

COUNCIL ACTION FORM

SUBJECT: POWER PLANT FIRE RISK MITIGATION CONTRACT

BACKGROUND:

This contract allows the Power Plant to engage an engineering firm with fire protection expertise, or alternately a fire protection firm, to act as the Owner's Engineer/Designer/Representative for various fire risk mitigation studies, for the preparation of specific fire system and installation design and specifications, and for fire system installation management, inspection and testing.

The scope of work requires the engineering firm to (1) be the engineer for the areas listed above, (2) develop plans and specifications, (3) provide detailed cost estimates, (4) provide lists of potential bidders, (5) evaluate contractors, (6) carry out contract management, and (7) perform field installation administration as needed, required, and requested for each project. **The selected engineering firm is not allowed to bid on any part of the actual fire protection system installation.**

On December 18, 2012, City Council awarded a contract to Burns & McDonnell, Chesterfield, MO, for the Professional Services for Fire Risk Mitigation contract in a not-to-exceed amount of \$50,000. Included in the original contract were terms for up to four additional one-year terms. **This is the second renewal out of four maximum.**

Funding is available from the FY13/14 Capital Improvements Plan in the Power Plant Fire Protection System Project. There is currently \$881,223 remaining in the Final Budget Amendments from the FY13/14 budget cycle. This funding will be carried over to the FY14/15 budget to cover this contract.

ALTERNATIVES:

1. Approve the contract renewal with Burns & McDonnell, Chesterfield, MO, for the Professional Services for Fire Risk Mitigation contract for the one-year period from July 1, 2014 through June 30, 2015 in an amount not-to-exceed \$50,000.
2. Do not renew the agreement and instruct staff to seek new competitive proposals.

MANAGER'S RECOMMENDED ACTION:

This work is needed for fire risk mitigation (fire detection, alarm, & suppression) to protect critical plant equipment. If not done, a loss event resulting from a fire could be catastrophic because electricity production could stop. It is cost-effective for the Power Plant to have a company under contract to provide these services because of their

specialized knowledge of current National Fire Protection Association (NFPA) code requirements and of mitigation equipment currently utilized in this industry.

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

COUNCIL ACTION FORM

SUBJECT: RENEWAL OF CONTRACT FOR POWER PLANT MAINTENANCE SERVICES

BACKGROUND:

The Electric Utility has two coal-fired, high-pressure steam generation units within the City's Power Plant, referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of both emergency and planned repairs and service. Services include a large variety of boiler and pressure vessel maintenance and repairs, structural steel, pump and piping work, coal handling system, coal pulverizer work, and other miscellaneous mechanical Power Plant work.

The repair of the equipment on these generation units requires professional trade crafts such as boilermakers, steam/pipe fitters, and millwrights. The crafts are certified to install and repair high-pressure vessel and piping systems and other apparatus of the generation units. One of the most important aspects of this work is to provide the dependable, high pressure certified repairs and documentation required by State Code.

On June 11, 2013, City Council awarded a contract to ProEnergy Services LLC, Sedalia, MO, for the Power Plant maintenance services contract to be furnished as requested from July 1, 2013, through June 30, 2014. The contract was in an amount not-to-exceed \$550,000.

The original contract has the option for the City to renew in one-year increments for up to four additional years. **Council should note that the rates which will be charged by ProEnergy Services, LLC will be unchanged for next year. This is the first renewal out of four maximum.**

The FY 2014/15 operating budget for Electric Production includes \$800,000 for this contract. The large increase in the budget from last year and the higher contract renewal amount are due to expected increase in work at the resource recovery bin and at the cooling towers. Payments would be calculated on unit prices bid and actual work performed, up to the available budget amount.

ALTERNATIVES:

1. Approve the contract renewal with ProEnergy Services LLC, Sedalia, MO, for the Power Plant maintenance services contract for the one-year period from July 1, 2014, through June 30, 2015, and approve contract and bond. Total work in FY 2014/15 shall be an amount not-to-exceed \$800,000.

2. Do not renew the agreement and instruct staff to seek new competitive bids.

MANAGER'S RECOMMENDED ACTION:

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for boiler repair and maintenance, and will also control costs by having established billing rates. Funds will be expended only as work is required and in accordance with approved invoices. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: May 9, 2014

Subject: Contract and Bond Approval

There are no Council Action Forms for Item Nos. ____43____ through ____45____.
Council approval of the contract and bond for these projects is simply fulfilling a
State Code requirement.

/jr

COUNCIL ACTION FORM

**SUBJECT: WATER AND POLLUTION CONTROL FIRST STAGE TRICKLING
FILTER VERTICAL TURBINE SOLIDS HANDLING PUMPS**

BACKGROUND:

On September 8, 2009, Council awarded a contract to Flowserve Pump Division, Taneytown, MD to provide four new vertical turbine pumps to replace the failing first stage trickling filter pumps. A purchase order was issued September 18, 2009 for a total contract amount of \$219,492 and a contractual delivery date of April 30, 2011. The original delivery date was missed and the City agreed to extend the delivery date to June 30, 2011. The pumps were delivered by the revised date; however, to date only one Flowserve pump is installed. That pump is only capable of achieving 90% of the specified design flow. A second Flowserve pump has been installed and pulled for modification or repair four times; two were for bearing failures and two were attempts to modify the pump to achieve the specified flow.

To date, the City has made no payment to Flowserve pending resolution of issues with their pumps. The manufacturer has twice modified the pumps in an attempt to achieve the required flow, without success. Staff gave them one last chance to perform by sending a pump back to the factory for a third rework to try to meet the required flow. Flowserve has made changes to one pump and it is ready for shipment to the plant for installation and testing. However, in a letter dated July 2, 2013, Flowserve proposed new terms to the contract that are not favorable to the City regarding payment and performance. The manufacturer was told to hold the pump until further notice. Staff met with the City Attorney to see what remedies were available and to develop a response to the manufacturer.

The City Attorney issued a letter to Flowserve on October 4, 2013, stating the City's dissatisfaction with the situation and proposing an amicable resolution to the contract. To summarize, the City's offer was to purchase the one pump that is in place and operating at 90% flow for 90% of its bid price. The City would also purchase the second modified pump currently at the factory because it is needed until replacement pumps are delivered from a different vendor. (Council awarded the contract for the replacement pumps in January 2014.) The remaining two pumps would be deleted from the contract.

Since that time there have been several counter-offers exchanged between the City and Flowserve. Terms have finally been reached that both parties are willing to accept. **Staff is seeking approval from Council for a change order to the contract with**

Flowserve. The negotiated resolution would eliminate two of the four pumps from the contract. The price for the third pump performing at 90% would be reduced to 90% of the bid price. The price for the fourth pump would be at 100% of the bid price, with a portion payable prior to shipment and the balance payable within 30 days of delivery. Funds for the purchase of the pumps were originally included in the FY 08/09 Capital Improvements Plan, and have continued to roll over each year while the performance issues have been addressed by Flowserve. The FY 13/14 amended CIP includes funds designated specifically for these pumps.

ALTERNATIVES:

1. Approve a change order to the Flowserve contract deleting two pumps from the contract and accepting modifications to the contract terms and conditions as negotiated by the City Attorney.
2. Do not approve the change order and direct staff to take other actions as determined by Council.

MANAGER'S RECOMMENDED ACTION:

Having functional pumps in the first stage trickling filter process is paramount to the treatment plant's ability to pass its full rated flow and treat to a level that avoids violation of the facility NPDES permit. This action would also resolve a long-standing issue with this company.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a change order to the Flowserve contract deleting two pumps from the contract and including modifications to the contract terms and conditions as negotiated by the City Attorney.

**Public Works Department**

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

May 5, 2014

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

Ladies and Gentlemen:

I hereby certify that the public utilities, curb and gutter, and base asphalt paving construction required as a condition for approval of the final plat of **Somerset – 25th Addition** have been completed in an acceptable manner by **Keller Excavating of Boone, IA and 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 reduced to **\$60,576.52**. The remaining work covered by this financial security includes asphalt surface course, pedestrian ramps, street lighting, and utility adjustments.

Sincerely,

John C. Joiner, P.E.
Director

JJ/jc

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

Description	Unit	Quantity
Mobilization	LS	1
Topsoil, Strip, Salvage, Respread	CY	8,150
Grading	CY	27,500
Sanitary Sewer, Connect to Existing	EA	1
Sanitary Manhole, SW-301	EA	7
Sanitary Sewer, 8"	LF	1,550
Sanitary Sewer, Service, 4"	LF	985
Storm Sewer, SW 401	EA	2
Storm Sewer, SW 501	EA	4
Storm Sewer, SW 503	EA	3
Storm Sewer, 507	EA	4
Storm Sewer, Drain Tile Cleanout	EA	2
Storm Sewer, 8"	LF	518
Storm Sewer, 15"	LF	483
Storm Sewer, 18"	LF	148
Storm Sewer, 24"	LF	96
Storm Sewer, 36"	LF	596
Storm Sewer Service, 1.5"	LF	916
Storm Sewer, FES and Endwall, 36"	EA	1
Class E Rip Rap	TN	30
Water Main, 8"	LF	1,010
Water Tapping Valve and Sleeve, 8"x8"	EA	2
Water Service	LF	895
Curb Stop	EA	25
Fire Hydrant and Valve Assembly	EA	2
Mobilization	LS	1
Subgrade Prep	SY	2,895
PCC Curb and Gutter, 30"	LF	2,030
Pavement, HMA Base, 6"	TN	908
Pavement, HMA Surface, 2"	TN	277
PCC Sidewalk, ADA Ramps	SY	245
Mobilization	LS	1
Silt Fence	LF	1,900
Seeding, Temporary	AC	11.15

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 205 S. WILMOTH AVENUE

BACKGROUND:

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A plat of survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

This specific plat of survey is for the consolidation of multiple subdivided lots and portions of conveyance parcels to create a legalized lot for permitting purposes. The lot is located at the corner of Lincoln Way and S. Wilmoth Avenue. This property is owned by Breckenridge Ames Iowa, LLC, and is known as the north parcel of the three Breckenridge development parcels. (See Attachment A, Location Map.) The proposed plat of survey consolidates 10 existing properties into one new 8.36 acre Parcel M for the potential development. (See Attachment B, Proposed Plat of Survey.)

The Electric Department has asked that a ten-foot electric easement be established along the full length of the west property line of Parcel M for existing electrical equipment located in this area. This is shown on the plat. **No other improvements are needed or required in conjunction with the merger of the lots.**

ALTERNATIVES:

1. The Council can adopt the resolution approving the proposed plat of survey conditioned upon receiving an executed supporting easement document as shown on the plat.
2. The Council can deny the proposed plat of survey if it finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval.

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 conditioned upon receiving an executed supporting easement document as shown on the plat.

ADDENDUM
PLAT OF SURVEY FOR 205 S. WILMOTH AVENUE

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:

Owner: Breckenridge Ames Iowa, LLC
Street Address: 205 S. Wilmoth Avenue
Assessor's Parcel #: 0908225020

Legal Description: Lots 5-13 of Block 1 in Garden Subdivision and part of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter, all in Section 8, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, and all being more particularly described as follows: Beginning at the Northwest Corner of said Lot 13: thence S88°48'12"E, 449.51 feet along the North line of said Lots 5-13 to the Northeast Corner of said Lot 5: thence S00°09'35"E, 169.32 feet to the Southeast Corner of said Lot 5: thence S88°46'49"E, 190.66 feet to the Southeast Corner of Lot 3 in said Garden Subdivision: thence S00°20'56"E, 442.69 feet along the West line of S. Wilmoth Avenue to a point on the North line of the South 16.00 feet of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter: thence N88°47'18"W, 321.06 feet along said line: thence S00°20'56"E, 13.62 feet to the North line of Friedrich's 15th Addition to Ames, Iowa: thence N89°12'56"W, 319.80 feet along said line to the Southwest Corner of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter: thence N00°15'32", 137.68 feet along the West line thereof to the Northeast Corner of Lot 1 in C. G. Lee's Subdivision: thence N00°13'19", 490.21 feet to the point of beginning, containing 8.36 acres

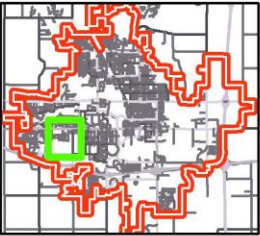
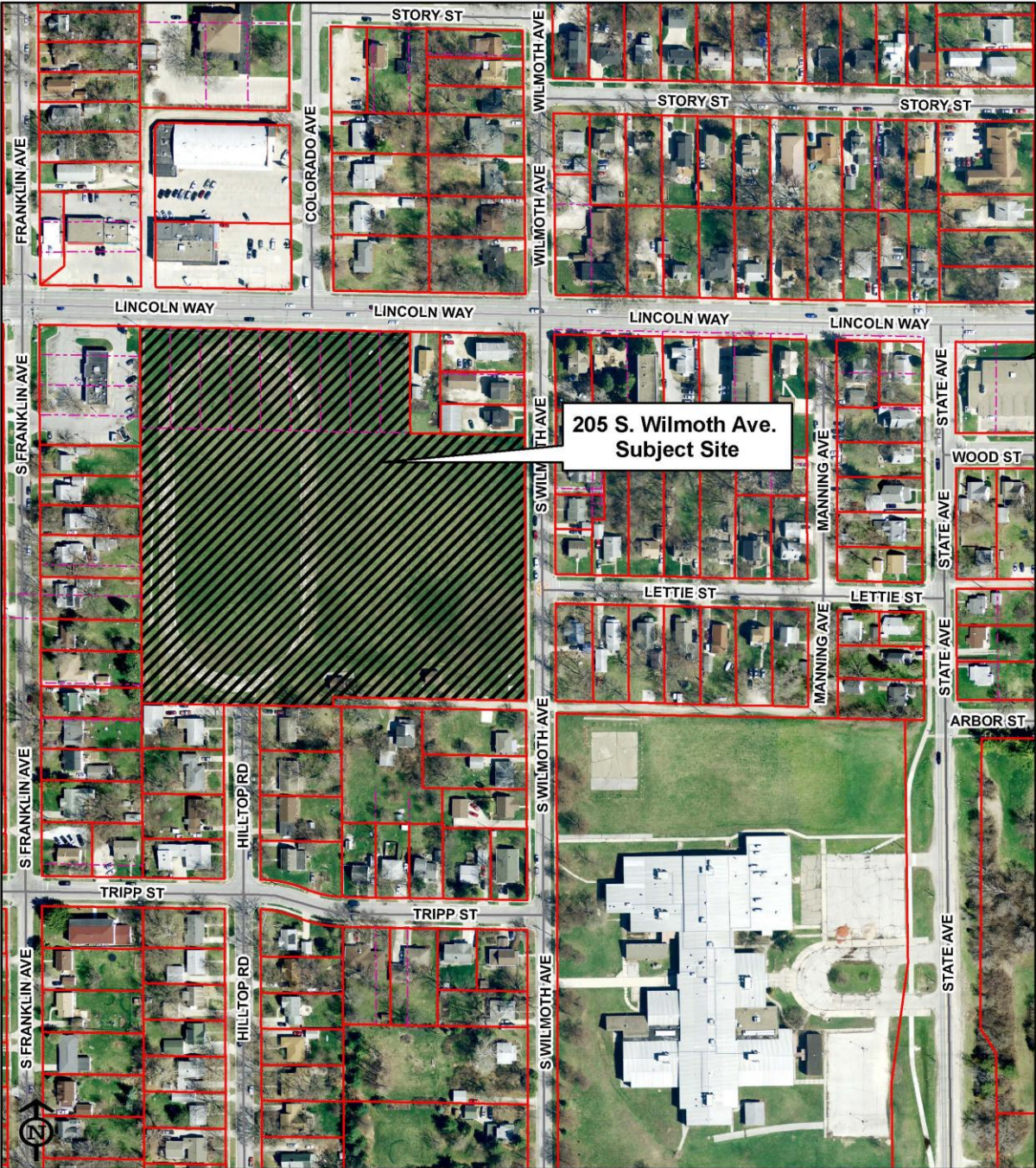
Public Improvements:

The preliminary decision of the Planning Director finds that 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.

Note: 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

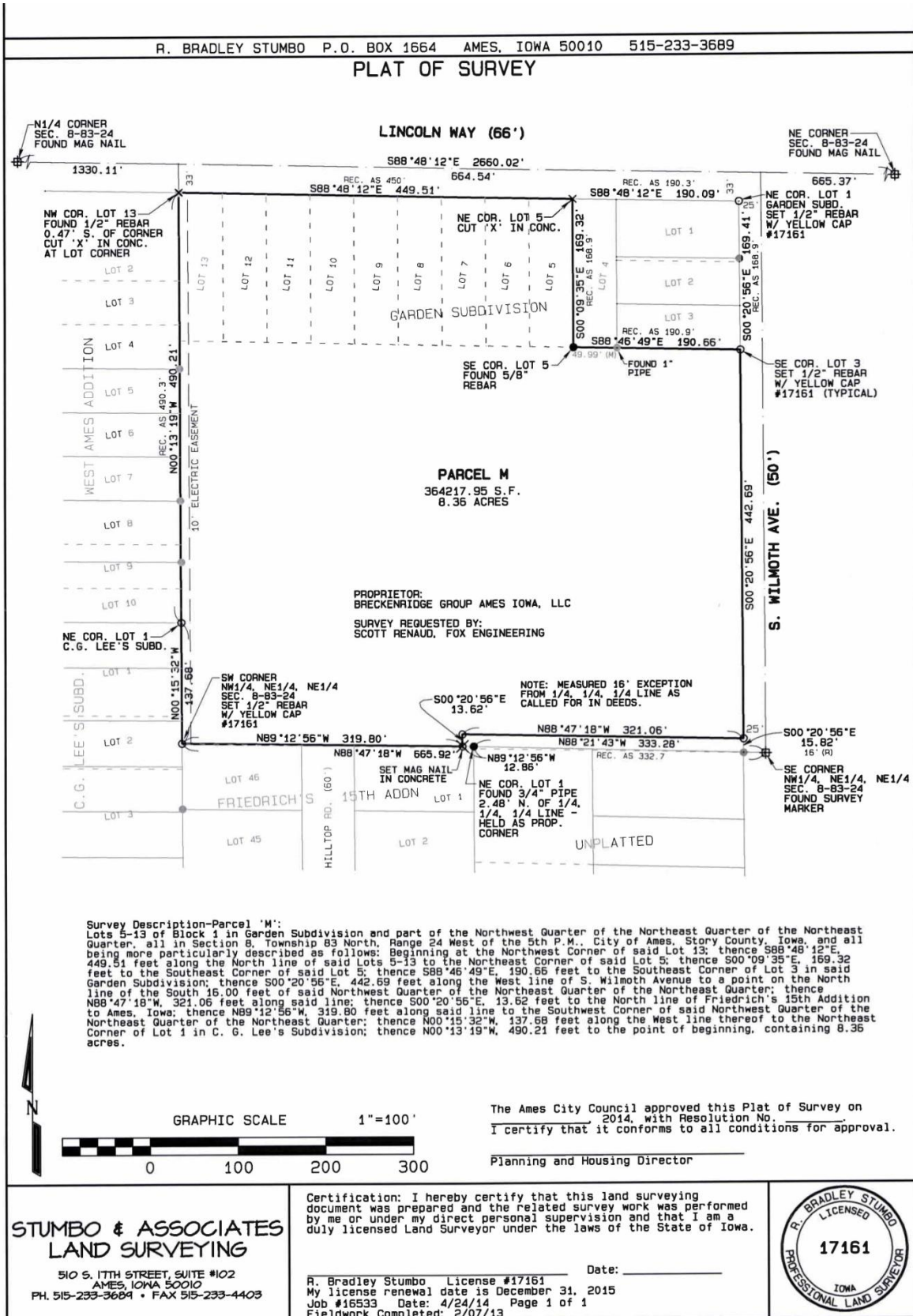


Location Map
205 S. Wilmoth Avenue

Legend

- LOTS
- PARCELS
- Subject Site

ATTACHMENT B PROPOSED PLAT OF SURVEY



COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 4130 LINCOLN SWING

BACKGROUND:

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

The proposed Plat of Survey is for a conveyance parcel to create a legalized lot for permitting purposes. This property is owned by GW College Park, LLC. (See Attachment A, Location Map.) The lot is located along the south side of Lincoln Swing, the current site of a mobile home park. Rezoning of the property to High Density Residential occurred in July of 2013. The Plat of Survey will officially plat the existing boundaries of the conveyance parcel to create a single 3.78 acre lot. (See Attachment B, Proposed Plat of Survey.)

The current north boundary of the parcel extends to the centerline of the Lincoln Swing. The existing right-of-way is a highway easement which was established with the DOT prior to annexation of the parcel. The Public Works Department has asked that the right-of-way portion of the property be transferred to the City at the time of platting of the lot. The area to be transferred is shown on the accompanying acquisition plat (Attachment C) and the property will be transferred to the City through the attached signed quit claim deed (Attachment D). No other improvements are needed or required in conjunction with the plat of survey for the property.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey, and the Planning and Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. 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. Once recorded the city with record the Acquisition Plan and the Quit claim deed thereby transferring the right of way to public property.

ALTERNATIVES:

1. The City Council can approve the Plat of Survey and the acquisition of the Right of Way in order to plat the property at 4130 Lincoln Swing and take ownership of that portion of the Right of Way for Lincoln Swing with the following approvals:

- a. The City Council can adopt a resolution approving the proposed Plat of Survey for 4130 Lincoln Swing, and
 - b. The City Council can adopt a resolution approving the Acquisition Plat for street Right of Way on Lincoln Swing, and
 - c. The City Council can adopt a resolution approving the Quit Claim Deed conveying street right of way from the property owner to the City of Ames.
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.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval. 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 for 4130 Lincoln Swing, the Acquisition Plat, and the quit claim deed for conveyance of street right-of-way to the City.

ADDENDUM
PLAT OF SURVEY FOR 4130 LINCOLN SWING

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:

Owner: GW College Park, LLC

Street Address: 4130 Lincoln Swing

Assessor's Parcel #: 0908103140

Legal Description (Parcel ' N'): The East 289.5 feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter of the Northwest Quarter of Section 8. Township 83 North. Range 24 West of the 5th P.M. lying South of the centerline of the public street known as "Lincoln Swing", in the City of Ames, Iowa, except the South 442 feet thereof being more particularly described as follows: Beginning at the Northeast Corner of Lot 5 in Cochrane 's First Addition to Ames, Iowa: thence N89°28'58"W. 288 .84 feet to the Northwest Corner of said Lot 5; thence NOO° 17' 25"W, 573.08 feet to the centerline of said Lincoln Swing and the beginning of a curve: thence following said centerline easterly and northeasterly, 277.72 feet along said curve having a radius of 1432.50 feet, concave to the north, a central angle of 11°06'29" and being subtended by a chord which bears N71°08'06"E, 277.29 feet; thence N65°34'39"E, 31.12 feet to the intersection of said centerline with the northerly extension of the West line of Beedle's Subdivision, Ames, Iowa; thence S00°05'05"E, 678.20 feet long the West line thereof to the point of beginning, containing 4.13 acres, which includes 0.35 acres of existing public right of way.

Public Improvements:

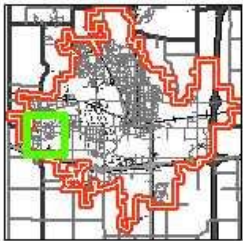
The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- ☐ 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.

It was requested that the right of way easement area be transferred to city public right of way. The attached acquisition plat and quit claim deed address the right of way request.

Note: 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



4130 Lincoln Swing
Location Map

R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

PLAT OF SURVEY

A detailed survey plat for Parcel N, located in the Northwest Quarter of Section 8, Township 83 North, Range 24 West, 5th P.M., Ames, Iowa. The map shows Parcel N (4.13 acres total, 0.35 acres road, 3.78 acres net) bounded by a 'LINCOLN SWING (100')' on the north and east. To the west is Block 1, H.C. Nowlin's Subdivision, and to the south is Block 2, H.C. Nowlin's Subdivision. The map also shows Beedle's Subdivision to the east and Cochrane's First Addition to the south. Key features include a 'CUT 'X' IN CONCRETE (TYPICAL)' on the Lincoln Swing, a '50' RIGHT OF WAY LINE', and various corner markers and bearings. A north arrow is located in the bottom left corner.

Survey Description-Parcel 'N': The East 289.5 feet of the East 35 Rods of the West 75 Rods of all that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 83 North, Range 24 West of the 5th P.M., lying South of the centerline of the public street known as "Lincoln Swing", in the City of Ames, Iowa, except the South 442 feet thereof; being more particularly described as follows: Beginning at the Northeast Corner of Lot 5 in Cochrane's First Addition to Ames, Iowa; thence N89°28'58"W, 288.84 feet to the Northwest Corner of said Lot 5; thence N00°17'25"W, 573.08 feet to the centerline of said Lincoln Swing and the beginning of a curve; thence following said centerline easterly and northeasterly, 277.72 feet along said curve having a radius of 1432.50 feet, concave to the north, a central angle of 11°06'29" and being subtended by a chord which bears N71°08'06"E, 277.29 feet; thence N65°34'39"E, 31.12 feet to the intersection of said centerline with the northerly extension of the West line of Beedle's Subdivision, Ames, Iowa; thence S00°05'05"E, 678.20 feet along the West line thereof to the point of beginning, containing 4.13 acres, which includes 0.35 acres of existing public right of way.

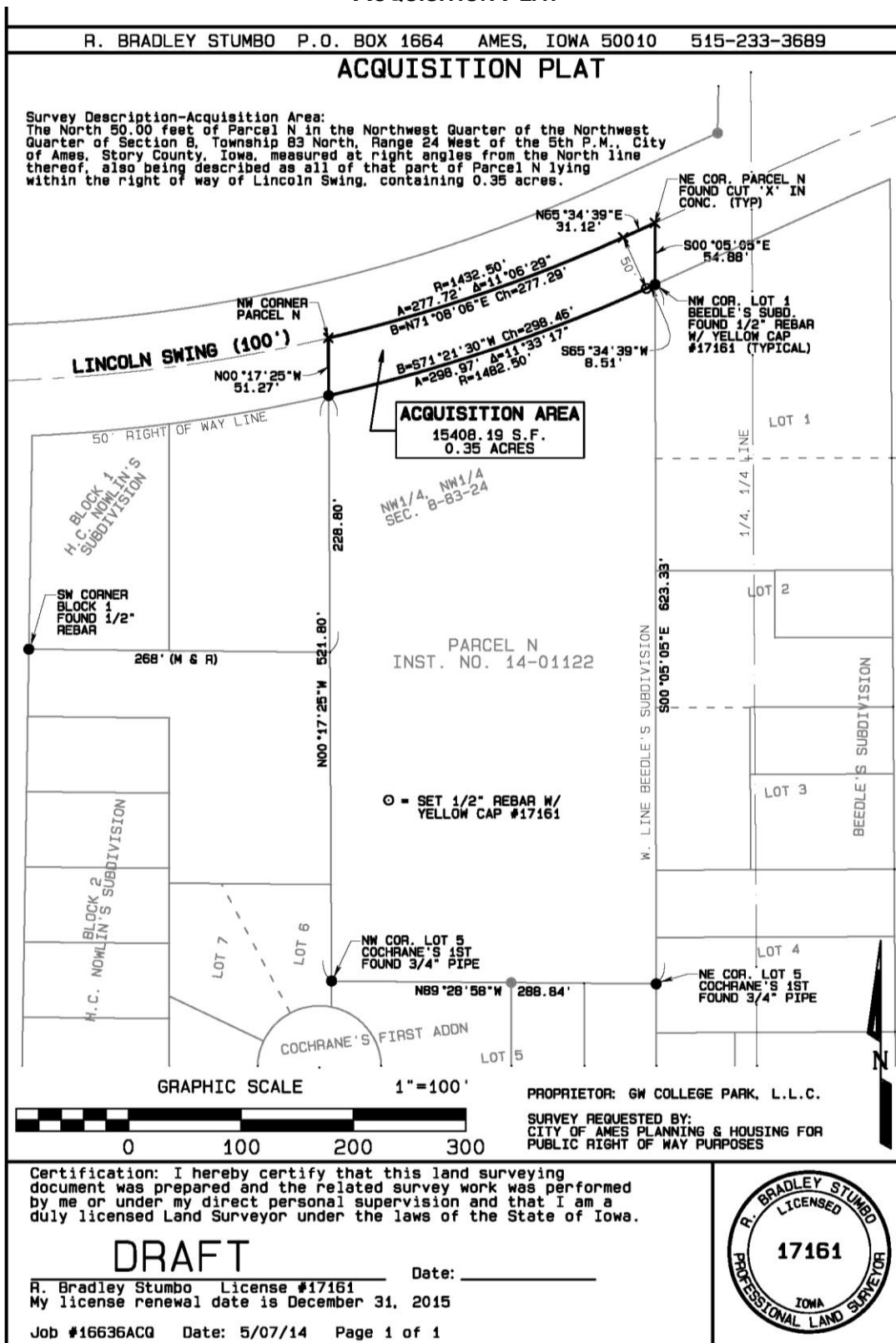
A graphic scale bar showing 0, 150, 300, and 450 feet, with a scale of 1"=150'. Below the scale bar, the text reads: PROPRIETOR: GW COLLEGE PARK, L.L.C. SURVEY REQUESTED BY: ALEX GALYON

Certification: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2015
Job #16636 Date: 4/15/14 Page 1 of 1
Fieldwork Completed: 2/05/14
Date: _____

A circular professional seal for R. Bradley Stumbo, a Licensed Professional Land Surveyor in Iowa. The seal includes the text "R. BRADLEY STUMBO LICENSED 17161 IOWA PROFESSIONAL LAND SURVEYOR".

ATTACHMENT C
ACQUISITION PLAT



ATTACHMENT "D"

DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; (515) 239-5146
Return document to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010
Address tax statement to: City of Ames, 515 Clark Ave., Ames, IA 50010

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That GW College Park, L.L.C., in consideration of good and valuable consideration, does hereby Quit Claim unto the City of Ames, Iowa, all the right, title and interest in the following described real estate situated in Story County, Iowa, to-wit:

The North 50.00 feet of Parcel N in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8,
Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County,
Iowa.

This deed is exempt from transfer tax pursuant to Iowa Code section 428A.2(6).

Words and phrases herein, including the acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

**GW COLLEGE PARK, L.L.C.
GRANTOR**

By _____
Alex P. Galyon, Manager and Member

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on _____, 2014, by Alex P. Galyon, Manager of GW College Park, L.L.C.

Notary Public in and for the State of Iowa

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 300,306 &312 ABRAHAM DRIVE

BACKGROUND:

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

The proposed Plat of Survey adjusts the boundary lines between the three existing platted lots. The subject properties are located at 300, 306 and 312 Abraham Drive (See *Attachment A - Location Map*). The three properties are zoned as “RL” (Residential Low Density). The boundary line that separates Lots 9 and 10, is shifted 16.37 feet to the north. The boundary line, that separates Lots 8 and 9, is shifted 9.18 feet to the south (See *Attachment B – Sketch of Existing Parcels*). This results in changing the number of square feet of land area in each parcel (See *Attachment C - Proposed Plat of Survey*). All three of the new parcels meet the minimum required lot area of 6,000 square feet in the “RL” zone.

The subject lots front upon Abraham Drive, a paved residential street with curb and gutter. There are no sidewalks present along Abraham Drive. In this instance, since there are no partial sidewalk improvements along the frontage of the lots and there are no sidewalk connections on the abutting lots. A Plat of Survey does not require new improvements to be installed if there are not partially existing facilities on a site. Therefore, a request for street improvements is not included with the Plat of Survey.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey, and the Planning and Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. 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.

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.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval. No conditions are required. 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.

ADDENDUM

PLAT OF SURVEY FOR 300,306 & 312 ABRAHAM DRIVE

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:

Owner Proposed Parcels A, B & C: Robert and Colleen Staggs

Street Address Proposed Parcels A, B & C: 312, 306 & 312 Abraham Drive

Assessor's Parcel #s: 0908103010, 0908103020, 0908103030

Proposed Legal Descriptions: See Attachment D

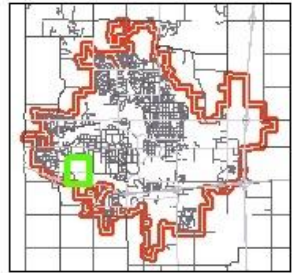
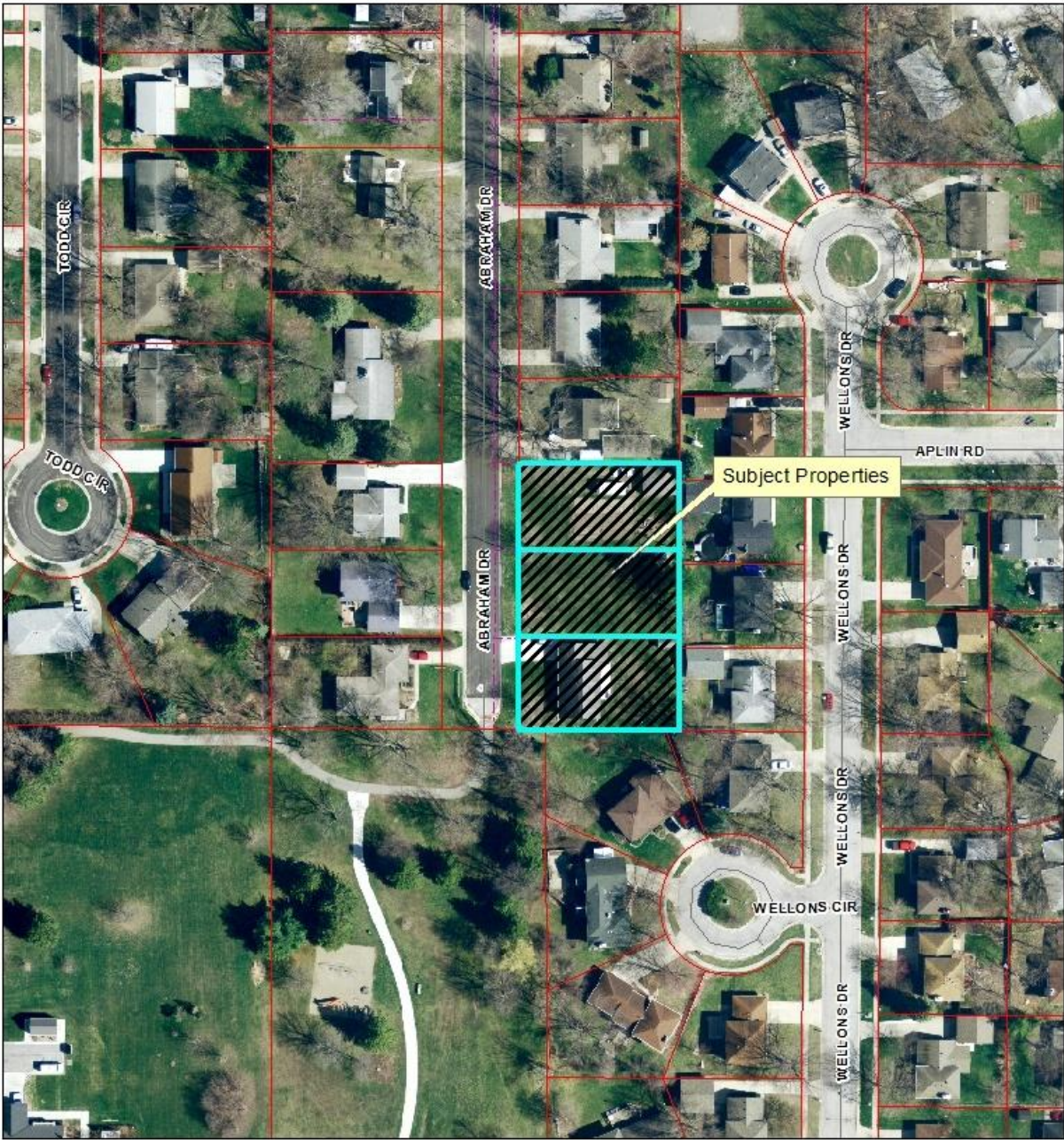
Public Improvements:

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

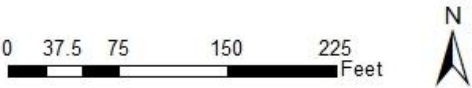
- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Note: 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.

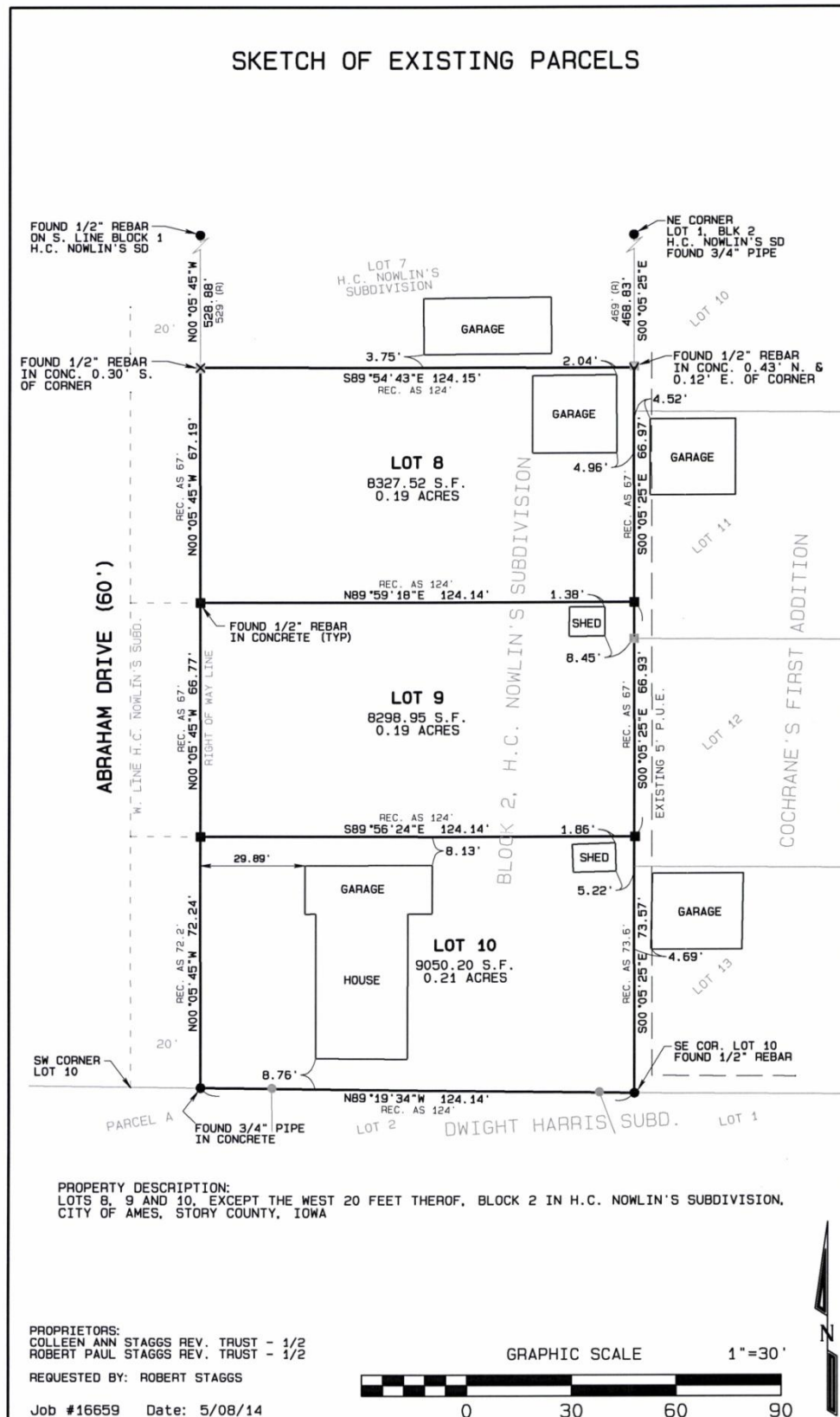
ATTACHMENT A
LOCATION MAP



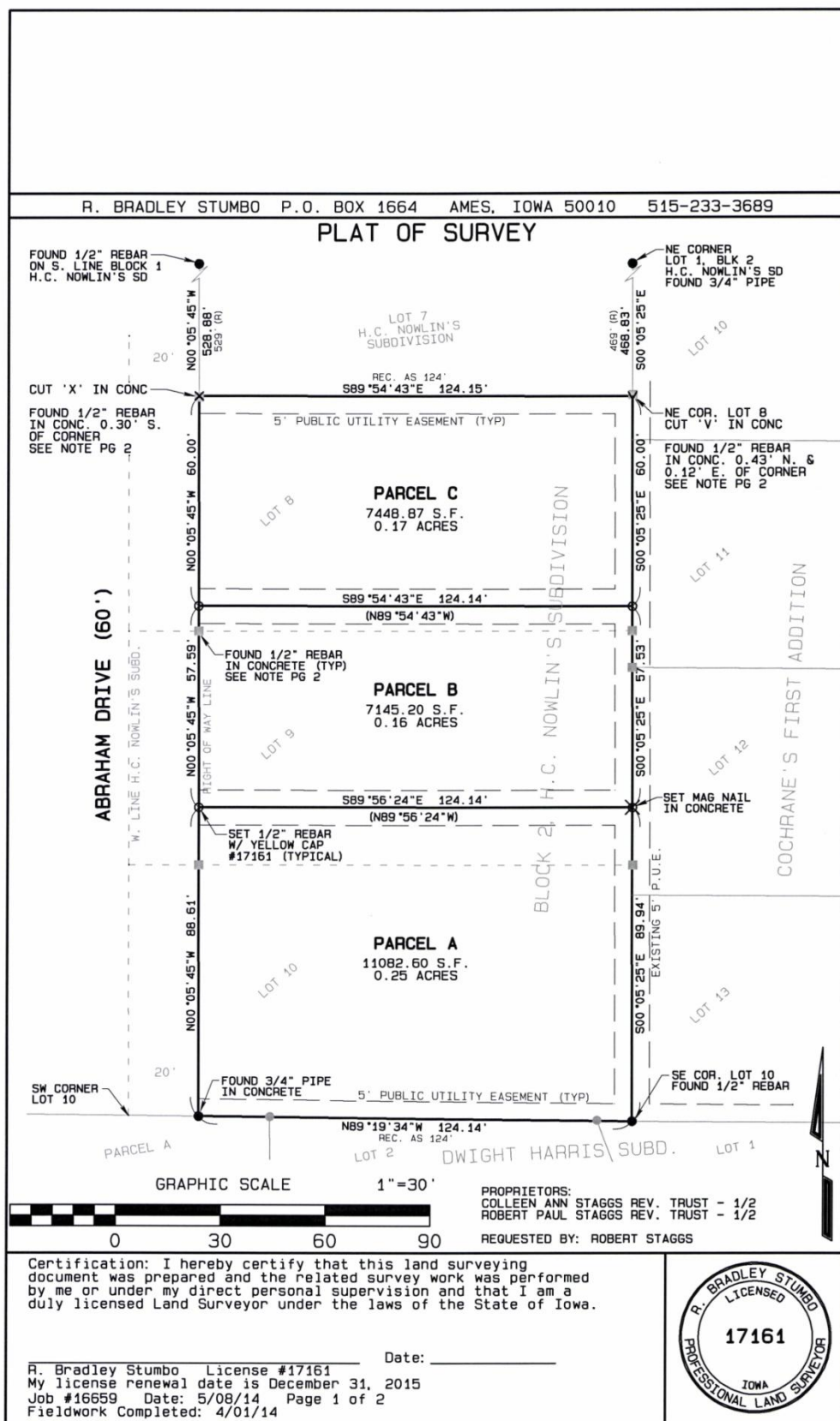
Location Map
300, 306 & 312 Abraham Drive



ATTACHMENT B SKETCH OF EXISTING PARCELS



ATTACHMENT C PROPOSED PLAT OF SURVEY



ATTACHMENT D
PROPOSED LEGAL DESCRIPTIONS OF PARCELS A, B & C

Job #16659
Page 2 of 2

Survey Description-Parcel 'A':

Lot 10 and a part of Lot 9, except the West 20.00 feet of said Lots 9 and 10, all in Block 2 of H.C. Nowlin's Subdivision, City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the intersection of the South line of said Lot 10 with the East line of Abraham Drive; thence N00°05'45"W, 88.61 feet along the East line of Abraham Drive; thence S89°56'24"E, 124.14 feet to the East line of said Lot 9; thence S00°05'25"E, 89.94 feet to the Southeast Corner of said Lot 10; thence N89°19'34"W, 124.14 feet along the South line of said Lot 10 to the point of beginning, containing 0.25 acres.

Survey Description-Parcel 'B':

Lot 8, except the West 20.00 feet and except the North 60.00 feet thereof, and part of Lot 9, except the West 20.00 feet thereof, in Block 2 of H.C. Nowlin's Subdivision, City of Ames, Story County, Iowa, all together being more particularly described as follows: Commencing at the intersection of the South line of Lot 10 in said Block 2 with the East line of Abraham Drive; thence N00°05'45"W, 88.61 feet along the East line of Abraham Drive to the point of beginning; thence continuing N00°05'45"W, 57.59 feet along said East line; thence S89°54'43"E, 124.14 feet to the East line of said Lot 8; thence S00°05'25"E, 57.53 feet along the East line of said Lots 8 and 9; thence N89°56'24"W, 124.14 feet to the point of beginning, containing 0.16 acres.

Survey Description-Parcel 'C':

The North 60.00 feet of Lot 8, except the West 20.00 feet thereof, in Block 2 of H.C. Nowlin's Subdivision, City of Ames, Story County, Iowa, being more particularly described as follows: Commencing at the intersection of the South line of Lot 10 in said H.C. Nowlin's Subdivision with the East line of Abraham Drive; thence N00°05'45"W, 146.20 feet along the East line of Abraham Drive to the point of beginning; thence continuing N00°05'45"W, 60.00 feet to the North line of said Lot 8; thence S89°54'43"E, 124.15 feet to the Northeast Corner of said Lot 8; thence S00°05'25"E, 60.00 feet along the East line of said Lot 8; thence N89°54'43"W, 124.14 feet to the point of beginning, containing 0.17 acres.

Surveyor's Report:

The owner of Lots 8, 9 and 10, except the West 20 feet thereof, in Block 2 of H.C. Nowlin's Subdivision, which make up all of the land included in Parcels A, B and C of this survey, has given testimony that, at some point in the past, heavy equipment used for moving in a house on Lot 7 disturbed the location of the corner monuments marking the North line of Lot 8. Although it is best surveying practice to accept found monuments where they lay, this surveyor felt that these monuments had been moved far enough to disregard their current location relative to adjoining, undisturbed monuments. New monuments were set in those locations in accord with best measurements to adjoining corners.

The Ames City Council approved this Plat of Survey on _____, 2014, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 551, 703, 705 SOUTH DUFF AVENUE

BACKGROUND:

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

The proposed plat of survey is for the consolidation of three lots, 551, 703 and 705 South Duff Avenue, along the west side of South Duff Avenue, north of Squaw Creek. (See Attachment A, Location Map) The properties are owned by Hunziker Properties, LLC and E-M Hunziker, LLC. The plat of survey consolidates the three existing properties into one new 4.52 acre Parcel AY for the purpose of redevelopment of the property for commercial uses. The new parcel will be addressed as 701 South Duff Avenue. (See Attachment B, Proposed Plat of Survey)

Although a public sidewalk is in place along the entire frontage of the proposed Parcel AY, a shared use path is in place only along a portion of the frontage. In accordance with Ames *Municipal Code* Section 23.309(3) the shared use path must be completed across the remaining frontage of the proposed parcel. **The applicant believes that installation of this path before the property is developed would be premature and thus requests that this requirement be deferred until development of the site (in accordance with Ames *Municipal Code* Section 23.403(14)(a)(i)). An Agreement for Shared Use Path deferral accommodating this request is presented for City Council consideration.**

There is no proposal to define or limit access from a public way as a condition of this Plat of Survey. Future access will be determined during the site planning approval process by the City and the Iowa Department of Transportation. Staff also notes that the City has an 80-foot right-of-way along the south property line to provide access to City property west of the site. This right-of-way and easement will remain as part of this Plat of Survey. The property owner will likely request a reconfiguration of this access in conjunction with development the site.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey, and the Planning and Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. 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.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey and approve the attached request for Shared Use Path deferral.
2. The City Council can adopt the resolution approving the proposed plat of survey and require installation of the Shared Use Path prior to recording for the Plat of Survey.
3. 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.
4. The City Council can refer this back to staff and/or the owner for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval. Deferral of the installation of a required shared use path, but requiring installation before a new building is occupied, is not unusual for commercial development. **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 and approving the attached Agreement for Shared Use Path.**

ADDENDUM
PLAT OF SURVEY FOR 551, 703 & 705 SOUTH DUFF AVENUE

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:

Existing Street Addresses: 551, 703 & 705 South Duff Avenue
New Street Address: 701 South Duff Avenue

Owner: Hunziker Properties, LLC and E-M Hunziker, LLC.

Assessor's Parcel #: 0911176080, 0911325010 and 0911325020

Legal Descriptions:

Tract #1:
Lot 20 and the South 22 feet of Lot 19 in Cayler s Second Addition to Ames, Story County, Iowa.

Tract #2:
The North 155.25 feet of the East 641 feet of the NE1/4 of the W1/4 of Section 11, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, except the East 93 feet thereof.

Tract #3:
A part of the SW1/4 of Section 11, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, described as follows: Commencing at the NE Corner of the SW1/4 of said Section 11, thence S89°54'W, 641 feet along the North line of said SW1/4, thence South, 155.25 feet, thence N89°54'E, 41.15 feet to the point of beginning, thence continuing N89°54'E, 506.85 feet, thence South along the West line of Duff Avenue, 80 feet, thence S89°54'W, 420.3 feet, thence South, 331.2 feet, thence N68°44'W, along the approximate centerline of Squaw Creek, 92.5 feet, thence N00°06'W, 377.85 feet to the point of beginning, except the South 19 feet of the East 14 feet thereof; and Beginning at a point on the quarter section line 235.25 feet South of the center of said Section 11; thence West 513 feet, thence South 9 feet, thence East 513 feet, thence North 9 feet along the quarter section line to the point of beginning, except the East 107 feet thereof.

Public Improvements:

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

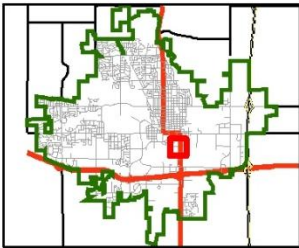
- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☒ Delayed, subject to an improvement guarantee as described in Section 23.403(14). (Shared Use Path)
- ☐ Not Applicable.

Note: 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



Location Map
551-705 South Duff



PLAT OF SURVEY

Parcel AY
201114.24 S.F.
4.62 ACRES

Survey Description-Parcel 'AY':
Lot 20 and the South 22 feet of Lot 19 in Cayler's Second Addition to Ames, Story County, Iowa, and part of the Northeast Quarter of the Southwest Quarter of Section 11, Township 83 North, Range 24 West of the 5th P.M., City of Ames, Story County, Iowa, all together being described as follows: Beginning at the Southeast Corner of said Lot 20; thence 500°20'53"E, 218.25 feet along the West right of way line of South Duff Avenue; thence 989°27'37"W, 14.00 feet; thence 900°20'53"E, 28.00 feet; thence 989°27'37"W, 406.17 feet; thence 900°20'53"E, 321.21 feet to the approximate centerline of Squaw Creek; thence N69°49'20"W, 91.84 feet along said line; thence N00°29'27"W, 377.71 feet; thence 589°27'37"W, 41.18 feet to the Southwest Corner of the North 155.25 feet of the East 641 feet of said Southwest Quarter; thence N00°24'21"W, 155.19 feet to the Southwest Corner of said Lot 20; thence N00°25'42"W, 82.06 feet along the West line of said Lots 20 and 19; thence N89°29'23"E, 548.36 feet to the East line of said Lot 19; thence 500°32'30"E, 81.72 feet along the East line of said Lots 19 and 20 to the point of beginning, containing 4.62 acres.

The Ames City Council approved this Plat of Survey on _____, 2014, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director _____

Certification: I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2015
Job #9724PS Date: 4/03/14 Page 1 of 1
Fieldwork Completed: 3/17/14

17161

DO NOT WRITE IN THE SPACE ABOVE THIS LINE; RESERVED FOR RECORDER

Prepared by: Jessica D. Spoden, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010; (515) 239-5146

Return to: Ames City Clerk, 515 Clark Ave., Ames, IA 50010

**AGREEMENT FOR SHARED USE PATH
FOR 701 S. DUFF AVENUE**

The parties to this agreement are Hunziker Properties, L.L.C., their successors and assigns, and E-M Hunziker, L.L.C., their successors and assigns, (hereinafter referred to as “Owners”) and the City of Ames, Iowa (hereinafter referred to as “City”).

WHEREAS, the Owners are in the process of submitting a plat of survey for the real estate located at 551-705 S. Duff Avenue per Chapter 23 of the Municipal Code of Ames, Iowa, to be known as 701 S. Duff Avenue, Ames, Story County, Iowa; and

WHEREAS, the Owners are required to construct a shared use path along all frontage of each and every lot(s) created by the plat of survey as part of the platting procedure of the City.

NOW, THEREFORE, in consideration of the premises, it is hereby understood and agreed that:

1. The Owners shall construct a shared use path as required by the City along the frontage for each and every lot(s) created by said plat of survey, in accordance with the plans and specifications on file with the City's engineers and by this reference made a part of this agreement before any city zoning/building permit will be issued with respect to any and all lot(s) created by the plat of survey. In the alternative, Owners may obtain said permits and proceed with construction pursuant to said permits with the understanding that an "occupancy permit" under City ordinances shall be withheld with respect to any building that abuts on a segment of the frontage for which said shared use path has not been completed until the shared use path is completed as aforesaid. Further, if the shared use path is not completed as aforesaid for the segment of the frontage abutting the building within twenty-four (24) months of the issuance of the zoning building permit for that building, the said building permit shall be revoked and be null and void with respect to that building.

2. This agreement shall be filed of record in the office of the Story County Recorder and all covenants, agreements, promises and representations herein stated shall be deemed to be covenants running with the land and shall endure and be binding on the parties hereto, their successors and assigns, for a period of twenty-one (21) years from the date of the recording of these covenants, unless claims to continue any interest in the covenants are filed as provided by law.

Dated this ____ day of _____, 2014.

HUNZIKER PROPERTIES, L.L.C.

CITY OF AMES, IOWA

By _____
Dean E. Hunziker, Manager

By _____
John Joiner, Director of Public Works

E-M HUNZIKER, L.L.C.

By _____
Dean E. Hunziker, Manager

<p>STATE OF IOWA, COUNTY OF STORY, ss:</p> <p>This instrument was acknowledged before me on _____, by Dean E. Hunziker as Manager of Hunzkier Properties, L.L.C.</p> <p>_____ Notary Public in and for the State of Iowa</p> <p>STATE OF IOWA, COUNTY OF STORY, ss:</p> <p>This instrument was acknowledged before me on _____, by Dean E. Hunziker as Manager of E-M Hunziker, L.L.C.</p> <p>_____ Notary Public in and for the State of Iowa</p>	<p>STATE OF IOWA, COUNTY OF STORY, ss:</p> <p>This instrument was acknowledged before me on _____, by John Joiner as Director of Public Works for the City of Ames, Iowa.</p> <p>_____ Notary Public in and for the State of Iowa</p>
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COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 2105 SE 5TH STREET

BACKGROUND:

Subdivision regulations for the City of Ames are part of Chapter 23 of the Ames Municipal Code. The Subdivision Code includes the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The City also uses the Subdivision Code as means of reviewing the status of conveyance parcels, which are non-conforming lots created through a private conveyance of land, to determine if the lot is indeed a buildable lot. A Plat of Survey is a single-step review within Section 23.308 for City Council approval of minor activities, such as boundary line adjustments and conformance determination of conveyance parcels.

The proposed Plat of Survey is a boundary line adjustment to combine two previously platted parcels into a single parcel to accommodate future development. The combined site will be 4.5 acres zoned General Industrial. Cycle Force, 2105 SE 5th Street, seeks to double in size with the addition of 41,400 square feet of warehouse and retail outlet.

The subject lots front upon SE 5th Street. SE 5th Street consists of a two-lane paved road with roadway ditches flanking both sides. There are no sidewalks or street lights present along SE 5th Street. Industrial street standards of the Subdivision Code require a sidewalk to be built along one side of a roadway. In this instance, since there are no partial sidewalk or street light improvements along the frontage of either lot and there are no sidewalk connections on the abutting lots. A Plat of Survey does not require new improvements to be installed if there are not partially existing facilities on a site. Therefore, a request for street improvements is not included with the Plat of Survey.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey, and the Planning and Housing Director to review and sign the plat of survey confirming that it fully conforms to all conditions of approval. 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.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the 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.

CITY MANAGER'S RECOMMENDED ACTION:

Staff has determined that the proposed plat of survey satisfies all code requirements and has made a preliminary decision of approval. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.

ADDENDUM
PLAT OF SURVEY FOR 2105 SE 5TH STREET

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:

Owner: Nyle H. and Patricia Sims

Street Address: 2105 SE 5th Street

Assessor's Parcel #: 09-12-275-055 and 09-12-275-070

Legal Description (Parcel ' C'): Parcel B in Lots 1 and 2, and Lot 3, all in Vulcan Industrial Properties Subdivision in the City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the Southwest Corner of said Lot 1; thence N 00° 35' 57" W, 381.46 feet to the Northwest Corner thereof; thence N 89° 48' 41" E, 355.74 feet to the Northeast Corner of said Lot 2; thence S 00° 39' 54" E, 144.32 feet to the Northwest Corner of said Lot 3; thence N 89° 46' 13" E, 170.00 feet to the Northeast Corner thereof; thence S 00° 39' 55" E, 288.93 feet to the Southeast Corner of said Lot 3 and the beginning of a curve; thence westerly, 191.46 feet along said curve having a radius of 971.05 feet, concave to the north, a central angle of 11° 17' 49" and being subtended by a chord which bears N 84° 38' 09" W, 191.15 feet; thence N 78° 53' 11" W, 169.64 feet to the point of beginning, containing 4.51 acres.

Public Improvements:

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

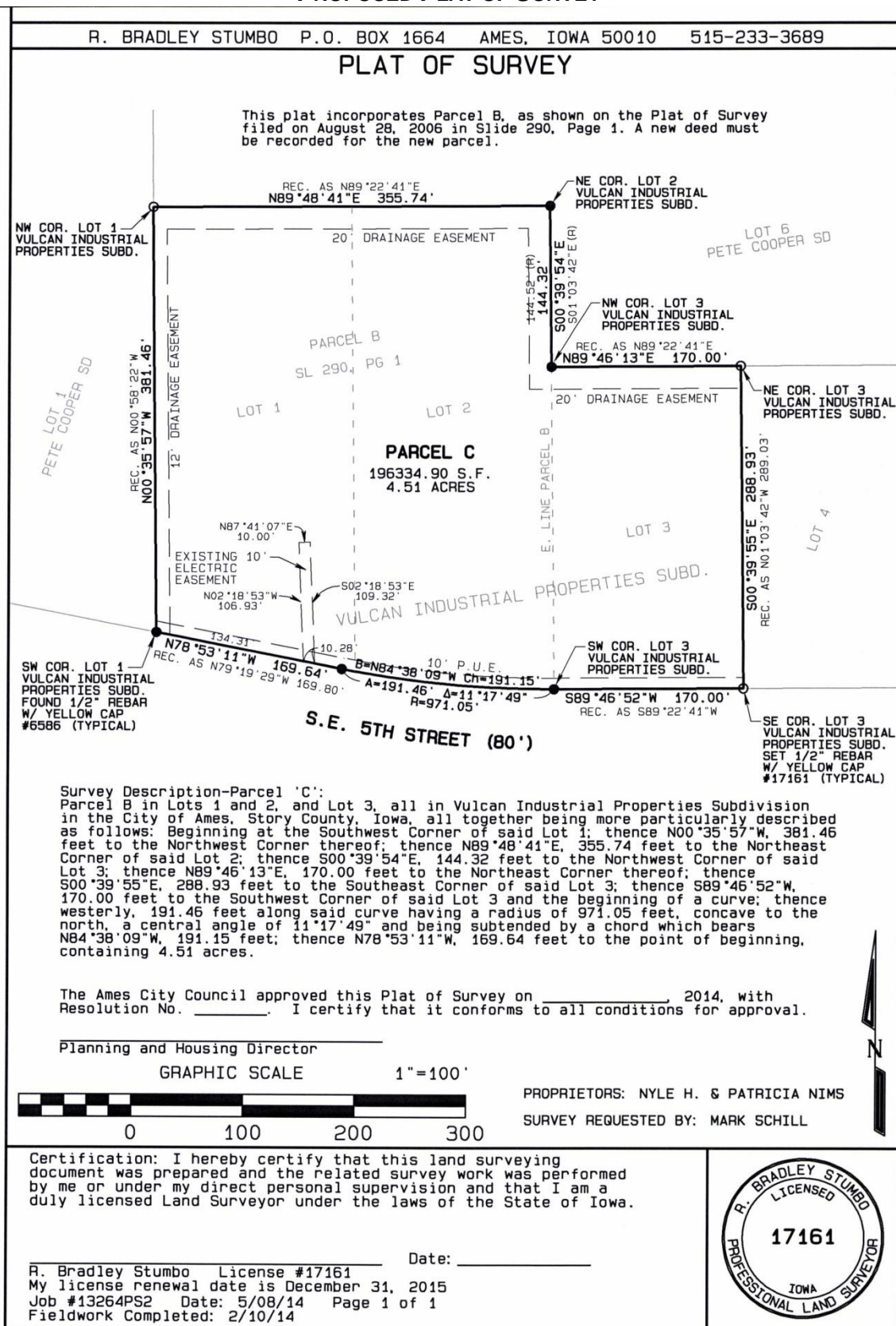
- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Note: 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



ATTACHMENT B PROPOSED PLAT OF SURVEY





Ames Human Relations Commission

Strategic Planning Sets Tone for 2013-2014

Inside this issue:

<i>July 4th</i>	2
<i>Fair Credit</i>	2
<i>IRCR Training</i>	2
<i>Martin Luther King Jr.</i>	3
<i>Humanitarian Award</i>	3
<i>150th Display</i>	3
<i>IRIS</i>	4

In Spring 2013, AHRC began a process with the Assistant City Manager, Melissa Mundt, to develop a strategic plan for 2013-2015. Between February and May, the AHRC met to discuss what the focus of the Commission should be and decided that they would participate the following events annually in an effort to promote goodwill among racial, religious, and ethnic groups:

- Martin Luther King, Jr. Day Celebration --January
- Fair Housing Month --April
- 4th of July Parade Entry --July

- Annual Seminar --August
- FACES --September

Additionally, they set forward a work plan for the five core areas of their responsibilities in Chapter 14 of the Municipal Code, which are:

1. *Unfair or Discriminatory Housing Practices*
2. *Unfair Accommodation or Services*
3. *Unfair Employment Practices*
4. *Unfair or Discriminatory Education*
5. *Unfair Credit Practices*

• AHRC also determined that they need to focus on several other priorities that fell outside the core areas to enhance their work in the community. These

included working with ICRC to conduct investigation training for AHRC volunteers, creating awareness and understanding of mental health issues in the community and develop a plan for educating the public about the Commission. Use the following resources:

- Social media (YouTube and Facebook)
- City website
- City Side
- Channel 12 spotlights
- KHOI radio
- Direct public interaction through one on one discussion, educational programs, and sponsor programs
- And explore ways to welcome new resident.

FACES Under Construction...

Members of AHRC

- Amy Juhnke, Chair
- Devita Harden
- Barbara Woods
- John Klaus
- Nicole Facio

AHRC held multiple meetings with community stakeholders regarding FACES 2013. The intention was to take a fresh look at the purpose of FACES of Ames. While the event began as a diversity initiative, the content evolved over the years into more representation of community groups vs. awareness or education about diversity.

While attempting to define the purpose of FACES, it became clear that we needed the community's perspective on what type of event Ames needs FACES to be. AHRC and

other community representatives discussed two different goals: celebrating diversity and creating awareness of the need for understanding. That is when the group decided to ask the community what the focus should be.

AHRC is identifying community groups and individuals to assemble and provide input on what is needed most in our neighborhoods and throughout the community. These are groups such as neighborhood associations, civic groups,

human service agencies, ISU groups and task forces, businesses, cultural organizations, churches, etc. It is important to gather a representative and an inclusive group of people to identify the needs of the community.

AHRC will compile information and plan to recruit planning committee members for the next two years' celebrations, and that group will coordinate the event, in partnership with AHRC.

AHRC is excited to see a new approach to FACES, and feel that a community-driven event will provide outcomes that align with the AHRC's goals.

Project Serve, October 2013

The AHRC was invited to participate in the 2013 Project SERVE event. The community wide event is sponsored by the First Evangelical Free Church of Ames. According to Debbie Johnson, event coordinator, Project SERVE hopes to better the city and lives of those living in the Ames area.

On October 13th 2013, Devita Harden represented the AHRC. There were around 25 other community organizations represented at the event. Attendees were provided an opportunity to either become members or learn about the services offered. Each organization was placed into 1 of 4 service themed groups; Desperate, Forgotten, Broken, and Vulnerable. The AHRC was placed in the Forgotten group, whose theme was "I was alone and you welcomed me".

The event allowed Harden to interact one-on-one with residents of Ames and surrounding areas eager to learn the role of the AHRC. Devita handed out AHRC brochures that explained how to file a discrimination complaint. Some individuals were impressed and somewhat surprised that the City has its own Municipal Code against unfair or discriminatory practices. Attendees were pleased to learn of other events that the AHRC has participated in such as the Fair Housing seminar, the Unfair Credit forum, FACES and the MLK birthday celebration. The children who stopped by the table were treated to strawberry and peppermint candy.

By attending the event the AHRC demonstrated the commitment, dedication, and willingness to partner with other community agencies that strive to improve the quality of life for the residents of Ames.

4th of July Parade

Once again, members of the Ames Human Relations Commission walked in the 4th of July parade proudly carrying a banner proclaiming its mission of "Freedom and Fairness" for all. The banner carriers were closely followed by a vintage convertible filled with an ethnically diverse group of young people bearing the promise of liberty and equality for generations to come.

Unfair Credit Practices Seminar, October 2013

On October 22, 2013, the AHRC hosted a lunch and learn to provide information regarding unfair credit practices. The goal of this program was to present information from both a legal and educational perspective on how unfair credit practices occur and how to prevent them. Assistant Attorney General Jessica Whitney gave a presentation titled, "Expensive Credit and Illegal Credit

Practices in Iowa." Dr. Suzanne Bartholomae, a specialist in financial management from Iowa State University Extension and Outreach, gave a presentation regarding the financial education programs provided at Iowa State and a general overview about those populations in Story County which are at the greatest risk. The presentation was designed for individuals, advocates, or

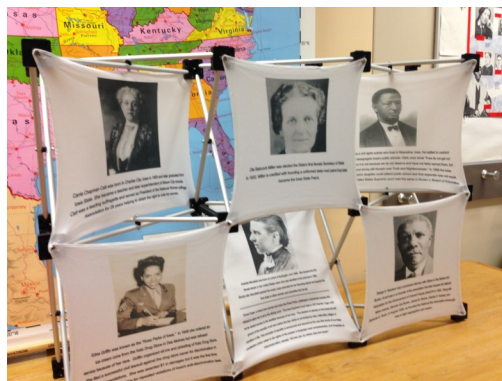
direct care professionals who assist populations at risk of unfair credit practices and other community members interested in prevention of these practices. Representatives from community agencies including MICA, Emergency Housing Project, Youth and Shelter Services, and Lutheran Services in Iowa were present along with interested community members.



1st Annual Iowa Civil Rights Symposium, November 2013

Be the Change --AHRC Commissioners Harden, Juhnke, and Klaus, attended the first Iowa Civil Rights symposium on November 1, 2013 in Des Moines. AHRC Investigator Fultz attended as well. The theme for the symposium was "Be the Change". The presentations included: Harassment in the Work Place, Disability Law, Gender Identity, and Racial Profiling

in Public Accommodations. Attendees received copies of the presentations for future reference.



Martin Luther King Jr. Day, January 2014

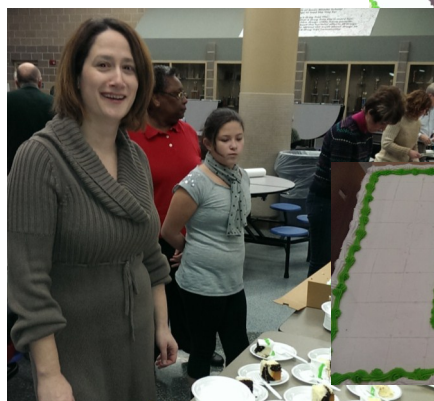
Commissioner Harden represented the AHRC in the planning of the city wide celebration of Dr. Martin Luther King Jr. . The planning committee included representatives from YSS, ISU, Volunteers of Story County, Ames Community School, and United Way. The planning committee met four times to select the keynote speaker, an emcee, and to discuss publicity for the celebration. Collaboration among the

committee was positive as ideas and suggestions were discussed.

One of Commissioner Harden's goals for the celebration was to invite more Ames organizations to participate in the citywide celebration. Ames Public Library provided bookmarks and Smyles and Boy Scout Pack 275 handed out the bookmarks. The NAACP provided the paper ware for

the event.

The event was a huge success.



Humanitarian Award, January 2014

The Commission presented the Ames Humanitarian Award to retired Ames police officer Rollie Link during the 2014 Martin Luther King, Jr. celebration. He was recognized for his personal efforts to promote understanding between the police department & general public, and the Latino community in Ames.



AHRC Sesquicentennial Exhibit, January 2014

The Commission took advantage of the Ames Sesquicentennial to promote the commission as a resource to the community and to celebrate the history of civil rights and diversity in the community. Two portable exhibit pieces were created, which can be loaned out and/or displayed in the community throughout the year.

The display was featured during the Ames Chamber of Commerce annual event in January, and had great positioning amid a collection of exhibits. The commission also developed a tentative list of locations/events to share

the exhibit for the rest of the year.

One piece showcases notable Ames individuals who had a major impact on civil rights with their photo and a short description. The other piece presents a timeline of significant activities that have happened over the last 150 years on a national, state and local level that impacted civil rights.

The Commission has already received positive feedback on the display, and groups have expressed interest in including the display in their future plans.



City of Ames

During 2013-2014 AHRC received five cases.

Housing Related: 3-handled by AHRC Investigators and Hearing Officer
1-sent to Iowa Civil Rights Commission

Racial Related: 1 –sent to Iowa Civil Rights Commission

Ames Human Relations Commission

Chapter 14 —Human Relations of Ames Municipal

The purpose of this chapter is to implement the provision of the Iowa Civil Rights Act and to further provide for the general welfare of persons in the City of Ames, Iowa, by prohibiting certain discriminatory practices, and to establish a commission for the investigation of complaints of discrimination; and, **to undertake projects of education to prevent discrimination**; and, to establish procedures for the conciliation of such complaints; and to enforce the provisions hereof.

Powers and Duties under Code: To issues such publications and reports of investigations and research as in the judgment of the commission shall tend to promote good will among the various racial, religious, and ethnic groups of the state and which shall tend to minimize or eliminate discrimination in public accommodations, employment, apprenticeship and on-the-job training programs, vocational schools, or housing because of race, creed, color, sex, national origin, religion, ancestry, disability or sexual orientation.

A Smart Choice!



The Commission recommended updates to Chapter 14 in 2013 to include gender identity. This was approved by the City Council in the Fall of 2013, along with a participation agreement with the Iowa Civil Rights Commission.

IRIS Participation, March 2014

On March 12, 2014, the Ames Human Relations Commission welcomed to Ames a delegation from the Ukraine, sponsored by Iowa Resources in Service (IRIS). Commission members gave presentations describing its mission of education, investigation, and conciliation on matters related to prohibiting discriminatory practices pertaining to housing, employment, and public accommodations and service. Commission members, along with Mayor Ann Campbell, then participated in a lively question and answer session

with the visiting delegation. The Ukrainian delegation showed acute interest in the many ways in which Ames reaches out to its residents to afford transparency in the city budget, finances, and the decision making process for city projects and programs.

Fair Housing Month, April 2014

Once again, AHRC participated in Fair Housing Month by assisting with the cost for activities through paying for advertising. The Commission also assisted in evaluating the wonderful posters submitted by local school children related to Fair Housing.

Commission members also attended an educational event provided for local real-estate professionals, networking with those professionals and talking about trends in the community. Those in attendance were John Klaus, Amy Juhnke, and Devita Harden.



Staff Report

HIRTA BUS SERVICES

May 13, 2014

BACKGROUND:

After a Dial-A-Ride customer shared their thoughts on the current level of door-to-door transportation services provided within the community, the Transit Board of Trustees and Ames City Council requested further discussion with customers. **Specifically, the City Council requested an update regarding HIRTA services and customer satisfaction/concerns/non-concerns be placed on a future agenda.**

This report provides an update on the status of, and satisfaction with, door-to-door transportation services provided within the Ames community by the Heart of Iowa Regional Transit Agency (HIRTA). It is important to note that HIRTA provides two distinct services within the city limits of Ames. While the riders for both services are on the same buses, the two different services have their own set of service requirements and fees structures. These differences have no doubt caused confusion among the riders and their caregivers.

I. AMES TRANSIT FUNDED SERVICE (DIAL-A-RIDE SERVICE)

The Dial-A-Ride program is the American's With Disabilities Act-required service for disabled individuals within the community. This service is under operational oversight by the Transit Board of Trustees as set out in Chapter 26A of the City Code. This service is provided by HIRTA under a three-year contract that expires on June 30, 2015, but requires annual renewal of the contract. The total dollars actually expended for this contracted service in 2012/13 was \$133,908. The 2013/14 adjusted budget for this service is \$140,000. The renewal will be considered by the Transit Board and City Council in late May/June 2014. CyRide staff monitors this program and reports to the Transit Board and the Federal Transit Administration regarding compliance with federal ADA regulations. This program is generally referred to as, "Dial-A-Ride Service".

Public Meeting (Dial-A-Ride Service)

The Transit Board of Trustees requested that CyRide and HIRTA staff hold a public meeting with its Dial-A-Ride customers. Currently there are 285 individuals eligible for this federally-funded program, of which approximately 120 residents are currently using the service. An invitation to the April 10th public meeting was mailed to each customer's home address. Eight individuals were present at the meeting as well as Council representatives Goodman and Betcher. The following table recaps the number of comments received from these individuals, grouped into service categories.

Aspect of Service	Number of Comments
General Comments	6
Eligibility	0
Reservations/Scheduling	15
Trip Denials	2
Driver/Buses/Safety/Other	8
Total Comments	31

Of the information provided, concerns regarding the reservations/scheduling process garnered the most comments. This concern focused on the amount of time residents were placed on hold before they were able to speak to HIRTA reservations staff. As of the end of March 2014, HIRTA was able to fully staff this function by adding two additional reservationists. The average time on hold was reduced from over 3 minutes to around 1 minute; however, at busy times customers may be on hold for significantly longer periods of time. HIRTA staff shared with those present that they are also able to schedule their trips via email to alleviate this issue.

The remaining comments may be placed into two programmatic categories – requests that:

- Address ADA requirements
- Go “Above and Beyond” ADA requirements

The Transit Board of Trustees discussed the requests that address ADA requirements and approved the following three activities to enhance current services:

- **Notification** - Modify the scheduling process to require all customers to be notified when the Ames scheduler moves their pickup time. While trip times are approximate and can vary depending on customer and traffic issues, a courtesy call when HIRTA needs to modify a time even a few minutes will improve communication with its riders.
- **Education** - More and continued education with existing and new reservations staff regarding customer service and programmatic differences between funding programs.
- **Trip Denials** – Coordinated effort between CyRide and HIRTA to try to better understand customer comments about being denied a trip. More research on when customers indicate they have been denied a service request as well as education to customers about the programs ability to meet every trip request could further improve communication.

Several requests go beyond what is federally-mandated for service to the disabled community. These included:

- **Will Call Trips** – While ADA requires customers to call in at least the day before, HIRTA currently allows will call or same day trip requests for return transportation customers after a medical appointment as it is difficult to accurately estimate when doctor's appointments will conclude. It was mentioned several times at the meeting that it can take awhile for HIRTA to pick customers up after they notify HIRTA staff that they are ready for their return trip. This happens as will call trips must be "fit in" between existing scheduled trips and it may take some time before a bus is free to be able to accommodate this unscheduled trip. Customers shared a desire to see quicker response times for these trips.
- **More Capacity** – It was mentioned at the meeting that schedules are tight and that drivers don't have enough time, particularly at certain times of the day. Customers would like to see more buses available for the service.
- **Extended Office/Dispatch Hours** – Several comments centered on customer's difficulty in getting a hold of staff, dispatchers and drivers after 4:30 pm each weekday and on the weekends. Currently, after office hours, HIRTA's phone system will transfer Story County calls to the Ames HIRTA office and if this office is closed, will then roll to an emergency cell phone that the evening/weekend bus driver's answer when they can safely do so. Customers would like direct access to office staff during evening and weekend hours.

Consideration of services "Above and Beyond" ADA requirements would require 100% local funding as federal dollars may only pay for federally-mandated services. The Transit Board of Trustees did not approve modifications at this time that go "Above and Beyond" federal ADA requirements.

Customer Surveys (Dial-A-Ride Service)

With the exception of the transition year between Heartland Senior Services and Heart of Iowa Regional Transit Agency (HIRTA), CyRide has distributed a Dial-A-Ride customer satisfaction survey each year since 2011 to gauge the general level of satisfaction with the Dial-A-Ride service as well as to gain suggestions on where improvements can be made. In mid-March, all eligible Dial-A-Ride customers were mailed a customer satisfaction survey. Of the 285 survey's distributed, 44 were returned for a 15.4% return rate. In comparison, CyRide received 42 surveys in the previous year's survey. The following general highlights and variations from the previous year's survey are as follows:

- Overall satisfaction with the Dial-A-Ride service has improved over the past 12 months increasing from 64.1% satisfied/very satisfied to 73.1%.
- Dissatisfaction with reservation staff has improved significantly over the past 12 months – up from 62.2% to 75.6%

- Long wait times for reservation staff and receiving a busy signal were noted as service quality that had declined in satisfaction, but has been addressed.
- While the process of completing eligibility determination has not changed in the past twelve months, customer satisfaction has decreased on the length of time to make this determination– from 89.7% to 79.2% (ADA requires this to be completed within 21 days and is completed by CyRide staff).

II. ASSET FUNDED SERVICE (HIRTA SERVICE)

HIRTA also provides door-to-door service for the elderly, disabled, and general public within Story County, including within the City of Ames. This service is funded under federal and state contracts as well as through ASSET. The City Council, through ASSET, is responsible for oversight of this portion of HIRTA's service within Ames. This program is generally referred to as, "HIRTA Service."

The City funds general transportation services to Ames residents through one way trips and once weekly one way trips to Iowa City with **no eligibility requirements** to receive service and **all trips are open to the public.**

The following are the dollars allocated by the City of Ames -"ASSET dollars," for general HIRTA Services for 2014/2015. The City's contribution through ASSET is capped for reimbursement at \$38,133 for in-town trips.

SERVICE	COST PER UNIT	AMOUNT
Transportation --One Way Trip --Ames	\$12.09	\$38,133
Transportation--One Way Trip --Iowa City	\$462.50	\$2,000

HIRTA supplied statistics to ASSET regarding their ridership in the Fall of 2013 for their 2014/2015 ASSET budget request. In that request, HIRTA indicated that for Ames only rides, that ridership increased over a 1,000 rides in 2012/2013. They indicated that this increasing trend would continue in the 2014/2015 request. They also noted that ridership is at or near trip capacity every day. HIRTA uses a scheduling software program (RouteMatch), which captures ridership and trip data on every customer. HIRTA also provided data for 2012/2013, showing service to 425 clients in Ames. Those clients were provided a total of 54,022 rides. A ride is a one-way trip. These numbers do not reflect the rides to Iowa City, which is another service that HIRTA provides through ASSET dollars. There have been no complaints received by City staff related to this service. HIRTA also noted growth in ridership in Story County.

HIRTA conducts an annual survey of its Story County clients. **The results from the June 2013 survey are attached.** Forty-seven individuals responded to the survey.

Surveys were distributed on the buses for the entire month of June and were also available to take on the HIRTA website.

Information from Mainstream Living Accessibility Survey Results

The Mainstream Accessibility Survey was sent in mid-January via Survey Monkey to case managers, guardians, members and to all Mainstream Living employees. Mainstream Living received 203 returned surveys; of these 82% were from employees, 9% were from members, 5% were from parents/guardians and 4% were from Case Managers.

The following information was gathered in the Mainstream Living study related to HIRTA services:

- Case Managers, guardians and employees stated that HIRTA, the contracted transportation provider in Story County, is often excessively early or late, changes or cancels rides with no notice, has demonstrated poor communication, etc.

HIRTA indicated that they have been working with Mainstream Living since early April 2014 and have established single contact with this agency and a single contact with HIRTA to improve communications. HIRTA also indicated that it worked on all the scheduled trips to Mainstream because HIRTA had at least six buses at the same time making drop offs in the morning and pickups in the afternoons, so HIRTA now has staggered those times. HIRTA has sent out a Compliance and Training person to assess the change on several occasions and HIRTA staff reports it is working much better.

STAFF COMMENTS:

In regards to the Dial-A-Ride service, the 2014 customer survey seems to indicate that there have been improvements made by HIRTA in the past year that have had a positive impact on customers.

Some of these efforts include:

- Meetings with the drivers to improve schedules for both drivers and customers
- New phone system that allows more flexibility to address customer concerns
- Hiring two additional telephone staff within the last several weeks to address longer wait times to get a hold of reservations staff
- Meetings with reservation staff regarding different requirements for the Dial-A-Ride program as opposed to HIRTA's other funding programs - also counseling on customer service expectations

- Working with reservation staff to become more familiar with locations around the City of Ames

With the above changes and the Transit Board of Trustees approved modifications/investigations, it is believed that further improvement in customer satisfaction will be made in this program over the next year. As with any new endeavor, there is a learning curve and HIRTA has been willing to make modifications to meet customers' needs within funding and federal constraints.

In regards to the ASSET funded service, it also appears that there has been a positive response to concerns that have been brought to the attention of the HIRTA staff. The update to their telephone system as well as the addition of a scheduler is evidence that that they are attempting to be responsive to customer feedback.

HIRTA Public Transit Survey / Story County 6/30/2013

QUESTION / RESPONSE

1	Please rate the quality of overall Service	
	1. Disappointing	1
	2	3
	3	10
	4	23
	5. Exceptional	10
2	Please rate how well our service meets your transportation needs	
	1. Disappointing	0
	2	1
	3	6
	4	24
	5. Exceptional	18
3	Do the current hours of service meet your needs?	
	Yes	42
	No	3
4	What service improvements would you like to see?	
	* Have scheduling of trips done in Ames	
	* Have buses arrive at the time scheduled.	
	* Buses need more room between seats	
	* More frequent service to and from Nevada	
	* Notify when schedule is changed	
	* Let drivers make changes to schedules as needed to meet needs of the people	
	* Evening rides from Nevada to Ames for AA meetings, movie, dinner, etc.	
	* Better communication between dispatch and driver	
5	Please rate the cleanliness of the bus.	
	1. Disappointing	0
	2	1
	3	5
	4	18
	5. Exceptional	22
6	Please rate the comfort level of the bus	
	1. Disappointing	1
	2	5
	3	13
	4	17
	5. Exceptional	10
7	How often do you use HIRTA?	
	5 or more day per week	23
	3-4 days per week	12
	1-2 days per week	5
	Less than once a week	2

HIRTA Public Transit Survey / Story County 6/30/2013

QUESTION / RESPONSE

8	What is your trip purpose?	
	Medical	23
	Social	17
	Education	1
	Shopping	8
	Employment	24
	Other	10 (Church, Senior Center (Nutrition, ADC), Parole)
9	Does your driver offer adequate support?	
	Yes	44
	No	0
	Sometimes	3
11	How important is our service to your transit needs?	
	1. Not very important	
	2	
	3	5
	4	9
	5. Very important	33
12	Please check type of mobility device you use, if any	
	Cane	6
	Wheelchair	2
	Walker	15
	Other	1 (Guide Dog)
13	Please rate the ease of scheduling a ride	
	1. Difficult	5
	2	4
	3	11
	4	13
	5. Easy	14
14	Rate the courtesy of the scheduler	
	1. Disappointing	1
	2	1
	3	9
	4	12
	5. Exceptional	22
15	Rate the courtesy of the driver	
	1. Disappointing	1
	2	0
	3	4
	4	16
	5. Exceptional	24

HIRTA Public Transit Survey / Story County 6/30/2013

QUESTION / RESPONSE

17	Do you have other transportation if the HIRTA bus is unavailable?	
	Yes	11 (CyRide, Friend, Family. Walking, Own Vehicle)
	No	22

19	Ages of the person or family members who use our service	
----	--	--

Under 19	2
20-39	10
40-59	14
60 or older	22

Other Comments

Good Organization that helps all

Drivers don't make fun of me

Staff Report

NEIGHBORHOOD ART ACQUISITIONS

May 13, 2014

Included in the amended 2013/14 Public Art budget allocation is \$17,800 for the acquisition of sculptures under the Neighborhood Art program. This program provides for sculptures from the previous year's Ames Annual Outdoor Sculpture Exhibition (AAOSE) program to be purchased and placed in neighborhoods around the City. Believing that the art pieces will be valuable additions to the neighborhoods, the Public Art Commission is recommending that Council authorize the purchase of four sculptures for the Neighborhood Art Program.

During the 2013/14 exhibition year, "Bunny" by Jeff Brewer was displayed at the northeast corner of Tom Evans Park. It is proposed that this sculpture be purchased for \$2,500 and be placed near the entrance to Daley Park. This application was submitted by Emily Poss, a resident in the Hillside/College Creek area.

"Horse" by John D. Howard of Hinesville, Georgia has been displayed across from City Hall on the east side Clark Avenue. The sculptor listed the value of "Horse" at \$1,000. The artist is willing to give us this sculpture, and it will be placed off of Harrison Road in the Bloomington Townhomes area. C. Ian MacGillivray, President of the Association, submitted this application.

Chris Wubbena's sculpture "Immaterial" has been displayed on the northwest side of the intersection of Main Street and Douglas Avenue. It will be placed in the green area at the intersection of Northwestern and Johnson. The cost for this sculpture is \$3,500. The application for placement of this sculpture came from Judy Brooks, a resident of the area.

"Prayer Torso" by V. Skip Willits of Camanche, Iowa has been displayed at the southeast corner of Clark Avenue and Main Street. The cost for this piece will be \$6,000. The priority site for this sculpture is at 20th Street and Grand Avenue in a location proposed by an application from Catherine Burns, who lives nearby. If Alliant Energy does not give its permission for this location, this sculpture will be placed east of the intersection of Top O'Hollow Road and Dawes Drive, fulfilling an application by Roxanne Thompson, who lives in the area.

With the donation of "Horse," the total cost to purchase these four sculptures will be \$12,000. A portion of the approved funding will also be needed for installation of the sculptures.

This year the Neighborhood Sculpture Committee received ten applications, which is more than the usual number. Decisions on where to place the sculptures were influenced by whether art had previously been placed in the requested neighborhood or a nearby one, and if the art would be located in an area accessible for viewing by all of Ames' residents. As always, safety was the most important consideration.

Photographs of the four sculptures recommended for purchase are shown below.



Bunny
Jeff Brewer
Nacogdoches, TX



Immaterial
Chris Wubbena
Jackson, MO



Prayer Torso
V. Skip Willits
Camanche, IA



Horse
John Howard
Hinesville, GA

Staff Report

AMES RENTAL ASSOCIATION - RENTAL HOUSING CODE CONCERNS

May 13, 2014

The City Council received a letter from the Ames Rental Association (ARA), dated July 30, 2013. In that letter, the ARA asked that City staff review Ames *Municipal Code* Chapter 13 Rental Housing Code regarding a number of specific issues. At the regular meeting on August 13, 2013, the City Council approved the following motion:

Directed staff to meet with representatives of the Ames Rental Association to determine where the issues are and report back to the Council via a memo.

On September 5, 2013, City staff had the opportunity to discuss with representatives of the ARA Chapter 13 of the Municipal Code that deals with Rental Housing. A list was created that included six items to be discussed. City staff presented the six ARA items to the City Council on October 22, 2013. At that meeting, the City Council approved the following motion:

Referred 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 Rental Housing Code Concerns.

The following is the list of the original six ARA concerns with information on each item.

1. EGRESS WINDOWS:

ARA Concern: The ARA would like to require Code compliant egress windows in a bedroom, but not require an egress window where there is not a bedroom.

Staff Comment: The International Residential Code (IRC) currently requires egress windows in basements no matter if there is a bedroom or not, so Ames *Municipal Code* Chapter 13, Rental Housing Code, as it is currently written, is consistent with the 2012 IRC by requiring an egress window, even without a bedroom.

The Rental Housing Code states that all habitable spaces are required to have an egress window. Habitable space is defined in Ames *Municipal Code* Section 13.201 and included below:

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Below grade habitable space has been challenging to enforce through rental inspections due to the wide variety of basement finishes that are inspected. Inspectors frequently encounter basements that are not fully finished, however the tenant has, for example, a television and a couch in the space. In this example, the space would comply with the definition of habitable space and would require a Code compliant egress window.

Code Section: The following are excerpts from the Rental Housing Code, requiring egress windows:

13.403(1)(a):

(a) Inadequate second exit capability. All below grade habitable spaces must have two means of egress leading to the outside. When one of the required means of egress is a window, it must comply with the 2006 International Residential Code. Pre-existing below grade and basement windows and window wells must be brought into compliance with the 2006 International Residential Code by no later than December 31, 2010.

13.801(3)(d):

(d) Below grade egress windows.

(i) Below grade and basement windows must comply with the 2006 International Residential Code.

(ii) Pre-existing below grade and basement windows and window wells must be brought into compliance with the 2006 International Residential Code, in regard to window opening and window well dimensions, by no later than December 31, 2010.

(iii) Pre-existing below grade and basement windows that are compliant in all regards, except window sill height above the floor shall, upon owner request, be reviewed on an individual case basis by the Building Official.

2. PROTECTIVE TREATMENT - PAINTS:

ARA Concern: The ARA does not believe a clear description exists in Chapter 13, Rental Housing Code that would tell a property owner definitively when repainting is required. Further, the ARA feels that painting is an aesthetic concern, rather than a life safety concern.

Staff Comment: This portion of the Code was taken directly from the International Property Maintenance Code, with the exception of oxidation. This protective treatment requirement is to protect the structure from weather related deterioration. A clear methodology was not created in the Code that informs a property owner when there is a need to repaint the structure, or portion thereof. Rental Housing Inspectors routinely provide flexibility to the property owner by adjusting the amount of time within which the

painting needs to occur if the property owner already has plans to repaint or if weather prevents painting for a season.

Code Section: The following is an excerpt from the Rental Housing Code requiring paint:

13.407(3)

(3) Protective treatment - paint. All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Surfaces designed for stabilization by oxidation are exempt from this requirement.

3. "S" TRAPS:

ARA Concern: The ARA would like S traps to be allowed as an exception as long as they are maintained in a safe and sanitary manner, and would like them included as an exception in Ames Municipal Code Section 13.600(4)(a)(i).

Staff Comment: In owner-occupied dwellings, an existing S trap would not be mandated to be replaced with a code compliant system unless the owner/contractor obtained a building permit and updated the system that included the S trap. In a rental unit, however, the S trap is required to be replaced with a compliant system no later than July 1, 2016.

Code Section: The following is an excerpt from the Rental Housing Code that outlines the requirement to replace S traps and exceptions for acceptable pre-existing plumbing items:

13.600(4)(a)(ii):

(ii) Existing S traps, provided however, that such unlawful traps shall be replaced by a trap and vent system that complies with the current Ames Plumbing Code no later than July 1, 2016.

13.600(4)(a)(i):

Exceptions:

(a) The following specific pre-existing unlawful plumbing items shall be noted on the inspection

report but shall not prevent the issuance of a letter of compliance as long as maintained in a manner which is safe and sanitary.

(i) Stand pipes for washing machines without a visible trap; Drainage of existing basement showers, washing machines, laundry tubs, or utility sinks across the surface of a basement floor to an existing floor drain; Existing auto vents; and toilets, showers, tubs, and sinks located in bathrooms with less clearance than required by the UPC;

4. SUMP PUMP INSTALLATION:

ARA Concern: The ARA would like sump systems to be allowed as an exception as long as they are maintained in a safe and sanitary manner.

Staff Comment: Similar to the “S” trap discussion in item 3 above, in owner-occupied dwellings the non-code compliant plumbing fixtures would only be addressed if the owner/contractor applied for a permit and was updating that specific system.

Code Section: The following is an excerpt from the Rental Housing Code that outlines the requirement to properly connect to an approved system:

13.605:

(1) General. All plumbing fixtures shall be properly connected to either a public sanitary sewer system or to a private sewage disposal system approved by the City. Sump pumps, roof drains, and other storm water drainage systems shall not be connected to a sanitary sewer.

(2) Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

5. FURNACE AND SYSTEM SAFETY CERTIFICATION:

ARA Concern: The ARA would like to utilize another test that is less expensive and would like to have additional time, more than five years, for required certification of a single furnace that serves multiple dwelling units.

Staff Comment: The Rental Housing Code relies on the Building Official to determine when a safety certification is required for furnaces that serve individual dwelling units. However, the Code specifically states a five year maximum for furnaces that serve multiple dwellings. The Inspection Division has created an Administrative Policy Statement regarding the individual furnace certifications to clarify the last portion of Section 13.702(7), below, which uses the Building Official’s judgment to require a certification. This discretion is not an option for a furnace that serves multiple dwellings, because the Code specifically states five years, also referenced below. The

administrative policy states that when a furnace is approximately 20 years of age, or if other visible evidence of deterioration is present, such as scorching or leakage, the inspector will request a certification. It is important that the standard is clear and consistent for our customers. Please note that the Rental Housing Inspectors are able to provide a minimum external review of a furnace and the associated system and are not trained to provide a detailed inspection.

The following is an excerpt from the Rental Housing Code that outlines the requirement for a furnace and system safety certifications:

13.702(6):

- (6) Furnaces/re-circulated ventilation air. The use of a single furnace serving multiple dwelling units within an existing registered rental structure where air is circulated through more than one unit may continue, provided:*
- (a) The owner/manager makes application for approval of the pre-existing condition to the Building Official within thirty days of notification of the condition by the Building Official.*
 - (b) The owner/manager discloses existence of the shared furnace in the lease and acceptance is initialed by the tenant;*
 - (c) The owner/manager discloses existence of a shared thermostat in the lease and acceptance is initialed by the tenant;*
 - (d) The owner/manager obtains an annual furnace safety inspection and written certification, from a licensed mechanical contractor, of all shared furnaces more than 5 years of age. Certification of furnaces less than 5 years of age may be required by the Building Official for due cause.*
 - (e) When the single furnace is replaced, it must be brought into compliance with current codes regulating:*
 - (i) exhaust system;*
 - (ii) fuel gas piping;*
 - (iii) electrical supply;*
 - (iv) ventilation air;**and other relevant provisions of the electrical, mechanical, fuel gas, and plumbing codes.*
 - (f) A carbon monoxide detector must be provided within the vicinity of the furnace, as specified by the manufacturer. Recirculation of air between dwelling units and common areas is not prohibited by this Code. Approval of this pre-existing condition is transferable from one owner to another, provided compliance with this all conditions of this section is maintained continuously. Failure to maintain continuous compliance with this section will result in termination of approval, and will require compliance with current mechanical code provisions, following*

appropriate notification and hearing procedures of this Code. Approval of pre-existing conditions will not be granted to new rental registration applications for duplex or multifamily dwellings.

13.702(7):

(7) Furnace and system safety certification. The owner of a structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. All mechanical appliances, operable fireplaces, solid fuel-burning appliances, cooking appliances, and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended functions. Each fuel-burning appliance shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation need not be connected to a chimney or vent.

The Building Official or designee may require an owner to obtain written safety certification from a licensed mechanical contractor when, in the Building Official's judgment, the safe or operable condition of an appliance is questionable.

6. FIRE ALARM SYSTEM RETROFITTING:

ARA Concern: The ARA would like to remove this requirement.

Staff Comment: As the 2012 International Fire Code (IFC) was reviewed for adoption, City staff had an opportunity to specifically review the requirements for Fire Alarm System Retrofitting. Fire alarm system retrofitting was included in Ames *Municipal Code* Chapter 13, Rental Housing Code, and in the IFC. Unfortunately, the text and the exceptions are no longer consistent between the two codes as the IFC continues to be updated on a three-year cycle. During the January 28, 2014 City Council meeting, the City Council approved eliminating the fire alarm system retrofitting standard from Ames *Municipal Code* Chapter 13 and to rely completely on the IFC. The City Council further directed the Fire Chief to provide a timeline that requires compliance by July 1, 2020. The Fire Chief will present the timeline at the May 13, 2014 City Council meeting.



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Reuben's Home Inspection Blog

A Primer on "S" Traps

June 5th, 2012 | [14 comments](#)

A common plumbing defect found in many older houses is an "S" trap. An "S" trap is named so because it looks like an "S" on its side – it basically consists of a normal trap, and then another trap installed right up against it in an upside-down fashion, as shown below. These traps are prohibited by the [Minnesota State Plumbing Code](#), but that doesn't mean you can't buy them at any home improvement store.

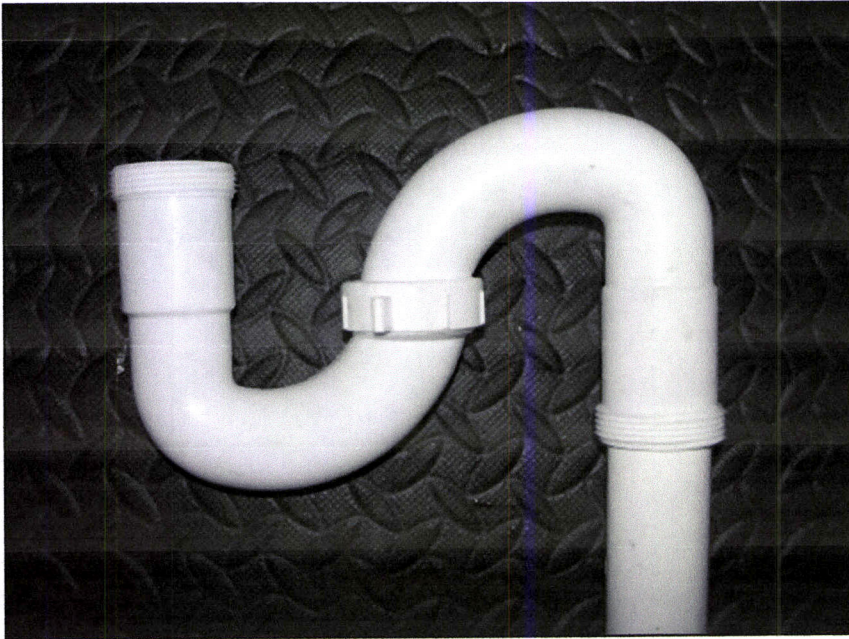
5/8/14

Dear Mayor and Council-

1. S traps are illegal
 2. Allowing S traps sends the wrong message about compliance of the city code.

3. S traps allow methane gas to back into habitable areas. This is a health issue.

Pat Brown

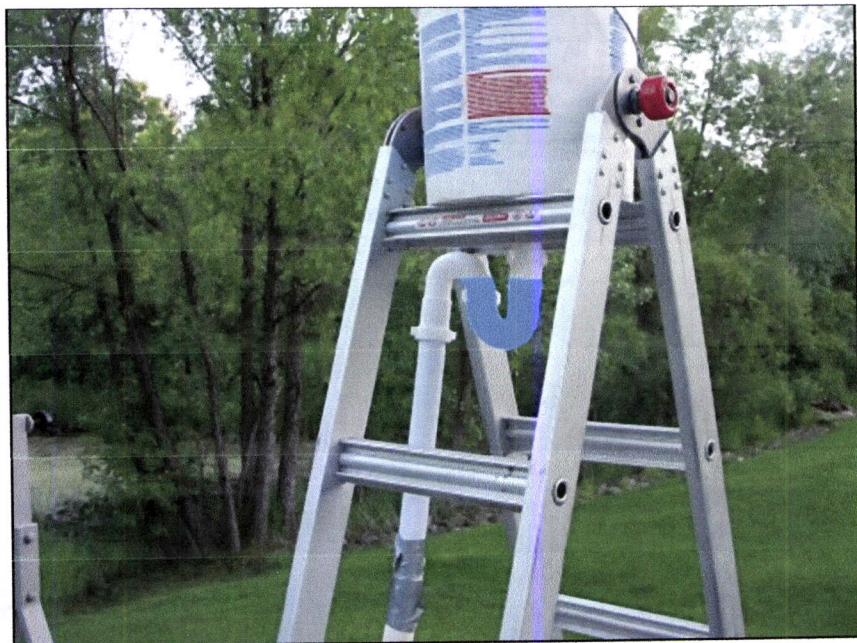


The most common places you'll find "S" traps are at plumbing fixtures that aren't vented, such as an illegal basement bathroom sink, a DIY basement bar sink, or a kitchen sink where the old steel drain in the wall was so corroded and blocked that someone installed a new drain, but never bothered to vent it.

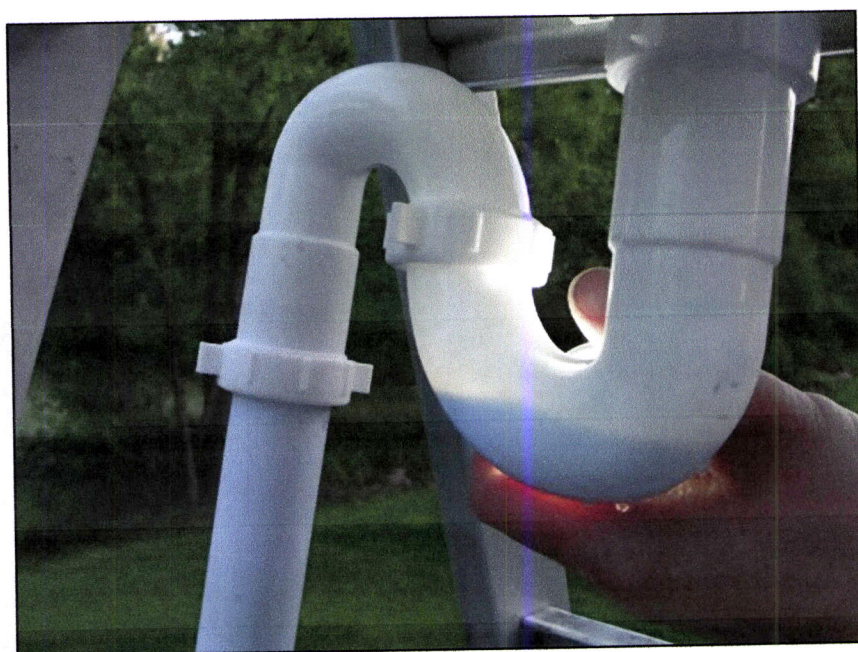
The purpose of a trap is to prevent sewer gases, and possibly vermin, from coming in to the home. When water sits in the trap, sewer gases stay out. Have you ever noticed some nasty odors in a bathroom that you never use? It's probably because the water in the trap has completely evaporated, allowing sewer gases to come in to the home. I've actually found this condition on a number of larger occupied houses. The easiest fix for this is to periodically run a little water in the plumbing fixtures. As a longer-term solution, you could also pour RV antifreeze in to the drains; that stuff won't evaporate.

Back to "S" traps – The reason "S" traps aren't allowed is because they have the potential to suck, or 'siphon', water out of the trap as the water flows down the drain. On a properly installed "P" trap, there is a vent at the same place the drain turns downwards, which breaks the siphon. In other words, the vent prevents water from getting sucked out of the trap. How much water can get sucked out of the trap? Believe it or not, enough water to break the water seal at the trap and let sewer gases come in to the house.

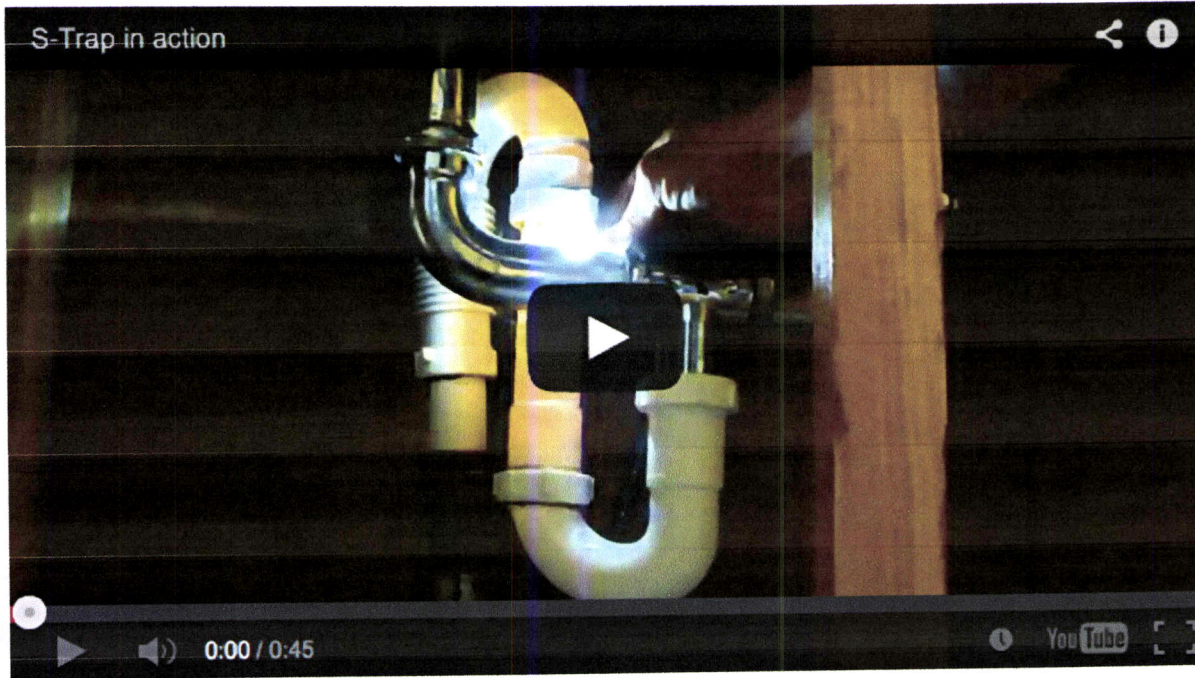
To show how this works, I set up a little rig in my back yard to show how much water can get siphoned out of an "S" trap. I forgot to take a close-up before photo, so I marked up this photo below with blue to show where there was standing water in the trap. The top of the water level is called the 'weir' of the trap.



As I let the water in the 5-gallon bucket drain out, most of the water in the trap ended up getting siphoned out. I added some food coloring to the water and held my flashlight up against the back of the trap to show this.



To see how this happens, here's a quick video I took during a home inspection. Listen to the gurgling noise at the very end of the water draining – this gurgling sound is a dead giveaway that a plumbing fixture isn't properly vented.



There's usually no simple way to *properly* correct an "S" trap. It's usually an involved, expensive repair. On the other hand, when water is flowing in to a sink from the faucet, there's usually not enough water draining at one time to create this siphon action, so "S" traps typically don't cause any big problems. Problems occur when the sink is filled with water and then drained. Even then, the simple way of dealing with this is to just run a little extra water down the drain after the water has drained out. This will re-fill, or 'prime', the trap after the water has been siphoned out... this is the same way toilets work.

A REALTOR's take on the issues with the CDBG Neighborhood Sustainability Single-Family Conversion Pilot Program from 2012

Over the course of 2012 and 2013 Pat Brown asked me to work with her and some of the City of Ames officials around the CDBG program for the Single-Family Conversion Pilot Program. Upon reviewing the program and further discussing the program with Steve Schainker and Vanessa Baker-Latimer I tried to lay out the following concerns and issues with the program:

- II. Minimum Property Requirements
 - C. Single-Family Conversion Properties only - This is a very select sub-section of properties and does not create a large enough pool of potential properties for the program.
 - D. Vacant and habitable Properties only - This requires a property owner to leave the property (multiple units in the case of this program) vacant which incurs lost revenue. Asking a property owner to do this when there is a rental shortage with no assurance of being able to participate in the program is not feasible.
- V. Financial Incentive
 - The entire premise of this program is to incentivize the current property owner to convert the property back to a single-family property. I feel that the incentive is given to the wrong party. If the seller is doing the work who is to say that they would do the same quality work that the buyers would expect if they were making their own choices.
 - This incentive is only as an interest-free \$25,000 loan - If the current property value of the home is \$100,000 the seller would need to sell the property for at least \$125,000 now in order to recapture the proceeds they would like from the home. Most home repair projects do not have a \$1-to-\$1 return and \$25,000 in improvements would likely only increase the value of the home by \$15,000-\$20,000 leaving it difficult to get the home to appraise during the loan process
 - Another problem that I see with this is that with most of these properties it will cost more than the \$25,000 loan to renovate the home back if professional contractors are involved in the entire process.
- IV. Competitive Requirements
 - B. The property owner has an offer to purchase from a loan-approved low-to-moderate-income first-time homebuyer - Part of the issue with this goes back to the issue from II. D.
 - C. The property owner has the financial means to supplement any additional rehabilitation costs beyond the loan funds provided by the City of Ames - The difficulty goes back to the issue noted above with Section V. The seller would then need to sell the home for even more in order to recapture the proceeds they would like from the home.

Below are a few ways that I feel a better program could be constructed:

- I would recommend opening the program up to all single-family rental units whether they are still single-family or they are a single-family conversion. If the goal is to get rental units back to owner occupied I would recommend leaving the net as wide as possible to capture a potential property.
- Instead of requiring the property to be completely vacant I feel a better option would be to allow landlords to increase a 60 day notice clause in the lease to have the tenants move-out if an agreed upon offer is accepted. There could be some financial incentive given with that as well up to the seller's discretion.
- Instead of the burden of renovating the property falling on the seller I feel a better option would be to give the financial incentive to the home buyer.
 - Give a \$25,000 (or funds TBD) long-term forgivable rehabilitation loan to the buyer to have the work done in a way that they would prefer. This could be structured in a few ways.
 - Offer a 3-5 year property tax exemption on any improvement of the property
 - One way to let these funds stretch further would be to partner with the DMAAC Building Trades Program to have students lead the remodel projects. It would be a great opportunity for the students and would reduce the labor costs over a general contractor.
 - Another way to stretch the funds would be to try to form a partnership with local building supply companies (Lowe's, Munn, etc) to try to get discounted materials for the renovations.

COUNCIL ACTION FORM

SUBJECT: **TIMELINE FOR FIRE ALARM SYSTEM RETROFITTING**

BACKGROUND:

At the December 10, 2013 City Council Meeting, Council directed City staff to eliminate the fire alarm retrofitting requirements from Ames Municipal Code, Chapter 13, Rental Housing Code, and to rely on the existing language in Chapter 11 of the International Fire Code. Also at this meeting, the Fire Chief was directed to return to Council with a recommendation on an expected compliance timeline and to explain what is covered under the Fire Alarm System retrofitting code section. This concurs with section 8.202.9 *Amendments*, of the Ames *Municipal Code* Chapter 8, Fire Code, which reads:

Compliance with the provisions of this Chapter [IFC Chapter 11, Construction Requirements for Existing Buildings] shall be completed within a time frame approved by the fire chief.

Since the December meeting, the Fire Inspector and Deputy Fire Chief of Support Services have invested a significant amount of time in researching this code and the eventual impacts on the community. **Chapter 11 of the 2012 International Fire Code requires an approved fire alarm system to be installed in existing buildings and structures to provide occupant notification.** The Code defines a fire alarm system as “a system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response.” By Code, an exception to this requirement would include occupancies with an existing, previously approved fire alarm system.

Inventory of Structures

This Code section requires compliance in several different types of occupancies. This necessitated City staff completing an inventory of applicable structures without fire alarms systems throughout Ames. The results of that inventory allowed staff to compile this list of occupancy type, definition, and number of non-compliant structures within the Ames city limits:

Group E: Educational occupancies - Day care through 12th grade

Examples: Ames Schools

Number of non-compliant structures: 0

Group I-1: Institutional occupancies - Residential care/assisted living facilities

Examples: Bickford Cottage, The Rose, etc.

Number of non-compliant structures: 0

Group I-2: Institutional occupancies - 24-hour medical care, hospitals, nursing homes

Examples: Mary Greeley Medical Center, Riverside North, etc.

Number of non-compliant structures: 0

Group I-3: Institutional occupancies – Correctional and detention centers, jails, prisons

Examples: Curt Forbes

Number of non-compliant structures: 0

Group R-1: Residential occupancies – Transient sleeping, boarding houses, hotels, motels

Examples: Super 8, Holiday Inn Express, Ames Motor Lodge, etc.

Number of non-compliant structures: 0

Group R-2: Residential occupancies – Greater than three stories or more than 16 dwelling/sleeping units, apartments, boarding houses (non-transient) with more than 16 occupants, congregate living facilities (non-transient) with more than 16 occupants, convents, dormitories, fraternities and sororities, hotels (non-transient), live/work units, monasteries, motels (non-transient), vacation timeshare properties

Examples: The Grove, Coconino Place, Cranford Apartments, Sheldon Munn, etc.

Number of non-compliant structures: 34

Group R-4: Residential occupancies – Supervised 24-hour custodial care for 5-16 persons, alcohol and drug centers, group homes, halfway houses, social rehab facilities

Examples: Duluth House, YSS, etc.

Number of non-compliant structures: 0

As can be seen from the above data, a total of 34 structures will need to be brought into compliance. Of these 34 buildings, it appears that a total of 14 different property owners (not including one 24-plex condo with multiple owners) with more than 800 dwelling units will be financially responsible for upgrading their properties. Four property owners are each responsible for more than 100 units, with another three that have between 40 and 80 units.

Onetime Costs

To help provide Council, and ultimately the property owners, with a general understanding of the onetime costs associated with retroactively installing a fire alarm system, some general estimates were obtained. It is important to note that these are not specific to any one type of building or type of construction. As can be seen from the table below, estimated one time installation costs for a fire alarm system vary depending on the units.

# of Units	Approx. Cost Range \$1,250 - \$1,875 / unit
18	\$22,500 - \$33,750
20	\$25,000 - \$37,500
22	\$27,500 - \$41,250
24	\$30,000 - \$45,000
26	\$32,500 - \$48,750
27	\$33,750 - \$50,625
30	\$37,500 - \$56,250
33	\$41,250 - \$61,875
36	\$45,000 - \$67,500
40	\$50,000 - \$75,000
42	\$52,500 - \$78,750
54	\$67,500 - \$101,250
56	\$70,000 - \$105,000

Source: Nelson Electric, Kurrent Electric, and CWSI.

Ongoing Costs

Also of note, installation costs are not the only costs incurred by the property owner, since fire alarm systems are required to be monitored. If the building is equipped with two hardwired telephone lines, monitoring costs start at \$30 per month. If the building is not equipped with hardwired telephone lines, options would be an internet based monitoring system or cellular telephone. Those monitoring costs start at approximately \$40 per month. Annual fire alarm service is also required, and is estimated to cost between \$100 and \$225 for a typical 16 to 24-unit complex.

Timeline

This subject was discussed at both the December 10th, 2013 and January 28th, 2014, council meetings. At the January 28th meeting, City Council suggested to City staff that a compliance date of July 1, 2020 would be acceptable and that it would add one year to the dates in the previous compliance timeline that Council had struck from Chapter 13 (Rental Housing Code) of the Municipal Code. City staff finds this timeline agreeable and recommends that July 1, 2020 be adopted as the official date for compliance. For the next six years, staff will mail annual written reminders to all property owners/managers regarding this upcoming compliance deadline.

ALTERNATIVES:

1. Direct staff to adopt a date of July 1, 2020 for compliance with the fire alarm retrofitting provisions of International Fire Code Chapter 11, Construction Requirements for Existing Buildings.
2. Direct staff to adopt a date other than July 1, 2020 for compliance with the fire alarm retrofitting provisions of International Fire Code Chapter 11, Construction Requirements for Existing Buildings.
3. Direct staff to leave the fire alarm retrofitting provisions of International Fire Code Chapter 11, Construction Requirements for Existing Buildings with a date as-yet-to-be-determined by the fire chief.

CITY MANAGER'S RECOMMENDED ACTION:

Based on section 8.202.9 *Amendments*, of the Ames *Municipal Code* Chapter 8, Fire Code, which reads, "*Compliance with the provisions of this Chapter [International Fire Code Chapter 11, Construction Requirements for Existing Buildings] shall be completed within a time frame approved by the fire chief,*" fire alarm retrofitting is a code requirement for several structures throughout Ames.

Compliance with this life safety requirement could entail significant cost to property owners. Thus, it would not be unreasonable to allow an extended period of time for properties to be brought into compliance.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, directing staff to adopt a compliance date of July 1, 2020 for the fire alarm retrofitting requirement.

COUNCIL ACTION FORM

SUBJECT: PRELIMINARY PLAT FOR ASPEN RIDGE SUBDIVISION 2ND ADDITION

BACKGROUND:

Revised Preliminary Plat. The previous Preliminary Plat was approved by the City Council on February 14, 2012 (see *Attachment B*), and included four lots for commercial development and one outlot for the future expansion of townhomes. The original Preliminary Plat was valid for one year from the date of City Council approval. It has since expired, since a timely final plat application was not submitted.

The revised Preliminary Plat includes three commercial lots and one outlot for future expansion of townhomes (see *Attachment A*). Lots 3 and 4 of the original plat have been combined on the revised plat. The total area of the site remains the same.

Proposed Subdivision. This is classified as a “Major Subdivision” since it involves the platting of more than three lots. Approval of a Preliminary Plat is a required step in the process for approval of a Major Subdivision, followed by approval of a Final Plat. The purpose of the Preliminary Plat is for the division of property into separate parcels and to plan for the streets, utilities and other public improvements needed to support the proposed uses of the property. Currently, the subject property is one outlot, most recently final platted in 2004. An “outlot” is an unbuildable area of land due to its size, shape, topography or general location within the phasing of the subdivision. Subsequent subdivision is required for use of an outlot.

The subject property is a total of eight acres just east of South Grand Avenue and west of Aspen Ridge Town Homes. The site has split zoning of “PRD” (Planned Residence District) and “HOC” (Highway-Oriented Commercial). Outlot C (2.87 acres of the subdivision) is zoned PRD for future expansion of the Town Home development to the east. The remaining three lots (totaling 5.14 acres) are all zoned HOC. Cross access easements are included for the benefit of all three of the commercial lots. There is one access point from South Grand Avenue and one from South 16th Street.

The attached addendum provides additional background and analysis of the proposal and the requested action. **From this analysis, staff concludes that the Preliminary Plat is consistent with the goals and objectives of the Land Use Policy Plan relevant to this project. The Preliminary Plat also complies with other City plans as listed in Section 23.107 of the subdivision code. Staff further concludes that the Preliminary Plat conforms to the Design and Improvement Standards of Division IV of the Ames Subdivision Regulations.**

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission considered the proposed Preliminary Plat on April 16th. The Commission recommended approval of the Preliminary Plat by a vote of 4 to 0 with 1 abstention.

In accordance with Section 23.302(6)(b) of the Municipal Code, the City Council must take action on a Preliminary Plat within 30 days of the referral of the Preliminary Plat and report of recommendations to the Council by the Planning and Zoning Commission. In this instance, Council action is required by May 16, 2014.

ALTERNATIVES:

1. The City Council can approve the Preliminary Plat for Aspen Ridge Subdivision 2nd Addition.
2. The City Council can approve the Preliminary Plat for Aspen Ridge Subdivision 2nd Addition, with modifications or conditions.
3. The City Council can deny the Preliminary Plat for Aspen Ridge Subdivision 2nd Addition.

MANAGER'S RECOMMENDED ACTION:

The revised Preliminary Plat is consistent with the Land Use Policy Plan, the Zoning Ordinance and the Subdivision Ordinance standards.

Therefore, it is recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Preliminary Plat of Aspen Ridge Subdivision 2nd Addition.

ADDENDUM

Applicable Law. Laws pertinent to the proposal are attached. Pertinent for the Planning and Zoning Commission are Municipal Code Sections 23.302(3) and 23.302(4) as described in the attachment.

Land Use Policy Plan (LUPP). Proposed Lots 1, 2 & 3 are designated as “Highway-Oriented Commercial”. Outlot C is designated as “Medium-Density Residential” on the LUPP.

Frontage and Access. All lots have frontage on existing City streets. Access to these streets is restricted to two locations for the commercial lots (Lots 1, 2 & 3). **One access is from S. 16th Street and extends through a 50-foot wide shared access easement to the northern boundary of the subdivision.** The other access is from S. Grand Avenue, which will also serve the golf course to the north of this subdivision.

Access to Outlot C will be determined at the time of further division of the outlot into buildable lots for the development as townhomes. Access to the existing townhomes to the east is via a private street (Aspen Ridge Road) that connects to S. 16th Street. The original PRD plan includes extension of the private street from the east into the site and will likely be the same point of access due to our policy of limited access along arterial streets like S. 16th. No through connection or shared easement is proposed with this plat for the benefit of Outlot C.

Utilities, Street Lights, and Sidewalks. Public improvements available to serve the proposed subdivision are described as follows:

Water. A 12-inch water main runs along South 16th Street, which can serve the site.

Sanitary Sewer. Sanitary sewer mains run east and west along South 16th Street and along the north property line. These are adequate to serve the site.

Storm Water. Storm water will be detained off-site on the golf course property. The area is shown on the plat with cross-hatching just northeast of the subject property. Internal and off-site easements will ensure the necessary legal rights for the affected parcels.

Electric. The electric utility main runs along South 16th Street. The developer will be required to extend the electric main to serve the subdivision according to the Electric Utility Standards.

Sidewalk. There is an existing shared use path along South 16th Street. Sidewalks are already constructed along South Grand Avenue. No additional walks required.

Zoning. The proposed three HOC zoned lots all meet the minimum standards for size, frontage, and access. The F-PRD zoned outlot cannot be built upon until the Major Site Development Plan for the Aspen Ridge Town Home development is revised and the land is platted.

APPLICABLE SUBDIVISION LAW

The laws applicable to this revision to the Preliminary Plat for Aspen Ridge Subdivision 2nd Addition include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(3):

(3) *Planning and Zoning Commission Review:*

- (a) *The Planning and Zoning Commission shall examine the Preliminary Plat, any comments, recommendations or reports assembled or made by the Department of Planning and Housing, and such other information as it deems necessary or desirable to consider.*
- (b) *Based upon such examination, the Planning and Zoning Commission shall ascertain whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's other duly adopted Plans.*

Ames Municipal Code Section 23.302(4):

- (4) *Planning and Zoning Commission Recommendation: Following such examination and within 30 days of the regular meeting of the Planning and Zoning Commission at which a complete Application is first formally received for consideration, the Planning and Zoning Commission shall forward a report including its recommendation to the City Council. The Planning and Zoning Commission shall set forth its reasons for any recommendation to disapprove or to modify any Preliminary Plat in its report to the City Council and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Section 23.302(5):

- (5) *City Council Review of Preliminary Plat: All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with these Regulations. The City Council shall examine the Preliminary Plat, any comments, recommendations or reports examined or made by the Planning and Zoning Commission, and such other information as it deems necessary and reasonable to consider.*

Ames Municipal Code Section 23.302(6):

(6) *City Council Action on Preliminary Plat:*

- (a) *Based upon such examination, the City Council shall determine whether the Preliminary Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. In particular, the City Council shall determine whether the subdivision conforms to minimum levels of service standards set forth in the Land Use Policy Plan for public infrastructure and shall give due consideration to the possible burden of the proposed subdivision on public improvements in determining whether to require the installation of additional public improvements as a condition for approval.*
- (b) *Following such examination and within 30 days of the referral of the Preliminary Plat and report of recommendations to the City Council by the Planning and Zoning Commission, the City Council shall approve, approve subject to conditions, or disapprove the Preliminary Plat. The City Council shall set forth its reasons for disapproving any Preliminary Plat or for conditioning its approval of any Preliminary Plat in its official records and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Chapter 23, Subdivisions, Division III, provides the procedures for the subdivision of property; specifically Section 23.302 discusses Major Subdivisions.

Ames Municipal Code Chapter 23, Subdivisions, Division IV, identifies design and improvement standards for subdivisions.

Ames Municipal Code Chapter 29, Zoning, Section 29.804, includes standards for the Highway-Oriented (HOC) zone.

Ames Municipal Code Chapter 29, Zoning, Table 29.1203 includes standards for the Planned Residence District (F-PRD) zone.

Ames Municipal Code Section 23.107 reads as follows:

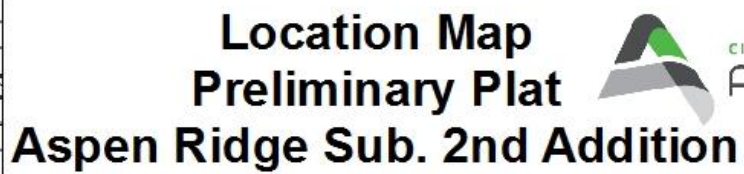
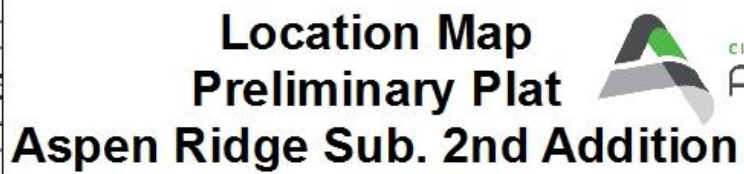
In addition to the requirements of the Regulations, all plats of land must comply with all other applicable City, county, state and federal statutes or regulations. All references in the Regulations to other City, county, state or federal statutes or regulations are for informational purposes only, and do not constitute a complete list of such statutes or regulations. The Regulations are expressly designed to supplement and be compatible with, without limitation, the following City plans, regulations or ordinances:

- (1) Land Use Policy Plan*
- (2) Zoning Ordinance*
- (3) Historic Preservation Ordinance*

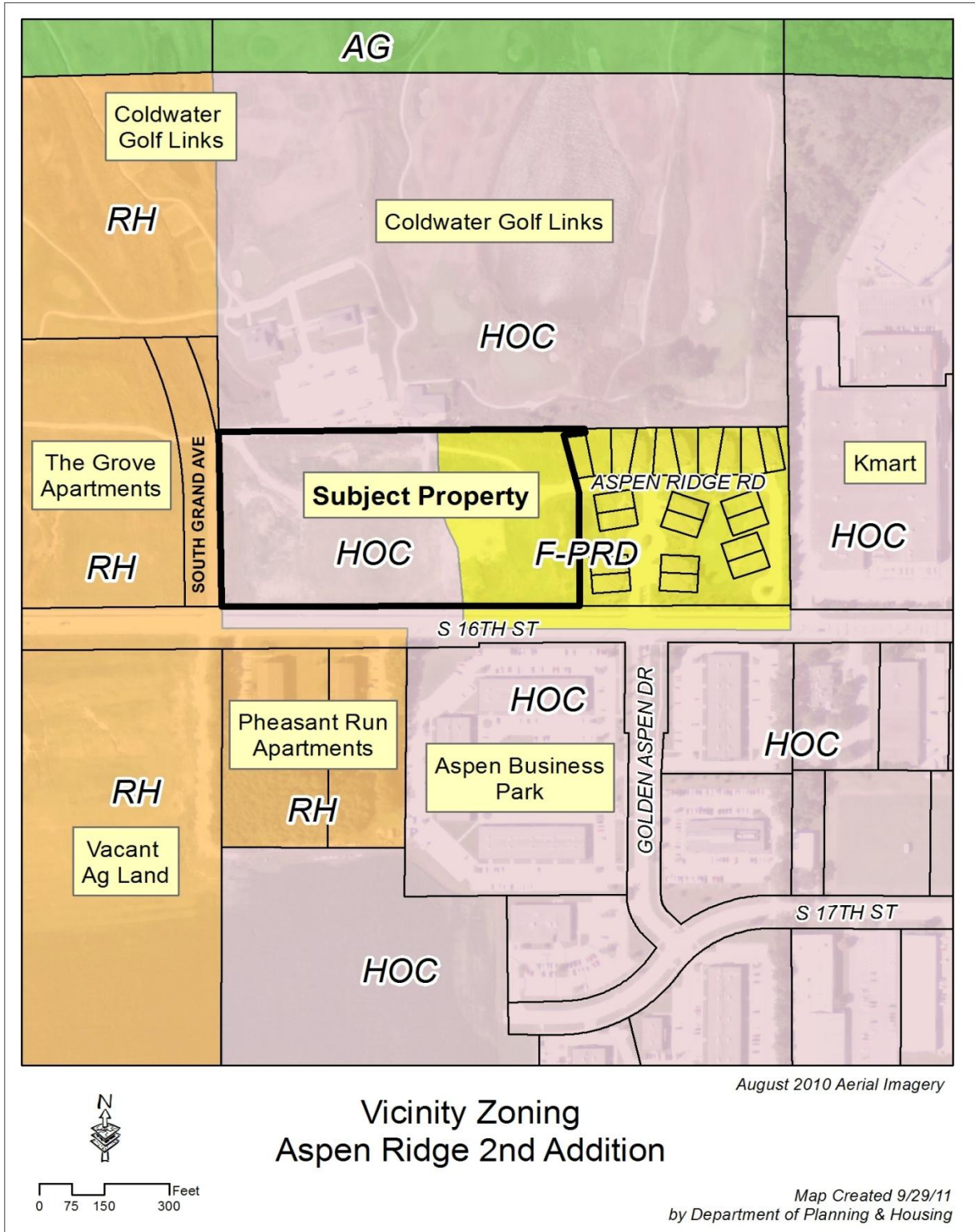
- (4) Flood Plain Ordinance*
- (5) Building, Sign and House Moving Code*
- (6) Rental Housing Code*
- (7) Transportation Plan*
- (8) Parks Master Plan*
- (9) Bicycle Route Master Plan*

Plats may be disapproved on the basis of the above, and other City Council approved plans and policies that may be adopted from time to time.

Aspen Ridge Subdivision 2nd Addition



Vicinity Zoning Map



PRELIMINARY PLAT

ASPEN RIDGE 2nd ADDITION

PRELIMINARY PLAT NOTES:

1. Platsman Note:
Reference Flood Insurance Rate Map (FIRM) 191601016E revised February 20, 2008 for flood boundaries and elevations for this area. **Flood Elevation = 891.13 ft.**
2. Flood Hazard:
This sheet shows if structures to be built on this site shall be a minimum of three feet above the 100-year base flood elevation. Other flood prevention methods as defined in the City Ordinance may be utilized.
3. Storm Sewer Easement:
Easement will be provided on the Collierville Golf Links, Parcel "I" of Grand Aspen Subdivision. Second Addition agrees to accept drainage and storm easement for Lots 1, 2, 3, 4 and Outlot C of the Aspen Ridge Second Addition. Outlot C of Grand Aspen Subdivision is located to the north of the subject property. The easement shall be provided to the City of Grand Aspen and the City of Grand Aspen agrees to accept drainage and storm easement for Lots 1, 2, 3, 4 and Outlot C of the Aspen Ridge Second Addition. No lots in this Aspen Ridge Subdivision are required to store stormwater in the ponds in the Collierville Golf Links. The City of Grand Aspen agrees to accept drainage and storm easement for Lots 1, 2, 3, 4 and Outlot C of the Aspen Ridge Second Addition. The pond has 30+ acre-feet of storage capacity. The City of Grand Aspen agrees to accept drainage and storm easement for Lots 1, 2, 3, 4 and Outlot C of the Aspen Ridge Second Addition. **(EASEMENT HAS BEEN RECORDED)**
4. Site Grading:
Contours shown are existing topographic contours. Final grading sites is not proposed on this plat.

PRELIMINARY PLAT DATA:

SUBDIVISION NAME: ASPEN RIDGE 2nd ADDITION

OWNER/DEVELOPER: SCOTT J. RANDALL, or HATT RANDALL RANDALL CORPORATION

PLAN AUTHOR/ENGINEER: SCOTT RANDALL, P.E. FOX ENGINEERING ASSOCIATES, INC. 10000 N. 10th St., Suite 107 AMES, IA 50010

LAND SURVEYOR: 515-233-5800

CONTACT PERSON: SCOTT RANDALL 515-233-5800

SUBDIVISION NAME: ASPEN RIDGE SUBDIVISION 2ND ADDITION

CURRENT ZONING: PDC - PLANNED RESIDENTIAL SUBDIVISION (OUTLOT C)

DATE PREPARED: 06/06/10

DATE REVISED: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

RECEIVED

MAR 28 2014

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

PRELIMINARY PLAT DATA:

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LAND SURVEYOR: 515-233-5800

CONTACT PERSON: SCOTT RANDALL 515-233-5800

SUBDIVISION NAME: ASPEN RIDGE SUBDIVISION 2ND ADDITION

CURRENT ZONING: PDC - PLANNED RESIDENTIAL SUBDIVISION (OUTLOT C)

DATE PREPARED: 06/06/10

DATE REVISED: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

RECEIVED

MAR 28 2014

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

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LAND SURVEYOR: 515-233-5800

CONTACT PERSON: SCOTT RANDALL 515-233-5800

SUBDIVISION NAME: ASPEN RIDGE SUBDIVISION 2ND ADDITION

CURRENT ZONING: PDC - PLANNED RESIDENTIAL SUBDIVISION (OUTLOT C)

DATE PREPARED: 06/06/10

DATE REVISED: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

RECEIVED

MAR 28 2014

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

PRELIMINARY PLAT DATA:

SUBDIVISION NAME: ASPEN RIDGE 2nd ADDITION

OWNER/DEVELOPER: SCOTT J. RANDALL, or HATT RANDALL RANDALL CORPORATION

PLAN AUTHOR/ENGINEER: SCOTT RANDALL, P.E. FOX ENGINEERING ASSOCIATES, INC. 10000 N. 10th St., Suite 107 AMES, IA 50010

LAND SURVEYOR: 515-233-5800

CONTACT PERSON: SCOTT RANDALL 515-233-5800

SUBDIVISION NAME: ASPEN RIDGE SUBDIVISION 2ND ADDITION

CURRENT ZONING: PDC - PLANNED RESIDENTIAL SUBDIVISION (OUTLOT C)

DATE PREPARED: 06/06/10

DATE REVISED: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

DATE: 07/07/10

RECEIVED

MAR 28 2014

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

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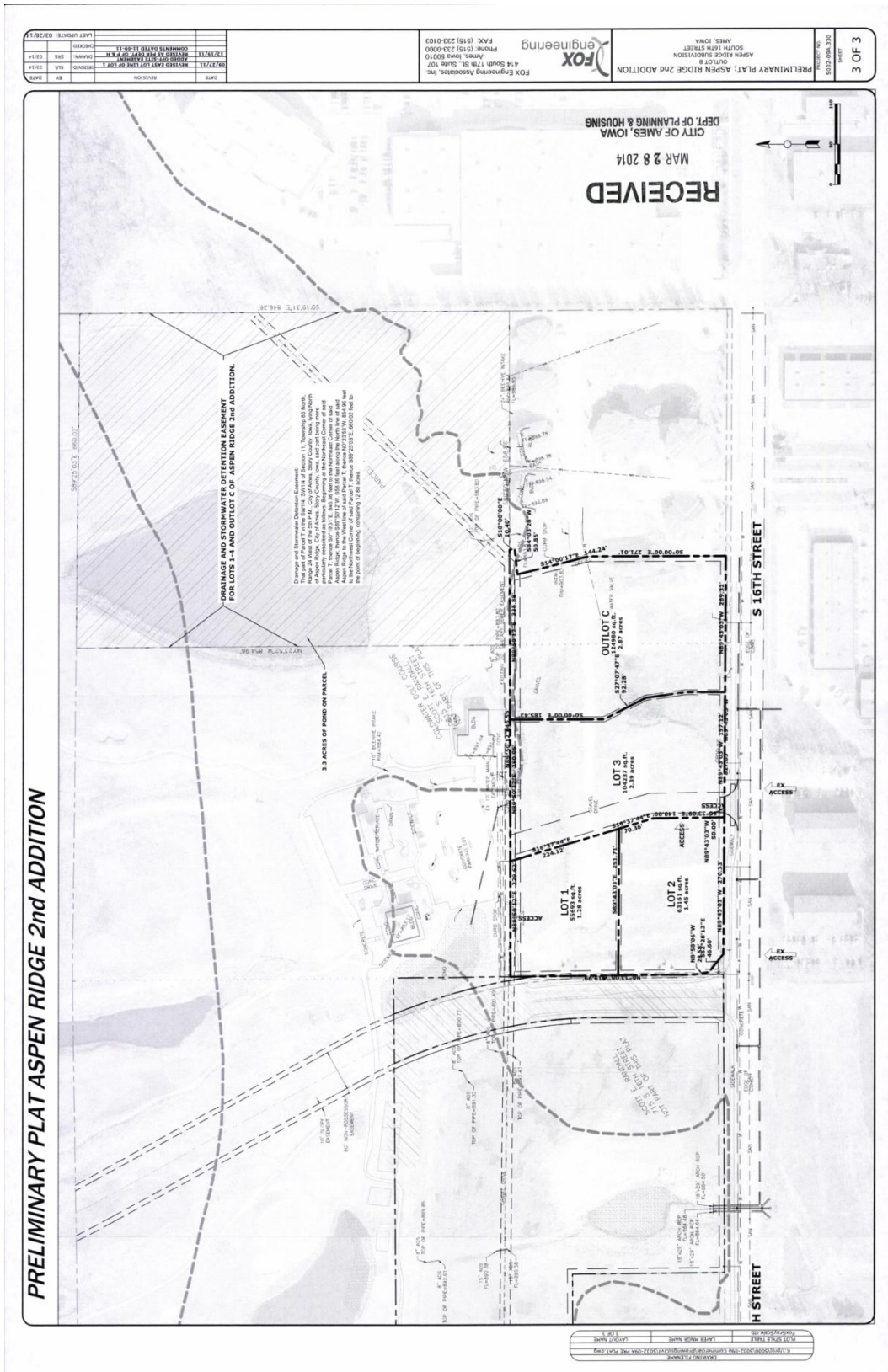
Proposed Preliminary Plat – Aspen Ridge Subdivision 2nd Addition
Sheet 2 of 3



Attachment A

Proposed Preliminary Plat – Aspen Ridge Subdivision 2nd Addition

Sheet 3 of 3



Previously Approved Preliminary Plat – Aspen Ridge Subdivision 2nd Addition

[illegible]

COUNCIL ACTION FORM

SUBJECT: REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS, AMES GOLF AND COUNTRY CLUB

BACKGROUND:

The Ames Golf and Country Club at 5752 George Washington Carver is located in the area of the Ames Urban Fringe Plan (AUF) identified as Rural Transitional Residential and within the Watershed Protection Area of Ada Hayden Heritage Park. It also lies within the Allowable North Growth Area of the Land Use Policy Plan (LUPP). Bella Homes, LLC, as developer for the Ames Golf and Country Club, is proposing a residential development along the north and west perimeter of the golf course on approximately 20 acres of their 155 acre property. A location map is included as Attachment 1, and an AUF Map excerpt is Attachment 2.

At the October 29, 2013 City Council meeting, Council referred to staff a letter from Larry Curtis, representing the Ames Golf and Country Club (AGCC), seeking removal of the site from North Growth Area of the LUPP and to allow for waiver of infrastructure requirements and subdivision regulations (see Attachment 3). At the January 14, 2014 meeting, the City Council clarified the ability of this project to move forward with an application as a Rural Transitional Residential subdivision without having to amend the Land Use Policy Plan North Growth Area designation.

Rural subdivisions are subject to municipal standards and approval within 2 miles of an incorporated city. Ames has entered into a 28E agreement with Story County and Gilbert in support of the AUF and to streamline review. With the AUF, the review process has been streamlined where the City has retained its subdivision authority for specific transition and urban service areas while allowing the County to review subdivisions in agricultural areas within 2 miles of the City. **In this circumstance, the site is in a Rural Transition Residential designation and is subject to all City subdivision requirements unless waived by the City Council.**

The City considers rural subdivision developments in a multi-step process. **The action tonight is to review the pertinent AUF policies and determine if the City is willing to waive any of its subdivision requirements. If the City Council grants any waivers, the applicant will then proceed as a Major Subdivision and will prepare a preliminary plat with detailed design and lot layouts and a final plat. Both of these plats will require City Council approval.**

The AUF describes Rural Transitional Residential as follows and includes specific policies related to allowing for rural development:

Areas designated Rural Transitional Residential are located in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan planning horizon. Rural Transitional Residential development is designed to transition seamlessly into adjacent rural residential and agricultural land use, providing buffers where necessary to separate residences from particularly intense or noxious agricultural activities. Residential densities with this designation are between rural densities and urban densities. Density is to be within 1.0 and 3.75 units per acre.

Policy 5, below, specifically addresses infrastructure standards.

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. *Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure.* (Relates to RUTA Goal 3.2, 3.3) [*Emphasis added.*]

Policy 7, below, specifically addresses annexation.

RTR Policy 7: Require annexation agreements and developer agreements in instances of new development that is [sic] particularly intense, or *that occurs in certain critical locations.* (Relates to RUTA Goal 3.2) [*Emphasis added.*]

The full list of policies is included as Attachment 4.

In furtherance of these AUF policies and in accordance with the City's policy on subdivision plats in the Fringe Area, the owner has submitted the three standard covenants with original signatures suitable for recording in the Story County Recorder's office. These covenants bind the owners and successors to:

- (1) Agree to annexation at the time the City requests,
- (2) Waive objections to assessments that may be imposed in the future if public improvements are brought to the site as an assessment project, and
- (3) Pay any fees associated with the buy-out of rural water.

SUBDIVISION STANDARDS

Subsequent to the January determination by Council on the appropriate process, the applicant and staff have met multiple times to discuss issues regarding infrastructure needs, Conservation Subdivision standards, and Ada Hayden Watershed protection.

Division IV of the City's subdivision ordinance (Chapter 23 of the Ames *Municipal Code*) describes the minimum standards for lots and blocks, streets and rights-of-way, public utilities (water, sanitary sewer, and storm water management), residential landscaping, street lighting, and all other public improvements necessary for an urban development.

By default, these standards must be met for all developments within the jurisdiction of the City's subdivision regulations unless specific waivers are granted by the City Council.

Since the proposed subdivision lacks the public improvements described in Division IV, this development would be classified as a major subdivision requiring a preliminary plat to be submitted that identifies how the infrastructure requirements will be met.

In this instance, City staff has reviewed the standards of Division IV and how they would be applied to this proposed development. **The recommendation of staff is to retain most of the standards and to grant waivers only for a limited portion.**

The most notable waivers or partial waivers relate to allowing for interim service by Xenia Rural Water District and interim use of advanced overland release septic systems with a permanent reduction in golf course phosphorus use to protect the watershed.

Below are staff's specific recommendations as to which sections of the City's Design and Improvements Standards to retain and which to waive:

- Section 23.401 **Site Design Standards: Retain these in whole.**
 - Lot and block standards need to be met.
- Section 23.402 **Residential Subdivision Landscaping Standards: Retain these in whole.**
 - Street trees will be required along all internal streets.
- Section 23.403 **Streets: Retain these in whole.**
 - The City will review and approve plans.
 - The developer will submit certified as-built drawings to confirm conformance with City standards.
 - All street and frontage improvements shall be installed per City specifications and policies. This will include, at a minimum, street lights, sidewalks, shared use path, streets, curb and gutter.
 - The developer will provide cash escrow for half of Stange Road as it abuts the development. This escrow will cover all required improvements for an arterial street, including pavement, curb and gutter, sidewalks, shared use path, street trees, lighting, markings, etc.
- Section 23.404 **Water Supply: Retain in part.**
 - Allow a waiver so as not to require connection to City system prior to development and annexation with the following conditions:
 - Need agreement between owner and Xenia about terms of buyout of territory and disconnection in the event of annexation. Agreement must be in place prior to approval of preliminary plat.

- Xenia can serve this development, but improvements must meet City of Ames specifications and standards for water and fire service. Developer will submit certified as-built drawings following construction.
 - Following annexation and at City's request, connection to City system (and disconnection from Xenia) required at owner's cost.
 - The developer will submit certified as-built drawings to determine conformance with City standards.
- Section 23.405 **Sanitary Sewer: Retain in part.**
 - Allow a waiver so as not to require connection to City system prior to development and annexation with the following conditions
 - Individual or group on-site systems designed for surface discharge (AdvanTex or equivalent) as approved by County sanitarian.
 - Following annexation and at City's request, connection to City system required at owner's cost.
 - Homes on 190th Street to meet same standard as other homes.
 - **Waiver contingent upon City's approval of Phosphorus reduction and management plan (see stormwater section)**
 - Preliminary plat will identify sanitary sewer layout and easements will be provided if needed. Construction will be deferred until sanitary sewer service is available.
- Section 23.406 **Electric Distribution and Street Lighting Standards: Retain in whole.**
 - Installed by developer in accordance with City standards, including lights placed at intersections and entrances along arterial streets.
- Section 23.407 **Storm Water Management: Retained in whole.**
 - Preliminary plat must be designed and managed in accordance with conservation subdivision standards (Division VI).
 - Development must comply with new Post-Construction stormwater ordinance.
 - **AGCC has stated that the golf course improvements financed through the development of this subdivision will reduce their annual phosphorus application by 60%. AGCC needs to provide a plan prior to preliminary plat approval to demonstrate the means of accomplishing the reduction and how these reductions will be monitored over the long term.**
 - Preliminary Plat will include golf course preliminary grading plans with storm water management and irrigation plans.
 - Final Phosphorus Management Plan will include provisions for monitoring application needs.
- Section 23.408 **Soil Erosion and Sedimentation Control: Retain in whole.**
 - Developer must apply for and obtain COSESCO permit and be subject to

inspections.

- Section 23.409 **Improvement Guarantees: Retain in whole.**
 - Prior to final plat approval, applicant must complete all infrastructure requirements or provide financial security for those yet to be installed.

Should the City Council act on this waiver request, the applicant could then proceed with the preparation of a preliminary plat for consideration by the City and County.

ALTERNATIVES:

1. The City Council can accept the covenants provided by the applicant and grant a waiver from those portions of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for a subdivision proposed by the Ames Golf and Country Club specified above.

This alternative will allow the owner to prepare a preliminary plat for submittal and review by the City. The Ames City Council and Story County Board of Supervisors would need to approve the preliminary plat prior to the applicant submitting a final plat. This alternative would also be accompanied by a six-month time limit, by which time the application for the preliminary plat must be submitted to the City.

In order to assure the obligations for the developer stated above are completed, it is likely that a Developer Agreement will be required along with the Final Plat.

2. The City Council can accept the proposed covenants, but include different waivers from those described above to the Design and Improvement Standards for the subdivision. These could be either less or more stringent design specifications.
3. The City Council can reject the proposed covenants and decline the request for a waiver of the Division IV Design and Improvement Standards for the proposed subdivision proposed by Ames Golf and Country Club. This alternative would result in no rural subdivision application at this time.
4. The City Council can refer this request back to staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

The City has had long standing policy to protect the Ada Hayden Watershed from additional pollutants entering the lake. The most significant pollutant of concern related to water quality and algae blooms is phosphorus. In the past, the City has not supported development that contributes or potentially contributes to the degradation of the lake or the park's quality. This was the case with the Rose Prairie development request that

pursued a rural subdivision without City services. The City rejected their approach to management of a sewer system with traditional septic, bulk treatment or a collective open lagoon. That denial ultimately resulted in the properties being annexed into the City.

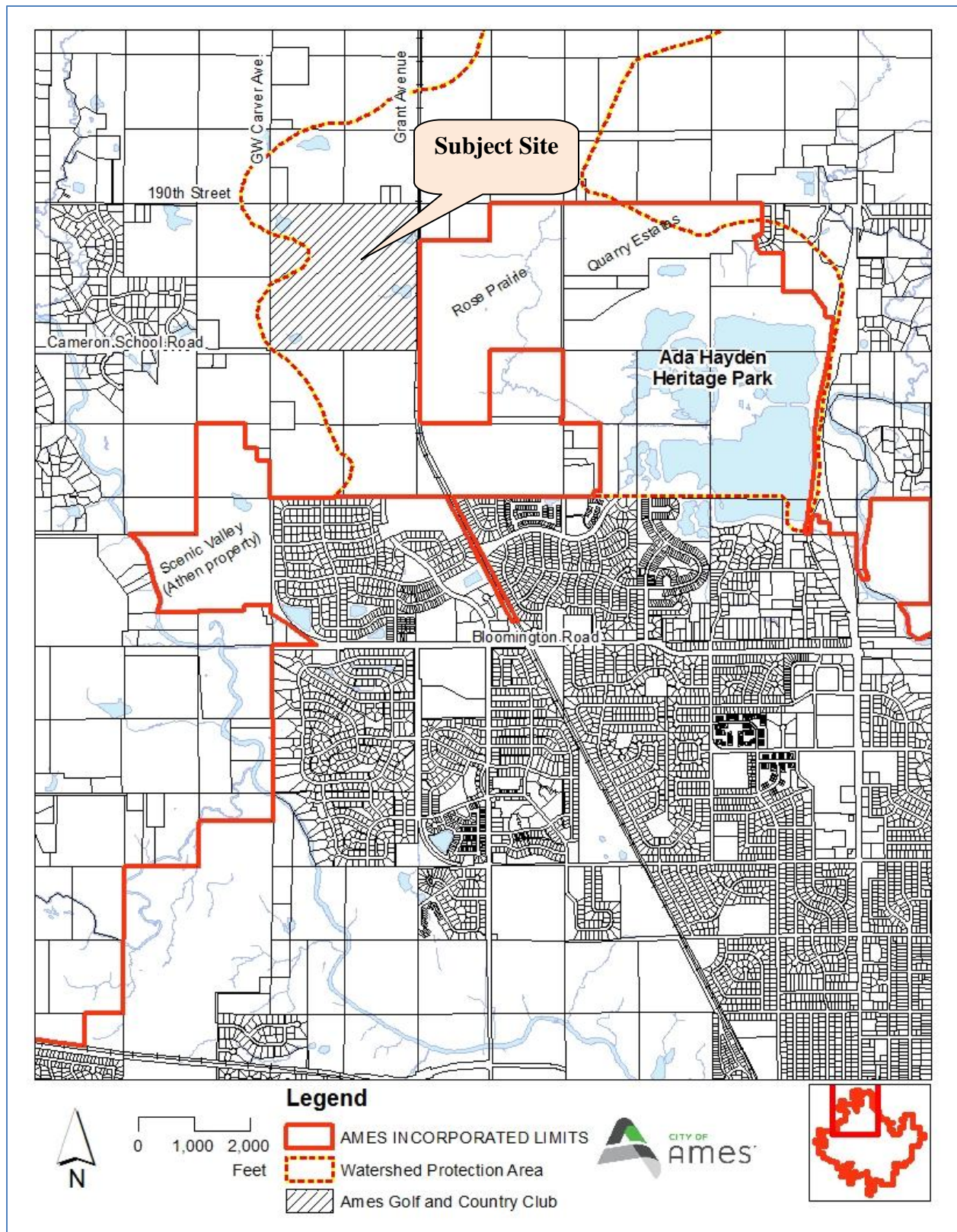
In this case, the applicant has proposed a septic system that performs better than a traditional system with the exception of the release of phosphorus. To mitigate this impact, the Golf Course proposes to reduce the application of phosphorus to its grounds so as to have a net decrease within their portion of the Ada Hayden watershed. In concept this is achievable, since many golf courses – including our own Homewood Golf Course – do not need phosphorus for healthy turf. However, ensuring that the reduction does occur will be difficult in the long run due to there being no prescribed means of monitoring phosphorus usage and application on the AGCC golf course. **At this time staff is supporting the waiver of sewer requirements contingent upon further development of a phosphorus reduction plan concurrent with a preliminary plat application.**

The proposed waiver of a portion of the Design and Improvements Standards is consistent with the policies of the Urban Fringe Plan. By retaining most of the standards and requiring a design that allows the other standards to be met later, such as for water and sanitary sewer, the City can ensure that if or when this development is annexed into the City, it can be integrated into the development patterns of a typical residential subdivision. The covenants will ensure that the property owners at the time of future annexation will pay those costs associated with annexation, such as for rural water buyout and for public infrastructure.

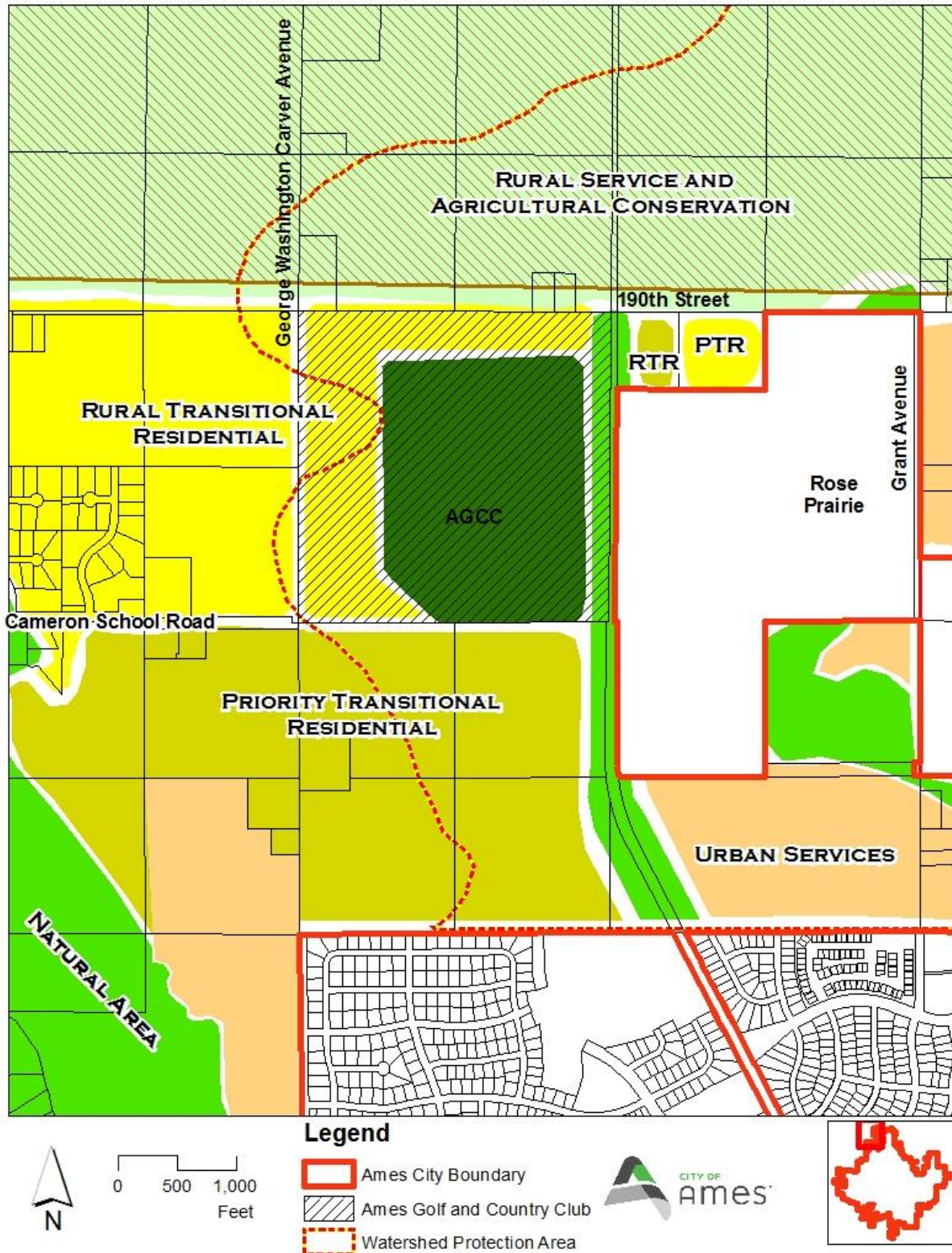
Additionally, the annexation covenant requires all of the property, including the Golf Course, to voluntarily annex at the City's request. The site is adjacent to property that is within the City and, therefore, the City can choose to use this covenant at any time it suits the City to support an expansion of its boundaries or operations. This could be a standalone annexation of the property or combined with any other properties in the area for a larger annexation. When the City does require annexation, the City will not have any obligations to extend utility services and at any time utilities are extended it will be at the sole cost of the property owners as described within the other covenants.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1. This alternative will waive some portions of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision proposed by the Ames Golf and Country Club as noted above.

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

10/29/2013

Around dais

PASLEY AND SINGER LAW FIRM, L.L.P.

— ESTABLISHED 1906 —

JOHN L. TIMMONS
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LCURTIS@SINGERLAW.COM

C. H. PASLEY (1876-1952)
R. G. PASLEY (1915-2007)
W. A. SINGER (1917-2011)
C. A. PASLEY (RETIRED)
S. A. HOLM (RETIRED)
SCOTT L. HIPPEN (RETIRED)

October 29, 2013

Mayor Ann Campbell and
Ames City Council
515 Clark Avenue
Ames, IA 50010

Re: Removal from Northern Growth Area,
City of Ames, Iowa

Dear Mayor Campbell and Ames City Council

On behalf of the Ames Golf and Country Club, we request removal of the Ames Golf and Country Club property from the City of Ames' Northern Growth Area. It is the intention of the Ames Golf and Country Club to develop property as proposed under the Story County Zoning and Subdivision regulation subject to the City's requirements as have been imposed on other developments in the close proximity of the Ames Golf and Country Club, namely those of the Evangelical Free Church and Bella Woods Subdivision.

Your attention to this matter is greatly appreciated.

Yours very truly,



Larry R. Curtis
For the Ames Golf and Country Club

nas

WWW.SINGERLAW.COM

Attachment 4

Rural Transitional Residential Policies

RTR Policy 1: This land use designation includes all single-family and two-family residential land uses/developments that involve average net densities between one unit per acre and 3.75 units per acre. (Relates to RUTA Goal 3.2)

RTR Policy 2: Strategically locate Rural Transitional Residential land uses in areas where they can provide for an orderly and efficient future transition between land uses within the likely future extent of municipal limits and the unincorporated area. (Relates to RUTA Goal 3.2)

RTR Policy 3: Encourage clustering of residential sites within these land areas to limit the short-term and long-term costs associated with infrastructure improvements and the distribution of public services. (Relates to RUTA Goal 3.2, 3.4)

RTR Policy 4: Depending on location, density of units, size of lots, timing of development, development design, clustering of proposed sites, or other considerations, require full urban infrastructure standards. If the City does not require these improvements to be installed at the time of subdivision, require infrastructure assessment agreements.
(Relates to RUTA Goal 3.2, 3.3, 3.5)

RTR Policy 5: Any decentralized wastewater treatment facilities, wells and supporting infrastructure shall meet IDNR, county, and city standards. Other rural development standards may be acceptable on a case-by-case basis. Require agreements that if and when the property is annexed to a city, the land developer and/or landowner shall be responsible for the full cost of abandoning the rural systems and connecting to urban infrastructure. (Relates to RUTA Goal 3.2, 3.3)

RTR Policy 6: Make provisions to protect environmental resources, environmentally sensitive areas and adjacent Natural Areas. (Relates to RUTA Goal 3.4)

RTR Policy 8: Mitigate and manage stormwater run-off, soil erosion, and wastewater discharge according to IDNR and city standards. (Relates to RUTA Goal 3.4)

RTR Policy 7: Require annexation agreements and developer agreements in instances of new development that is particularly intense, or that occurs in certain critical locations. (Relates to RUTA Goal 3.2)

COUNCIL ACTION FORM

SUBJECT: REQUEST FOR WAIVER OF SUBDIVISION REGULATIONS,
250th STREET & X AVENUE WITHIN BOONE COUNTY

BACKGROUND:

In order to accommodate orderly growth of cities, state law allows cities jurisdiction over the division of property within 2 miles of their city limits. Ames exercises that jurisdiction for subdivisions, but does not regulate zoning beyond the city limits. The Ames Urban Fringe Plan guides the city's subdivision decisions in both Story and Boone County. Story County has adopted that Plan and therefore Ames subdivision decisions and Story County zoning decisions are coordinated. Boone County has not adopted the Ames Urban Fringe Plan and signed a 28E agreement with the City as has Story County. Nonetheless, the Ames Urban Fringe Plan is the basis for City policy applied to subdivisions in Boone County. **Division of property in Boone County within two miles of the Ames city limits must be approved by both the City of Ames and Boone County, with the City of Ames taking the first action.**

State law requires that the City of Ames apply the same standards to subdivisions within the Ames Urban Fringe as it applies to subdivisions within the city limits. Therefore, subdivisions in both areas require providing public improvements (streets, sanitary sewers, water, storm water management, etc.) that meet city standards, unless waived by City Council.

In November, 2013 City Council referred to staff a letter from Don Sears of New Century FS representing Donald Uthe seeking a waiver of subdivision infrastructure requirements within the Ames Urban Fringe in rural Boone County (see Attachment 1). The 75-acre property at the northwest corner of 250th Street and X Avenue is to be divided for the development of an anhydrous ammonia facility on five acres. The remaining property will continue to be in agricultural use (see Attachment 2).

This property is located in an area that the Ames Urban Fringe Plan identified as Agriculture and Farm Service (see Attachment 3), which "encompasses large areas of highly valuable farmland, with farming and agricultural production as the primary activity." It is the policy for this area that this primary activity continues.

Recognizing that agricultural land is a natural resource of the Ames Urban Fringe that should be protected, farming and agricultural production is and will continue to be the predominant land use of areas given the Agriculture and Farm Service designation.

Additional policy accommodates the proposed agricultural-related business.

Recognizing that industrial and commercial land uses dependent on proximity to local agricultural land uses are essential to the continued feasibility of farming in Story County and Boone County, support these services within the Agriculture and Farm Service designation.

It is important to note that this property is two miles from the city limits and over one mile from the outside boundary of areas that the Ames Urban Fringe Plan identifies for future urban expansion. The property is not on a major transportation corridor leading to Ames. **Therefore, the proposed agricultural business use is not expected to have impact on the community.**

Since providing public improvements meeting city standards is neither feasible nor necessary for agricultural uses of land separated from the city, the City Council has routinely granted waivers of the subdivision regulations requiring public improvements in those areas of the Urban Fringe where annexation by the City is not anticipated in the foreseeable future. These waivers have been recommended on those occasions when the proposed development is consistent with the land use that the Plan designates.

Should the City Council waive the public improvement requirements, the project would be considered a Minor Subdivision. The applicant could then proceed with the preparation of a final plat for consideration by the City and County.

Another policy of the Ames Urban Fringe Plan for land designated as Agriculture and Farm Service is as follows:

Limit non-agricultural residences in the Agriculture and Farm Service designation to homes existing at the time of this Plan or remaining scattered building sites where farmstead homes once existed or homes on very large parcels of ground typical of the agricultural setting. Otherwise, subdivision for the creation of new residential development lots is not supported within the Agriculture and Farm Service designation.

Therefore, city staff will recommend that the final plat show as an undevelopable outlot the 70-acre portion of the property that is not included with the anhydrous ammonia storage facility. The final plat should also identify that 70-acre portion as for agricultural use only.

In accordance with the City's policy regarding action on subdivision plats in the fringe area, the owner has submitted the three standard covenants with original signatures suitable for recording in the Story County Recorder's office. These covenants bind the owners and successors to

(1) agree to annexation at the time the City requests,

- (2) waive objections to assessments that may be imposed in the future if public improvements are brought to the site as an assessment project, and**
- (3) pay any fees associated with the buy-out of rural water.**

ALTERNATIVES:

1. The City Council can accept the covenants and grant a waiver of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision of the property at the northwest corner of 250th Street and X Avenue.

This alternative would allow the owner to prepare final plat documents and if approved by both the City and Boone County, to divide the property so that the five-acre parcel can be developed as an anhydrous ammonia storage facility.

2. The City Council can accept the covenants and grant a different set of waivers of Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision of the property at the northwest corner of 250th Street and X Avenue.

3. The City Council can deny the request for a waiver of Division IV Design and Improvement Standards for the subdivision property at the northwest corner of 250th Street and X Avenue.

Since public improvements of the City of Ames are two miles from this property and the city is not expected to expand to the property, in practical terms, this alternative would prevent the subdivision and possibly the development of an anhydrous ammonia storage facility.

3. The City Council can refer this request back to staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

The proposed anhydrous ammonia storage facility is consistent with the policies of the Ames Urban Fringe Plan, as is the continued agricultural use of the remainder of the property. Further division of the property or the development of one or more additional homes on the property is not consistent with the Ames Urban Fringe Plan. The waiver of Division IV Design and Improvements Standards will allow the subdivision process to continue and the City Council to consider a final plat to divide the property for the proposed facility and with plat restrictions that prevent future residential development.

Therefore, it is the recommendation of the City Manager at this time that the City Council approve Alternative #1. This alternative will waive Division IV Design and Improvement Standards of the Ames Subdivision Regulations for the subdivision of the property at the northwest corner of 250th Street and X Avenue.

ATTACHMENT 1

September 24, 2013

City of Ames
City Council
515 Clark Ave.
Ames, IA 50010

Re: 240th St. and X Ave. Boone County

City Council,



I am currently working with Donald Uthe and Boone County on a land division of 5 +/- acres out of a 75 acre plat on the corner of 250th St. and X Ave. in Boone County, that lies in the 2 mile fringe of the City of Ames.

There was a pre-application conference with the City of Ames and Boone County and the recommendation from that meeting was to request a waiver from the City of Ames for infrastructure since Ames sewer, water, gas and electric are currently not available in this area.

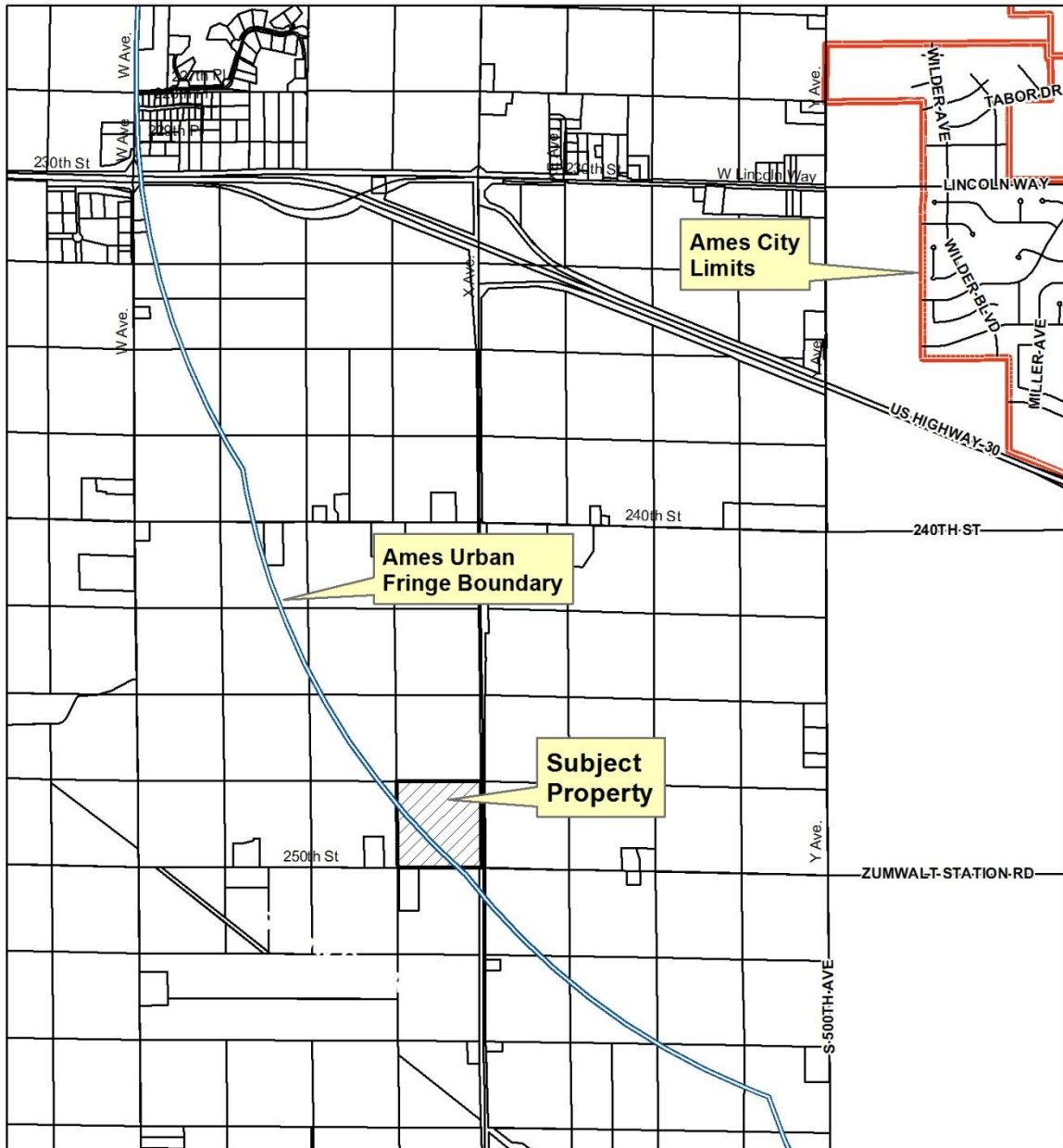
Donald Uthe is willing to sign covenants that he agrees to hook up to these utilities plus agree to voluntary annexation should the City request such action in the future.

Enclosed is a copy of the Sketch Plan Pre-application Conference form and documents from Boone County.

Sincerely,

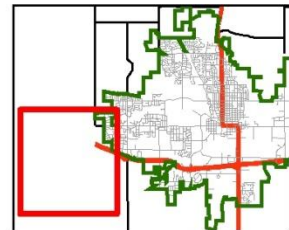
Dan Sears
Operations Manager
New Century FS

ATTACHMENT 2

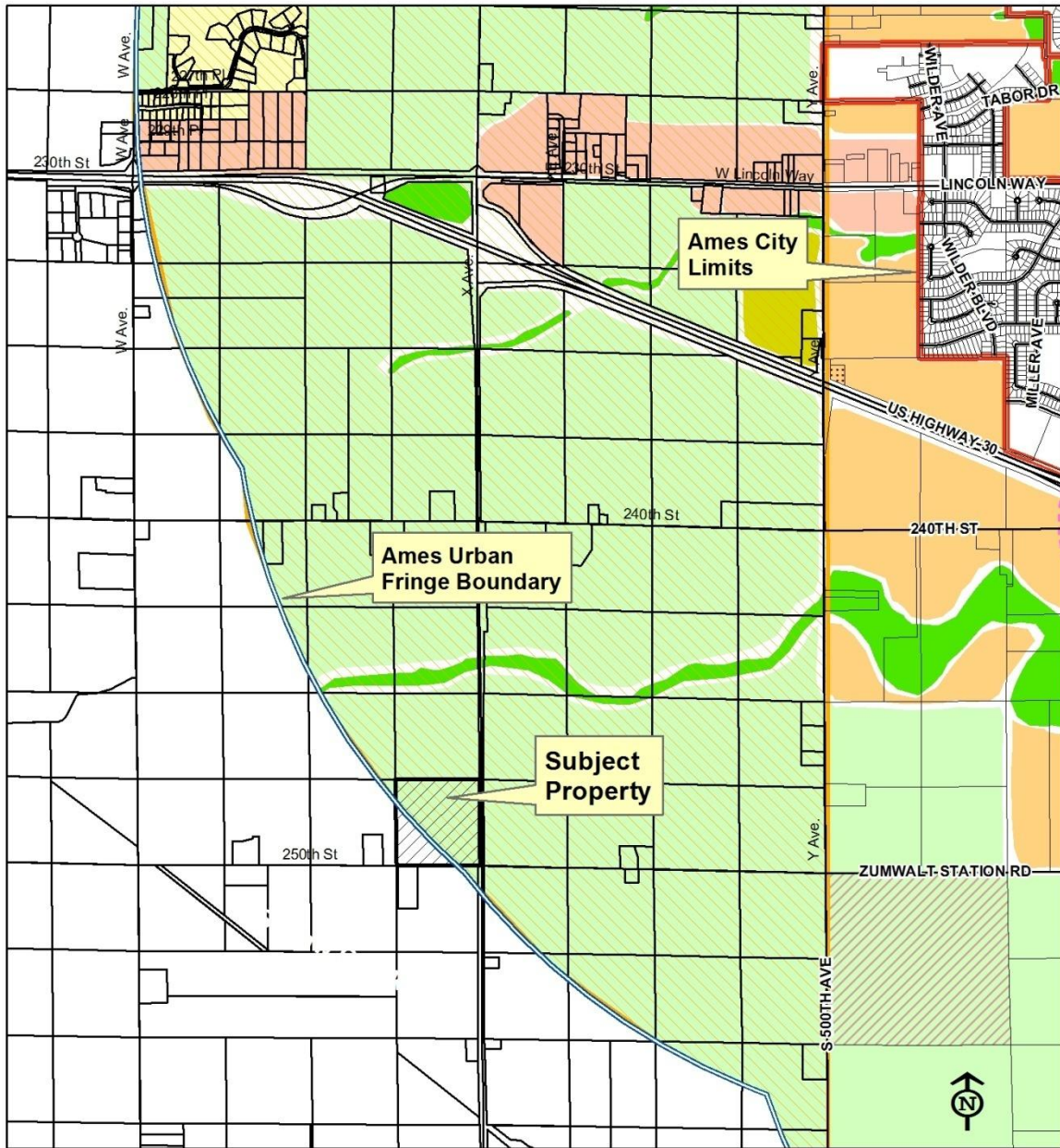


Location Map 250th St. & X Ave.

0 0.5 1 Miles









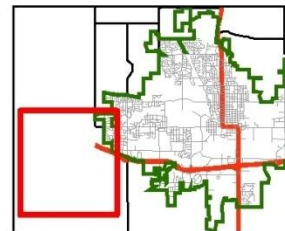
ATTACHMENT 3



Land Use Map: 250th St. & X Ave.

Ames Urban Fringe Land Use Designations

 Priority Transitional Residential	 Agriculture and Farm Service
 Rural Residential	 Natural Areas
 Urban Residential	 Highway-Oriented Commercial



COUNCIL ACTION FORM

SUBJECT: QUARRY ESTATES REZONING MASTER PLAN DETERMINATION

BACKGROUND:

Quarry Estates LLC owns a 79-acre parcel north of Ada Hayden Heritage Park and south of 190th Street. (See Attachment 1, Location Map.) This land was annexed by the City on December 30, 2013. Before annexation, the Ames Urban Fringe Plan designated this property for Urban Residential land use and Watershed Protection Area, since it is within the watershed of Ada Hayden Lake. Upon annexation, the property was designated as Village/Suburban Residential on the Land Use Policy Plan map. (See Attachment 2, LUPP designations.)

The owner of this land is preparing a rezoning request to Floating Zone Suburban Residential. **The Municipal Code requires that, prior to considering an application for a Floating Zone Suburban Low Density (FS-RL) or Medium Density (FS-RM) rezoning, the City Council must determine whether it wishes to have a Master Plan prepared to accompany the rezoning request.** In order to have a complete application for rezoning, City Council must first indicate its interest in having a Master Plan accompany the requested rezoning. On April 28, 2014, the owner's representative submitted a letter asking the City Council to determine if a Master Plan will be required.

A Master Plan is intended to provide a broad view of the development concept by describing the intended uses, building types, access points, and protected areas. Section 29.1507.3(b) of the Municipal Code identifies the criteria by which the City Council may require a Master Plan as part of a rezoning application. If any one of these conditions is met, the City Council may require a Master Plan. Alternatively, the City Council may decide that the size or scope of the project does not necessitate an accompanying Master Plan with a rezoning application.

Under this Code section, a Master Plan may be required if a property:

1. Contains more than one type of housing unit and will be developed in phases;
2. Is located on land that is wetlands, flood plain, designated as Greenways or Environmentally Sensitive Area in the LUPP, conservation easement, or other documented sensitive condition or natural resource;
3. May require new or upgraded off-site public improvements; or
4. Has specific conditions or situations that exist on or around the site that require "more careful consideration of how the layout and design of a site affects general health, safety, and welfare...."

The full text of the conditions on which a Master Plan may be required is found in Attachment 3. That attachment also contains the text of the ordinance describing the contents of a Master Plan.

Based on an examination of the site and the preliminary conversations with the owner's representative, staff offers the following issues that point toward the need for a Master Plan in this case:

1. **The development will likely be proposed as both FS-RL and FS-RM to accommodate multiple housing types.** The mix will likely include single-family attached homes, single-family detached homes, and apartment buildings with less than 12 units per building.
2. **The property is within the Ada Hayden Watershed and is required to be developed under the Conservation Subdivision regulations,** which require particular attention to protecting water quality and natural areas. The owners are currently researching whether the property contains any wetlands or other documented sensitive conditions or natural resources.
3. The south property line of the property is adjacent to Ada Hayden Heritage Park.

ALTERNATIVES:

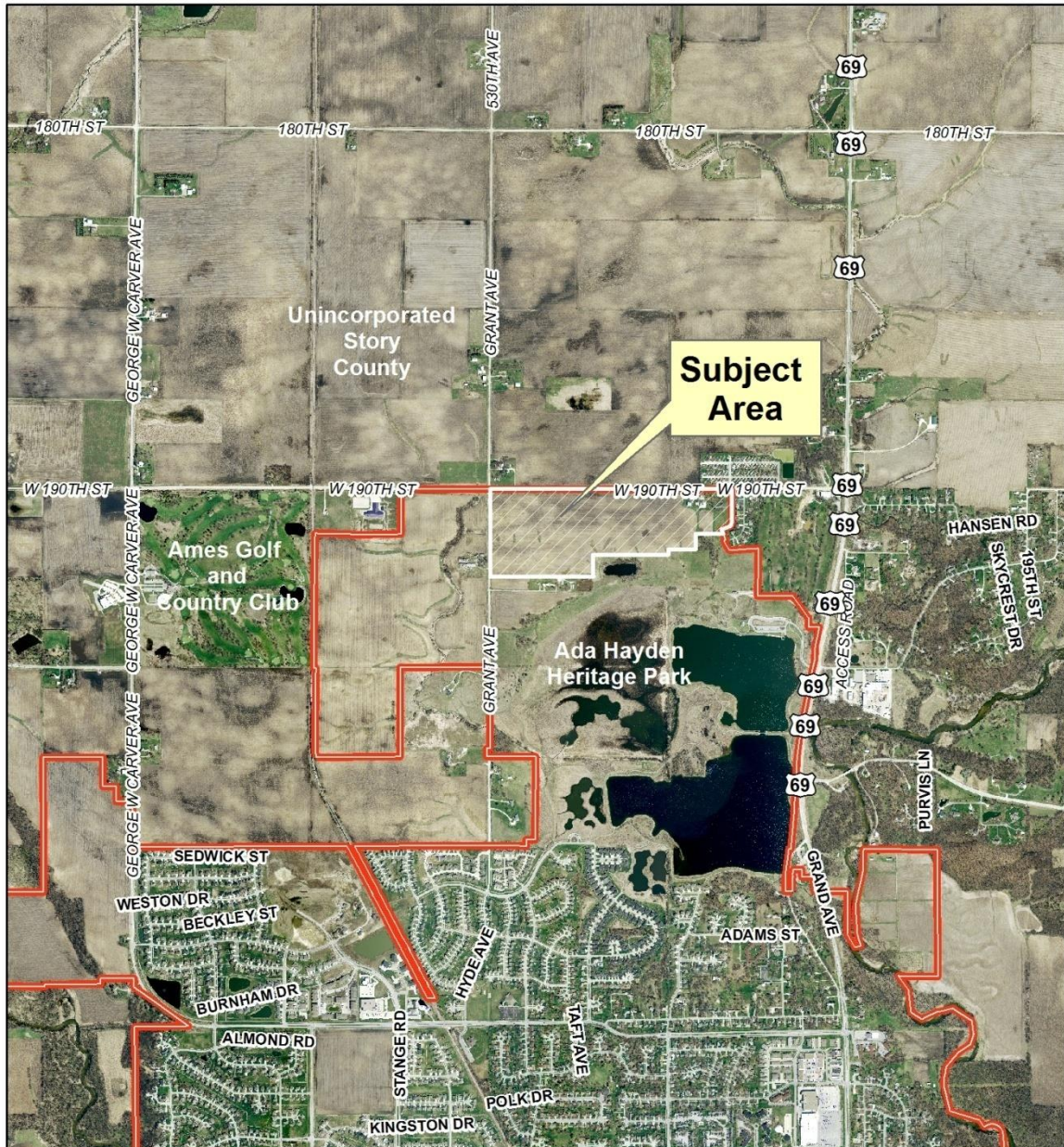
1. The City Council can require a Master Plan with the rezoning application for the subject site.
2. The City Council can choose not to require a Master Plan with the rezoning application for the subject site.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

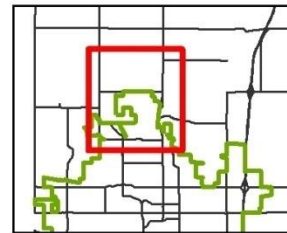
Due to the negotiations and agreements associated with annexation of this property, City Council has been aware for some time that the intended development is a suburban residential neighborhood. The developer will likely pursue two separate zoning designations of FS-RL and FS-RM.

This site will be the first conservation subdivision project for the community and include a substantial amount of open space. How the development relates to the Ada Hayden Heritage Park is of great importance to the community. A Master Plan would allow the applicant and the City Council to agree on concepts to address these important issues at the time it considers the rezoning, before the owner prepares a preliminary plat. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby requiring a Master Plan with the rezoning application.**

Attachment 1: Location Map

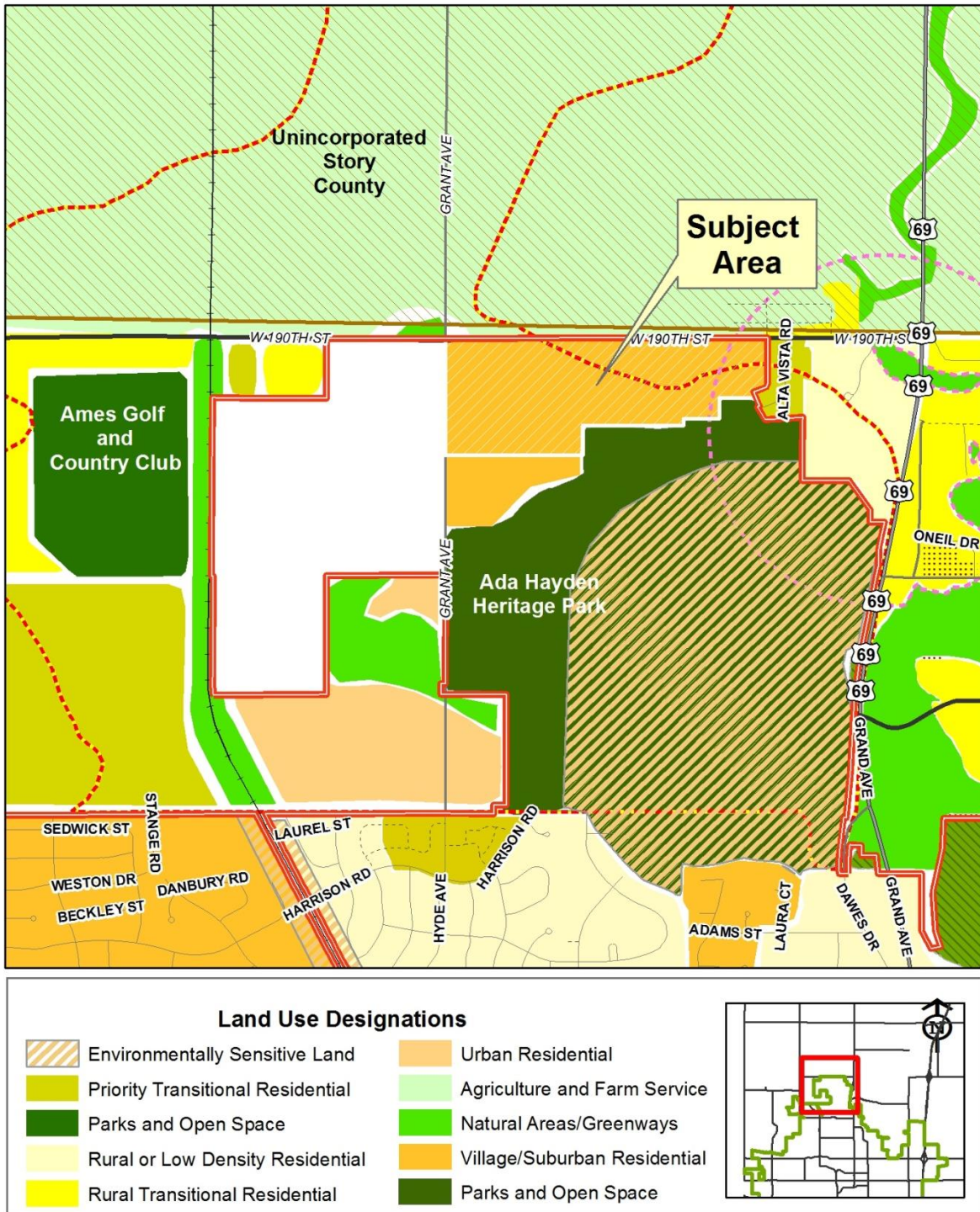


Location Map
Quarry Estates Property
904 W 190th Street



Attachment 2: LUPP Designations

Land Use Map - Quarry Estates Property



Attachment 3: Zoning Excerpt

Section 29.1507(3)

- (b) The City Council may require a Master Plan to be submitted with a rezoning application if it determines that any one of the following conditions is met:
 - (i) The area to be rezoned will contain more than one type of residential dwelling unit and will be developed in multiple phases.
 - (ii) The area to be rezoned contains designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas; conservation easements or other documented sensitive environmental conditions or valuable natural resources.
 - (iii) Development of the area with the most intensive uses permitted by the proposed zoning designation may require new, enlarged or upgraded off-site public improvements.
 - (iv) The City Council determines that due to specific conditions that exist on or around the area proposed to be rezoned, or due to situations that require more careful consideration of how the layout and design of a site affects general health, safety, and welfare, a Master Plan is necessary for consideration of the proposed zoning map amendment.
- (c) If the City Council determines that a Master Plan is required it shall be prepared in compliance with the requirements of Section 29.1507(4) and shall be reviewed concurrently with the application for a zoning text amendment.

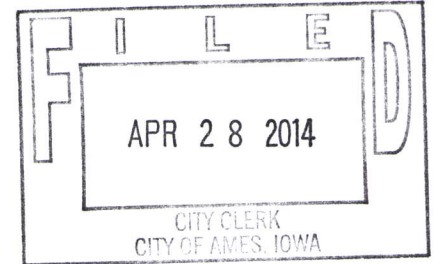
Section 29.1507(4)

- (4) **Master Plan.** When a Master Plan is required, it shall be submitted in compliance with the following:
 - (a) Submittal Requirements. The Master Plan shall contain the following information:
 - (i) Name of the applicant and the name of the owner of record.
 - (ii) Legal description of the property.
 - (iii) North arrow, graphic scale, and date.
 - (iv) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
 - (v) Proposed zoning boundary lines.
 - (vi) Outline and size in acres of areas to be protected from impacts of development
 - (vii) Outline and size in acres of areas proposed of each separate land use and for each residential unit type
 - (viii) Pattern of arterial streets and trails and off-site transportation connections
 - (ix) For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
 - (x) For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.



April 28, 2014

The Honorable Ann Campbell and Members of the Ames City Council
City of Ames
515 Clark Avenue
Ames, IA 50010



RE: Quarry Estates Subdivision - 904 W 190th Street
P/N 5343-12A

Dear Mayor Campbell and Members of the City Council:

Quarry Estates LLC, owner of property known locally as 904 W 190th Street, intends to develop residential housing on the 79-acre parcel. As they seek to move forward and work through the City's subdivision process, we respectfully request that the City Council determine whether a Master Plan is required as part of the rezoning submittal.

Sincerely,
FOX Engineering Associates, Inc.

A handwritten signature in blue ink, reading "Scott A. Williams".

Scott A. Williams, P.E.
Senior Project Manager

cc: Mr. Jeff Benson, City of Ames Planning Division

COUNCIL ACTION FORM

SUBJECT: NORTH GROWTH AREA UTILITY EXTENSION

BACKGROUND:

Since 2009, the City has been working with developers, land owners, and current residents within the northern growth area to plan for the installation of public infrastructure to serve this area. The northern growth area, generally located north of Bloomington Heights Subdivision to 190th Street between George Washington Carver Avenue and Ada Hayden Heritage Park, has been identified by City Council for residential development.

To facilitate this growth, City Council directed that the water main and sanitary sewer main extensions to serve the area along Grant Avenue be included in the 2012/13 Capital Improvements Plan (CIP) and Budget. The 2014/15 CIP also includes street paving of Grant Avenue.

The City will cover the up-front costs to design and install these water and sanitary sewer improvements. Utility connection districts have been established to recover the utility costs as developments are platted and as existing homesteads connect to these mains. Street construction costs will be shared and recovered through a separate special assessment process. The annexation agreements previously signed between the City and the three developers (Rose Prairie, Quarry Estates, and Hunziker) confirmed these financing arrangements.

Eighteen of the necessary 21 temporary construction easements have been acquired. The remaining three are with developers, and two of these are with the same developer. Two of the necessary three permanent easements have been acquired. Acquisition of the remaining easement is presently delayed, since the Rose Prairie property is in the process of being sold. These permanent easements are not required for the installation of the utilities in this project, but are required for the future roadway work. There is every indication that the finalization of these temporary and permanent easements will be in place prior to work commencing in the easement areas.

On April 22, 2014, staff reported bids on the project as follows:

Engineer's Estimate	\$2,282,356.00
J&K Contracting, Inc.	\$1,909,379.80

Two other bids were received, but were determined to be non-responsive. That determination did not affect the low bid received.

Funding and projected costs for the water and sanitary sewer segments of this project are summarized below, and illustrate how sufficient funding is available for both elements:

Project funding for water improvements:

Engineering Services Water Design (Developers)	\$ 24,330
2012/2013 General Obligation Bonds (Water Utility Abated)	\$ 703,000
Unobligated G.O. Bonds (12/13 CyRide Route Pavement Imp)	\$ 125,000
Total Water Improvement Funding	\$ 852,330

Costs associated with water improvements:

Engineering and Construction Administration	\$ 108,146.00
Civil Design Advantage (Engineering Services)	\$ 24,330.00
Base Water Main Construction (as-bid)	\$ 628,712.12
Total Estimated Water Improvement Base Costs	\$ 761,188.12

Project funding for sanitary sewer improvements:

Engineering Services Sewer Design (Developers)	\$ 30,500
General Obligation Bonds (Sewer Utility Abated)	\$ 698,000
Unobligated G.O. Bonds (12/13 CyRide Route Pavement Imp)	\$ 249,828
Unobligated G.O. Bonds (12/13 Downtown Pavement Imp)	\$ 285,996
Sanitary Sewer Funds (vertical turbine pump replacement)	\$ 115,000
Sanitary Sewer Funds (blower replacement project)	\$ 205,000
Total Sewer Improvement Funding	\$ 1,584,324

Costs associated with sanitary sewer improvements:

Engineering and Construction Administration	\$ 134,854.00
Civil Design Advantage (Engineering Services)	\$ 30,500.00
Base Sanitary Sewer Main Construction (as-bid)	\$1,280,667.67
Total Estimated Sewer Improvement Base Costs	\$1,446,021.67

It should be noted that the unobligated G.O. Bonds shown above are program savings from specific projects that previously received final acceptance by Council. There are no other planned uses for these savings. The Sanitary Sewer Fund project are savings realized from a completed projects in the Water & Pollution Control Department.

The project also included three bid alternates – one for installation of individual water services to the residential homeowners, one for the installation of the water main stubs to Quarry Estates, and one for sanitary sewer service stubs for the residents at the south end of the project. **These bid alternates should only be awarded at this time if Council decides that these costs are justified to be included in this contract. As an alternative, individual agreements with property owners/developers could be**

reached to incorporate these alternates into the contract via change order. The agreements would call out for the property owners/developers to reimburse the City for these costs. Should the owners/developers opt not to accept these bid alternates, this work will be required to be directional bored at a later date so that any new pavement is not adversely affected and impacts to traffic in the area are minimized.

Bid Alternate "1" (Water Service Stubs)	\$18,136
Bid Alternate "2" (Water Main Stubs)	\$34,412
Bid Alternate "3" (Sanitary Sewer Service Stubs)	\$10,400

ALTERNATIVES:

1. Award the North Growth Area Utility Extension Project base bid to J&K Contracting, Inc. of Ames, Iowa, in the amount of \$1,909,379.80 with no alternates.
2. Award the North Growth Area Utility Extension Project base bid to J&K Contracting, Inc. of Ames, Iowa, in the amount of \$1,909,379.80 with all three alternates.
3. Award the North Growth Area Utility Extension Project base bid to J&K Contracting, Inc. of Ames, Iowa, in the amount of \$1,909,379.80 with any combination of alternates.
4. Reject all the bids and direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

The City Council has noted that there is insufficient land currently available in the community for single-family home development. By moving forward with this project at this time, the water and sanitary sewer main installation can occur during the 2014 construction season. This will allow the installation of these utilities to be completed ahead of the roadway improvements scheduled to be bid later this summer, with roadway construction beginning this fall and completion during the summer of 2015. By awarding this project now, these improvements will facilitate the development of residentially zoned land in the City's Northern Growth Area.

Given the fact that none of the property owners along Grant Avenue have expressed a desire for the City to install the stubs now and agreed to pay for the cost themselves, the acceptance of Alternates 1, 2, & 3 does not appear to be warranted at this time. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 thereby awarding the North Growth Area Utility Extension Project to J&K Contracting, Inc. of Ames, Iowa in the amount of \$1,909,379.80 with no alternates.**

The costs associated with the water main and sanitary sewer main installation will be recovered over time through the connection district ordinances that are currently in the process of being established. The City Council approved the third reading and passage of the ordinance to create the appropriate connection districts on May 6th.

COUNCIL ACTION FORM

SUBJECT: **ASBESTOS MAINTENANCE SERVICES FOR POWER PLANT**

BACKGROUND:

On March 25, 2014, City Council approved preliminary plans and specifications for a asbestos maintenance services contract for Power Plant. This contract involves the removal and proper disposal of asbestos insulation at the City's Power Plant, including Units 5 and 6 (both retired) and operating units 7 and 8. The two retired units and Unit 7 are primarily insulated with asbestos type insulation. Unit 8 is considered "asbestos free" excluding some gasket material and steam pipe insulation around the turbine. In addition, there is other equipment and piping located in the Power Plant that has been insulated with asbestos type insulation.

The Power Plant benefits from having a service contract with a firm that provides both routine and emergency asbestos remediation services. These services include removal and disposal of asbestos containing insulation, and the remediation/ encapsulation of identified areas or areas where an encapsulated surface is damaged. Asbestos must be removed and disposed of per State and Federal regulations before retired equipment can be physically removed. In addition, asbestos should be removed or encapsulated where employees will be working.

This contract is to provide asbestos maintenance services for the period from July 1, 2014 through June 30, 2015. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to twenty potential bidders. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to one plan room.

On April 23, 2014, one bid was received. Details of the bid are shown on the following table:

ESA, Inc., N. Sioux City, SD			
DESCRIPTION	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Supervisor	\$68.00	\$102.00	\$136.00
Asbestos Worker	\$56.00	\$84.00	\$112.00
Subsistence:	\$68.00 per day		
Travel:	\$48.00 per hour		
Mileage:	\$.78 pe mile		
Material Costs:	Variable		
Proposed Price Increase for Renewal Periods:			
Labor Rates:	2%		
Travel & Subsistence:	2%		

Staff reviewed the bid received from ESA, Inc., North Sioux City, SD and concluded that it was acceptable. **The reason only one bid was received is because most firms do not have 24 hour service or rapid response for emergencies and are not located close to Ames. ESA, Inc. has a location in Des Moines and has demonstrated that they can meet the critical time requirements based on as-needed procurements.**

If there is an emergency at the plant where asbestos remediation is needed, the response time is critical. Any asbestos removal during an emergency would be needed to prevent a unit shutdown, allow a unit start-up, or address health and safety issues. For the above reasons, an asbestos services contract without adequate response will have marginal value to plant operations. Without such a contract, staff will contact local qualified asbestos contractors if there is an urgent need and see which one can best meet the Power Plant's needs on any given day and incident.

Staff recommends that these services be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The approved FY2014/15 Power Plant operating budget includes \$75,000 for asbestos removal. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Award the contract for the asbestos maintenance services contract for Power Plant to ESA, Inc., North Sioux City, SD, for hourly rates and unit prices bid, in an amount not-to-exceed \$75,000.

This contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms at stated rates.

2. Reject all bids and purchase asbestos maintenance services on an as-needed basis.

MANAGER'S RECOMMENDED ACTION:

Asbestos removal and encapsulation will be an on-going cost, since most of the old equipment at the Power Plant was insulated with asbestos. This contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service. Funds will be expended only as work is required and in accordance with approved invoices.

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

COUNCIL ACTION FORM

SUBJECT: VET MED SUBSTATION FEEDERS EXTENSION

BACKGROUND:

On March 25, 2014, City Council approved preliminary plans and specifications for the Vet Med Substation Feeder Extension project. The complete project will add a new underground feeder south to the ISU Research Park. This portion of the project is for the construction phase.

Bid documents were issued to fourteen potential bidders. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to one plan room. The engineer's estimated cost of this project was \$300,000.

On April 30, 2014, three bids were received as shown below:

BIDDER	TOTAL
Tri-City Electric Company of Iowa Davenport, IA	\$170,786.97
Dig America, Inc. St. Cloud, MN	\$297,323.66
Michels Corporation Brownsville, WI	\$317,410.81

Staff reviewed the bids and concluded that the apparent low bid submitted by Tri-City Electric Company of Iowa, Davenport, IA, in the amount of \$170,786.97 (inclusive of Iowa sales tax) is acceptable.

To date the project budget has the following items encumbered:

\$300,000.00	Amount budgeted for project
\$17,334.00	Actual cost for 1200 amp switchgear – (Awarded by City Council on February 11, 2014)
<u>\$170,786.97</u>	Actual cost for Vet Med Substation Feeder Extension construction portion – this agenda item (pending Council approval)
\$188,120.97	Total project cost

The approved FY2013/14 Capital Improvements Plan for Electric Services includes \$300,000 for materials and construction of this project.

ALTERNATIVES:

1. Award a contract to Tri-City Electric Company of Iowa, Davenport, IA, for the Vet Med Substation Feeder Extension in the amount of \$170,786.97 (inclusive of Iowa sales tax).
2. Reject all bids and delay this project.

MANAGER'S RECOMMENDED ACTION:

This project is necessary to extend feeder capacity from the Vet Med Substation to the ISU Research Park. This will provide capacity for new load growth and improve reliability to the Research Park and surrounding areas. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.**

COUNCIL ACTION FORM

SUBJECT: POWER PLANT SPECIALIZED WET DRY VACUUM, HYDRO BLAST, AND RELATED CLEANING SERVICES CONTRACT

BACKGROUND:

On March 25, 2014, the City Council approved preliminary plans and specifications for a specialized wet dry vacuum, hydro blast, and related cleaning services contract. The Electric Utility's two coal-fired, high-pressure steam generation units in the Power Plant are referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of emergency service, as well as regularly scheduled planned repairs and services during scheduled outages. The cleaning and special preparation of the boiler surfaces on these generation units requires professional tradecrafts and maintenance experts. Both units operate under environmental conditions with high heat and high pressure, resulting in slag and other industrial debris coating the boiler and other plant equipment surfaces. Prior to repair and maintenance work, it is necessary to have the surfaces professionally cleaned using high-pressure water jets and vacuums.

In order to clean the surfaces, outside contractors are used who can provide mobile high pressure generator trucks with hoses and lances to cut through and wash away the industrial debris coatings. These same firms have the industrial vacuum trucks that can accumulate and contain this industrial debris for proper disposal. The goal of this contract is to meet these requirements in the most economical manner.

This contract is to provide lighter duty cleaning services for the period from July 1, 2014 through June 30, 2015. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to sixteen potential bidders. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to one plan room. On April 23, 2014, bids were received from two firms as shown on Attachment A: Bid Summary on the attached report.

Attachment B shows a cost evaluation based on a sampling of personnel, equipment, and associated travel/per diem that the Power Plant requires for successful fulfillment for typical work scenarios performed on this service contract. The scenarios are: five trips of one day durations, one trip of two day duration, and one trip of three day duration.

Based on the summation of all of the typical work scenarios shown on Attachment B, the bid submitted by Bodine Services of Clinton, LLC, Clinton, IA, is the lowest cost.

Staff recommends that these services continue to be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The approved FY2014/15 Power Plant operating budget includes \$67,000 for miscellaneous services to be performed under this contract. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Award the contract for the specialized wet dry vacuum, hydro blast, and related cleaning services contract to Bodine Services of Clinton, LLC, Clinton, IA, for hourly rates and unit prices bid, in an amount not-to-exceed \$67,000.


This contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms at stated rates.

2. Reject all bids and purchase specialized wet/dry vacuum, hydro blast, and related cleaning services on an as-needed basis.

MANAGER'S RECOMMENDED ACTION:

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for these specialized cleaning services, and will also control costs by having established billing rates. Funds will be expended only as work is required and in accordance with approved invoices. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.**

Attachment A: Bid Summary

		2014-140 SPECIALIZED WET DRY VACUUM, HYDRO BLAST, AND RELATED CLEANING SERVICES CONTRACT FOR POWER PLANT	
		Bodine Services of Clinton, LLC Clinton, Iowa	W-S Industrial Services, Inc. Council Bluffs, Iowa
DESCRIPTION	Unit	Rate/Bid Amount	Rate/Bid Amount
Wet dry vacuum service:			
Vac truck	Hour	\$60.00	\$75.00
Support truck	Hour	\$15.00	\$0.00
Hose	Foot	\$1.25	\$1.50
Operator / Lead service tech	Hour	\$36.00	\$35.00
Operator / Lead service tech (OT)	Hour	\$49.00	\$35.00
Service tech	Hour	\$26.50	\$30.00
Service tech (OT)	Hour	\$36.00	\$30.00
Vacuum Box 20 Cubic Yard	Day	\$55.00	
Per Diem			\$80.00 per man per day
Travel - Personnel			\$.30 per mile per vehicle
Travel - Equipment			\$2.00 per mile per vehicle
Hydro Blast Service:			
Hydro blast pump	Hour	\$70.00	\$75.00
Industrial hydroblaster	Hour	\$95.00	\$95.00
Support truck	Day	\$120.00	\$0.00
Operator / Lead service tech	Hour	\$36.00	\$35.00
Operator / Lead service tech (OT)	Hour	\$49.00	\$35.00
Operator / Lead service tech	Hour	\$62.00	\$35.00
Lead service tech	Hour	\$55.00	\$30.00
Service tech	Hour	\$26.50	\$30.00
Service tech (OT)	Hour	\$36.00	\$30.00
Service tech (OD)	Hour	\$45.00	\$30.00
Hi Flow Industrial Water Blaster	Hour	\$125.00	
Miscellaneous:			
Power washer	Day	\$240.00	\$300.00
Vacuum pipe trailer	Day	\$200.00	\$0.00
PPE kit	Each	\$0.00	\$10.00
Confined space entry	Each	\$125.00	\$0.00
Truck mounted water jet	Each	\$320.00	\$75.00
Truck wash out	Each	\$320.00	\$150.00
Liquid vacuum tanker truck	Day	\$600.00	\$65.00
Indicent spill response trailer	Day	\$200.00	\$0.00
55 gal steel open top drum	Drum	\$75.00	Cost plus 15%
Sanitizer	Each	Cost plus 10%	Cost plus 15%
Waste Disposal	Drum	Cost plus 10%	Cost plus 15%
Consumables: Cost Plus		10%	15%
Proposed price increases for <i>renewal periods</i> (if applicable):			
Labor Rates:	Per year	2%	4%
Travel & Subsistence	Per year	2%	0%
Equipment & Tools	Per year	2%	0%

COUNCIL ACTION FORM

SUBJECT: **CORRECTING MUNICIPAL CODE REFERENCE IN SIGN CODE**

BACKGROUND:

The Inspection Division reviews and approves sign permits within the City. A customer inquiry regarding an electronic message sign made staff aware of a Code reference to a section of code that no longer exists. Upon further review, it appears that when the Sign Code became its own chapter, Ames *Municipal Code* Chapter 21, the reference was not changed.

Ames *Municipal Code* Section 21.114(3) is as follows:

*(3) Any signs which employ flashing, blinking or rotating lights, except electronic message signs that conform to **Section 5.231** and are located in a commercial or industrial zoning district.*

As was previously stated, Ames *Municipal Code* Section 5.231 no longer exists and this section of code should reference Ames *Municipal Code* Section 21.131, Electronic Message Signs.

ALTERNATIVES:

1. Approve the attached ordinance that modifies the Ames *Municipal Code* Section 21.114(3) by removing the reference to Section 5.231 and replacing it with Section 21.131 providing the electronic message signs standards.
2. Retain Ames *Municipal Code* Section 21.114(3) as it is currently written.

MANAGER'S RECOMMENDED ACTION:

Since Ames *Municipal Code* Section 5.231 no longer exists and it is clear that the standards found in Ames *Municipal Code* Section 21.131 contain the standards for electronic message signs, it is important to make this correction.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 thereby approving the attached ordinance that modifies the Ames *Municipal Code* Section 21.114(3) by removing the reference to Section 5.231 and replacing it with Section 21.131 providing the electronic message signs standards.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 21, SECTION 21.114(3) AND ENACTING A NEW CHAPTER 21, SECTION 21.114(3) THEREOF, FOR THE PURPOSE OF AMENDING A CODE REFERENCE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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 Chapter 21, Section 21.114(3) and enacting a new Chapter 21, Section 21.114(3) as follows:

“Sec. 21.114. PROHIBITIONS.

No person shall have or permit on any premises:

* * *

(3) Any signs which employ flashing, blinking or rotating lights, except electronic message signs that conform to Section 21.131 and are located in a commercial or industrial zoning district.
(Ord. No. 3468, Sec. 1, 10-28-97).”

* * *

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. 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