from Vision Iowa funding, many other cities have constructed facilities with greater capacity than is available at the Iowa State Center complex. After exploring numerous alternatives for financing the needed facility expansion, the ACVB has determined that the most viable option will require funding from the City of Ames and Iowa State University.

The Project

The proposed project will include the construction of 132,000 square feet of a new multi-use building situated immediately north of the Scheman building. This is estimated to cost \$32,245,562, in conjunction with a renovation of the Scheman building itself at an estimated cost of \$6,529,663.

The Request

The ACVB is looking to the City to finance 50% of the cost, which is up to \$19,000,000 of the estimated \$38,775,225 cost of the project. The remaining funding has been requested from Iowa State University. **The only option for the City to generate this magnitude of funding in a timely manner is through the sale of General Obligation Bonds. Therefore, the ACVB is requesting that the City Council place this issue before the voters in a bond referendum special election on March 4, 2014.**

If Council desires to grant this request, the proper action would be to pass a motion directing staff to develop the appropriate wording for a bond referendum, and to bring that language to Council for consideration at the November 26, 2013 meeting.

Has The University Committed To Provide The Remaining Funding For The Project?

Warren Madden has indicated to the ACVB that ISU President Leath has committed to financing the University's proposed share of the project. However, this commitment must ultimately be approved by the Iowa Board of Regents.

The University intends to bring this matter to the Regents' February 2014 meeting so that the voters will know whether or not the University's share of the project financing is committed.

The Projected Cost To The Taxpayer

Based on current year (FY 13/14) valuation, the increase in the property tax rate for this additional is estimated to be \$0.575 per \$1,000 of taxable value, or a 5.3% increase in the tax rate. The additional cost for the residential property class is estimated at \$30.35 per \$100,000 of taxable valuation and \$57.46 for commercial and industrial.

Please note that this estimate is based on current valuation and property tax structure. We do not yet have enough information to fully evaluate the effects of recently passed commercial/industrial property tax reform, but we do know that the share of taxes paid will be shifting more to the residential class over the next few years. This means that the cost for the residential homeowner will be higher than the estimate and will increase over the years as property tax reform is implemented.

Questions Related To This Request

Before moving ahead to place this issue before the voters, it is important that the following questions be addressed.

1) Who Will Own The New Facility?

Because the new multi-use space will be jointly financed by the University and the City, it will be owned by both entities.

2) Who Will Operate The New Facility?

Since the new facility will be situated on University property at the Iowa State Center, the University will assume the ultimate responsibility to manage the new facility. However, since the University already contracts with a private entity to manage the Fisher Theatre, Stephens Auditorium, and the Scheman building, it is expected that the new facility will be managed by the same private contractor the University uses to manage their other buildings at the ISU Center.

3) Who Will Make Policy Decisions For The New Facility?

It is being recommended that a three person policy committee be formed to deal with the major policy direction for the space. This committee would include the Executive Director of the Convention and Visitors Bureau, the University's Vice President for Business and Finance, and the City Manager.

4) Who Will Be Responsible For the Expected Annual Deficit?

It is important to note that this type of facility will not generate enough money to cover its operating costs. It has been estimated that this annual deficit could be approximately \$230,000 annually. If the Council decides to support this project, it is important that the City not assume responsibility for financial obligation.

To address this issue, the managing entity, Iowa State University, will be responsible for all finances related to the operations of the new facility, including any deficits. However, it is anticipated that the Ames Convention and Visitors Bureau will enter into a separate agreement with the University to pledge their funds to offset any operating deficits at the new facility. The ACVB has projected

that the new space will help generate sufficient additional hotel/motel tax revenue from visitors to cover these annual operating deficits.

5) Will The Ames Community Have Access To The New Space?

If the project is successful, access to six rooms (with capacities ranging from 5 to 120) on the ground floor of the Scheman Building will be made available, without charge and based on availability, for functions sponsored by non-profit organizations and the City.

6) Given The Date For The Special Election, How Will The City Budget For This Project?

The City's budget for Fiscal Year 2014/15 will be completed by the time the results of any bond issue are known. It would be premature to include the first principal and interest payment for bond debt as the staff prepares the budget. Therefore, the earliest that this debt could be safely included in the budget will be for Fiscal Year 2015/16. Assuming that the project will move ahead sooner than that, the University's \$19,000,000 share will need to be drawn down first.

7) Who Pays For The Special Elections?

The ACVB is asking for a special election on March 4, 2014. No funds have been included in the current year's City budget for this election, which is estimated to cost \$15,000. The City Council could ask the ACVB to finance this special election from their funds, or could decide to use funds from the City's available balances (preferably the Hotel/Motel Tax Fund) to cover these election costs.

COUNCIL ACTION FORM

SUBJECT: REMOTE PARKING REQUEST FOR 2520 CHAMBERLAIN STREET

BACKGROUND:

A request to provide remote parking has been submitted for the property at 2520 Chamberlain Street to allow for the 4,500 square foot property to be developed with a five-story mixed use building. The building will include approximately 3,500 square feet of commercial uses, as well as eight apartment units with a total of 40 bedrooms above. **Due to the small size of the lot, the applicant is proposing to locate all eight required parking spaces off site within a parking lot located north (across the street) of this site at 2515 Chamberlain Street and 133 Welch Avenue. The applicant is asking Council to approve a remote parking agreement and easement for this purpose.**

Project Analysis:

The proposed mixed use project is a Minor Site Development Plan application for the property at 2520 Chamberlain Street, owned by the Randall Corporation. The site is located in the Campustown Service Center District at the intersection of an alley named Chamberlain Place and a public street named Chamberlain Street. (See Attachment A)

The proposal replaces a former wood frame residence with a five-story mixed use building. The project has a commercial entrance at ground level for access to Chamberlain Street. It also has two separate means of access to the residential entry located on the west side of the building and on the 2nd floor. There are stairs leading to Chamberlain Street and an accessible ramp accessed from Chamberlain Place.

No parking is required for the proposed commercial space on the first floor. The required minimum parking for the residential use is one parking space per residential unit regardless of the number of bedrooms. Therefore, a total of 8 parking spaces is required. Of those 8 required spaces, one must be designed and installed as a van accessible space to meet accessibility requirements. As the building is currently designed, there are no proposed parking spaces being provided on the site. *Ames Municipal Code* Section 29.406(18) allows for remote parking to satisfy required parking needed in the Campustown Service Center district subject to City Council approval if it is within 300 feet of the subject site.

Randall Corporation also owns property at 2515 Chamberlain Street and 133 Welch Avenue, located north of the subject site across Chamberlain Street. The property owner is seeking approval of a Remote Parking Easement to use spaces from the 2515 Chamberlain Street and 133 Welch commercial sites to meet the parking requirement for the new building at 2520 Chamberlain Street. (See Attachment A, Location Map and

Attachment B, Walking Route to Accessible Entrance) The proposed parking location is 75 feet from the new building site. However, and is approximately 470 feet of walking distance following the route going to the Welch corner for crossing the street and reaching the access point to the accessible ramp off Chamberlain Place.

The proposed parking location is a shared parking lot between two properties. The properties have single-story commercial buildings with no residential units; therefore, no parking is required by the Zoning Code for the commercial uses. Staff visited the site and noted the following existing conditions for the parking lot. It contains a total of 12 parking spaces with 6 spaces on each lot. There are no existing accessible parking spaces in the parking lot. The parking lot has frontage landscape planters that are sparsely vegetated. The parking lot contains an existing private utility box for a private gate located within the entrance drive of the parking lot, narrowing the drive aisle width to only one-way circulation. Additionally, the parking lot is only illuminated by two wall pack fixtures located on the west building and by street lights located in the right-of-way on the south side of Chamberlain Street. There is a pedestrian walkway connection to the street along the east edge of the parking lot. If the parking location is approved, it would likely have a total of 11 parking spaces after reconfiguring to include a van accessible parking space. With regards to the site's condition, appropriate enhancements would include restriping of spaces to include a van accessible parking space, removing the utility box for better access, providing better lighting, and refurbishing the landscape planters with new shrubs and groundcover.

Providing for accessible parking space is required by the Zoning Code any time parking is provided. However, there is no requirement to place an accessible parking space on the same site as a development. When parking is required, the first designated accessible parking space must be a van accessible space that also includes a striped loading area. **The Zoning Code Section 29.406(15)(e) does state that a van accessible space requires that accessible parking spaces serving a particular building be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.**

In this case, the residential component of the building is accessed by means of a ramp from the south side of the new building, not from the north front facade abutting Chamberlain Street. (See Attachment C, Proposed Site Development Plan) The shortest route of travel totals approximately 470 feet as shown in Attachment B. The street crossing at Welch is not ideal as it creates a point of pedestrian safety conflict with vehicles, but that concern is minimized as it is a controlled four-way stop intersection. **The primary concern for ease of access and safety is the location of an accessible ramp off of Chamberlain Place, which is a substandard right-of-way used as an alley without separate pedestrian improvements.**

Although Chamberlain Place is classified as a public two-way street, it is only improved to the width of a typical alley (16 feet) with no right-of-way width for separate pedestrian movements. It is considered a street by classification due to the addressing and frontage of one property on Chamberlain Place. From strictly a design standard,

however, it functions as an alley.

To improve Chamberlain Place to include a pedestrian walk to current SUDAS standards would require that there be at least 2 feet of separation from the closest point of the vehicular lane at all times, with a minimum 4 foot travel surface for pedestrians. In this case, that means a total of 6 feet would be required within Chamberlain Place for a pedestrian walk, leaving only 10 feet for a driving lane. A 10-foot driving lane falls below the recommended 12-foot standard for a lane of travel. Changing the physical width of the roadway for any pedestrian improvements would also require Council to designate the traffic as one way rather than two way. **Staff feels there is not enough space on an already narrow two-way street right-of-way to ensure safety of pedestrians if they were to share the same space with vehicular traffic on Chamberlain Place.**

If the mixing of vehicles and pedestrians along Chamberlain Place is a substantial concern, an alternative that would still allow for off-site parking would be to have the property owner reduce the building size and place an accessible route on site to the accessible ramp. This would require a redesign of the project by the applicant.

Should the City Council approve of the concept of a proposed offsite parking location, a remote parking easement and agreement formalizing the property restriction and terms of the agreement should be drafted. The administrative approval of the Minor Site Development Plan would not be completed until the easement and agreement are in place to ensure the availability of the spaces for their intended use.

ALTERNATIVES:

1. The City Council can approve the use of Remote Parking for 2520 Chamberlain Street and direct staff to draft a remote parking agreement and easement with the following conditions:
 - a. Applicant modifies the building design to provide an accessible route on the site along Chamberlain Place to the rear accessible ramp or modifies the design of the building to provide an accessible route for residential access from Chamberlain Street.
 - b. The remote parking site is modified by the applicant so that the following occurs:
 - i. The existing utility box is relocated to meet the minimum two-way drive aisle dimension at the entrance of the parking lot;
 - ii. Additional wall pack lighting is installed by the applicant to eliminate a safety concern for residential parking; and
 - iii. The applicant replants appropriate shrub and groundcover within existing planters.
2. The City Council can approve the use of Remote Parking for 2520 Chamberlain and direct staff to draft a remote parking agreement and easement with modified or additional conditions.

3. The City Council can approve the use of Remote Parking for 2520 Chamberlain Street and direct staff to draft a remote parking agreement and easement as proposed by the applicant.
4. The City Council can deny the attached Remote Parking Easement for 2520 Chamberlain.
5. The City Council can refer this item to staff or the applicant for further information.

MANAGER'S RECOMMENDED ACTION:

For a Minor Site Development Plan to be approved, parking must be provided that meets minimum City requirements. Remote parking is permitted under the Zoning Code, and the location of such spaces must meet the 300-foot minimum distance requirement for the remote location at the discretion of the City Council. **Council should understand that there are no additional criteria for review and approval of a remote parking agreement. However, in this case the City Council may be concerned about other issues related to access to the site and parking lot improvements and may want to address those in your decision.**

These concerns include the adequacy of access to the rear accessible entrance on the site from the remote location, the remote lot's driveway width, and the safety lighting for the remote parking location. If the City Council wishes to address these concerns, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby approving the use of remote parking, and directing staff to draft a remote parking agreement and easement for 2520 Chamberlain, with the following additional conditions:

- a. Applicant modifies the building design to provide an accessible route on the site along Chamberlain Place to the rear accessible ramp or modifies the design of the building to provide an accessible route for residential access from Chamberlain Street;
- b. The remote parking site is modified by the applicant so that the following occurs:
 - i. The existing utility box is relocated to meet the minimum two-way drive aisle dimension at the entrance of the parking lot;
 - ii. Additional wall pack lighting is installed by the applicant to eliminate a safety concern for residential parking; and
 - iii. The applicant replants appropriate shrub and groundcover within existing planters.

However, if City Council does want to exercise its discretion and require modifications to the site or the remote parking lot as specified in Alternative #1, then it is the

recommendation of the City Manager that the City Council adopt Alternative #2 or Alternative #3.

ATTACHMENT A Location Map



Location Map
Subject Site : 2520 Chamberlain Street
Remote Parking : 2515 Chamberlain Street/133 Welch Ave.

0 30 60 120 Feet



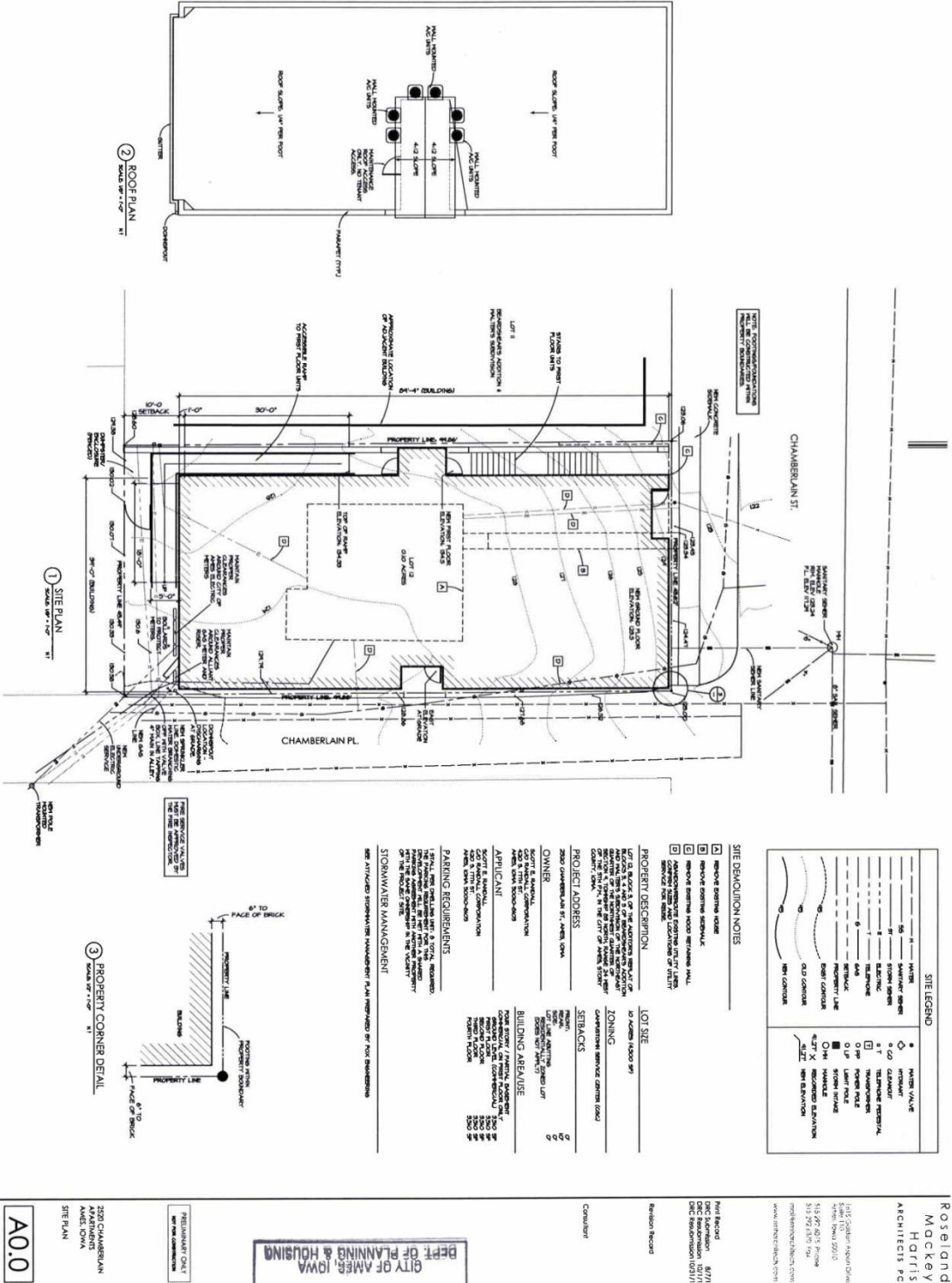
ATTACHMENT B
Walking Route to Accessible Entrance



Remote Parking Map
Subject Site : 2520 Chamberlain Street
Remote Parking : 2515 Chamberlain Street/133 Welch Ave.



ATTACHMENT C Proposed Site Development Plan



SITE LEGEND		
▲	WATER VALUE	—
◇	CONDUIT	—
○	TELEPHONE	—
□	MUNICIPAL	—
▭	PRIVATE DRIVE	—
○	UTILITY	—
▭	STORM INLET	—
▭	STORM MANHOLE	—
○	STORM ELEVATION	—
○	STORM CATCHER	—
○	STORM CATCHER	—

SITE DEMOLITION NOTES

- A REMOVE EXISTING FOOTING
- B REMOVE EXISTING FOUNDATION WALL
- C REMOVE EXISTING INTERIOR WALL
- D REMOVE EXISTING ROOF STRUCTURE

PROPERTY DESCRIPTION
 LOT 12 & 13, 14 & 15 OF THE ADDITIONS & IMPROVEMENTS TO THE CITY OF CHICAGO RECORDS MAP NO. 21246-0105 (RECORDED ELEVATION 2245)
PROJECT ADDRESS
 2303 CHAMBERLAIN ST., AUSTIN, TEXAS 78702
OWNER
 SCOTT & ANNE MARSHALL
 4802 N. BROADWAY
 AUSTIN, TEXAS 78704
APPLICANT
 SCOTT & ANNE MARSHALL
 4802 N. BROADWAY
 AUSTIN, TEXAS 78704
SCORED MANUAL
 CDD MANUAL, COMPLETION
 DATE: 04/28/2011
PARKING REQUIREMENTS
 1. SHALL PROVIDE 1.5 SPACES PER UNIT (RESIDENTIAL)
 2. SHALL PROVIDE 1.5 SPACES PER UNIT (COMMERCIAL)
 3. SHALL PROVIDE 1.5 SPACES PER UNIT (INDUSTRIAL)
STORMWATER MANAGEMENT
 SEE ATTACHED STORMWATER MANAGEMENT PLAN PREPARED BY YOUR ENGINEER

LOT SIZE
 13,900 (ASD) SQ FT
ZONING
 COMMERCE SERVICE DISTRICT (CSD)
SETBACKS
 FRONT 5 FT
 REAR 5 FT
 SIDE 5 FT
BUILDING AREA/USE
 FIVE STORY, FIVE UNIT RESIDENTIAL
 PERMITTED TO BE USED AS A HOTEL OR
 APARTMENT BUILDING
 PERMITTED TO BE USED AS A
 MULTIFAMILY RESIDENTIAL
 BUILDING
 CDD MANUAL, COMPLETION
 DATE: 04/28/2011

PRELIMINARY ONLY
 NOT FOR CONSTRUCTION
 © 2011 CHAMBERLAIN ASSOCIATES, P.C.
 ALL RIGHTS RESERVED

2303 CHAMBERLAIN
 AUSTIN, TEXAS
 SITE PLAN
A0.0

ROSELIND
 MOCKEY
 ARCHITECTS P.C.
 11415 Spickett - Apartment Drive
 Suite 100, TX 78701
 512.977.6157
 512.977.6158 FAX
 info@roselindmockey.com
 www.roselindmockey.com

DATE RECORDED
 REC. BOOK 08/17/13
 DISC. RECORDATION 03/17/13
 REC. BOOK 03/17/13

Consultant

RECEIVED
 OCT 31 2013
 DEPT. OF PLANNING & HOUSING

COUNCIL ACTION FORM

**SUBJECT: URBAN REVITALIZATION TAX EXEMPTION REQUEST FOR
PROPERTY LOCATED AT 2520 CHAMBERLAIN STREET**

BACKGROUND:

Each year, property owners who have developed, redeveloped, rehabilitated, or remodeled property within the Urban Revitalization Areas of the City claim tax exemption for work that has been done, as provided for in Chapter 404 of the *Code of Iowa*. **Randall Corporation, the property owner of 2520 Chamberlain Street, is requesting *prior approval* of meeting the qualifications for a 3-year tax exemption on increased value that will be created by improvements at that location.** (See Attachment A, Applicant Letter) The property is within the already-established Campustown Urban Revitalization Area. (See Attachment B, Location Map)

The subject site formerly had a two-story, 1,200 square foot wood framed house built in 1910. The property had an assessed valuation of \$89,000. The building was demolished on October 22, 2013. Randall Corporation has a pending Minor Site Plan application to build a new five-story mixed use building that provides commercial space on the first floor with residential units above.

To be eligible for Tax Abatement, this project must comply with the criteria established within the Council's approved Campustown Urban Revitalization Criteria Matrix. (See Attachment C) The Criteria Matrix describes three categories that must be met for a project to qualify. **Based upon the request of the applicant, the issue before the Council is to determine if the property meets the classification of "slum and blight." The Criteria Matrix describes slum and blight as "properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council."**

Immediately prior to the demolition of the pre-existing building, Inspections Division staff examined the building and identified six areas of concern that could relate to this determination. Those observations about the structure's previous condition may help Council determine if the property meets the standards for the Urban Revitalization Program definition of slum and blight. (See Attachment D, Building Official Letter)

The second category for tax abatement eligibility is meeting the use or design category requirements. Staff has determined that the applicant's proposed project does meet the design requirements by providing for commercial access to the street, planned signage, and use of brick on all facades. (See Attachment E)

When a project includes a residential use there is a third set of criteria related to public safety. **A project must achieve all of the public safety design standards specified in the matrix, unless an alternative equivalent design is approved by the City Council.** City staff has reviewed the building and site plans submitted by the applicant

(See Attachment E) and has identified how the proposal either meets or does not meet the criteria as summarized below:

1. Listed criterion: *Limit commercial space in the same building to the ground floor.*
Only the first floor of the proposed building will have a commercial use.
2. Listed criterion: *Provide separate entrances for commercial and residential uses.*
The entrance to the commercial space will be completely separate from the entrances to the residential units. The residential use will be accessed from an open stairway leading from Chamberlain Street to the actual entrance door located mid-way down the west facade of the building. Also, a separate accessible access for the residential use is located by way of a ramp along the south facade of the building wrapping to the west and sharing an entrance with the front staircase.

The proposal also includes a second access stairwell on the east side of the building which has been identified by the applicant as a fire exit. This stairwell is a shared exit between the commercial and residential spaces, but is not identified as an entrance for either use.

3. Listed criterion: *Locate all residential entrances to be visible from the street and provide secure access control at each.*
The proposed location of the residential entrances does not meet the intent of this criterion. The actual location of the entrance is along the side of the building located at the midpoint of the west facade. The staircase is located to the north and accessed off Chamberlain Street, but still poses a concern for safety without visibility to the actual entrance area. Also, the accessible ramp is located at the rear of the building and wraps to the west side of the building, not allowing for visibility from the street or the front of the building. Staff does not find that this design meets the intent of the criterion which is to have a visible entrance from the street for security purposes.
4. Listed criterion: *Prevent access from the exterior to the interior through doors that serve only as fire exits.*
Hardware for the proposed fire exit located along the east facade will need to be installed to allow exiting but prevent access from the exterior, with a monitoring system to indicate when doors are left open.
5. Listed criterion: *Prohibit public access to structured parking, using overhead door and secure access control.*
No additional structured parking will be built. If approved by Council through a remote parking agreement, all parking will be located off site to the north across Chamberlain Street.

6. Listed criterion: *Provide transparent glass windows into all stairwells.*
The entrance stairwell is provided with glass windows in the corridor. However, the entrance is located on the west side of the building and is not visible from the street, which causes a safety concern. An exit stairwell is provided on the east side of the building abutting Chamberlain Place, but does not provide for glass into the stairwell corridor. This stairwell is a second exit point from both the commercial and residential areas, excluding the first floor residential units which are only accessible by the main entrance ramp/stair on the west side of the building. Staff does not find that this design meets the intent of the criterion which is to have visibility into all stairwells for security purposes.
7. Listed criterion: *Provide camera monitoring of all pedestrian and vehicle entrances and areas.*
Camera monitoring will be required to be provided at all entrances.
8. Listed criterion: *Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs.*
This criterion will be required to be met for the building prior to a building permit being issued.
9. Listed criterion: *No balconies are permitted.*
No balconies are proposed for this project.
10. Listed criterion: *Provide for natural daylight requirements of applicable codes with exterior windows.*
Natural daylight is provided as required.
11. & 12. Listed criteria: *On facades facing any street use only fixed windows. Design of all other windows to prevent passing of sphere larger than 4" diameter.*
The building is being proposed with fixed windows for all residential units.
13. Listed criterion: *Prevent by physical means access to all roofs.*
Access to the roof will need to be prevented by lockable hardware on the doors from the stairwell to prohibit resident access to the roof.
14. Listed criterion: *Where access is not required, provide security fencing controlling access to all areas between new or existing buildings.*
The building will be constructed on the property lines to the north and east. The west property line will be controlled with the wall along the west side of the ramp and entry stairs. The south side of the building is secured with the existing building to the south, the ramp and dumpster enclosure to the west and the proposed building to the north. Access is only allowed along the south property line to the proposed dumpster enclosure or the entrance ramp for the building.
15. Listed criterion: *Provide a minimum of four 100-watt metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor.*

Security lighting along the south and west facades will be required to be installed to meet the intent of the code for security illumination. Staff also feels that the remote parking location for the project, if approved by City Council under a separate report, should be provided with additional lighting for security purposes.

The Police Department has carefully considered the security and safety issues of this project and finds that the design for the site does not meet all of the Urban Revitalization Plan requirements for safety and security. Items of concern include the following:

- a) The need for revision to the entrances/exits of the building to meet criteria #2 and #3,
- b) The installation of transparent glass in all stairwells,
- c) The need for installation of the required security camera monitoring, and
- d) The installation of the required security lighting for the building and parking areas.

ALTERNATIVES:

1. If the City Council determines that the project meets the classification of slum and blight under the Urban Revitalization Criteria, the Council can give approval of eligibility for tax abatement for the improvements at 2520 Chamberlain Street with the following conditions:
 - a) Revision to the entrances/exits of the building to meet criteria #2 and #3, which is to provide separate entrances between residential and commercial uses and also to locate all residential entrances to be visible from the street and provide secure access control at each,
 - b) Installation of transparent glass in all stairwells as required by criterion #6,
 - c) Installation of required camera monitoring as required by criterion #7, and
 - d) Installation of required security lighting for the building and parking areas per criterion #15.
2. If the City Council determines that the proposed project does not meet the classification of slum and blight under the Urban Revitalization Criteria, the Council can deny the request for approval of eligibility for tax abatement.

MANAGER'S RECOMMENDED ACTION:

The determination as to whether or not the project qualifies under the slum and blight criterion is at the sole discretion of the City Council. Even though the building has already been demolished, the Building Official visited the site and made observations of its condition prior to its demolition. Those observations are included in Attachment D.

If the City Council determines that the previously existing home on the property at 2520 Chamberlain Street met the definition of slum and blight, then it is the recommendation of the City Manager to adopt Alternative #1, which will require modifications to the Minor Site Plan to meet the public safety criteria specified above.

Attachment A Applicant Request Letter



November 5, 2013

City of Ames
515 Clark Avenue
Ames, Iowa 50010

Re: 2520 Chamberlain – Remote Parking and Urban Revitalization

Honorable Mayor and City Council Members,

We would ask that you consider our request for approval of the attached remote parking agreement and urban revitalization request for a new multi-use infill project at 2520 Chamberlain in Campustown.

This project will provide additional high quality commercial/retail space near the recently completed intermodal project as well as a warehouse – loft style housing option. Our specific requests are two-fold:

1. **Remote Parking Agreement:** We would ask that you approve a remote parking agreement to allow eight (8) required parking spaces be located directly across Chamberlain avenue at 2515 Chamberlain/133 Welch Avenue. The parking spaces are currently in place, and are not dedicated for any other use, nor are required for any other residential use. The parking is within the 300' limit as designated in the Campustown remote parking requirement.
2. **Urban Revitalization Request:** We would ask that you approve our request to abate property taxes over a three (3) year schedule as designated in the application packet. We believe that this project is of value to the Campustown area and meets the requirements and concerns addressed in the standards for Urban Revitalization requests. We would ask that the property be considered under the Slum and Blight determination.

We are excited to bring a new project to Campustown and look forward to continued growth in the coming years.

Thank you for considering our requests.

Matthew D. Randall
VP Randall Corporation

Attachment B Location Map



Location Map
Subject Site : 2520 Chamberlain Street
Remote Parking : 2515 Chamberlain Street/133 Welch Ave.

0 30 60 120 Feet



CAMPUSTOWN URBAN REVITALIZATION CRITERIA MATRIX

Attachment C Campustown Urban Revitalization Plan

PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS	AND	PROJECT MUST MEET CRITERIA OF ONE OF THESE COLUMNS
<p>Slum and Blighted Properties where a majority of the assessed valuation of the properties has been determined to be substantially unsafe or to have an unsafe use by the City Council.</p>	<p>Adaptive Reuse The building on the site was originally built before 1941.</p> <p>AND</p> <p>70% of the area of existing exterior walls of the structure will remain</p> <p>AND</p> <p>Historic materials and designs are preserved and/or restored.</p>	<p>Underrepresented Properties that are to include a business use where that actual sales of the business use is below the expected sales for the business use as determined by the City Council to be of benefit to the City (should be supported by a retail leakage study).</p>
<p>Parking A minimum of 70% of the total required parking is provided in a structure. If utilizing a parking deck, the restrictions in Chapter 29.406.12 of the Municipal Code must be adhered to.</p> <p>AND</p> <p>Mixed Use The first floor must be used for permitted commercial and retail uses as shown in Table 29.803(2) of the Municipal Code. The second floor must be used for either commercial or retail uses as shown in the Table 29.803(2) or for household living. All floors above the second floor must be used for household living.</p>	<p style="text-align: center;">OR</p> <p>Brick Material 100% of the front and 80% of the three remaining sides of the structure shall be faced with clay brick for the first four stories. On stories five through seven any other building materials except vinyl will be allowed.</p> <p>Alternative Siding Material If historically significant - use and repair of historically appropriate siding material is permitted and must be maintained for the term of the selected tax abatement schedule.</p>	<p>Design Standards Retail and office uses on the first floor adjacent to a public sidewalk must have direct access to the public sidewalk.</p> <p>AND</p> <p>Signage The signage design, scale, materials, and colors shall be in proportion to and consistent with the architecture of the building and support the business identity.</p> <p>AND</p>
ALL RESIDENTIAL USES SHALL ALSO MEET THE FOLLOWING CRITERIA OR EQUIVALENT AS APPROVED BY THE CITY COUNCIL		
<ol style="list-style-type: none"> 1. Limit commercial space in the same building to the ground floor 2. Provide separate entrances for commercial and residential uses 3. Locate all residential entrances to be visible from the street and provide secure access control at each 4. Prevent access from the exterior to the interior through doors that serve only as fire exits 5. Prohibit public access to structured parking, using overhead door and secure access control 6. Provide transparent glass windows into all stairwells 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas 	<ol style="list-style-type: none"> 8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs 9. No balconies are permitted 10. Provide for natural daylight requirements of applicable codes with exterior windows 11. On facades facing any street use only fixed windows 12. Design of all other windows to prevent passing of sphere larger than 4" diameter 13. Prevent by physical means access to all roofs 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings 15. Provide a minimum of four 100 w. metal halide light fixtures on each building façade: two at elevation between first and second floors and two at elevation between third and fourth floor 	

Attachment D Building Official Letter



November 4, 2013

Matt Randall
Randall Corporation
420 S 17th Street
Ames, Iowa 50010

RE: 2520 Chamberlain Street

Dear Matt,

Thank you for your patience as we worked on a response to your request for a slum and blight determination at 2520 Chamberlain Street. On Tuesday, October 22, 2013, Scott Ripperger, Adam Ostert and myself met you at 2520 Chamberlain Street to inspect the structure at your request.

The following was observed at the inspection:

- Structure was vacant;
- No utilities present (water, sanitary sewer, electricity and natural gas);
- Structure was not secure (no front door and missing windows);
- Interior damage due to water infiltration;
- Roof structure is a future concern due to the water infiltration; and,
- The floor was compromised in several areas.

Your request allowed the City staff to review the slum and blight criterion in the Campustown Urban Revitalization Plan. Our review showed that the determination of compliance with the slum and blight criterion is at the discretion of the City Council and is not administered by the Inspection Division. I understand that this is a departure from my predecessor; however it is the correct way to make sure that your project receives the right direction. This letter has also been copied to the Planning and Housing Department for inclusion in your project file.

Please do not hesitate to contact me if you have any questions. I can be reached by phone at (515) 239-5255 or by e-mail at sperkins@cityofames.org.

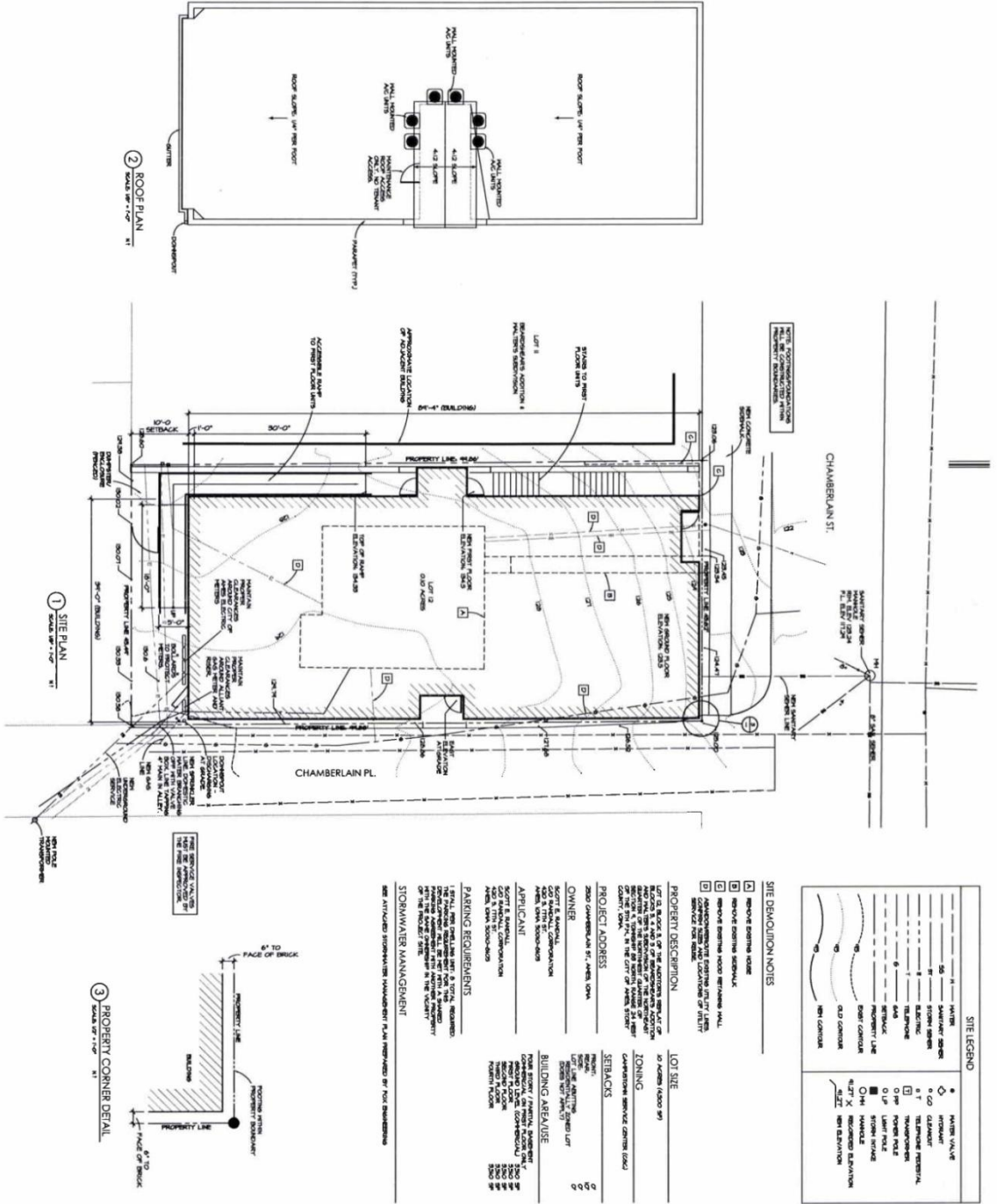
Sincerely,



Seana E. Perkins, AICP
Building Official
City of Ames

cc by email: Shawn Bayouth, Fire Chief
Scott Ripperger, Plans Examiner
Adam Ostert, Building Inspector
Kelly Diekmann, Planning & Housing Director
Karen Marren, Planner

Attachment E Proposed Site Development Plan



SITE LEGEND	
—	EXISTING
—	PROPOSED
—	EXISTING DRIVE
—	PROPOSED DRIVE
—	EXISTING SIDEWALK
—	PROPOSED SIDEWALK
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—	PROPOSED SIDEWALK

SITE DEMOLITION NOTES

1. REMOVE EXISTING DRIVE

2. REMOVE EXISTING SIDEWALK

3. REMOVE EXISTING DRIVE BETWEEN HALL

4. REMOVE EXISTING SIDEWALK BETWEEN HALL

5. REMOVE EXISTING DRIVE AT LOT LINE

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68. REMOVE EXISTING DRIVE AT LOT LINE

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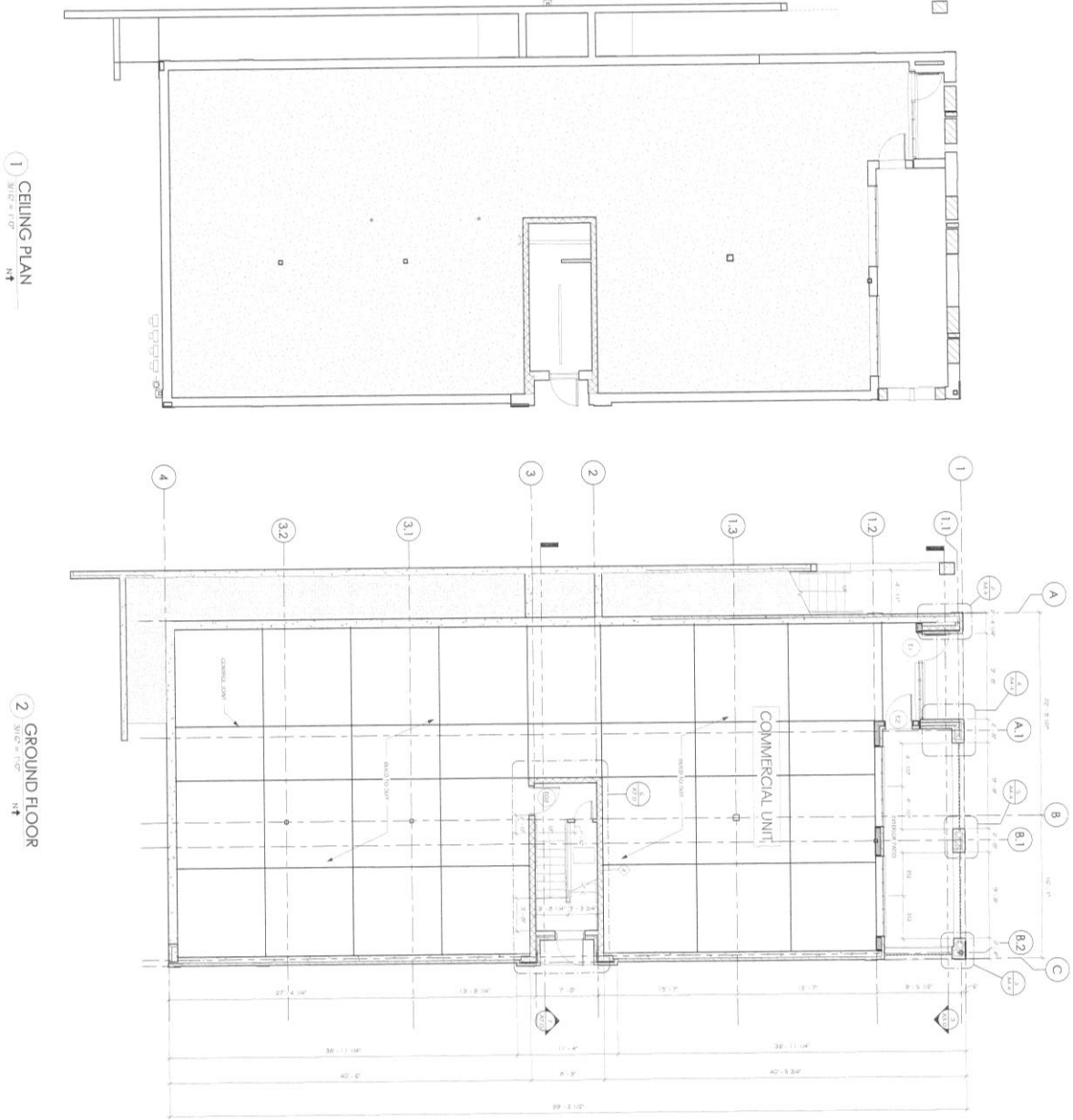


A0.0

3220 CHAMBERLAIN
AMES, IOWA
SITE PLAN

THESE PLANS, ONLY
ARE FOR CONSTRUCTION

Attachment E, Cont. Proposed Site Development Plan



1 CEILING PLAN
SCALE: 1/8" = 1'-0"
N↑

2 GROUND FLOOR
SCALE: 1/8" = 1'-0"
N↑

RECEIVED
CITY OF ALABAMA
OFFICE OF PLANNING & ZONING

A2.0

PRELIMINARY ONLY

BANDALL CORP
2320 CHAMBERLAIN
ANNEX, SUITE 100
GROUND FLOOR

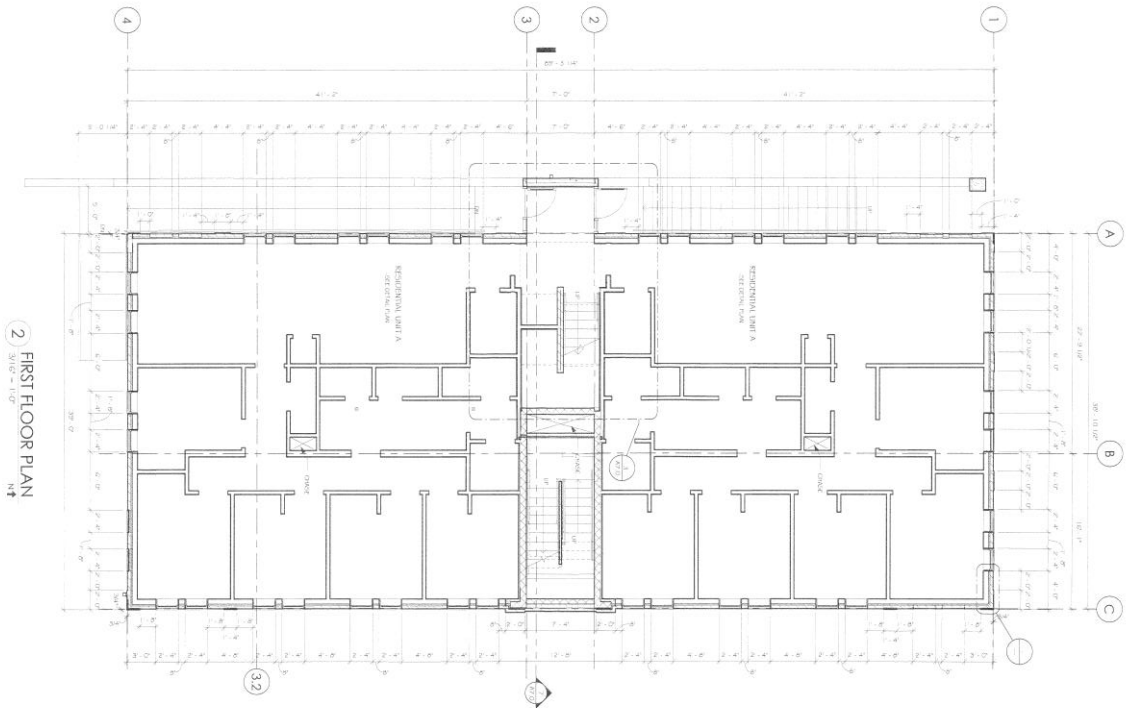
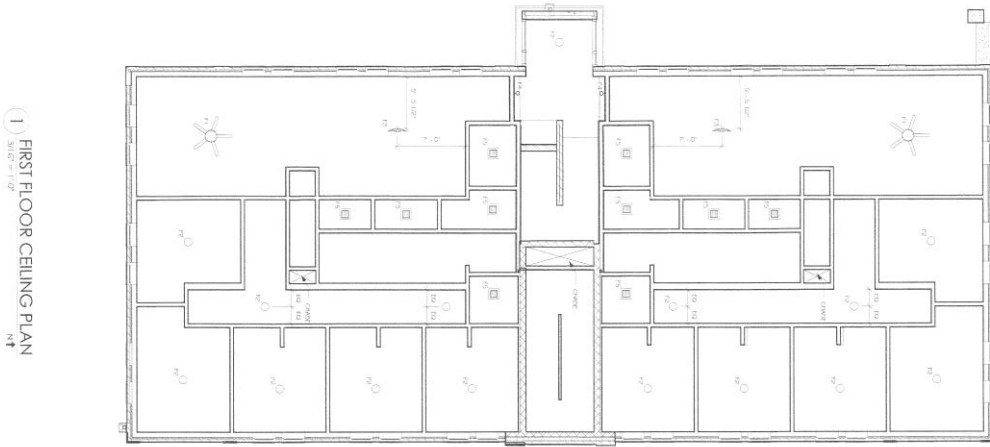
Consultant

Revision Record
First Record 06/07/13
CNC REVIEW 10/09/13
CNC REVISION 10/09/13
CNC REVISION 10/09/13

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Attachment E, Cont. Proposed Site Development Plan



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Prepared By: 09/07/13
Checked By: 10/01/13
Designed By: 10/01/13
Reviewed By: 10/01/13

Revised Record

Consultant

PRELIMINARY ONLY
NOT TO BE USED FOR CONSTRUCTION

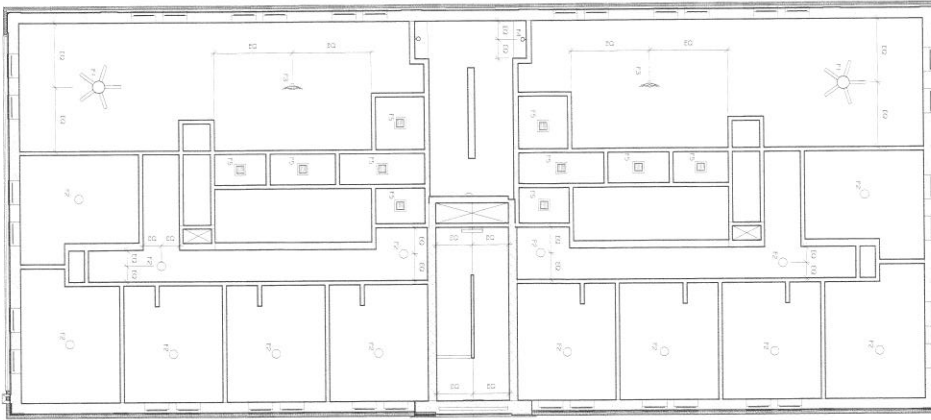
RANDALL CORP.
2220 CHAMBERLAIN
AVENUE, SUITE 200
FIRST FLOOR PLAN

A2.1

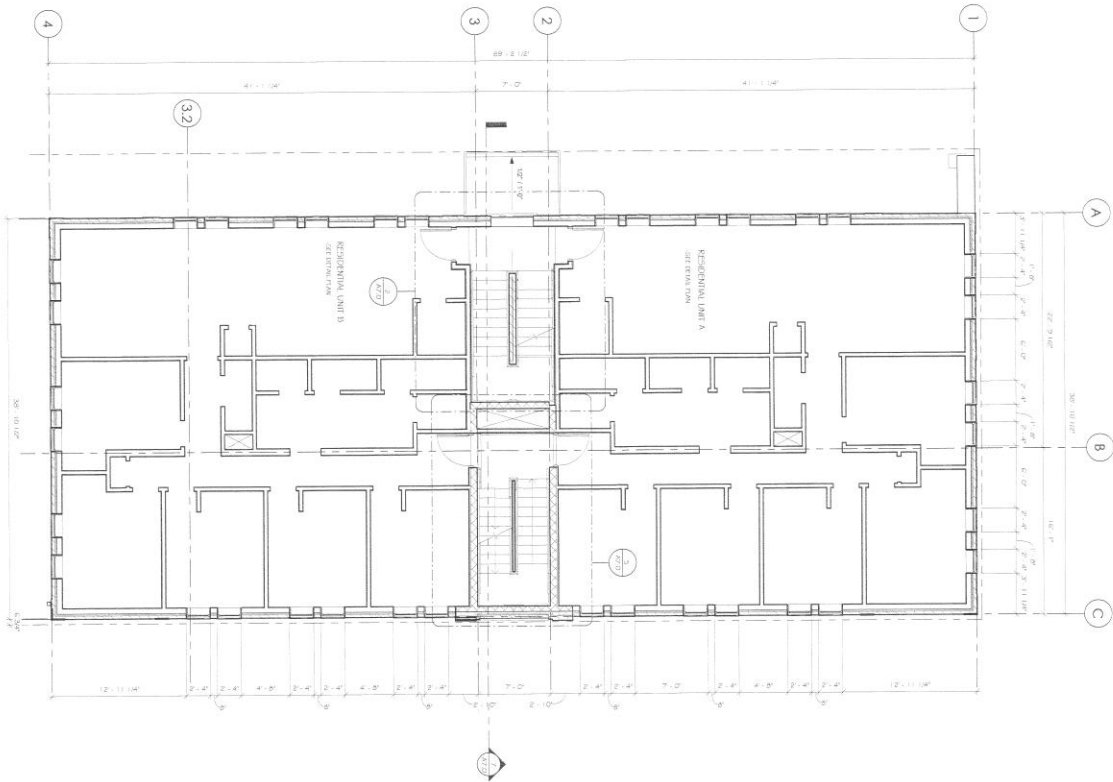
© Roseland Mackey Harris Architects PC

Attachment E, Cont. Proposed Site Development Plan

1
CEILING PLAN-SECOND & THIRD FLOOR
N↑



2
SECOND THRU FOURTH FLOOR PLAN
N↑



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Final Record 08/07/13
CDC REVIEW 10/01/13
CDC RESUBMIT 10/21/13

Revision Record

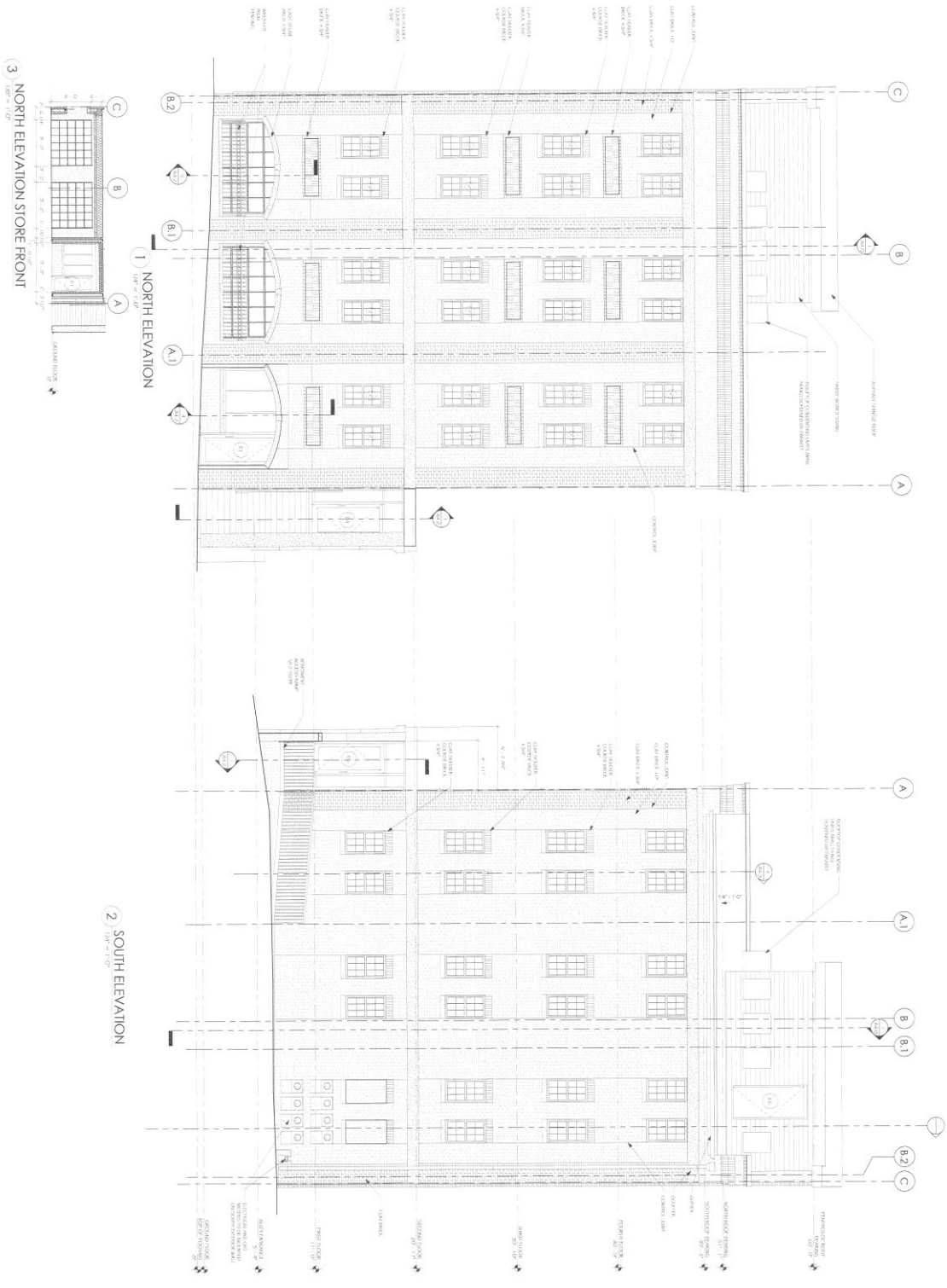
Consultant

PENTHOUSE UNIT

RANDALL CORP
2520 CHAMBERLAIN
AMES, IOWA
SECOND THRU FOURTH
FLOOR & CEILING PLANS
A2.2

© 2013 RANDALL CORP

Attachment E, Cont. Proposed Site Development Plan



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Project Record
 Project Name: 08/07/13
 Date Received: 08/07/13
 Date Issued: 10/07/13
 Date Revised: 10/07/13

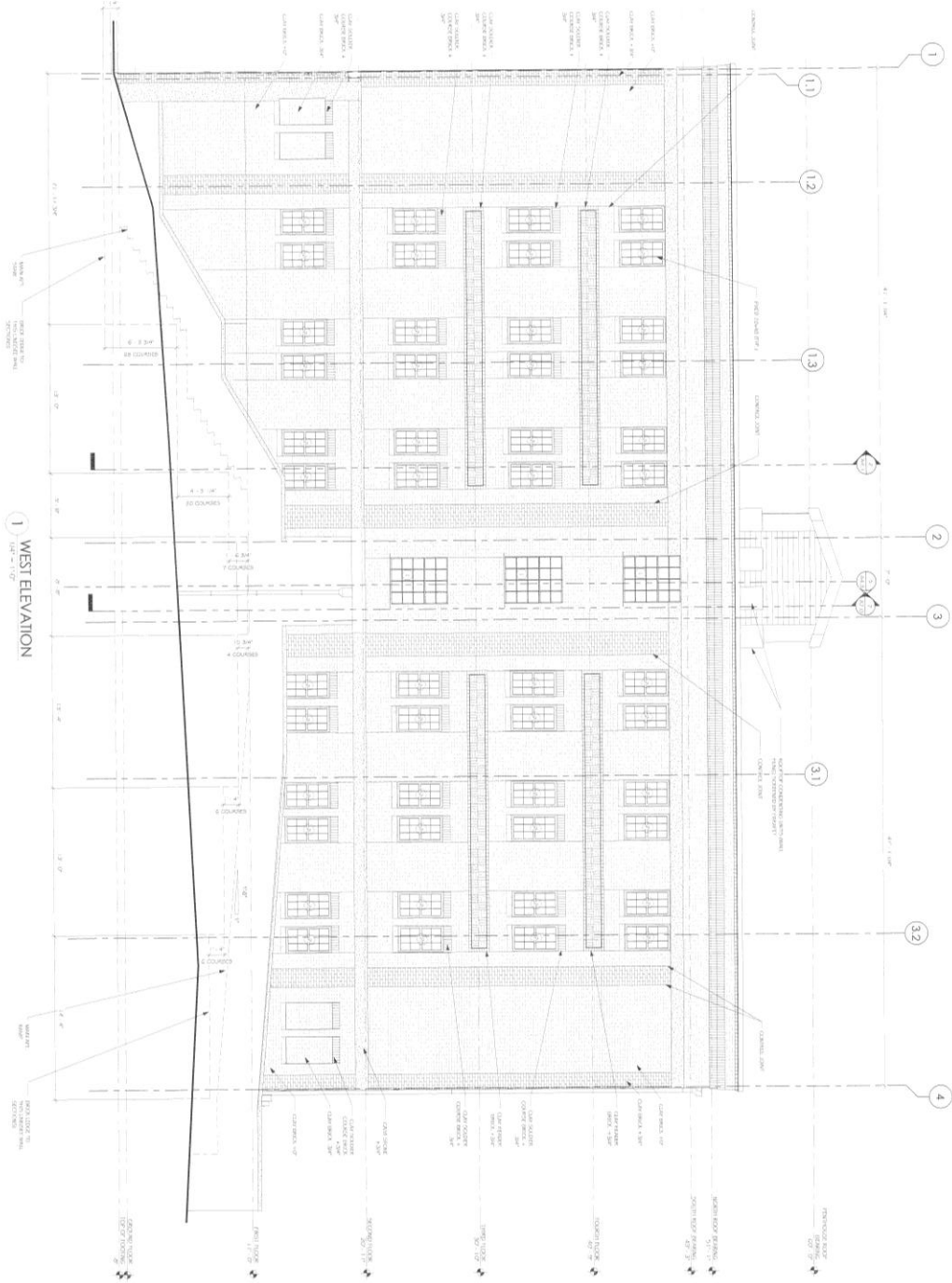
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A3.0

Attachment E, Cont. Proposed Site Development Plan



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Paul Howard
 DMC DESIGN 08/07/13
 DMC DESIGN 10/01/13
 DMC DESIGN 10/31/13
 Benjamin Beckard

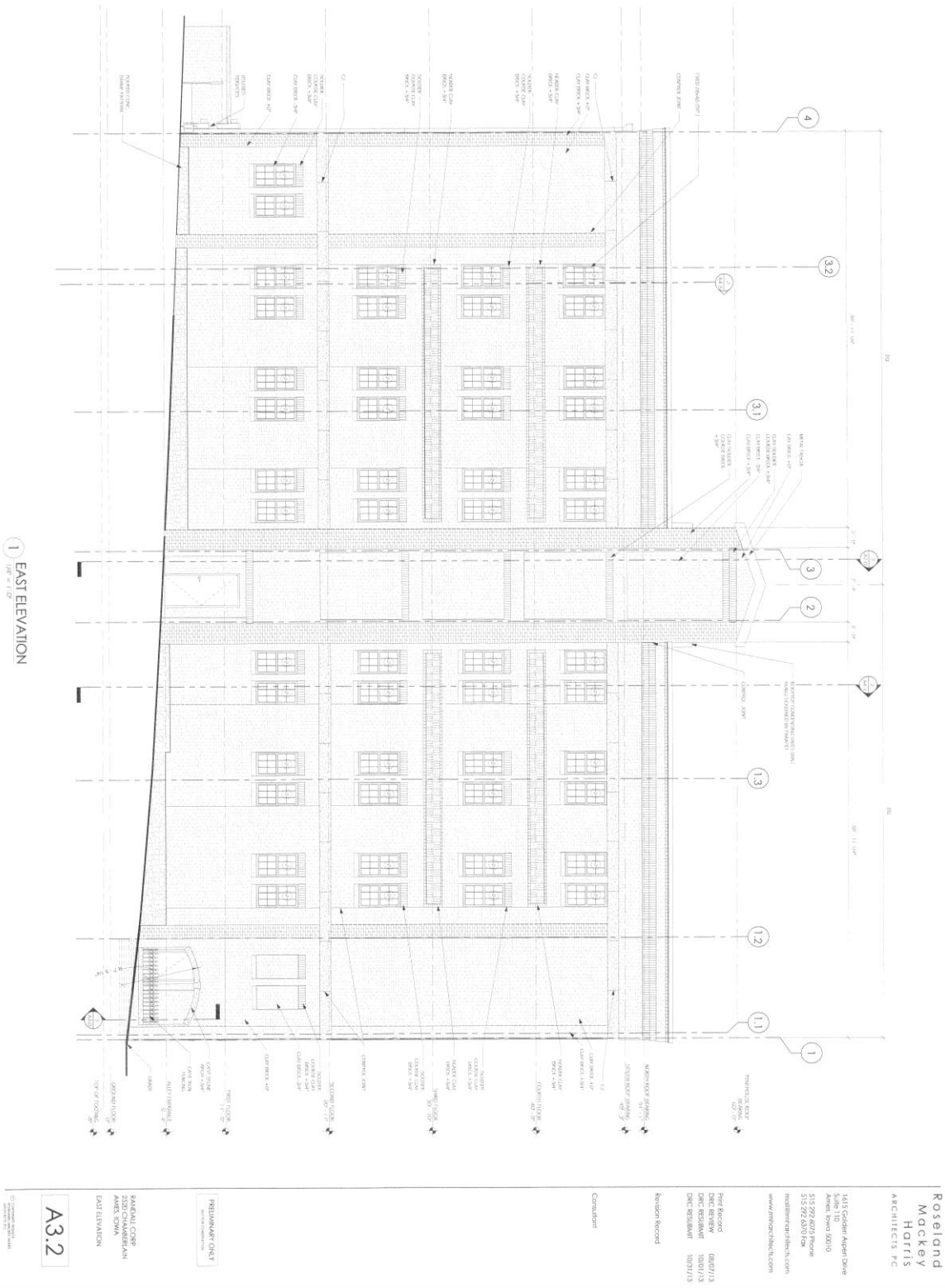
Consultant

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A3.1

NATIONAL CENTER
 1000 UNIVERSITY AVENUE
 AMES, IOWA
 WEST ELEVATION

Attachment E, Cont. Proposed Site Development Plan



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Final Record 08/07/13
DRC REVIEW 10/01/13
DRC RECORD 10/31/13

Revision Record

Contractor

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Not for Construction

SKIDMORE OWINGS
& MERRILL LLP
ARCHITECTS
AMES, IOWA
EAST ELEVATION

A3.2

1 EAST ELEVATION
1/8" = 1'-0"

COUNCIL ACTION FORM

**SUBJECT: AMES URBAN FRINGE LAND USE FRAMEWORK MAP AMENDMENT
FOR EXPANSION OF IOWA STATE UNIVERSITY RESEARCH PARK**

BACKGROUND:

The Iowa State University Research Park has embarked upon an ambitious Phase III expansion program. To accomplish that, approximately 200 acres will need to be annexed into the corporate limits of Ames. The expansion area lies directly south of the existing Research Park and between University Boulevard (to the west) and the Ames Municipal Airport (to the east). Attachment 1 shows the subject area as well as the existing Ames Urban Fringe Plan designations. The proposed change is shown in Attachment 2.

The Ames Urban Fringe Plan (Plan) includes a Joint and Cooperative Agreement (also known as a 28E Agreement) that was signed in 2011 by City of Ames, Story County, and the City of Gilbert. This agreement implemented the Plan that was adopted in 2006. The Plan and the 28E agreement outline the process for reviewing development approvals, annexations, and amendments in the two-mile fringe area of the Plan. The Plan includes three land use categories know as Urban Service Area, Rural/Urban Transition Area, and Rural Service and Agricultural Conservation Area. Of interest in this case is the relationship of the Plan to the process of annexation. The City may annex any land within an Urban Service Area without an amendment to the Plan or approval of other agencies. Annexation of any other area of the Plan or a change in its intended use requires a Plan amendment.

The northern portion is currently identified on the Ames Urban Fringe Plan as Planned Industrial, a subcategory of the Urban Services Area. The southern portion is identified as Industrial Reserve/Research Park, a subcategory of the Rural/Urban Transition Area.

The Urban Fringe Plan contemplated this entire area as being suitable for the expansion of the ISU Research Park. However, only the northern portion was identified for development in the Plan drafted in 2006. The southern portion was intended to be held in reserve until needed. The language of the Plan requires a change of designation for any area in the Rural/Urban Transition Area category to an Urban Services Area prior to annexation and development. The appropriate designation in this case is Planned Industrial. The subject area also includes a portion of Natural Area which will be retained. Upon annexation, the Natural Area will be designated as Environmentally Sensitive Lands.

It should be emphasized that this proposed change to the Ames Urban Fringe Plan map does not change the anticipated land uses for this area. It only accelerates the timetable in which those uses – the expansion of the ISU Research Park – will occur. Please see the excerpts from the Ames Urban Fringe Plan in

Attachment 3 which, among other things, states that “The Industrial Reserve/Research Park area provides for future expansion of uses similar to the ISU Research Park.”

Included as Attachment 4 is the explanation and narrative provided by the applicant for the proposed change. City staff has reviewed the narrative and examined the goals and polices of the Ames Urban Fringe Plan and Land Use Policy Plan. City staff accepts the narrative of the applicant and finds that the proposed change is consistent with those goals and policies.

It should be noted that most of the land subject to this requested amendment is owned by the two applicants, Iowa State University Foundation and Erben and Margaret Hunziker Apartments, LLC. However, two other parcels are included in this request. One parcel is owned by Gary and Kathy May. It is 5.00 acres in size and lies on the east side of S. Riverside Drive. The other parcel is owned by Arthur and Kathleen Riley. It is 2.57 acres in size and lies on the west side of S. Riverside Drive. City staff has been in contact with these land owners to apprise them of the process and answer questions they may have. In order to proceed with annexation of the Research Park land, it will be necessary to include both parcels to preclude creating an island or unincorporated area.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission considered the request at their meeting on November 6, 2013. **The Commission voted 5-0 to recommend Council approval of Alternative 1 below.** At the public hearing, one person included in the proposed change had questions about the impacts to her family’s property upon annexation. Another person adjacent to the area had questions about impacts on the environment, land values and property taxes. Staff was able to respond to some of the questions asked and will follow-up with written responses.

ALTERNATIVES:

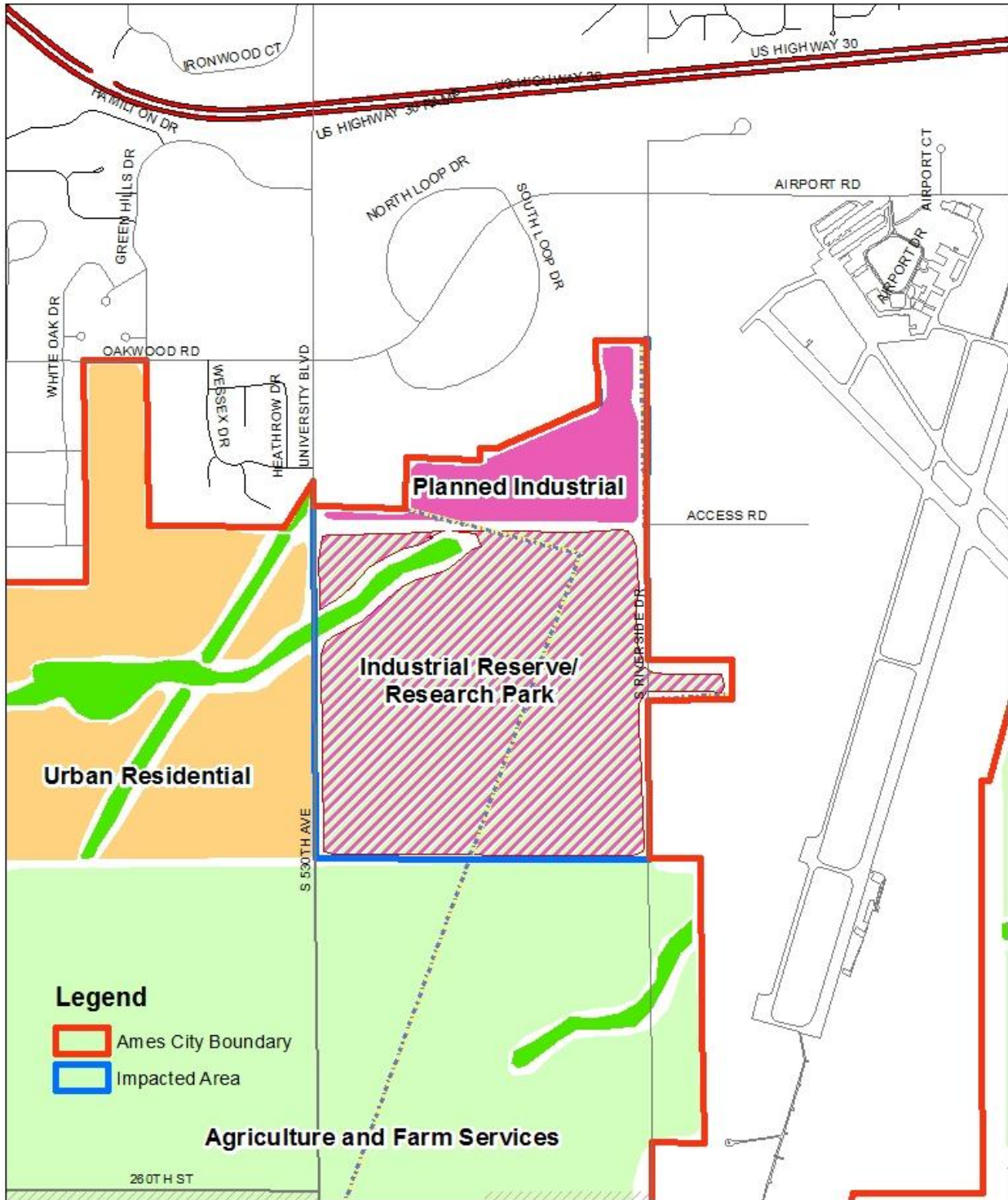
1. The City Council can adopt the map amendment to the Ames Urban Fringe Plan Land Use Framework Map as shown on Attachment 2 for the expansion of the ISU Research Park.
2. The City Council can deny the proposed amendment.
3. The City Council can defer action and request further information or analysis from staff or the applicant.

RECOMMENDED ACTION:

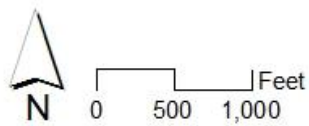
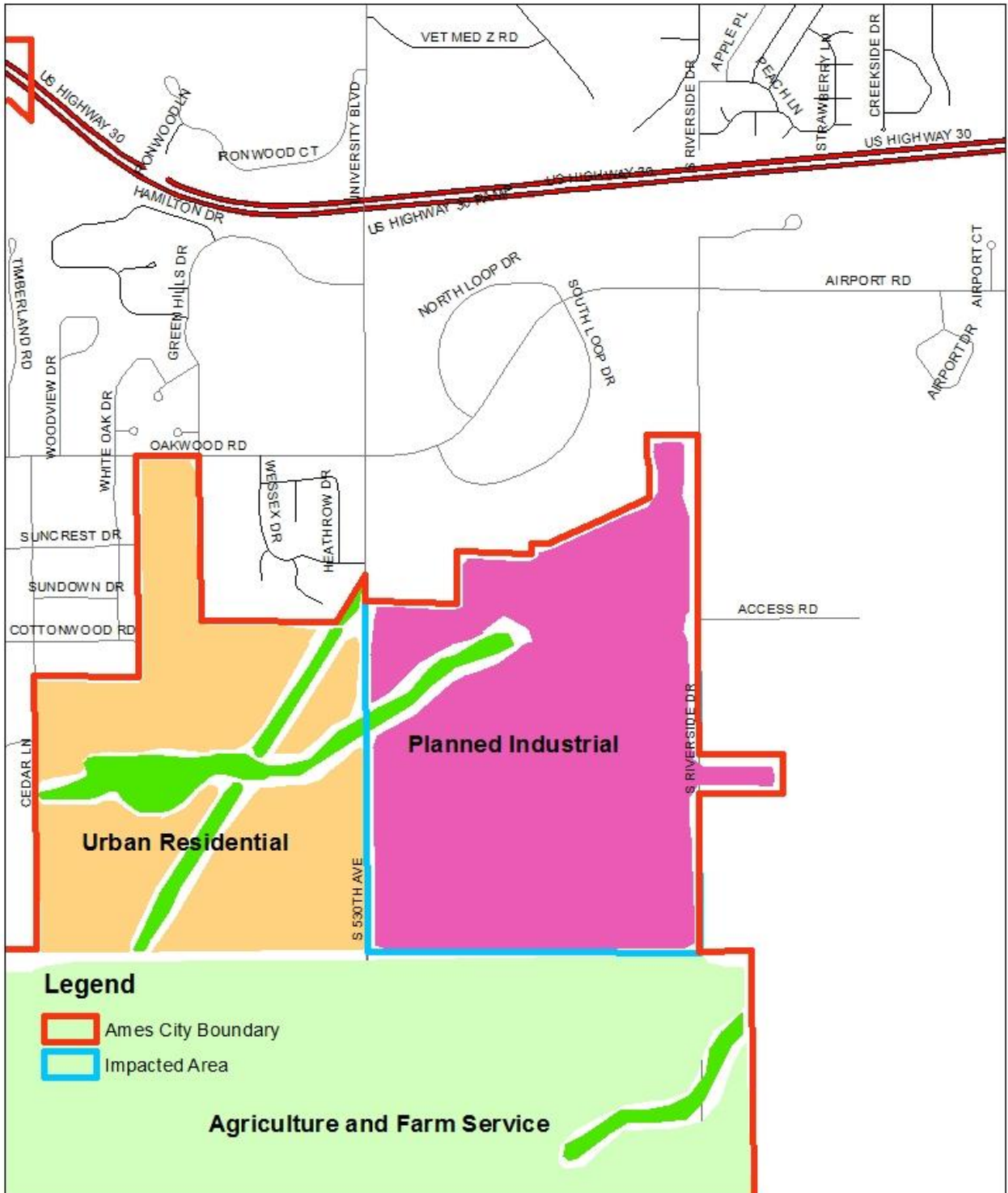
After analysis of the request and a review of the goals and policies of the Ames Urban Fringe Plan, staff believes that the proposed change to the Land Use Framework Map is consistent with those goals and policies.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the map amendment to the Ames Urban Fringe Plan Land Use Framework Map as shown on Attachment 2 for the expansion of the ISU Research Park.

Attachment 1
Excerpt from the Existing Ames Urban Fringe Plan



Attachment 2
Proposed Amendment to the Ames Urban Fringe Plan



Attachment 3
Excerpts from Ames Urban Fringe Plan

INDUSTRIAL RESERVE/RESEARCH PARK (IRRP)

The Industrial Reserve/Research Park area provides for future expansion of uses similar to the ISU Research Park: innovative technology companies that are supported by proximity to Iowa State University, within a planned development setting. There is land available for this use within the adjacent Planned Industrial portion of the Urban Service Area, but demand for this land use is difficult to predict accurately. This Industrial Reserve/Research Park designation provides additional expansion area for this use.

IRRP Policy 1: Locate this land use designation adjacent to areas within the Urban Service Area land use classification that are designated for expansion of the ISU Research Park.

IRRP Policy 2: Agricultural uses are compatible with this designation.

IRRP Policy 3: Prior to consideration of any request for rezoning or industrial research park subdivision development approval, require an amendment to the Ames Urban Fringe Land Use Framework Map re-designating the area proposed for development from Industrial Reserve/Research Park to Planned Industrial.

IRRP Policy 4: When development is proposed, require the urban level design requirements and service standards as required in areas designated Planned Industrial.

PLANNED INDUSTRIAL (PI)

Planned Industrial is a designation intended for clustered industrial uses. These uses are strategically located to minimize environmental impacts and conflict with residential land uses. Locations also provide for an orderly and efficient transition between land uses within municipal limits and the unincorporated areas of the county. Such areas involve the integration of uses, access, and appearance.

PI Policy 1: Land uses are clustered/industrial park uses that are larger in scale than most general industrial uses.

PI Policy 2: Locate Planned Industrial uses near limited access thoroughfares and/or major railroad systems to accommodate the transportation of industrial goods and services. Minimize environmental impacts and conflict with residential land uses.

PI Policy 3: Give preference to clustering of uses to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services.

PI Policy 4: Permit Planned Industrial uses when suitable infrastructure and services are available. Require annexation into the city and comply with all

municipal regulations, including zoning, land use policy, subdivision, and building code requirements.

PI Policy 5: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR, county and city standards.

PI Policy 5: Require buildings to front major thoroughfares to minimize the appearance of industrial operations and enhance the aesthetics of the road corridor. Require landscape and earthen buffering of parking areas and industrial activity, such as assembly yards, storage locations and loading facilities.

Attachment 4 Applicant's Explanation and Narrative

Land Use Policy Plan Map Change
Iowa State University Research Park
City of Ames
October 7, 2013

Explanation of Map Area to be Changed:

The area requested for change is approximately 160 acres south of the current Iowa State University Research Park. The requested change is for the Land Use Framework Map of the Ames Urban Fringe Plan for the area proposed for expansion of the Research Park. The area is currently designated "Rural Urban Transition Area - Planned Industrial/Research Park". For the area to be rezoned the area needs to be designated "Urban Service Area - Planned Industrial". Attached is a map showing the portion of the Land Use Framework Map that needs to be changed.

The map needs to be changed as the available land within the current Research Park is either fully developed or optioned for near-term development or expansions. The Research Park has a small amount of land available for sale and needs additional land for expansion.

NARRATIVE EXPLAINING THE PROPOSED CHANGE

Explain the consistency of this proposal with the goals and policies set forth in the Land Use Policy Plan

Goal No. 1 – Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures the quality of life.

This area has been previously designated for development. The effect of this change is to move the land use from "future" to present.

Goal No. 2 – In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location and compatibility of growth with the area's natural resources and rural areas.

Nothing in this request is contrary to the goal. The development is expected to generate 3,000 quality, high paying and high tech jobs.

Goal No. 3 – It is the goal of Ames to assure that it is an "environmentally-friendly" community and that all goals and objectives are integrated with this common goal. In continuing to serve as a concentrated area for human habitat and economic activity, Ames seeks to be compatible with its ecological systems in creating an environmentally sustainable community.

The Research Park will be developed environmentally sustainable. This is covered in detail in the Master Plan created for the Phase 3 expansion.

Iowa State University Research Park Expansion
Narrative
Page 1 of 4

Goal No. 4 - It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of community to assure a more healthy, safe and attractive environment.

This expansion is directly adjacent to the current Research Park and expands on the success of the Research Park. This is explained in detail in the Phase 3 Research Park Master Plan.

Goal No. 5 - It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

This project is directly adjacent to the current City limits and has access to the existing paved street system and municipal utilities.

Goal No. 6 - It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

This map change does not increase the supply of housing.

Goal No. 7 – It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

The projects are on an arterial street with access to bike paths and bus routes. It is expected that 20% of all travel will be by pedestrians, bikes and buses. This is covered in greater detail in the Master Plan.

Goal No. 8 - It is the goal of Ames to enhance the role of downtown as a community focal point.

This change does not affect the downtown as a community focal point.

Goal No. 9 – It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

This change will allow for the creation of 3,000+ high paying, high tech jobs. The Master Plan details the methods used to mitigate the effect of the development on the environment.

Goal No. 10 - It is the goal of Ames to maintain and enhance its cultural heritage.

Nothing in the change is contrary to that goal. Does not impact any cultural heritage.

Demonstrate why the LUPP Map designation for this property should be changed. Explain why the site cannot be reasonably developed under the current designation.

It is desired to complete the entire park in a single period of time. All annexation and rezoning will occur for the entire park at a single time period. The current map expected a slower development of the park than is currently planned. The existing Research Park is functionally out of property for sale or development.

Determine if there is a lack of developable property in the City, which has the same designation as that proposed. If not, explain the need for the expanding the amount of land included in the designation proposed for this property.

There is no other Planned-Industrial ground to be rezoned or currently zone in proximity to the Research Park. All

As a result of this action, will there be an adverse impact upon other undeveloped property in the designation proposed for this site.

There is no other undeveloped (or not currently planned for development) Planned Industrial land designated property in Ames. The remaining undeveloped Planned Industrial property is slated for development or held in reserve for future expansion of adjacent businesses.

As a result of this action, will there be an adverse impact upon other developed property in the designation proposed for this site, which may be subject to redevelopment/rehabilitation.

There is no other Planned Industrial property to be developed or re-developed.

Demonstrate that the new designation of the site would be in the public interest. What is the public need or community benefit?

The additional of 1,500,000+ square feet of buildings plus the addition of 3,000+ jobs tailored to primarily clean, high tech industries.

What impact will the proposed change have upon the following?

Transportation

The site is accessed off paved portions of University Avenue and Riverside. There will need to be improvements to University and Riverside plus the internal road network.

Sanitary Sewer

Sanitary sewer is adjacent to the site are and available for extension into the development area. Reference the Master Plan for the Park.

Water

There are 12 inch mains on University and Riverside available for connection and extension into the park expansion. Reference the Master Plan for the Park.

Xenia does not have water rights for the majority of the expansion. Xenia has small water mains in the area insufficient for fire protection. It is expected that Xenia's water rights will be terminated prior to rezoning.

Storm Sewer

The existing drainage infrastructure is older, County road culverts that will need to be replaced during the development of the park. The existing open channels in the expansion area are preserved. Reference the Master Plan for additional details.

Housing and Employment

There will be no housing with the proposed development.

The expected jobs created is 3,000+ based on the current Research Park's building area ratio to jobs ratio.

K:\proj\5000\5136-11C\LUPP Change Oct 2013\LUPP Narrative 2013 10 07.doc



LOOKING WEST DOWN LINCOLN WAY



LOOKING EAST DOWN LINCOLN WAY



LOOKING EAST FROM WELCH TOWARDS PARKING



LOOKING NORTH DOWN WELCH AVE



REDEVELOPMENT AREA APPROXIMATELY 1.4 ACRES



PROPOSED 1ST FLOOR REDEVELOPMENT PLAN



REDEVELOPMENT AREA APPROXIMATELY 1.4 ACRES

COUNCIL ACTION FORM

SUBJECT: PROPOSED CAMPUSTOWN URBAN RENEWAL AREA & PLAN AND TAX INCREMENT FINANCING DISTRICT FOR KINGLAND SYSTEMS

BACKGROUND:

On October 22, 2013 City Council took several steps in a process toward providing a tax increment financing “rebate” to support the redevelopment of properties in Campustown in and adjacent to the 2400 Block of Lincoln Way. The City Council referred to the Planning and Zoning Commission a draft Urban Renewal Plan for the area, set November 12, 2013 as the date for a public hearing on the proposed Urban Renewal Area and Plan, and appointed the Planning and Housing Director as the City’s representative to a consultation with certain other taxing entities.

Since October 22, the following activities have taken place:

- A consultation meeting was held at which the Story County Board of Supervisors was represented. No recommendations have been made to modify the Plan.
- Notice of the November 12th public hearing on the Campustown Urban Renewal Plan was published and sent to various taxing entities.
- The Planning and Zoning Commission met and found that the Urban Renewal Plan complies with the City’s Land Use Policy Plan.
- Kingland System sent the City a specific redevelopment plan for its project, including floor plans, architectural elevations, site plans and renderings of the project’s appearance. (Three exhibits illustrating these plans are attached as Exhibits A, B & C)

This Council Action Form addresses decisions requested of the City Council on the following actions:

- a. **Resolution adopting Campustown Urban Renewal Plan**
- b. **Resolution establishing Campustown Urban Renewal Area**
- c. **Action on first reading of an ordinance creating a Campustown Tax Increment Financing District**

The request for a tax increment financing (TIF) district was made by Kingland Systems, which proposes to develop new street level retail space, new offices for its expanding business, and additional office space for lease to other entities. **This incentive will provide a rebate to the developer of 100% of eligible incremental property taxes for a period of ten years or of an amount not to exceed \$2,064,530, whichever comes first.**

URBAN RENEWAL AREA AND PLAN:

Code of Iowa Chapter 403 allows cities to establish tax increment financing districts through the creation of an urban renewal area. An **urban renewal area** may be created for the purpose of economic development. The proposed urban renewal area is approximately 1.42 acres of land zoned Campustown Service Center (CSC). The proposed tax increment district is the same area as the proposed urban renewal area. (See Attachment B – Campustown Urban Renewal Area Map)

The creation of an urban renewal area requires the adoption of an Urban Renewal Plan. (See Attachment A – Urban Renewal Plan, which follows Attachment B in this report.) The proposed **Urban Renewal Plan** has not been changed since the draft Plan was reviewed by the City Council of October 22. It includes the necessary components described by the Code of Iowa. It describes the project and its objectives and includes a summary of the process of its preparation and adoption. The Plan identifies those components of the Land Use Policy Plan that are supported by the proposed Urban Renewal Area. The Plan also contains a summary of the City's current debt obligations, the City's limits on issuing debt, and an estimate of the amount of tax increment financed debt that would be incurred due to this project.

It should be noted that the Urban Renewal Plan does not include a specific site plan and building elevations for the Kingland redevelopment project. Rather, this information will be included as part of the Tax Increment Financing Development Agreement that will be reviewed subsequently at a public hearing by the City Council. Another action item later on this agenda outlines details of the proposed agreement.

On November 6, 2013, the Planning and Zoning Commission reviewed the draft Campustown Urban Renewal Plan and found, by a vote of 5-0 with two members absent, that the Plan was in conformance with the Land Use Policy Plan.

TAX INCREMENT FINANCING DISTRICT AND DEVELOPMENT AGREEMENT:

The Campustown Urban Renewal Area and Plan is implemented by providing Tax Increment Financing as an incentive to develop a specific project. To accomplish this, the City and Kingland Systems would enter into a development agreement requiring development of a project with specific characteristics. Kingland Systems is presenting a specific redevelopment plan for its project including floor plans, architectural elevations, site plans and renderings of the project's appearance, accompanying this report. **The relevant components of the project plans would become part of the subsequent development agreement needed to approve the tax rebate for Kingland Systems.** City staff has reviewed these preliminary plans and found that the design presented meets the zoning standards for this district. A Minor Site Development Plan will be submitted and reviewed for compliance at a future date.

The proposed project plans include the following characteristics that help to implement the City's goals, objectives and policies for redevelopment and intensification in Campustown:

- Replacement of all existing buildings within the Urban Renewal Area with a new three-story building that provides:
 - 25,000 square feet of commercial space at the street level, increasing the available area for retail sales and services and providing opportunities for goods and services currently not offered in close proximity to a growing number of residents
 - 25,000 square feet of office space for Kingland Systems, increasing permanent full-time employment and part-time employment for students close to ISU and residences
 - 25,000 square feet of office space to be leased to Iowa State University, increasing connectivity between the University and the University-related community

- Providing 70 parking spaces in the area south of the new building extending from Welch to Stanton. This increases the off-street parking by 34 spaces, supporting the increase in usable building area. Kingland Systems is including in its plans an option for a partially underground parking level below the east end of this lot parking that would provide capacity for an additional 45 parking spaces. With the parking deck variant, there would be no through traffic between Welch and Stanton. Note that the parking deck option is not a required design element.

- The appearance of the building from the north along Lincoln Way provides an identifiable image of multiple three-story “fronts” composed of a variety of materials and forms that are compatible with the eclectic architectural style of the Campustown core. At the street level, recessed retail store fronts with clear glass will support lively commercial activity and reinforce a dynamic pedestrian-friendly character. Brick and stone materials are similar to the predominant existing materials in Campustown and in the University buildings across the street.

- The appearance of the building from the northwest along Lincoln Way and west along Welch presents a corner building emphasizing the importance of this intersection area as the center of the Campustown core. At the street level, the recessed retail store front invites entry/exit activity on both streets. An additional corner retail entrance at the southwest corner of the building at Welch helps to continue this activity up Welch Avenue. At this entrance a small pedestrian plaza between the public sidewalk and the parking area offers an opportunity for pedestrian activity that will help compensate for the gap in retail presence here. This space also allows low screening for the parked cars to be separated from the pedestrian route across the driveway, promoting safety.

- The scale of the proposed building is consistent with the surrounding area and with its placement at this core location. The footprint is very similar to the existing buildings being replaced. Although the building height of up to 52 feet at its highest point is larger than the existing buildings, the top of the parapet is still lower than the soffit of the peaked roofs of the Cranford apartments to the east. The average elevation of the building is less than 50 feet in height. (See attached Kingland Project Renderings)

ALTERNATIVES:

1. The City Council can:
 - a. Approve a resolution adopting the attached Campustown Urban Renewal Plan,
 - b. Adopt a resolution establishing the Campustown Urban Renewal Area,
 - c. Approve on first reading the attached ordinance creating a Campustown Tax Increment Financing District, and
2. The City Council can choose not to approve any or all of the above steps for establishing the Urban Renewal Area and Plan and Campustown Tax Increment Financing District.

MANAGER’S RECOMMENDED ACTION:

The City Council is considering offering a Tax Increment Financing incentive at this time because the proposed project will help implement an important long-standing priority of the Council to revitalize Campustown. The Campustown Urban Renewal Plan describes in more detail what “revitalizing Campustown” means and why it is in the public interest. Although one project cannot accomplish all of the community’s aspirations for this important activity center of Ames, the proposed Kingland Systems project can be a catalyst for many other improvements. This is in part because of the retail opportunities it offers, in part because of the expanding employment that it will contain, in part because it will bring an official University presence into Campustown, and also because of its design.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby:

- a. Adopting a resolution adopting the Campustown Urban Renewal Plan,
- b. Adopting a resolution establishing the Campustown Urban Renewal Area,
- c. Approving on first reading an ordinance creating a Campustown Tax Increment Financing District, and

If the Council adopts this alternative, the following additional steps will take place:

November 26

The City Council may approve the second reading of ordinances creating the Tax Increment Financing District and amending the zoning code for a third-story step-back exception.

December 10

The City Council will conduct the public hearing on the Tax Increment Financing Development Agreement and may approve:

- Third reading of an ordinance creating a Tax Increment Financing District
- Tax Increment Financing Development Agreement providing the rebate to the developer

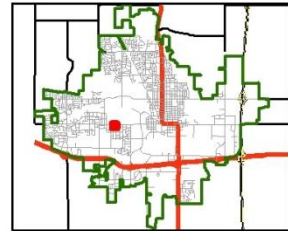
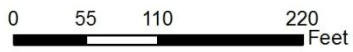
- Third reading of an ordinance modifying the building height step-back requirement

At the December 10, 2013, meeting, the City Council will also be asked to approve a Plat of Survey consolidating the properties for the Kingland System redevelopment project. Following publication of the ordinance amending the Zoning Code, Kingland Systems will submit the Minor Site Development Plan for staff review and subsequently an application for a building permit. Those final two steps do not require City Council action.

Attachment B



Campustown Urban Renewal Area



Attachment A

URBAN RENEWAL PLAN CAMPUSTOWN URBAN RENEWAL AREA

CITY OF AMES, IOWA

November 12, 2013

I. INTRODUCTION

Chapter 403 of the Code of Iowa authorizes cities to establish areas within their boundaries known as “urban renewal areas,” and to exercise special powers within these areas. The City of Ames (the “City”) City has been requested by a developer to establish a new urban renewal area.

Chapter 15A of the Code of Iowa declares that economic development is a “public purpose” and authorizes local governments to make grants, loans, guarantees, tax incentives and other financial assistance to private enterprise. The statute defines “economic development” as including public investment involving the creation of new jobs and income or the retention of existing jobs and income that would otherwise be lost.

The process by which an economic development urban renewal area may be created begins with the preparation of an urban renewal plan for a proposed geographic area. A City’s Plan and Zoning Commission must review the plan and inform the City Council if it is consistent with the City’s general plan. All affected counties and school districts must be notified and given an opportunity to comment on the plan. The City Council must hold a public hearing on the urban renewal plan, following which, the Council may approve the plan.

This document is intended to serve as the Urban Renewal Plan for an urban renewal area to be known as the Campustown Urban Renewal Area (the “Urban Renewal Area”). It is intended that this Urban Renewal Plan will guide the City in promoting economic development by private enterprises. This document is an Urban Renewal Plan within the meaning of Chapter 403 of the Code of Iowa, and it sets out a proposed project to be undertaken within the Urban Renewal Area.

II. DESCRIPTION OF URBAN RENEWAL AREA

Campustown Urban Renewal Area would include 1.42 acres of property located along Lincoln Way east of Welch Ave., property on the east side of Welch Avenue (currently addressed as 114 Welch) and property on the west side of Stanton Ave. (currently addressed as 107 and 111 Stanton Ave). A legal description of the property is attached hereto as Exhibit A. Following its designation as an urban renewal area, a plat of survey will be prepared consolidating these properties.

III. URBAN RENEWAL OBJECTIVES

The primary objectives for development within the Urban Renewal Area are:

1. To contribute to a diversified, well-balanced local economy by creating job opportunities and strengthening the property tax base.
2. To stimulate private investment in the area known as Campustown through public action and commitment, and to encourage job retention, growth and expansion through the use of various incentives.
3. To provide tax increment incentives in the form of economic development payments or other methods authorized by state law.

IV. THE PROJECT

The purpose of this Urban Renewal Plan is a response by the City to a request from a developer known as Kingland Systems related to the construction of a facility for retail and office uses on property located within the Urban Renewal Area. Review of the proposed project by the developer and City staff has determined that financial assistance is required to make the project economically viable.

V. CITY DEVELOPMENT PLANS AND POLICIES

The City has a general plan for the physical development of the City, as outlined in a comprehensive plan document and in a zoning ordinance. The comprehensive plan document is called the *Land Use Policy Plan* and includes ten goals in broad categories, as well as a number of objectives to meet those goals. Two that more greatly influence the development of the Campustown area are quoted below. **Emphasis is added to the more pertinent passages.**

Goal No. 4. It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe, and attractive environment.

Objectives. In achieving an integrated community and more desirable environment, Ames seeks the following objectives.

- 4.A. **Ames seeks to establish more integrated and compact living/activity areas (i.e. neighborhoods, villages) wherein daily living requirements and amenities are provided in a readily identifiable and accessible area. Greater emphasis is placed on the pedestrian and related activities.**
- 4.B. Ames seeks to physically connect existing and new residential and commercial areas through the association of related land uses and provision of an intermodal transportation system.

- 4.C. **Ames seeks to psychologically connect the various living/activity areas through closer proximity of residential areas and supporting commercial uses,** common design elements, and inclusion of community amenities such as parks and schools. The connections should promote community identity.

Goal No. 5. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a **limited number of existing areas for intensification.** It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

- 5.C. **Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.**

To support these goals and objectives the City land use policy calls for more businesses and more housing in Campustown where they can serve the needs of people who wish to be near ISU, including students and staff, and their families. This “intensification” is to be guided so that new development is compatible with the existing character of the area. To that end, the City has adopted the *Sub-Area Plan for the University Impacted Area (UIA)* and incorporated it as part of the *Land Use Policy Plan*. The Sub-Area Plan establishes the following policies for the development of Campustown that are relevant to the establishment of the Campustown Urban Renewal Area.

The University Impacted Area will be a distinct, unique area within the community with a great deal of variety in activities and appearance. It will be made up of districts, each with a distinct character, well defined by building use, type, scale, setting, intended activity level, and other characteristics. Compatibility will characterize transitions among these districts.

. . .

To make good use of resources, land uses within the UIA will be intensified, while also conserving and preserving its existing valuable characteristics by assuring compatibility between existing and new development.

. . .

At the core, in the Campustown Service Center, buildings are the largest and residential densities are the greatest, **supporting lively commercial activity at the street level.** Building placement, design and materials reinforce a dynamic, pedestrian-friendly neighborhood character.

The objectives and proposed project outlined in this Urban Renewal Plan are consistent with the above goals and policies identified and adopted as part of the City’s planning process.

VI. TAX INCREMENT FINANCING PROCEDURES

Under the Iowa Urban Renewal Law, in order to assist in the development of new private enterprises, the City may be requested to provide a property tax incentive in the form of an agreement that returns certain incremental property tax revenues to a developer as economic development payments. As part of the establishment of an urban renewal area, the City will adopt an ordinance to create a tax increment district (the “TIF District”), within which the property taxes eventually paid by new private development will be used to pay costs of urban renewal projects, including economic development agreements. The use of these tax revenues in this manner is known as tax increment financing (“TIF”).

Depending on the date on which a TIF District is legally established and the date on which debt is initially certified within a TIF District, an original taxable valuation is established for the property within a TIF District, which is known as the “base valuation.” The “base valuation” is the assessed value of the taxable property in a TIF District as of January 1 of the calendar year preceding the calendar year in which a City first certifies the amount of any obligations payable from TIF revenues to be generated within that TIF District. When the value of the property inside a TIF District increases by virtue of new construction or any other reason, the difference between the base valuation and the new property value is the “tax increment” or “incremental value.”

Procedurally, after tax increment debt has been incurred within a TIF District, property taxes levied by the city, the county, the school district and the area college against the incremental value, with the exception of taxes levied to repay debt incurred by those jurisdictions and the school district physical plant and equipment and instructional support levies, are allocated by state law to the City’s tax increment fund rather than to each jurisdiction. These new tax dollars are then used to repay any tax increment obligations incurred in the Urban Renewal Area.

VII. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect until it is repealed by the City Council. State law allows the collection of incremental property taxes generated within the Urban Renewal Area for up to twenty years. Each project or activity to which incremental property tax revenues will be devoted will be subject to such restrictions as may be deemed necessary and appropriate by the City Council

VIII. PLAN AMENDMENTS

This Urban Renewal Plan may be amended in accordance with the procedures set forth in Chapter 403 of the Code of Iowa in order to carry out any purposes consistent with state law.

IX. CITY DEBT INFORMATION

Chapter 403 of the Code of Iowa requires that any urban renewal plan include certain information with respect to City general obligation debt, ability to incur additional debt and the

amount of proposed tax increment debt to be incurred. Here is that information for this Urban Renewal Plan and the proposed project:

CURRENT GENERAL OBLIGATION AND REVENUE BOND DEBT

General Obligation Bonds	Date of Issue	Interest Rates	Amount Originally Issued	Final Maturity	Outstanding As Of June 30, 2013
Corporate purpose	10-2006	4.00%	\$ 5,285,000	06-2018	\$ 2,570,000
Corporate purpose	11-2007	3.75%	9,630,000	06-2019	5,660,000
Corporate purpose	10-2008	3.75-4.15%	8,355,000	06-2020	5,435,000
Corporate purpose	10-2009	2.00-3.50%	11,165,000	06-2021	8,050,000
Corporate purpose	09-2010	2.00-2.50%	6,690,000	06-2022	5,275,000
Refunding	05-2011	2.00-3.35%	5,980,000	06-2021	3,440,000
Corporate purpose	11-2011	1.00-2.40%	6,675,000	06-2023	5,600,000
Corporate purpose	10-2012	1.50-3.00%	12,660,000	06-2032	11,815,000
Corporate purpose/refunding	07-2013	2.00-3.125%	22,540,000	06-2032	<u>22,540,000</u>
Total General Obligation Bonds Outstanding					<u>\$ 70,385,000</u>
Revenue Bonds					
Mary Greeley Medical Center	10-2011	3.00-5.625%	\$ 65,000,000	06-2036	\$ 64,540,000
Mary Greeley Medical Center	11-2012	2.07%	26,000,000	06-2027	<u>24,545,000</u>
Total Revenue Bonds Outstanding					<u>\$ 89,085,000</u>
TOTAL ALL BONDS OUTSTANDING					<u>\$ 159,470,000</u>

CURRENT CONSTITUTIONAL DEBT LIMIT AND CAPACITY

As of the Fiscal Year Ended 6/30/2013

Total Actual Valuation	\$	3,485,540,534	
State Mandated Debt Limit*	\$	174,277,027	
City Reserve (25% Of Limit)**	\$	43,569,257	
Un- Reserved Debt Capacity	\$	130,707,770	
Total Debt Subject to Limit	\$	70,385,000	
Available Un-Reserved Debt Capacity (\$/%)	\$	60,322,770	46.15%
Total Debt Capacity Available (\$/%)	\$	103,892,027	59.61%

Notes:

* Iowa Statutory debt limit is 5 percent of total actual valuation

** City Policy reserves 25 percent of available debt capacity

Proposed Amount of Tax Increment Financing

The City intends to enter into a Tax Increment Financing (TIF) rebate agreement with the developer of the project to provide a rebate of 100 percent of eligible incremental property taxes for a period of ten years or an amount not to exceed \$2,064,530, whichever comes first. The TIF agreement will be structured such that the amount of the TIF rebate will not be included as debt subject to the state mandated debt limitation.

**EXHIBIT A
LEGAL DESCRIPTION**

CAMPUSTOWN URBAN RENEWAL AREA

LEGAL DESCRIPTION – PARCEL 'AA':

PARCEL 'AA' IN BEARDSHEAR'S ADDITION AND PARKER'S ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID BEARDSHEAR'S ADDITION; THENCE S 89°55'58" E, 146.33 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S 89°58'21" E, 43.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHWEST CORNER OF LOT 1, PARKER'S ADDITION; THENCE S 89°59'07" E, 15.48 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 89°54'47" E, 64.52 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 00°26'08" E, 74.21 FEET; THENCE S 89°58'27" E, 110.05 FEET TO THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION; THENCE S 00°23'08" E, 114.22 FEET ALONG THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION TO THE NORTHEAST CORNER OF PARCEL 'X'; THENCE N 89°54'43" W, 189.95 FEET ALONG THE NORTH LINE OF PARCEL "X" TO THE NORTHWEST CORNER OF PARCEL 'X'; THENCE N00°44'24"E, 7.98 FEET ALONG THE EAST LINE OF PARCEL 'B' TO THE NORTHEAST CORNER OF PARCEL 'B'; THENCE N89°42'49"W, 190.34 FEET TO THE NORTHWEST CORNER OF PARCEL 'B' ON THE EAST RIGHT-OF-WAY LINE OF WELCH AVENUE; THENCE N00°21'50"W, 179.55 FEET ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 1, BEARDSHEAR'S ADDITION TO THE POINT OF BEGINNING ON THE EAST RIGHT-OF-WAY OF WELCH AVENUE.

**EXHIBIT B
LOCATION MAP**



Campustown Urban Renewal Area

0 55 110 220 Feet

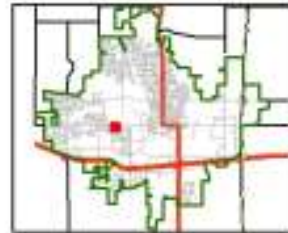
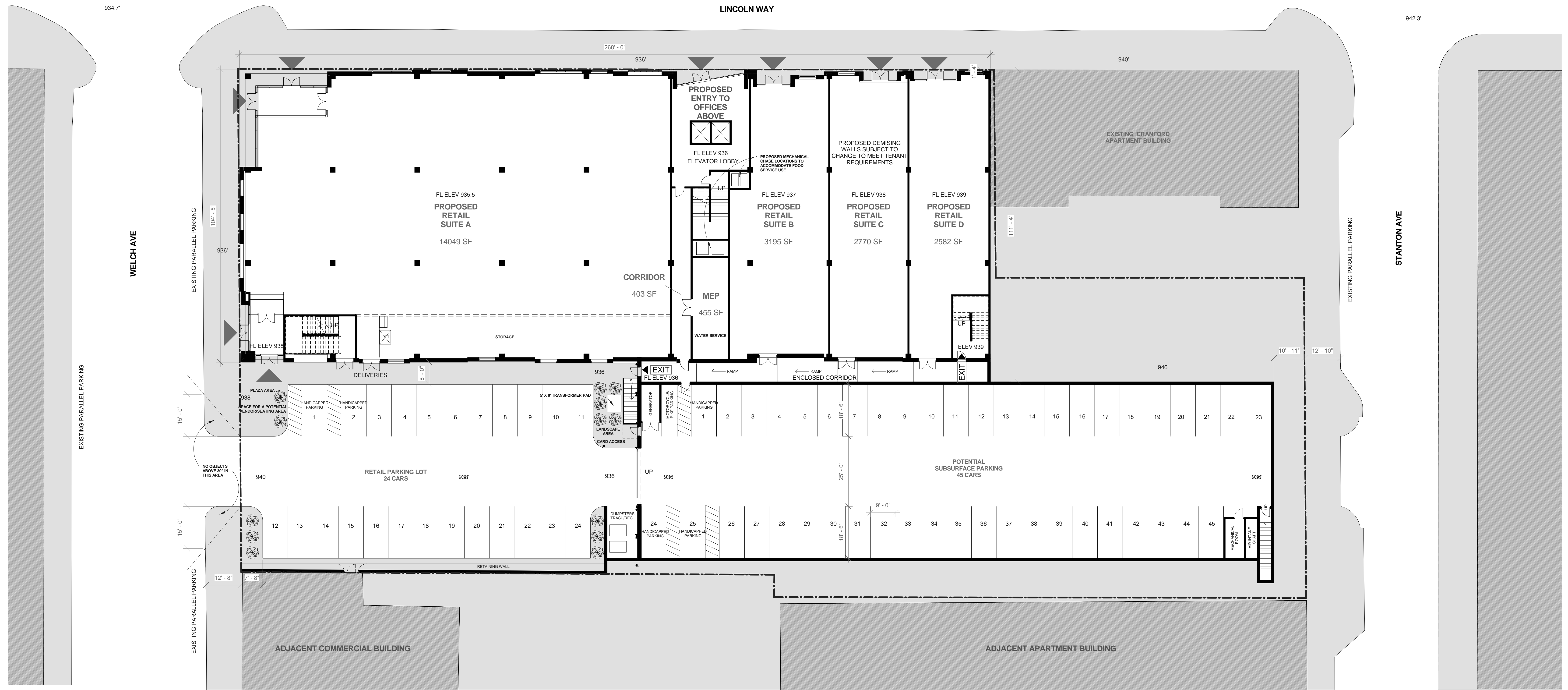


EXHIBIT "A"

NOTE: CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT JOBSITE BEFORE PROCEEDING WITH WORK.

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 Mason City, Iowa 50401
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 f. 1.641.423.7514
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 www.berglandandcram.com



PROPOSED KINGLAND CAMPUSTOWN REDEVELOPMENT AMES, IA

PRELIMINARY
 NOT FOR
 CONSTRUCTION

11.4.13

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 DRAWN BY:
 AJM
 REVISIONS:

PROJECT #
12044

A101
 1 OF 6

1 SITE PLAN & FIRST FLOOR PLAN
 1/16" = 1'-0"

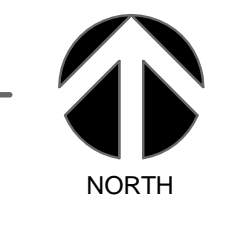
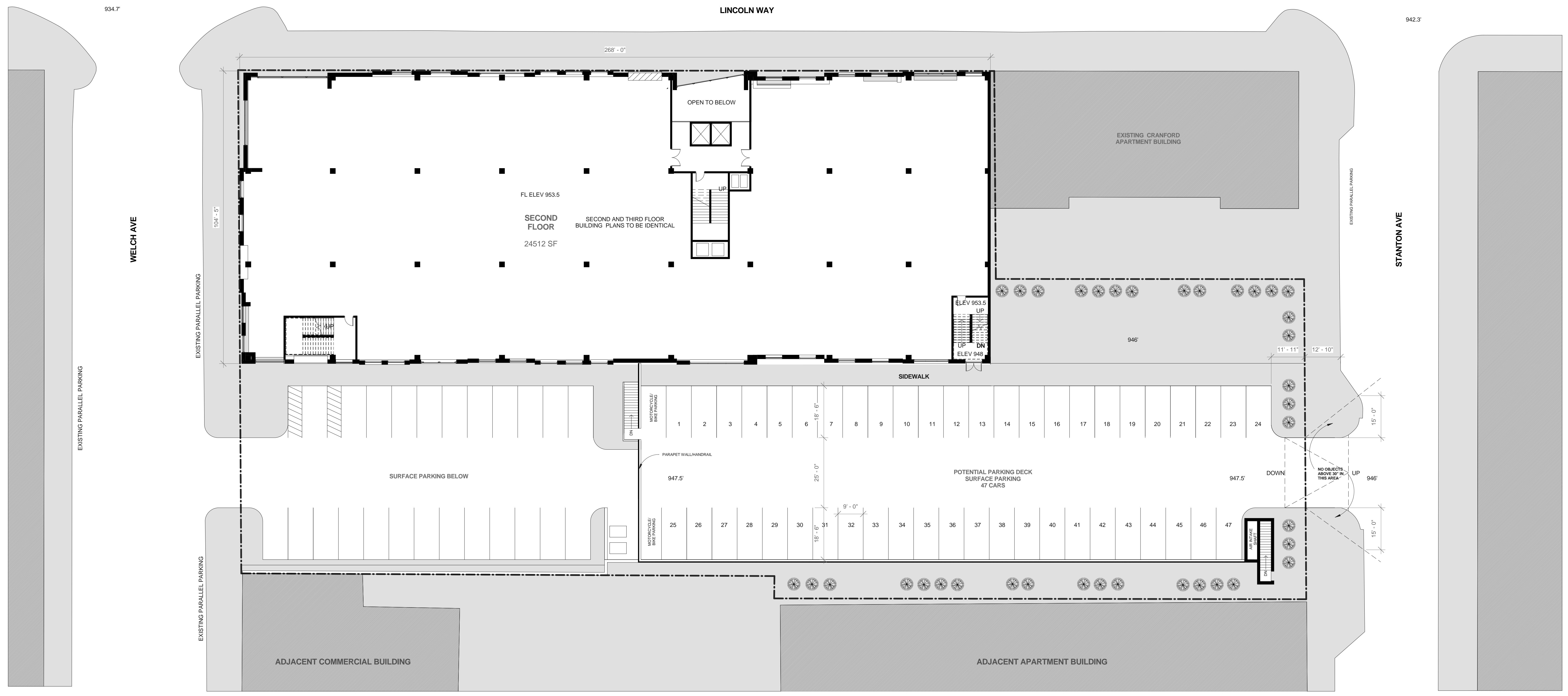


EXHIBIT "B"

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PROPOSED KINGLAND CAMPUSTOWN REDEVELOPMENT AMES, IA

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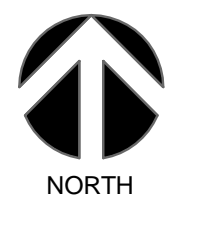
11.4.13

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 A/JM
 REVISIONS:

PROJECT #
 12044

A102
 2 OF 6

1 SITE PLAN & SECOND FLOOR PLAN
 1/16" = 1'-0"

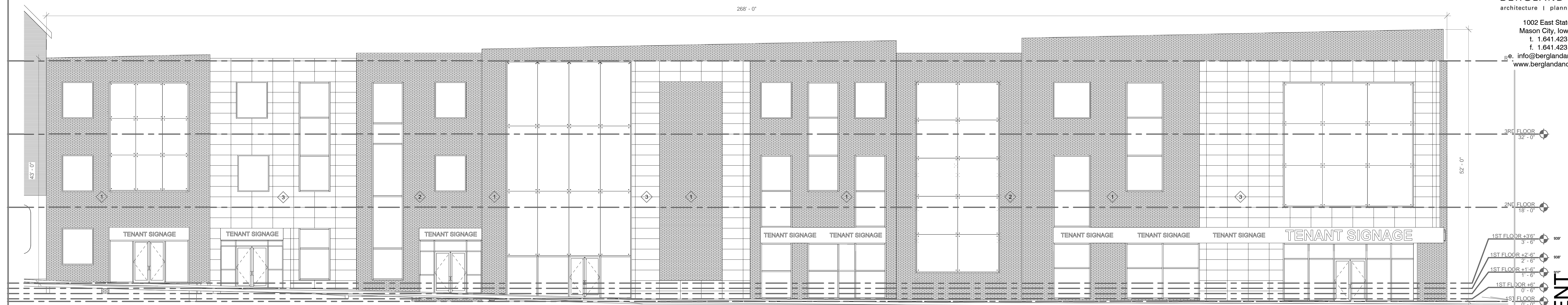




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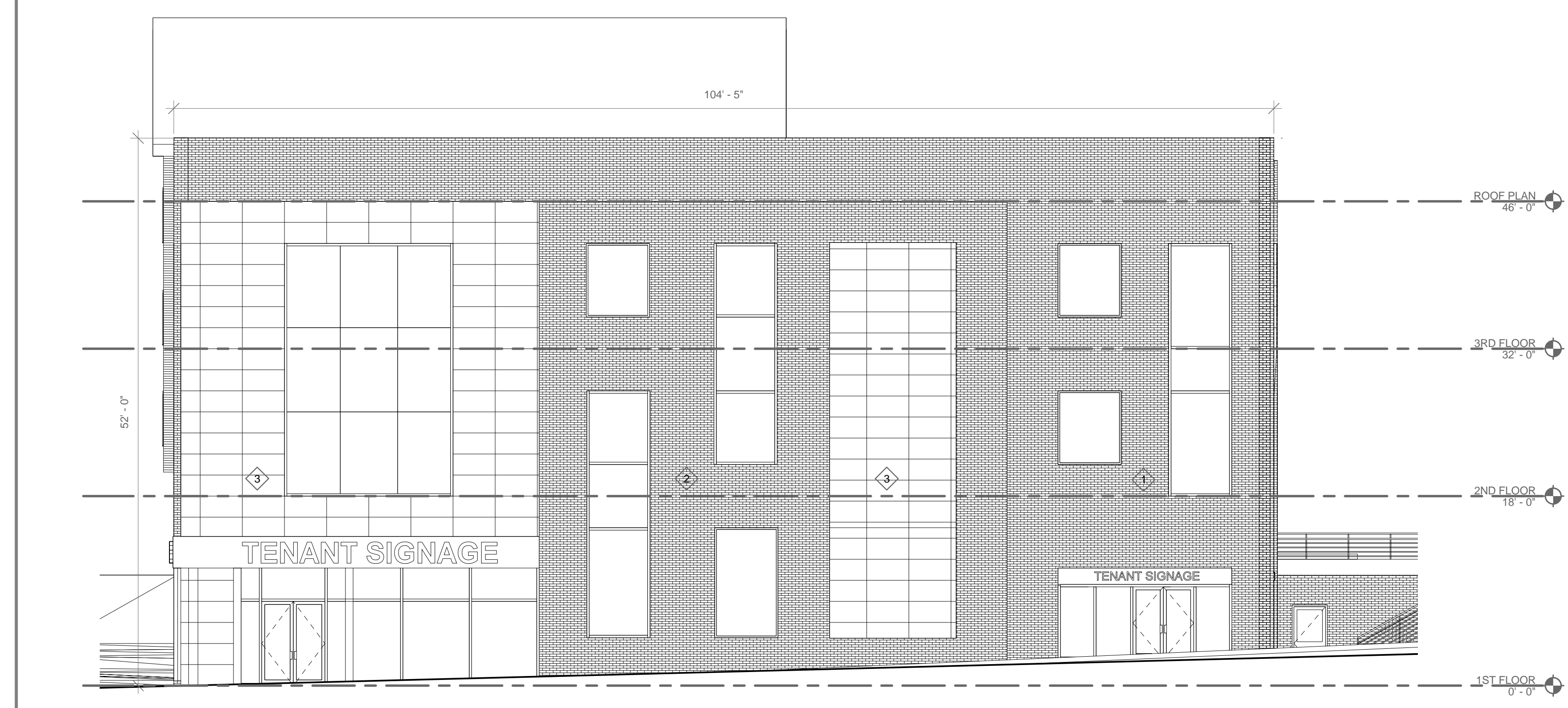
EXHIBIT "C"



1 PRELIMINARY NORTH ELEVATION
1/8" = 1'-0"



2 PRELIMINARY SOUTH ELEVATION
1/8" = 1'-0"



3 PRELIMINARY WEST ELEVATION
1/8" = 1'-0"

- 1 BRICK MASONRY - COLOR A
- 2 BRICK MASONRY - COLOR B
- 3 METAL PANEL

4 PRELIMINARY MATERIAL KEY
1/8" = 1'-0"

PROPOSED KINGLAND
CAMPUSTOWN REDEVELOPMENT
AMES, IA

PRELIMINARY
NOT FOR
CONSTRUCTION

11.4.13

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AJM
REVISIONS:

PROJECT #
12044

A401
6 OF 6

ORDINANCE NO. _____

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Campustown Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

BE IT ENACTED by the Council of the City of Ames, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Campustown Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Ames to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Ames, Iowa.

“County” shall mean Story County, Iowa.

“Urban Renewal Area” shall mean the Campustown Urban Renewal Area, which includes the property identified below, such Area having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on November 12, 2013:

LEGAL DESCRIPTION – PARCEL 'AA':

PARCEL 'AA' IN BEARDSHEAR'S ADDITION AND PARKER'S ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID BEARDSHEAR'S ADDITION: THENCE S 89°55' 58" E, 146.33 FEET ALONG THE NORTH LINE OF SAID LOT 1; THENCE S 89°58' 21" E, 43.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING THE NORTHWEST CORNER OF LOT 1, PARKER'S ADDITION; THENCE S 89°59' 07" E, 15.48 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 89°54' 47" E, 64.52 FEET ALONG THE NORTH LINE OF LOT 1 OF PARKER'S ADDITION; THENCE S 00°26' 08" E, 74.21 FEET; THENCE S 89°58' 27" E, 110.05 FEET TO THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION; THENCE S 00°23' 08" E, 114.22 FEET ALONG THE EAST LINE OF LOT 1 OF SAID PARKER'S ADDITION TO THE NORTHEAST CORNER OF PARCEL 'X'; THENCE N 89°54' 43" W, 189.95 FEET ALONG THE NORTH LINE OF PARCEL "X" TO THE NORTHWEST CORNER OF PARCEL 'X'; THENCE N00°44' 24" E, 7.98 FEET ALONG THE EAST LINE OF PARCEL 'B' TO THE NORTHEAST CORNER OF PARCEL 'B'; THENCE N89°42' 49" W, 190.34 FEET TO THE NORTHWEST CORNER OF PARCEL 'B' ON THE EAST RIGHT-OF-WAY LINE OF WELCH AVENUE; THENCE N00°21' 50" W, 179.55 FEET ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 1, BEARDSHEAR'S ADDITION TO THE POINT OF BEGINNING ON THE EAST RIGHT-OF-WAY OF WELCH AVENUE.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the

County and any school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, to the extent authorized in Section 403.19 (2) of the Code of Iowa, taxes for the instructional support program levy of a school district, to the extent authorized in Section 403.19(2) of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed and approved by the Council of the City of Ames, Iowa, on _____, 2013.

Mayor

Attest:

City Clerk

Staff Report

**TAX INCREMENT REBATE DEVELOPMENT AGREEMENT
WITH KINGLAND SYSTEMS**

November 12, 2013

An essential step in finalizing the City's commitment to the incentive that has conceptually been agreed to for the Campustown redevelopment project being proposed by Kingland Systems is to prepare a Tax Increment Rebate Development Agreement. In order to stay within the project timeframe established by Kingland, the approval of this agreement by the City Council is scheduled for December 10, 2013. (A previous action by the Council on this agenda set the date of hearing for this agreement).

Prior to drafting an agreement for Kingland's consideration, staff believes it is important to first receive direction from the City Council regarding the most significant terms of the agreement. It should be emphasized that, since the City has been asked to provide over \$2,000,000 in incentives for the project, the Council is in a position to ask the developer to perform above and beyond the normal requirements of the City.

Listed below are staff's suggestions for major terms to be included in the agreement. However, it is understood that the Council might want to add to or modify this list.

- The Tax Increment Rebate Development Agreement should be for **a period of 10 years or \$2,064,530 in TIF rebate, whichever occurs first.**
- Kingland should be required to enter into a **minimum assessment agreement** at a taxable value that will assure the requested TIF rebate amount.

At the current TIF rate of 23.35297 the **required minimum assessment will be \$8,840,545.** In accordance with a minimum assessment, the taxable value could be higher or increase over the term of the agreement, but could not go lower.

- Kingland should agree that it cannot apply for and is **ineligible for other abatement programs** during the term of the agreement for property included in the agreement.
- A **non-appropriation clause** should be included in the agreement so that the TIF debt will not be counted against the City of Ames' debt limit.
- The agreement should be finalized by the parties in a timely manner to assure that the **base value of the property is locked in** and there is no reduction in the current level of taxable value of the property included in the urban renewal area.

- The agreement should contain a provision to assure that any abatement or reduction in property tax on the subject property due to the provisions of the State of Iowa **Property Tax Reform bill of 2013 be counted towards the maximum rebate amount** under the agreement.
- **Ground level uses** should be restricted to “Retail Sales and Service Uses” and “Entertainment, Restaurant, and Recreation Trade Uses.”

The Zoning Ordinance allows for a much broader array of commercial uses, including offices, on first floors in the Campustown Service area. While the City staff believes the use restrictions mentioned above are more in keeping with the City’s vision for this business district and the desires of the students who offered input into the project, Kingland representatives would prefer that these use restrictions be limited to the period of the tax rebate, or ten years.

- A minimum of one tenant space on the ground floor should include **pre-planned restaurant mechanical and ventilation space** and ductwork.
- The **Welch Avenue building façade** should include a Welch entry.
- The **Lincoln Way Avenue façade** should include a **corner entrance** near Welch.
- A **hard-scaped alternate public space** near the Welch Avenue entrance should be included.
- The Lincoln Way Avenue building facade shall have an **architectural appearance of multiple storefront bays** (minimum of four).
- The Welch Avenue façade shall have the **appearance of multiple storefronts** (minimum two) along the ground level.
- The ground floor may include a **office lobby access from Lincoln Way**.
- The site should include a **minimum of 70 on-site parking spaces**.
- The **windows along the ground level storefronts** shall remain open and clear to allow for visibility into or through the spaces.
- A **Public Safety Security Plan** for lighting and surveillance cameras within the parking areas should be provided as part of the Minor Site Plan Review.

- If a **parking deck lower level** is provided, it should have secured access for office employees (doorways and fencing).
- A **Construction Management Plan** should be submitted to the City prior to demolition of the Lincoln Way buildings to coordinate on- and off-site transportation, parking, and construction coordination issues with the general contractor.
- A **planned sign program** should be submitted to the Planning and Housing Department for review and approval prior to occupancy of a tenant space of the building. The plan should identify intended sign locations, awnings, material, and finishes, etc.

In addition to the provisions itemized above, there may be other elements that Council might wish to add to this list. For example, Council may want to specify that Kingland bring in an anchor retail tenant of a specified size, or may want to exclude specific types of retail use within the Kingland building.

NEXT STEPS

After giving direction regarding the terms to be included in this agreement, Council should take the following actions:

- 1. Direct staff to prepare a Tax Increment Rebate Development Agreement reflecting those major issues.**
- 2. Set December 10, 2013 as the date of public hearing for the Campustown Tax Increment Financing Development Agreement.**

COUNCIL ACTION FORM

SUBJECT: ZONING TEXT AMENDMENT TO CHANGE CAMPUSTOWN BUILDING HEIGHT STEP-BACK

BACKGROUND:

The City's current Campustown Service Center zoning standards establish a maximum height of 30 feet for those portions of buildings that are within 15 feet of the right-of-way of three street blocks. These are Lincoln Way between Hayward and Stanton Avenues, and Welch Avenue between Lincoln Way and Chamberlin Streets. (See Attachment A Location Map)

On August 27, 2013, the City Council initiated a zoning text amendment to revise this standard in response to a request by Kingland Systems. The request is to consider allowing a three-story building with no 15-foot step-back above the second floor for its site at Lincoln Way and Welch Avenue. Kingland's concern arises from the difficulty in achieving an efficient layout and additional construction costs when incorporating a step-back requirement on the upper level. On October 22, 2013, the City Council opened the public hearing for this text amendment and then continued the hearing until November 12th.

Zoning in Campustown allows for intense development of up to nine-story buildings. Campustown Service Center zoning principally allows for commercial uses, but also allows for residential uses above the ground floor in mixed-use buildings. At the time of adopting the current zoning for the area, there were concerns about the intensity and height of buildings planned for the area compared to the surrounding one- and two-story building pattern. As a result, standards were adopted that required any building greater than two stories in height to either be set back from the street 15 feet or to step back the upper floors by 15 feet. In recognition of the limitations of this standard, additional building height was allowed within the zoning district to still encourage high density development.

The City Council referred to staff and the Planning and Zoning Commission a proposal to exempt from the step-back requirement commercial buildings with site frontage on Lincoln Way that are three stories or less and to prohibit residential units on the third floor. This proposal would allow corner properties along Lincoln Way to have building facades extend down Welch and Stanton Avenues without a step-back. The 15-foot step-back requirement would be maintained for buildings over three stories. It would not affect the majority of Campustown properties; and would meet Kingland Systems' unique interests. (See attached Ordinance)

PLANNING AND ZONING COMMISSION RECOMMENDATION

On October 2, 2013, the Planning and Zoning Commission considered this proposed zoning text amendment. The Commission discussed the redevelopment of Campustown, which the Commission supports, and how the area may physically change. There were questions about height and stories. A specific question arose about the likely maximum height in terms of feet of a three-story building without a height step-back. Staff stated that it is possible that three story buildings may be up to 50 feet in height. The Commission recommended approval of this amendment by a vote of four in favor and one abstention.

Since this meeting, it has been determined that the proposed Kingland three-story building will have a maximum height of 52 feet at its tallest point with an average height of less than 50 feet.

ALTERNATIVES:

1. The City Council can approve the ordinance to exempt from the CSC Zoning District the step-back standard for commercial buildings of 3 stories or fewer that do not have residential uses and are located on sites that have frontage on Lincoln Way.
2. The City Council can disapprove the proposed text amendment.
3. The City Council can refer this zoning text amendment back to staff for modifications or for additional information.

MANAGER'S RECOMMENDATION:

The required step-back in building height is an important tool for providing more intense development in the core area of Campustown, while maintaining the character of the area. However, buildings of three stories do not come near the maximum allowable height and are much less likely to have the negative impacts associated with a "canyon effect" than originally anticipated. With the width of Lincoln Way and the University open space on the north side of the street, the character of the urban space is quite different from Welch Avenue and other streets within Campustown that are more confined. The proposed height of three stories also is not excessively greater than the right-of-way width on Welch Avenue, which is 66 feet. This creates what staff believes is a reasonable width to building height ratio. Additionally, commercial buildings do not have public safety concerns with upper levels uses that are associated with residential uses. Residential uses should appropriately maintain a requirement for the 15-foot step-back.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the attached zoning text amendment to exempt from the step-back standard commercial buildings of 3 stories or less that do not have residential uses and are located on sites that have frontage on Lincoln Way.

Attachment A Location Map



ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.809(3) AND ENACTING A NEW SECTION 29.809(3) THEREOF, FOR THE PURPOSE OF AMENDING THE REQUIREMENTS FOR MAXIMUM HEIGHT; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, buildings or portions of buildings located within 15 feet of the right-of-way lines of Lincoln Way from Hayward Avenue to Stanton Avenue and of Welch Avenue from Lincoln Way to Chamberlain Street may not exceed 30 feet; and

WHEREAS, this required step-back in building height is an important tool for providing for more intense development in the core area of Campustown, while maintaining the character of the area; and

WHEREAS, buildings of three stories in height located on Lincoln Way are in character with the height of buildings in Campustown; and

WHEREAS, the cost for accommodating the step-back in building height has greater significance for a three-story building compared to buildings with more stories; and

WHEREAS, safety for pedestrians along streets in Campustown is less a concern if there are no dwelling units directly above them;

NOW THEREFORE BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 29.809(3) and enacting a new Section 29.809(3) as follows:

(3) **Zone Development Standards.** The zone development standards for the CSC Zone are set forth in Table 29.809(3) below:

**Table 29.809(3)
Campustown Service Center (CSC) Zone Development Standards**

DEVELOPMENT STANDARDS	CSC ZONE
Minimum FAR	1.0 [1]
Minimum Lot Area	No minimum, except for mixed uses, which shall provide 250 sf of lot area for each dwelling unit
Minimum Lot Frontage	No minimum, except for mixed uses, which shall provide 25 ft.
Minimum Building Setbacks:	
Front Lot Line	0
Side Lot Line	0
Rear Lot Line	10 ft.
Lot Line Abutting a Residentially Zoned Lot	10 ft.
Minimum Landscaped Area	No minimum
Landscaping in Setbacks Abutting an R Zoned Lot	5 ft. @ L3. See Section 29.403
Maximum Building Coverage	100%
Openings between buildings	In order to provide access for vehicles and/or utilities to the interior of the block, there shall be a twenty foot wide opening between buildings, at the approximate mid-point of each face of each block. In addition to this mid-block areaway or drive, any lot without other means of access from a public street or alley may have one driveway from the street of up to 20-ft in width.
Minimum Height	25 feet
Maximum height in portions of CSC bounded by: Lincoln Way Stanton Avenue Hunt Street	115 feet

Hayward Avenue	
Maximum height within fifteen (15) feet of the right-of-way lines of: Lincoln Way from Hayward Avenue to Stanton Avenue Welch Avenue from Lincoln Way to Chamberlain Street	30 feet, except buildings of three stories height or fewer with frontage on Lincoln Way and without residential use
Maximum Height in all other locations	75 feet.
Parking Allowed Between Buildings and Streets	No
Windows	More than 50% of the area of primary or secondary façade between the ground line and the second floor line shall be windows that allow views into the interior space or be a display window.
Building Materials	Clay brick shall comprise more of the exterior wall surface of the building than any other material. Exterior surface does not include windows or doors or their trim. This requirement does not apply to additions to buildings which do not have brick as an exterior material.
Entrance	There shall be at least one functional pedestrian entrance facing a street.
Balconies	There shall be no exterior balconies above the third floor.
Site materials	No rocks, brick fragments or other hard, loose material over ¾-inch in size shall be used.
Drive-Through Facilities Permitted	Yes
Outdoor Display Permitted	Yes, See Section 29.405
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	Yes

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

Section Three. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY BLOWER REPLACEMENT PROJECT

BACKGROUND:

The City's Water Pollution Control (WPC) Facility was constructed in 1989. Three blowers were installed at the facility at that time. Blowers are required to provide air to part of the biological breakdown process, and the plant operation requires two blowers and a standby unit. The current blowers are original equipment, and staff proposes to replace two of the three blowers as part of this project. The third blower will be rehabilitated and used as the standby unit.

On October 8, 2013 Council approved specifications and issued a Notice to Bidders to replace these two blowers. Bids were opened for the project on November 6, 2013. Four bids were received and are summarized below:

Bidders	Total Project Bid Price
Woodruff Construction, LLC	\$156,300
CL Carroll Co., Inc.	\$169,525
Rice Lake Construction Group	\$196,400
Story Construction Co.	\$210,000

After reviewing the bids, staff recommends awarding the contract to Woodruff Construction. The engineer's estimate for construction was \$350,000 and Woodruff Construction's estimate is well below the engineer's estimate. The City has an engineering services contract with HDR Engineering in the amount of \$37,572, which brings the estimated total project cost to \$193,872.

The FY13/14 WPC Capital Improvements Plan includes \$765,000 for the blower replacement project. This includes carryover funding from FY12/13.

ALTERNATIVES:

1. Award the WPC Facility blower replacement project contract to Woodruff Construction of Ames, IA in the amount of \$156,300.

2. Take no action on the bids.

MANAGER'S RECOMMENDED ACTION:

The WPC Facility's blowers are critical for operation of the plant. Failing to address these issues now could contribute to significant failures in the future that could result in environmental harm.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, thereby awarding the WPC Facility blower replacement project contract to Woodruff Construction of Ames, IA in the amount of \$156,300.

COUNCIL ACTION FORM

SUBJECT: DESIGN SERVICES FOR WPC FACILITY DIGESTER IMPROVEMENTS

BACKGROUND:

This item involves award of a contract for design of digester improvements at the City's Water Pollution Control (WPC) facility. In evaluating proposals of this type, WPC staff utilize a "two-envelope" selection process for professional services, where each firm's qualifications and proposed scope of work is submitted in one envelope, and their proposed fee is submitted in a second envelope. This process allows staff to first review the submitted proposals in order to identify the firm whose qualifications and proposed scope of work are most appropriate. Then, after selecting the preferred firm, staff opens the proposed fee envelopes to confirm that the selected firm is proposing a fee that is in line with what other firms would propose for a similar scope of work. **In all cases, the final scope of work and fee is negotiated with the firm identified as having submitted the most appropriate submittal.**

On August 9, 2013 a request for proposals (RFP) was issued for design, bid and construction-phase engineering services for the WPC Facility Digester Improvements project. On August 23, 2013, staff received six proposals from the firms shown below. A thorough review of each firm's qualifications was performed, and the firms are listed in order of the qualitative ranking.

Firm	Fee Proposal	
	Construction Bid as 1 Multi-Year Contract	Construction Bid as 3 Separate Contracts
FOX Engineering	\$ 194,000	\$ 238,000
HR Green Co.	98,400	-
Veenstra & Kimm	-	149,400
Bolton & Menk	80,000	130,000
HDR, Inc.	54,970	-
Stanley Consultants	-	105,364

Prior to opening the fee envelopes, FOX Engineering of Ames, Iowa was identified as the most qualified firm. FOX's initial scope and fee, however, recommended a number of additional components that were not requested by staff in the RFP. Staff has negotiated the final scope of work with FOX Engineering to perform all necessary design and bid phase assistance, based on a single multi-year construction contract, and construction phase engineering services required to complete the project as originally intended, excluding the majority of the additional components not requested in the RFP. The final negotiated fee is a lump sum amount not to exceed \$99,400 without prior approval by the City.

In reviewing the submittals, staff noted that the fee proposal from HDR was substantially lower than the other firms. While the hours allotted by HDR to the design and bidding phases was comparable to the other firms, the hours they allotted for construction phase services were significantly lower than the other firms. **Had HDR been identified as the most appropriate firm for this project, staff would have needed to negotiate an increase in the construction phase services in their final scope of work, with a corresponding increase in their fee.**

The Digester Improvements Project is shown in the CIP as a multi-year project. \$889,000 is included in the current year, with a total of \$2,858,000 over the full three year timeframe.

ALTERNATIVES:

1. Award a contract for design, bid, and construction phase engineering services to FOX Engineering Associates, Inc. of Ames, Iowa in a lump sum amount not to exceed \$99,400 without prior approval.
2. Do not award a contract at this time and do not move forward with the Digester Improvements Project.

MANAGER'S RECOMMENDED ACTION:

The WPC Facility's digesters and associated equipment are 23 years old. The mixing equipment and certain piping and valves have reached the end of their useful life and are in need of replacement. Replacement of this equipment is necessary to maintain the integrity of the treatment facility and to ensure wastewater continues to be treated in compliance with the facility's NPDES permit.

Staff has performed a thorough review of the engineering firms' qualifications and has determined FOX Engineering Associates, Inc. of Ames, Iowa to be the most qualified firm for this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a contract for engineering services with FOX Engineering Associates, Inc. of Ames, Iowa in a lump sum amount not to exceed \$99,400 without prior approval.

COUNCIL ACTION FORM

SUBJECT: CYRIDE FUEL CONTRACT

BACKGROUND:

For the past four years, CyRide has purchased a portion of its fuel under contract in an effort to stabilize and possibly gain financial benefits from this type of fuel purchasing method. The decision to switch to this type of purchasing arrangement was a direct response to the volatile fuel market in 2007- 2008 when prices increased from \$2.00 to \$4.00 per gallon in a short span of time. **Based on previous bidding, CyRide staff has identified the following months as best for contract purchasing of fuel: January-April and September-December.** This is based on the quantity of fuel purchased and the volatility of fuel during these months. CyRide does not purchase enough fuel in the summer months to utilize contracting.

CyRide is currently purchasing fuel at market rates and is averaging \$3.18 per gallon for the 2013/14 budget year. ***One of the prime times to enter into fuel contracts to gain the best price is in November or December. Therefore, staff recommends entering into a long term contract in light of the low market prices at this time.*** Below is a summary the steps to purchase fuel under long term contract:

- 1) Approval is needed from the City Council for a total fuel contract price not to exceed \$1,764,000 for twelve, two-month contracts, for up to 504,000 gallons of fuel over the remainder of the 2013/14 budget year, 2014/15 budget year, 2015/16 budget year, and part of the 2016/17 budget year.

The not-to-exceed dollar amount for the fuel contract is calculated based on \$3.50 per gallon and represents approximately 52% of CyRide's fuel purchases for the 36 month period. **The reason for the proposed extended contract is that the fuel purchase prices for FY 2016/17 are currently running at approximately \$2.78 per gallon, significantly below current market rates and would be a significant savings to CyRide.**

- 2) Staff will prepare Request for Proposal that will be disseminated on November 13th, if approved by the City Council. Results of the proposal would be due to the City on November 20th.
- 3) In January 2014, a report will be provided to the Transit Board and City Council with bid results and recommended award, if any.

The Transit Board of Trustees has already approved a not-to-exceed amount of \$1,764,000 for up to 12 fuel contracts at their October 30, 2013 meeting. If the City

Council is uncomfortable with such a long-term contract, however, it may wish to consider a shorter term contract. The second option below provides for a shorter contract period.

ALTERNATIVES:

1. Approve up to **twelve**, two-month fuel contracts at a total not-to-exceed price of \$1,764,000, and accept fixed rate + mark-up/deduct for the remainder of CyRide's fuel purchases.
2. Approve up to **eight**, two month fuel contracts (through the November-December 2015 contract) at a total not-to-exceed price of \$1,176,000, and accept fixed rate + mark-up/deduct for the remainder of CyRide's fuel purchases.
3. Do not enter into a contract at this time and direct staff to develop additional proposals.
4. Do not enter into a contract and instead purchase fuel at the time it is needed at the market rate.

MANAGER'S RECOMMENDED ACTION:

Since fuel is one of CyRide's largest budget items, stabilizing and possibly reducing this cost through fuel contracting has proven to be a successful method for CyRide to operate efficiently. In addition, with longer term contracts being favorable at this time, it could significantly reduce CyRide expenses in this budget line item for the next several budget years.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby purchasing a portion of CyRide's fuel requirements under a contract and the remainder under fixed rate + markup/deduct.

COUNCIL ACTION FORM

SUBJECT: POST CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE

BACKGROUND:

In order to increase stormwater run-off quality, decrease stormwater run-off and minimize soil erosion, a new post construction stormwater management ordinance has been prepared. This ordinance will also help the City be in compliance with both federal and state environmental laws, which require the City to implement progressive stormwater management policies.

The City of Ames' Municipal Separate Storm Sewer Permit (MS4) (Permit No. 85-03-0-03), issued by the Iowa Department of Natural Resources (DNR), states that the City must adopt and enforce a stormwater management ordinance that addresses both water quality and water quantity components. This new ordinance is to be considered in the design of new construction and implemented when practical. The ordinance must promote the use of storm water detention, retention, grass swales, bio-retention swales, and riparian buffers, along with proper operation and maintenance of these facilities.

In order to meet this permit requirement, Public Works staff has been working for several years to establish a draft ordinance that meets these requirements while also aligning with flood mitigation efforts within the community. Near the conclusion of this process, in September City staff hosted three public meetings where citizens and business owners could learn about and comment on the proposed ordinance. Fourteen people attended these meetings. As a result of comments during these public meetings and input from the current Storm Water Advisory Committee, a final proposed ordinance has been developed.

In summary, the ordinance would adopt the Iowa Stormwater Management Manual that was created by the Statewide Urban Design and Specifications (SUDAS). That manual has now been published by the DNR. This manual is being maintained by the Iowa Storm Water Education Program (of which the City is a member), and will be adopted along with any locally adopted modifications. The ordinance is written to apply to development within the City limits and within the 2-mile limit where the City has exercised subdivision authority into the fringe area. Activities exempt from the ordinance would include agricultural activity and additions/modifications to existing single family properties.

Purposes and highlights of the ordinance include the following:

- Minimize increases in stormwater runoff from development in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion in order to maintain the integrity of stream channels.
- Minimize mass grading of sites to preserve natural features and drainage ways.
- Minimize increases in non-point source pollution caused by runoff.
- Encourage infiltration and soil storage of runoff through such practices as bio-swales, bio-retention areas, rain gardens, and native vegetation.
- Mitigate stormwater runoff rates and volumes.
- Establish stream buffers.
- Establish and periodically update Maintenance, Repair, and Landscaping Plans.
- Build lowest opening of buildings impacted by stormwater practices at a minimum of 3 feet above the 100 year water surface elevation. (This is intended to address localized flooding issues such as those experienced in 2010 in the Northridge Parkway Subdivision.)
- Include waiver provisions that enable staff to work with developers to assure that these objectives are established to the maximum extent practicable.
- Provide for performance security and maintenance bonds for all stormwater features to ensure correct build-out and functionality for a minimum of four years.
- Establish a new form of maintenance agreement that obligates the developer/owner – rather than the City – to properly maintain all stormwater features.

The draft ordinance is attached. Unless Council has additional concerns or questions, this ordinance can be placed on the November 26 City Council agenda for additional public input and for approval on first reading.

ALTERNATIVES:

1. Place the proposed Post Construction Stormwater Management Ordinance on the November 26 City Council agenda for consideration on first reading.
2. Direct staff to make specific modifications to the proposed ordinance.

MANAGER’S RECOMMENDED ACTION:

Staff has spent several years developing this ordinance, which is required by both federal and state law. Input has been received from stormwater management experts, as well as from developers and civil engineers that will be impacted by the new requirements.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby placing this ordinance on the Council’s November 26 agenda.

CHAPTER 5B 11/08/13

POST CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE

Sec 5B.1. GENERAL PROVISIONS

(1) The U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) permit program (Program) administered by the Iowa Department of Natural Resources (IDNR) requires that cities meeting certain demographic and environmental impact criteria obtain from the IDNR an NPDES permit for the discharge of stormwater from a Municipal Separate Storm Sewer System (MS4) (the MS4 Permit). The City of Ames (City) is subject to the Program and is required to obtain, and has obtained, an MS4 Permit. The City's MS4 Permit is on file at the office of the City Clerk and is available for public inspection during regular office hours.

(2) As a condition of the City's MS4 Permit, the City is obliged to develop, implement and enforce a program to address stormwater runoff from new construction and reconstruction projects for which stormwater permit coverage is required.

(3) No state or federal funds have been made available to assist the City with inspections, monitoring and/or enforcing the Program. Accordingly, the City shall fund its inspection, monitoring and enforcement responsibilities entirely by fees imposed on the owners of properties which are made subject to the Program by virtue of state and federal law, and/or other sources of funding established by a separate ordinance.

(4) Land development and associated increases in impervious cover alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, and sediment transport and deposition if left uncontrolled; this uncontrolled stormwater runoff contributes to increased quantities of water-borne pollutants, and; stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from development sites.

(5) Therefore, City establishes this set of City stormwater standards applicable to all surface waters to provide reasonable guidance for the regulation of stormwater runoff for the purpose of protecting local water resources from degradation. It is determined that the regulation of stormwater runoff discharges from land development and other construction activities shall not result in increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and non-point source pollution associated with stormwater runoff, is in the public interest and will prevent threats to public health and safety.

(6) The Iowa Stormwater Management Manual published by the Iowa Department of Natural Resources and maintained by the Iowa Storm Water Education Program establishes guidelines consisting of unified sizing criteria (water quality volume, channel protection storage volume, overbank flood protection, extreme flood protection) stormwater management designs, specifications, and best management practices (BMPs). City hereby finds and declares that the guidelines provided in the Iowa Stormwater Management Manual, and in future editions thereof, along with any locally adopted modifications, are hereby adopted as the stormwater management standards of City. Any BMP installation that complies with the provisions of the Iowa Stormwater Management Manual, or future editions thereof, along with any locally adopted modifications, at the time of installation shall be deemed to have been installed in accordance with this ordinance.

(7) The purpose of this ordinance is to adopt as City's standards the guidelines established in the Iowa Stormwater Management Manual (hereinafter collectively City's stormwater requirements or standards) in order to protect and safeguard the general health, safety, and welfare of the public within this jurisdiction. This ordinance seeks to meet that purpose through the following objectives:

(a) Minimize increases in stormwater runoff from development within the city limits and within 2 mile limit where the City has exercised subdivision authority fringe area in order to reduce flooding, siltation, increases in stream temperature, and stream bank erosion in order to maintain the integrity of stream channels;

(b) Minimize mass grading of sites to preserve natural features and drainageways as well as protection of open space and impervious cover minimization;

(c) Minimize increases in non-point source pollution caused by stormwater runoff from development which would otherwise degrade local water quality;

(d) Distribute and minimize runoff by utilizing vegetated areas for stormwater treatment (e.g. parking lot islands, vegetated areas along property boundaries, front and rear yards, building landscaping. Encourage infiltration and soil storage of runoff through such practices as bioswales, soil quality improvement with compaction reduction and compost amendments, bioretention cells and rain gardens. Plant vegetation that does not require irrigation beyond natural rainfall and runoff from the site;

(e) Mitigate stormwater runoff rates and volumes, soil erosion and non-point source pollution, wherever possible, through establishment of appropriate minimum stormwater management standards and BMPs and to ensure that BMPs are properly maintained and pose no threat to public safety.

(8) This ordinance shall be applicable to all development and redevelopment applications meeting the minimum square foot applicability criteria of 5B.1.(8)(a), unless eligible for an exemption or granted a waiver by City under Section 5B.4 of this ordinance. The ordinance also applies to land disturbance activities that are smaller than the minimum square foot applicability criteria specified in 5B.1.(8)(a) if such activities are part of a larger common plan of development or redevelopment that meets the minimum square foot applicability criteria of 5B.1.(8)(a), even though multiple separate and distinct land development activities may take place at different times on different schedules:

(a) City stormwater requirements must be met for development or redevelopment to be approved. City stormwater requirements apply to any new development, redevelopment disturbing 1 acre or more of land, and to any development disturbing less than said acreage of land if the amount of impervious cover created exceeds 10,000 square feet. New development includes any new residential, commercial, or industrial subdivision or individual site improvement requiring a site plan. The following activities are exempt from this ordinance:

(i) Any agricultural activity.

(ii) Additions or modifications to an existing single family property.

(9) Compatibility with Other Permit and Ordinance Requirements is as follows:

(a) It is intended that this ordinance be construed to be consistent with Municipal Code Chapter 5A Construction Site Erosion and Sediment Control, Chapter 23 Subdivisions, Chapter 28 Utilities, and Chapter 29 Zoning.

(b) The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

Sec 5B.2. DEFINITIONS

(1) Terms related to stormwater management in this ordinance other than those defined below shall have the meanings set out in the Iowa Storm Water Management Manual.

“**Applicant**” means a property owner or agent of a property owner who has filed an application for a storm water management permit.

“**Best Management Practice (BMP)**” means a practice or series of practices used to manage stormwater and as further defined in the Iowa Stormwater Management Manual.

“**Building**” means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 150 square feet of area.

“**Channel Protection Storage Volume**” means providing for practices that will allow for extended detention of the runoff generated by a 1-year, 24-hour event. This means capturing the runoff volume from a storm of this nature, and slowly releasing it over a period of no less than 24-hours to reduce the rapid “bounce” effect common in many urban streams that leads to downcutting and streambank erosion.

“**City Stormwater Requirements**” or “standards” mean the guidelines provided for in this ordinance and the Iowa Stormwater Management Manual.

“**COSESCO**” means Construction Site Erosion and Sediment Control Ordinance permit issued by the City of Ames Public Works Department.

“**Dedication**” means the deliberate appropriation of property by its owner for general public use.

“**Developer**” means a person or entity that undertakes land development activities.

“**Development**” means land disturbance activity of one acre (43,560 square feet) or more on land previously vacant of buildings or largely free of previous land disturbance activity other than agriculture.

“**Drainage Easement**” means a legal right granted by a landowner to a grantee allowing the use of private land for stormwater management purposes.

“**Enforcement Officer**” means that person or persons designated by the City having responsibility for administration and enforcement of this ordinance.

“**Extreme Flood Protection**” means managing the effects of larger storm events (10-year to 100-year recurrence intervals) on the stormwater management system, adjacent property, and downstream facilities and property. The impacts of these extreme events is accomplished using detention controls and/or floodplain management.

“**Fee in Lieu**” means a payment of money in place of achieving or exceeding all or part of City stormwater requirements.

“**Impervious Surface**” means surfaces (roads, sidewalks, driveways and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, and stone, rooftops as well as soils compacted by urban development.

“Iowa Stormwater Management Manual (ISWMM)” means the manual collaboratively developed by the Iowa Department of Natural Resources (IDNR) and the Center for Transportation Research and Education (CTRE) at Iowa State University and updated by the Iowa Storm Water Education Program that contains the sizing criteria, design and specification guidelines and BMPs that address stormwater quality and quantity management.

“Land Disturbance Activity” means any grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

“Low Impact Development” means an approach to stormwater management that attempts to mimic pre-development conditions by compensating for losses of rainfall abstraction through infiltration, evapotranspiration, surface storage, and increased travel time to reduce excess runoff.

“Landowner” means the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights to the land.

“Maintenance Agreement” means a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of storm water BMPs.

“Overbank Flood Protection” means providing on-site stormwater detention to limit runoff peak flow rates from the 5-year recurrence interval storm event to prevent downstream surcharge of conveyance systems and reduce overbank flooding. At the site development level, this can be accomplished by providing detention practices with multi-stage outlets that control the outflow from these events to pre-settlement conditions (meadow in good condition).

“Pre-Settlement Land and Vegetation Conditions” means for intended stormwater design calculations, meadow in good condition.

“Redevelopment” means land disturbance activity in areas where existing land use is commercial, industrial, institutional or multi-family residential.

“Stormwater Management” means the use of BMPs that are designed in accordance with City stormwater requirements to reduce stormwater runoff pollutant loads, discharge volumes, peak flow discharge rates and detrimental changes in stream temperature that affect water quality and habitat.

“Stormwater Management Plan” means a plan that addresses post construction stormwater management addressing water quality and quantity.

“Storm Water Pollution Prevention Plan” (SWPPP) means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities and includes provisions for additional pollution prevention and addresses stormwater quality and quantity management after construction.

“Stream” means perennial and intermittent water sources identified through site inspection, and/or an approved city of Ames map, and/or United States Geological Survey (USGS) 7.5 minute series topographical map.

“Stream Buffer” means a vegetated strip of land which lies adjacent to a stream and provides such functions as protecting water quality, providing wildlife habitat and storing flood waters.

“Stream Order” means a classification rank, used by the United States Geological Survey and other hydrological entities, of the relative sizes of streams draining a watershed based on

the nature of their tributaries. The smallest unbranched tributary is first order, the stream receiving the tributary is second order etc.

“**Unified Sizing Criteria**” means an integrated approach to managing stormwater runoff quality and quantity by addressing the adverse impacts of stormwater runoff from development. The intent is to comprehensively manage stormwater to remove pollutants and improve water quality, prevent downstream streambank and channel erosion, reduce downstream overbank flooding and safely convey and reduce runoff from extreme storm events.

“**Water Quality Volume**” means the runoff resulting from a rainfall depth of 1.25”, or less which is approximately 90% of the rainfall events in Central Iowa. By managing these storms many of the “first flush” pollutants of concern will be effectively managed on-site.

Sec 5B.3. PROCEDURES AND REQUIREMENTS

(1) No land owner or developer shall receive any of the building or other site development approvals without first meeting the requirements of this ordinance.

(2) Unless otherwise exempted by this ordinance, the Stormwater Management Plan and maintenance agreement must be included with the site plan or subdivision preliminary plat and include the COSESCO permit application or approved COSESCO permit.

(3) The stormwater management plan and maintenance agreement shall be prepared to meet the requirements of Section 5B.3(7) of this ordinance, and fees shall be those established by the City as necessary by separate ordinance or resolution.

(4) Following submission and approval of Stormwater Management Plans to the City, all applicable state and federal environmental permits shall be obtained prior to issuance of local permits including floodplain permits.

(5) If the stormwater management plan and maintenance agreement are approved by the City, all appropriate local land development activity permits may be issued.

(6) Approvals issued in connection with this ordinance shall be valid from the date of issuance through the date City notifies the permit holder that all stormwater management BMPs have passed the final inspection required and the performance security has been released.

(7) The stormwater management plan and maintenance agreement shall be prepared to meet the following requirements:

(a) Be prepared by a Licensed Professional Engineer (PE) or Professional Landscape Architect or credentialed in a manner acceptable to the City; and

(b) Indicate whether stormwater will be managed on-site or off-site and, if on-site, the general location and type of BMPs, with clear citations to the Iowa Storm Water Management Manual; and

(c) Include a signed and dated certification, under penalty of perjury by the preparer, of the stormwater management plan that it complies with all requirements of this ordinance and applicable sections of the Iowa Stormwater Management Manual, meets the submittal requirements outlined in the Iowa Stormwater Management Manual, and is designed to achieve City stormwater requirements.

(d) Contact Information, including but not limited to the name, address, and telephone number of all persons having a legal interest in the property and the tax reference number and parcel number of the property or properties affected.

(e) Topographic Base Watershed Map, at a scale no greater than 1" = 100' which extends a minimum of 200' beyond the limits of the proposed development and indicates existing surface water drainage including streams, ponds, culverts, field tiles, ditches, and wetlands; current land use including all existing structures; locations of utilities, roads, and easements; and significant natural and manmade features not otherwise shown. A minimum of 2' contours shall be shown on-site and 2' contours outside of the proposed property.

(f) A written or graphic inventory of the natural resources at the site and immediate area as it exists prior to the commencement of the project and a description of the watershed and its relation to the project site. This description should include a discussion of existing predevelopment soil conditions such as hydric soils and areas for infiltration-based BMPs, vegetative and forest cover, topography, wetlands, and other native vegetative areas on the site. Particular attention should be paid to environmentally sensitive resources that provide particular opportunities or constraints for development.

(g) Use hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in the Iowa Stormwater Management Manual. Low Impact Development hydrology should be applied where appropriate and as approved by the City Municipal Engineer. Provide information in accordance with Section 2A-5 Project Drainage Report using the methodologies referenced in Sections 2B and 2C in the Iowa Stormwater Management Manual.

(h) Minimize the volume of surface water runoff which flows from any specific development project site after completion to not exceed the pre-development hydrologic regime of meadow in good condition.

(i) If mass grading is used, flows shall not exceed the predevelopment hydrologic requirements of meadow in good condition. Classification of the altered soils shall be taken into consideration throughout the design.

(j) Utilize Low Impact Development features such as (but not limited to):

(i) Open space protection and restoration through conservation of existing natural areas, reforestation, re-establishment of prairies and wetlands, and re-establishment of native vegetation into the landscape including native turf.

(ii) Minimizing impervious cover.

(iii) Capture, store and reuse runoff for irrigation in areas where irrigation is necessary.

(k) A technical assessment of soils shall be provided that identifies the soil series and the site limitations based on soils data provided in the Web Story County Soil Survey hosted by Natural Resources Conservation Service (NRCS). Soil borings shall be included when necessary to confirm suitable site conditions for placement of buildings with basements and related structures, especially in areas with hydric soils and shallow depth to groundwater. If a stormwater BMP depends on the hydraulic properties of soils, then the assessment shall include soil borings and measurements of percolation/infiltration rates. The number and location of required soil borings and/or soil test sites shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the BMP. This information shall be used to provide a summary of the associated risks and potential for adequate drainage related to infiltration practices, groundwater

mounding and basement flooding. Consultation with a Certified Professional Soil Scientist or Soil Classifier may be necessary or required.

(l) Provisions shall be made for stream buffers. The area shall be defined within a recorded easement that includes a management plan. They shall be maintained with native vegetation along naturally occurring stream areas using the following requirements based on stream order:

(i) Streams exceeding 3rd order and above, the City requires sketches, maps, studies, engineering reports, tests, profiles, cross-sections, construction plans and specifications to determine adequate buffer widths.

(ii) Perennial streams (1st and 2nd order). The total required stream buffer width is one hundred (100) feet on each side perpendicular to the waterway measured from the outer wet edge of the channel during base flows.

(iii) Intermittent streams. The total required stream buffer width is fifty (50) feet on each side perpendicular to the water way measured from the centerline of the channel.

(iv) Waterways and/or dry channels that have a contributing drainage area of fifty (50) acres or greater. The total required stream buffer width is thirty (30) feet on each side perpendicular to the waterway measured from the centerline of the waterway.

(v) Waterways and/or dry channels with a contributing drainage area of less than 50 acres. The total required stream buffer width is twenty (20) feet on each side perpendicular to the waterway measured from the centerline of the waterway.

(m) A Maintenance, Repair, and Landscaping Plan that is periodically updated for all structural and nonstructural stormwater BMPs including detailed routine maintenance as well as long-term maintenance of vegetation, and repair procedures to ensure their continued efficient function shall be provided to the Public Works Department. These plans will identify the parts or components of a stormwater BMP that need to be maintained and the equipment, skills or training necessary. The plan shall also indicate who will be responsible for the maintenance of vegetation at the site. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. Native Iowa plants and trees shall be considered for use with stormwater BMPs.

(n) Proof of permanent recorded Maintenance Easements that will ensure access to all stormwater BMPs at the site for the purpose of inspection and repair. These easements will be recorded with the stormwater management final plan and will remain in effect even with transfer of title to the property.

(o) Dedicating Drainage Easements: Any stormwater BMP outside of the public right-of-way shall be dedicated in a perpetual unobstructed easement with satisfactory access to a public way and from a public way to a natural watercourse or to other stormwater management measure. Any such easement shall be secured by the subdivider or developer and dedicated to the City without cost to the City.

(p) Proof of a proposed Maintenance Agreement (recorded with final plat) binding on all subsequent owners of land served by stormwater BMPs to ensure maintenance and repair in accordance with the specifications of this ordinance.

(q) Copies of all existing SWPPPs (as required by the City's COSESCO ordinance) current as of the date of submission of the stormwater management final plan for all construction activities related to implementing any on-site stormwater BMPs .

(r) For lot development impacted by stormwater BMPs and conveyance features:

(i) The builder shall provide to the Municipal Engineer, or designated City representative, for review and approval an as-built foundation survey by a licensed surveyor before the foundation is poured.

(ii) The lowest opening of all buildings shall be a minimum of 3 feet above the 100 year water surface elevation of stormwater BMPs.

(iii) Building foundations adjacent to stormwater BMPs and/or stormwater infrastructure (i.e. conveyance features, inlets, manholes) shall be 3 feet above the 100 year water surface elevation.

(s) Any required storm sewers including foundation drain collector lines shall be separate from any required sanitary sewers and shall be installed at the subdivider's or developer's expense and subject to requirements of the City and shall be adequate to serve all lots or parcels of land within the area to be subdivided.

(i) The storm sewer system shall be designed with due regard to the present and reasonably foreseeable needs of the area to be subdivided and to the location and capacity of existing storm sewers and other stormwater management measures available to serve existing and reasonably anticipated development or use of areas abutting the area to be subdivided.

(ii) Upon determination by Municipal Engineer, such storm sewers may become the property of the City, upon determination of the Municipal Engineer through the City's inspection, approval, and acceptance of such sewers, after the subdivider pays to the City any costs associated with their installation including any reasonable charge for any supervisory or other services provided by the City.

(t) Accommodating Upstream Drainage Areas: Any necessary and appropriate stormwater BMPs shall be designed to accommodate runoff from any upstream area potentially draining into or through the area to be subdivided, whether such area is inside or outside the area to be subdivided. Such design shall assume that the upstream area upon development or redevelopment will be regulated such that volume of surface water runoff shall be equal to the runoff from the current landuse condition.

(u) Protecting Downstream Drainage Areas: Any development shall provide for mitigation of any overload condition reasonably anticipated on any existing downstream stormwater BMPs outside the area to be subdivided, provided that the development or use of the area to be subdivided creates or contributes to such condition.

Sec 5B.4. WAIVERS

(1) Every applicant shall provide for stormwater management as required by this ordinance except in certain redevelopment situations when confronted with difficult site conditions that limit design of such BMPs listed in the Iowa Stormwater Management Manual. In such case, a written request must be filed to waive implementation of BMPs in part or in whole. Requests to waive implementation of BMPs in part as defined in 5B.4(2) shall be submitted to the Municipal Engineer for approval.

(2) Partial Waivers

(a) Partial waivers of BMPs required by this ordinance may be granted for redevelopment projects if the proposed development is not likely to impair attainment of the objectives of this ordinance. At least one of the following conditions, in successive order, shall be established by applicant based on authoritative written evidence satisfactory to the Municipal Engineer:

(i) Alternative minimum requirements for on-site management of stormwater have been established in a stormwater management plan that has been approved by the Municipal Engineer and fully implemented. If the applicant is unable, for good cause shown, to meet the requirements of this subsection, the applicant shall meet the following condition:

(ii) Provisions are made to manage stormwater by an off-site facility that has been approved by the Municipal Engineer. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of stormwater control that is equal to or greater than that which would be afforded by on-site practices and there is a responsible entity legally obligated to monitor the performance of and maintain the efficiency of stormwater BMPs in accordance with a written and recorded maintenance agreement. If the applicant is unable, for good cause shown, to meet the requirements of this subsection, the applicant shall meet the following condition:

(iii) Monetary contributions (Fee-in-Lieu) to fund watershed studies, monitoring, and improvements to address water quality and flooding issues. The monetary contribution required shall be in accordance with a fee schedule (unless the developer and the City agree on a greater alternate contribution) established by City based on the estimated cost savings to the developer resulting from the waiver and the estimated future costs to City to achieve City stormwater requirements. All of the monetary contributions shall be credited to an appropriate capital improvements program project, and shall be made by the developer prior to the approval of any final plat or site plan.

(b) In instances where one of the above conditions is established, the applicant must further establish by authoritative written evidence satisfactory to the Municipal Engineer that the partial waiver will not result in any of the following impacts to downstream waterways:

- (i) deterioration of existing culverts, bridges, dams, and other structures;
- (ii) degradation of biological functions or habitat;
- (iii) accelerated streambank or streambed erosion or siltation;
- (iv) increased threat of flood damage to public health, life, property.

Sec 5B.5. PERFORMANCE BOND

(1) City shall require the submittal of an installation performance security or bond prior to issuance of approval in order to insure that the stormwater BMPs are installed as required by the approved stormwater management final plan:

(a) The amount of the installation performance security or bond shall be the total estimated construction cost of the stormwater BMPs approved in the stormwater management plan. The installation performance security or bond shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan.

(b) The installation performance security or bond shall be released in full only upon submission of "as built plans" of all stormwater BMPs specified in the stormwater management plan and written certification by a Licensed Professional Engineer or Professional Landscape Architect or person credentialed in a manner suitable to the city that the stormwater BMPs have been installed in accordance with the approved stormwater management final plan and other applicable provisions of this ordinance. City will make a final inspection of stormwater BMPs to ensure compliance with the approved stormwater management plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the installation performance security or bond based on the completion of various development stages can be made at the discretion of the Municipal Engineer.

(2) City shall also require the submittal of a maintenance performance security or bond prior to issuance of a permit in order to insure that the stormwater BMPs are maintained in an effective state for a minimum of four years. This maintenance performance security or bond may be released by the City upon a showing satisfactory to the Municipal Engineer that:

(a) another bona fide financially responsible legal entity, such as a homeowners' or similar organization organized under Iowa law, has been assigned responsibility for maintenance of the stormwater BMPs in an effective state for the balance of the four year period after assignment; and

(b) said assignee-legal-entity has fully accepted such responsibility in a written document that qualifies for recording and has been recorded in the county recorder's office under Iowa law; and

(c) said assignee-legal-entity posts a substitute maintenance performance security or bond subject to release at the end of the initial four year period upon a further showing by the assignee-legal-entity that the stormwater BMPs are, in City's sole judgment, still reasonably effective.

Sec 5B.6. CONSTRUCTION INSPECTION

(1) After construction is completed, applicants are required to submit actual "as built" drawings satisfactory to City for any stormwater BMPs located on-site. The drawings must show the final design specifications for all stormwater BMPs and must be certified by a Professional Engineer, Landscape Architect or credentialed in a manner acceptable to the city. A final inspection by City is required before the release of any performance securities can occur.

(2) Construction inspections will be conducted by the City or designated representative of the City at the conclusion of a development or redevelopment project after as-built plans are submitted to the City to ensure the stormwater BMPs have been built according to the stormwater management plan. For subdivisions, the owner is responsible for covering actual Engineering cost per City code. For individual site developments, the cost is included in the COSESCO fee.

(3) Performance security or bond will be released upon acceptance.

Sec 5B.7. MAINTENANCE AND REPAIR OF STORMWATER BMPs

(1) The applicant or owner of every site, or an assignee qualified pursuant to Section 6, shall be responsible for maintaining as-built storm water BMPs in an effective state.

(2) Prior to the issuance of a COSESCO permit that has a stormwater management BMP as one of its requirements of the permit, the applicant or owner of the site must execute a maintenance and repair easement agreement that shall be binding on all subsequent owners of land served by the stormwater management BMP. The agreement shall provide for access to the BMP and the land it serves at reasonable times for periodic inspection by City or City's designee and for regular or special assessments of property owners to ensure that the BMP is maintained in proper working condition to meet City stormwater requirements. The easement agreement shall be recorded by City at the expense of the permit holder or property owners.

(3) Maintenance of all stormwater management BMPs shall be ensured through the creation of a formal maintenance agreement that must be approved by City and recorded into the land record at time of the stormwater management plan approval. As part of the agreement, a schedule shall be developed for when and how often maintenance will occur to ensure proper function of the stormwater management BMPs. The agreement shall also include plans for periodic inspections to ensure proper performance of the BMPs between scheduled cleanouts.

(4) City, in lieu of a maintenance agreement, may accept dedication of any existing or future stormwater BMP through a dedication agreement to include City responsibility for maintenance and repair, provided that the maintenance and repair of such element will not impose an undue burden on other City taxpayers which may include requirements that the Applicant pay all costs and fees, including reasonable attorneys' fees and consultant fees, incurred by the City in connection with said dedication, the BMP meets all the requirements of this chapter, and the dedication includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

(5) All stormwater management BMPs must undergo an annual inspection to document maintenance and repair needs and ensure compliance with the requirements of this ordinance and accomplishment of its purposes. Any maintenance or repair needs detected must be corrected by the developer or entity responsible under a written maintenance agreement under Section 5(B.)3 in a timely manner, as determined by City, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the stormwater management BMPs.

(6) Inspection programs may be established on any reasonable basis. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in storm water BMPs, and evaluating the condition of stormwater management BMPs.

(7) Parties responsible for the operation and maintenance of stormwater management BMPs shall make records of the installation and of all maintenance and repairs, and shall retain the records for at least 3 years. These records shall be made available to City during inspection of the facility and at other reasonable times upon request.

(8) If a responsible party fails or refuses to meet the requirements of the maintenance agreement or any provision of this ordinance, City, after reasonable notice, may correct a violation by performing all necessary work to place the BMP in proper working condition. In the event that the stormwater management BMP becomes a danger to public

safety or public health, City shall notify the party responsible for maintenance of the stormwater management BMP in writing. Upon receipt of that notice, the responsible person shall have 30 days to effect maintenance and repair of the stormwater management BMP in an approved manner. After proper notice, City may assess, jointly and severally, the owner(s) of the stormwater management BMP or the property owners or the parties responsible for maintenance under any applicable written agreement for the cost of repair work and any penalties; and the cost of the work shall be a lien on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes.

Sec 5B.8. ENFORCEMENT BY LEGAL OR ADMINISTRATIVE ACTION

(1) Violation of any provision of this ordinance may be enforced by civil action including an action for injunctive relief. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this ordinance.

(2) Violation of any provision of this ordinance may also be enforced as a municipal infraction within the meaning of Iowa Code Section §364.22, pursuant to the City's municipal infraction ordinance.

(3) Restoration of lands: Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, City may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

(4) Holds on Occupation Permits: Occupancy permits shall not be granted until all storm water management BMPs have been inspected and approved by City.

Sec 5B.9. MEANS OF APPEAL

Sec. 5B.900. Stormwater Appeal Board

There is established a Stormwater Appeal Board to hear appeals of persons in matters of the Post Construction Stormwater Management Ordinance adopted by the City of Ames.

Sec. 5B.901. Appeal application.

Any person directly affected by a decision of the Municipal Engineer or other City staff, or a notice or order issued under this code, shall have the right to appeal. That appeal shall be heard by the Stormwater Appeal Board. An appeal shall be made in writing and be filed **with the City Clerk** no later than 20 days after the date of the notice or order. The written appeal shall specify in detail the action appealed from, the errors allegedly made by the enforcement officer giving rise to the appeal, a written summary of all oral and written testimony the applicant intends to introduce at the hearing, including the names and addresses of all witnesses the applicant intends to call, copies of all documents the applicant intends to introduce at the hearing, and the relief requested.

An application for appeal shall be based on a claim that:

- (1) the true intent of this Code or the rules legally adopted hereunder have been incorrectly interpreted, or
- (2) the provisions of this Code do not fully apply, or

- (3) the requirements of this Code are adequately satisfied by other means, and the specific proposed alternative action will increase the degree of general code compliance of the specific system or the building and premises, or
- (4) there are specific fixed conditions that make strict compliance with this Code impracticable, or
- (5) required actions cannot be completed within the time limit specified by the Municipal Engineer or other City official.

Sec. 5B.902. BOARD MEMBERSHIP AND APPOINTMENT.

- (1) The Board shall consist of five members who are qualified by experience and training to pass on matters pertaining to stormwater mitigation and who are not employees of the City of Ames. The Municipal Engineer shall be an ex-officio member but shall have no vote on any matter before the Board.
- (2) Board members shall be appointed by the Mayor with the approval of the City Council. The term of office shall be for three (3) years, except for the terms of office for the Board when initially established. The Mayor may prescribe a shorter than a full term of appointment in order to stagger terms. No member who has served two (2) full consecutive terms is eligible for reappointment.
- (3) Membership shall consist of individuals chosen for their expertise in stormwater management, soils, biology, development, or related relevant fields of experience.

Sec. 5B.903. BOARD CHAIRPERSON.

The Board shall annually elect one of its members to serve as chairperson.

Sec. 5B.904. CONFLICT OF INTEREST.

A member shall not hear an appeal in which the member or immediate family member has a personal, professional or financial interest.

Sec. 5B.905. BOARD RECORDS.

The Municipal Engineer shall designate a qualified person to serve as secretary to the Board. The secretary shall file a detailed record of all proceedings in the offices of the Municipal Engineer and the City Clerk.

Sec. 5B.906. MEMBER COMPENSATION.

Members shall receive no compensation.

Sec. 5B.907. MEETING SCHEDULE.

The Board shall meet upon notice from the Municipal Engineer within 20 days of the filing of an appeal, or at stated periodic dates. An appellant may waive a timely hearing by filing a written waiver explaining the cause for seeking a delay.

Sec. 5B.908. OPEN MEETINGS.

The Board shall adopt and make available to the public, procedures under which hearings will be conducted.

Sec. 5B.909. BOARD AUTHORITY.

The Board has authority to affirm, modify or reverse the decision of the Municipal Engineer.

Sec. 5B.910. ACTION ON BOARD DECISION.

The Municipal Engineer shall take prompt action in accordance with the decision of the Board.

Sec. 5B.911. STAY OF ENFORCEMENT.

Appeal of a notice and order (other than an Imminent Danger notice) shall stay enforcement of the notice and order until the appeal is heard by the Board.

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