

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
JULY 22, 2014

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

CALL TO ORDER: 7:00 p.m.

PRESENTATIONS:

1. Presentation of Police Department Awards
2. Presentation of Special Achievement in GIS Award to Public Works

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

3. Motion approving payment of claims
4. Motion approving minutes of Regular Meeting of July 8, 2014, and of Special Meeting of July 14, 2014
5. Motion approving Report of Contract Change Orders for July 1-15, 2014
6. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor - Sportsman's Lounge, 123 Main Street
 - b. Class E Liquor, C Beer, & B Wine - AJ's Liquor II, 2515 Chamberlain Street
 - c. Class B Beer - Pizza Ranch of Ames, 1404 Boston Avenue
7. Motion approving/denying new 12-month Class C Liquor License & Outdoor Service for Charlie Yoke's, 2518 Lincoln Way
8. Motion approving new Class C Liquor License for Red Lobster, 1100 Buckeye Avenue
9. Motion approving 5-Day Special Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
10. Resolution approving Investment Report for Fiscal Year ending June 30, 2014
11. Resolution supporting Ladders of Opportunity Grant Application for new articulated buses for CyRide
12. Resolution approving contract with Ames Historical Society for FY 2013/14 Sesquicentennial projects
13. Resolution approving Human Relations Commission Contract with Iowa Civil Rights Commission
14. Resolution approving renewal of contract with EMC Risk Services, LLC, of Des Moines, Iowa, for third party administration of workers compensation and municipal fire and police "411 System" in an amount not to exceed \$55,000
15. Resolution setting August 12, 2014, as date of public hearing for vacating of public utility easement at 4540 Mortensen Road
16. Requests from Main Street Cultural District for MusicWalk on Thursday, September 11, 2014 (Rain date from June 19):
 - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License from 3:00 p.m. to 10:00 p.m.
 - b. Resolution approving waiver of fee for blanket Vending License

- c. Resolution approving usage of electricity and waiver of costs
 - d. Resolution approving waiver of parking meter fees and enforcement for MSCD from 3:00 p.m. to 6:00 p.m.
 - e. Resolution approving closure of up to 30 parking spaces along Main Street for outdoor seating areas
17. Requests from Main Street Cultural District for Foodies & Brew on August 15, 2014:
 - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
 - b. Motion approving Class B Beer Permit & Outdoor Service
 - c. Resolution approving closure of Douglas Avenue, from Main Street to 6th Street, from 3:00 p.m. to 11:00 p.m.
 18. Requests from Campustown Action Association for Friday Afternoon Celebration on August 29, 2014:
 - a. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License
 - b. Motion approving 5-day Class B Beer Permit with Outdoor Service
 - c. Resolution approving closure of Welch Lot T from 12:00 p.m. to 11:00 p.m., waiver of parking meter fees, and waiver of fee for Blanket Vending License
 19. Resolution approving preliminary plans and specifications for WPC Digester Improvements Project; setting August 26, 2014, as bid due date and September 9, 2014, as date of public hearing
 20. Resolution approving preliminary plans and specifications for City Hall Renovation Project - Phase 2; setting August 27, 2014, as bid due date and September 9, 2014, as date of public hearing
 21. Resolution approving preliminary plans and specifications for GT2 Control Room and Shop Preaction Sprinkler System and Fire Alarm Upgrade; setting August 27, 2014, as bid due date and September 9, 2014, as date of public hearing
 22. Resolution approving Change Order No. 16 with A&P/Samuels Group for Ames Library Renovation and Expansion Project
 23. Resolution approving contract and bond for Water Pollution Control Facility Switchgear Control Rehabilitation Project
 24. 2013/14 CDBG Public Facilities Neighborhood Infrastructure Improvements (South Maple Avenue)
 - a. Resolution approving Change Order No. 2 in the amount of \$33,487.96
 - b. Resolution accepting completion of project
 25. Resolution approving deferral of installation of a portion of sidewalk along frontage for Copper Beech Complex at 712 South 16th Street
 26. Resolution approving Final Plat for South Fork Subdivision, 7th Addition

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

PLANNING & HOUSING:

27. Breckenridge Development (tabled from June 24, 2014, meeting):
 - a. Motion approving request to remove from the table the rezoning for 205 South Wilmoth Avenue from Special Government/Airport (S-GA) to Residential Low Density (RL), and setting August 12, 2014, as date of public hearing
 - b. Motion approving request to remove from the table the rezoning for 601 State Avenue from Special Government/Airport (S-GA) to Residential Low Density (RL) and Floating Suburban Residential Low Density (FS-RL), and setting August 12, 2014, as date of public hearing

28. Resolution approving Revised Developer's Agreement for South Bell Avenue TIF (tabled from April 22, 2014, meeting)

PUBLIC WORKS:

29. Follow-up regarding Campustown Bike/Pedestrian projects:
 - a. Motion directing staff to explore installation of bicyclist signage, "Bicyclists Prohibited" zones, and markings to route bicyclists around certain areas
30. Easements at 701 South Duff Avenue:
 - a. Staff report on access and sanitary sewer easement vacations
 - b. Resolution setting date of public hearing for vacation of easements
31. Refuse-Derived Fuel Conversion System:
 - a. Staff presentation
 - b. Resolution waiving Purchasing Policies, authorizing staff to vet Frontline Bioenergy and its commercial scale gasification-to-electricity operation; and if successful, initiate contract negotiations with Frontline

ADMINISTRATION:

32. Motion approving/denying request from League of Women Voters to modify City Hall Council Chambers Reservation Policy
33. Sustainability Coordinator:
 - a. 2013/14 Annual Report
 - b. Resolution approving 2014/15 Contract

POLICE:

34. Update on Urban Deer Management

ELECTRIC:

35. Resolution approving contract with Wood Group Pratt & Whitney of Bloomfield, Connecticut, in an amount not to exceed \$131,500 to provide inspection and assessment services of GT1 Combustion Turbine

HEARINGS:

36. Hearing on rezoning for 4710 Mortensen Road from Community Commercial/Residential (CCR) to Floating Suburban Residential Medium-Density (FS-RM):
 - a. First passage of ordinance
37. Hearing on zoning text amendment regarding accessory structures for institutional uses in residential zoning districts:
 - a. First passage of ordinance
38. Hearing on sale of City-owned property locally known as 1126 Burnett Avenue in connection with the Community Development Block Grant Acquisition/Reuse Program:
 - a. Resolution approving sale
39. Hearing on sale of City-owned property locally known as 1222 Curtiss Avenue in connection with the Community Development Block Grant Acquisition/Reuse Program:
 - a. Resolution approving sale
40. Hearing on Power Plant Unit No. 7 Crane Repair:
 - a. Motion accepting report of no bids

ORDINANCES:

41. Second passage of ordinance amending Chapter 13 to only require below-grade egress windows in bedrooms
42. Third passage and adoption of ORDINANCE NO. 4187 making zoning text amendments to Sections 29.1507(2) and 29.1507(3) pertaining to Petitions for Rezoning and Master Plan Determination, respectively

43. Third passage and adoption of ORDINANCE NO. 4188 making zoning text amendment pertaining to Floating Suburban Residential District, specifically related to density range, limitation on units per building, changes to setbacks, clarifications to Establishment Sections' references to rezoning and map amendment process, and cleanup of net density terminology
44. Third passage and adoption of ORDINANCE NO. 4189 amending Chapter 21 to allow for multiple-family development entrance signs

COUNCIL COMMENTS:

CLOSED SESSION:

45. Motion to hold Closed Session as provided by Section 21.5c, *Code of Iowa*, to discuss matters pending and in litigation

ADJOURNMENT:

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

**MINUTES OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION POLICY (AAMPO) COMMITTEE AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

JULY 8, 2014

**MINUTES OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION POLICY COMMITTEE**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor Ann Campbell at 7:00 p.m. on the 8th day of July, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Voting members present in addition to Mayor Campbell were Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Matthew Goodman, City of Ames; Chet Hollingshead, Boone County; Chris Nelson, City of Ames; Peter Orazem, City of Ames; and Wayne Clinton, Story County. Garrett Pedersen, Iowa Department of Transportation; Jonathan Popp, City of Gilbert; and Hamad Abbas, Transit representative, were absent.

PUBLIC HEARING ON PROPOSED FISCAL YEAR (FY) 2015-18 TRANSPORTATION IMPROVEMENT PROGRAM (TIP): Ames Public Works Director John Joiner introduced Tony Filippini, City of Ames Transportation Planner. Mr. Filippini explained that, in order to receive funds for transportation improvement projects, the projects must be part of the approved Iowa Department of Transportation's (Iowa DOT) Statewide Transportation Improvement Plan (STIP). The first step in that process is for the AAMPO to develop and approve a TIP for its region. According to Mr. Filippini, a public input session was held on May 1, 2014, to provide an opportunity for the public to discuss the TIP and provide comments. No revisions were requested by the public. Comments had been received and addressed from the Iowa Department of Transportation, Federal Highway Administration, and Federal Transit Administration. Upon approval of the AAMPO, the TIP will be submitted to the Iowa DOT by the deadline of July 15, 2014.

At the inquiry of Representative Hollingshead, Mr. Joiner explained that this Plan consists of street improvement projects, which will be pavement rehabilitation of 24th Street from the UPRR tracks to Northwestern Avenue and Bloomington Road from Eisenhower Avenue west 500 feet. Funds are also programmed for the Long-Range Transportation Plan update. Trail extension from East Lincoln Way to South River Valley Park is scheduled to be constructed as the FY 2015 trail project; however, completion of this segment will be subject to receiving access easements from affected property owners. A trail extension along S. Duff Avenue from Squaw Creek to S. 5th Street and the Skunk River is also included in the TIP.

Moved by Goodman, seconded by Hollingshead, to approve the Final FY 2015-18 Transportation Improvement Program for submission to the Iowa Department of Transportation.

Vote on Motion: 9-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Goodman, seconded by Clinton, to adjourn the AAMPO Policy Committee meeting at 7:07 p.m.

Vote on Motion: 9-0. Motion declared carried unanimously

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:09 p.m. on July 8, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames

City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Lissandra Villa was also present.

PROCLAMATION FOR PARKS AND RECREATION MONTH: Mayor Campbell proclaimed July as Parks and Recreation Month. Accepting the Proclamation were Parks and Recreation Director Keith Abraham and Board Members Julie Johnson and Melissa Rowan.

CONSENT AGENDA: Council Member Betcher asked to pull Item No. 12, the Agreement with the Ames Economic Development Commission for 2014/15, for separate discussion.

Moved by Nelson, seconded by Goodman, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving minutes of Special Meeting of June 17, 2014, and Regular Meeting of June 24, 2014
3. Motion approving Report of Contract Change Orders for June 16-30, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor - Welch Ave Station, 207 Welch Avenue
 - b. Special Class C Liquor, B Native Wine, & Outdoor Service - Wheatsfield Cooperative, 413 Northwestern Avenue, Ste. 105
 - c. Class C Liquor & Outdoor Service - Bar, 823 Wheeler Street
 - d. Class B Beer - Panchero's Mexican Grill, 1310 South Duff Avenue
 - e. Class C Liquor - Applebee's, 105 Chestnut Street
5. Motion approving 5-Day Class C Liquor License for Olde Main Brewing Company at CPMI Event Center, 2321 North Loop Drive
6. Motion approving 5-Day Special Class C Liquor License for Dublin Bay at Reiman Gardens, 1407 University Boulevard
7. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Bar at Zylstra Harley Davidson, 1219 McCormick Avenue
8. RESOLUTION NO. 14-375 extending blanket authorization for Housing Coordinator to negotiate terms of sale of properties in connection with Community Development Block Grant Program
9. RESOLUTION NO. 14-376 setting date of public hearing for July 22, 2014, for the sale of 1126 Burnett Avenue in connection with Community Development Block Grant Program
10. RESOLUTION NO. 14-377 setting date of public hearing for July 22, 2014, for the sale of 1222 Curtiss Avenue in connection with Community Development Block Grant Program
11. RESOLUTION NO. 14-379 approving Agreement for sale of fill material from Airport farm property
12. RESOLUTION NO. 14-380 approving Engineering Services Agreement with Howard R. Green, Inc., of Johnston, Iowa, for Grant Writing/Funding Application Processing - Grand Avenue Extension in an amount not to exceed \$79,460
13. RESOLUTION NO. 14-381 accepting completion of requirements of 1997 Developer's Agreement for property at 416 S. Bell Avenue (Renewable Energy Group)
14. RESOLUTION NO. 14-382 approving preliminary plans and specifications for Natural Gas Conversion Equipment, including Burners, Igniters, Scanners, Thermal Analysis, and Computer Modeling; setting September 24, 2014, as bid due date and October 14, 2014, as date of public hearing
15. RESOLUTION NO. 14-383 awarding contract to Northway Corporation of Waukee, Iowa, in the amount of \$74,655 for Year 3 of Five-Year Well Rehabilitation Program
16. RESOLUTION NO. 14-384 approving Change Order No. 3 to General Electric of Houston, Texas, for technical support for the GT-2 Repairs in the amount of \$24,000
17. RESOLUTION NO. 14-385 approving Change Order No. 4 to Terracon Consultants, Inc., for

Abatement Services for Public Library in the amount of \$2,129.92

18. RESOLUTION NO. 14-386 approving contract and bond for 2014/15 Shared-Use Path Maintenance (South 4th Street)
 19. RESOLUTION NO. 14-387 approving contract and bond for Fleet Services Building Roof Replacement - Phase 1
 20. RESOLUTION NO. 14-388 approving contract and bond for Water Pollution Control Make-Up Air Unit Replacement
 21. RESOLUTION NO. 14-389 accepting completion of Year Two of Five-Year Well Rehabilitation Program with Northway Corporation
 22. WPC Biosolids Hauling and Digester Cleaning Project for Water and Pollution Control:
 - a. RESOLUTION NO. 14-390 accepting final completion of FY 2013/14 Contract with Nutri-Ject Systems, Inc.
 - b. RESOLUTION NO. 14-391 awarding Year 2 (FY 2014/15) to Nutri-Ject Systems, Inc., of Hudson, Iowa, in an amount not to exceed \$143,407.25
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

AMES ECONOMIC DEVELOPMENT COMMISSION (AEDC) AGREEMENT FOR 2014/15:

Council Member Betcher noted that the City approves a new Agreement with the AEDC annually prior to or in July; however, does not receive its Annual Report until around August 31 every year. She requested that a summary report from the AEDC be received prior to next year's Agreement coming to the City Council for approval.

Moved by Betcher, seconded by Gartin, to amend the "Summary Report" section of the Agreement to read "The AEDC further agrees to provide the City of Ames a written report no later than June 15, 2015, summarizing the accomplishments of the activities promised in Section 2."

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 14-378 approving the Agreement with Ames Economic Development Commission for 2014/15, as amended.

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

Moved by Betcher, seconded by Goodman, to request that Finance staff provide the City Council with a summary of the reimbursement requests that are submitted by the AEDC twice a year in conjunction with the Agreement requirements.

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

PUBLIC FORUM: No one requested to speak.

BRECKENRIDGE GROUP PROPOSAL REGARDING REDEVELOPMENT OF 321 AND 601 SOUTH STATE AVENUE AND 205 SOUTH WILMOTH:

Mayor Campbell gave a brief summary of the City Council's involvement since the Ames School District sold the land to Breckenridge developers out of Austin, Texas in 2012. She assured the public that the City Council has had the best interests of the entire community of Ames in mind throughout the entire process.

City Attorney Judy Parks summarized the proposal, which she said at this point, was conceptual. The three parcels in question consist of the North Parcel (205 S. Wilmoth Avenue), Middle Parcel (321 State Avenue), and South Parcel (601 State Avenue). The components of the proposal were listed as follows:

Middle Parcel. Breckenridge will agree to:(1) Sell this Parcel as a whole to a developer for owner-occupied housing to be kept as owner-occupied homes for at least 21 years by way of deed restriction or restrictive covenants. If said sale has not been accomplished at the end of two years, this Parcel will be given to the City of Ames without compensation.

South Parcel. Breckenridge will be allowed to develop the eastern two-thirds of this parcel with up to 305 beds in detached structures that allow for two-, three-, four-, or five-bedrooms per structure. They will be allowed to develop a clubhouse and to move the bike path to accommodate site design. Site approval will be required so the site will be subject to City Council site plan approval, but no subdivision will be required. The developer will be responsible for its proportion of off-site improvement costs. Basements will be constructed in roughly one dozen of the units. The developer will give a Conservation Easement to the City of Ames that encompasses the western third of the Parcel. The developer will give a conservation easement to the City of Ames over the area within at least 100 feet on either side of College Creek.

Charlie Vatterott introduced himself as the Executive Vice-President of Development for Aspen Heights. He told the Council that he was proud of the work that Aspen Heights had already done in the Ames community and was excited about the opportunities that Aspen Heights has to provide to the Ames community. Mr. Vatterott referenced the old Middle School property, pointing out that the Aspen Heights developer had removed that blight, which was a serious safety threat and an eyesore to the community. According to Mr. Vatterott, Aspen Heights had listened and worked diligently to address the priorities that had been stated by stakeholders in the community. Aspen Heights believes that its proposed development will provide renewed economic vitality to West Ames and result in over \$700,000 in property taxes.

Mr. Vatterott reported that the impressive growth in enrollment of students at Iowa State University (ISU) has created the need to address the city-wide housing shortage. According to Mr. Vatterott, the housing shortage in Ames is why approval of Aspen Height's proposal is so important. Acceptance of its proposal will guarantee new single-family owner-occupied homes within the Ames Community School District. It was stated by Mr. Vatterott that the developers had been working on their proposal for over two and one-half years and cannot wait any longer to start development. He advised that if their proposal is not approved by a vote of 5-1, they will have to move ahead and build all the parcels out with all student housing. Upon the question of Council Member Betcher, Mr. Vatterott stated that Aspen Heights is indifferent to the 21-year restriction for the Middle Parcel; he was unsure where that number came from.

Brian Torresi, Davis Brown Law Firm, 2605 Northridge Parkway, Ames, representing Breckenridge, elaborated that the 21-year covenant is due to the rule against perpetuities. There are rules in the *Code of Iowa* where those can be extended for longer than 21 years. Mr. Torresi addressed two rumors being circulated recently: Despite what has been said, (1) Agreeing to the settlement does not mean that the City Council is "giving in" to litigation or the Council not being brave. The litigation was filed to preserve the developer's rights. They did not even want the City to respond; it was not intended to force the City Council into any action by filing a lawsuit. (2) Neighbors are not being disregarded; their voices have been heard.

Sharon Guber, 2931 Northwestern Avenue, Ames, representing the Old Middle School Neighborhood, said that she took strong exception to Mr. Torresi's allegation that the residents had been heard. She pointed out that the City Council held three scheduled Sessions where the public was not allowed to be present or to provide input on the North and South Parcels. Ms. Guber pointed out that the City of Ames has a vision and a plan for development; it is called its Land Use Policy

Plan (LUPP). She believed that the City would have preserved the “unique gem” of natural surroundings and wildlife habitat with the designated safe path to the new Middle School, now known as the South Parcel. That area as well as the ISU research plots, the ISU cross country venue, and the ISU Arboretum should have been protected by sound development decisions; however, the City Council was caught in the “game of fog, fraud, and fear.” Ms. Guber listed many of the towns where she alleged Breckenridge had played that game very successfully. She defined “fog” to mean fuzzy references, incomplete information, omissions of information; “fraud” to mean suggestions that lead people to logically assume something that is not factual; and “fear” of what would happen if Breckenridge isn’t given what it wants. Ms. Guber gave the example that Breckenridge has stated that if it does not get high-density, there would not be buffer fencing, and security would not be provided by the developer. The City was told by Breckenridge that if it got approval for 1,000 beds, it would drop its lawsuit; however, Brian Torresi stated at this meeting that there was never the threat of a lawsuit moving forward. Ms. Guber pointed out all the time spent by City staff, the Mayor and the Council, in discussing the litigation already filed and the amount of money spent on outside counsel due to the comment of Breckenridge stating, “If we don’t get this, we will be taking you to court.” Regarding the “fraud” portion, Ms. Guber referenced Mr. Vatterott’s statement that Aspen Heights gave up a \$2 million tract of land when it agreed to sell the Middle Parcel for single-family owner-occupied. She pointed out that Breckenridge paid \$2.3 million for the entire 49 acres, not just the 11 acres that comprise the Middle Parcel. Other examples of statements that the neighborhood residents believe were fraudulent were given.

Ms. Guber noted that Ames would not be in this position if the Ames School Board had not sold its land to a developer who builds as described in Breckenridge’s own advertising “affluent or affordable student-only resort housing.” However, Breckenridge set a terrible precedent as to how business gets done in Ames when it chose the route of filing a lawsuit. According to Ms. Guber, it has been very unfair to the Neighborhood for the Council to negotiate proposals in Closed Sessions. Breckenridge has access to that information through its attorney, but the residents are told that the Council may not discuss anything that goes on in Closed Session. Ms. Guber asked a number of most-often-asked questions by the Neighborhood residents pertaining to the Middle Parcel. Ms. Guber asked that the City Council take its time to scrutinize every word of any proposal submitted by Breckenridge. She urged that the Neighborhood residents be included.

Warren Madden, Iowa State University Senior Vice-President for Business and Finance, explained that ISU owns the land immediately to the east and to the south of the proposed development. He thinks that if this project moves ahead, many of the issues that have been raised probably will get answered. He pointed out that only the framework of a settlement - not exact details - had been done. Mr. Madden asked for the City Council to think about the proposal in the context of where it, as a community, wants this type of land area to be located in ten (10) to 20 years from now. The conclusion of representatives of the University is that the particular area in question is not the best suited for high-density residential student housing; there are other areas of Ames that would be better for that type of development. There might be a need in the future for additional student housing, but Mr. Madden reminded the Council that enrollments can go both directions - up and down. Mr. Madden again suggested that the City Council think about what it wants this area of the community to be as it looks to the future – is high-density residential student housing the appropriate and best use of the land area. Again, from the University’s perspective is “perhaps not.”

Molly Boersma, 422-13th Street, Ames, said that when she attended Iowa State, student housing was plentiful; however, that is not the case today. She offered her opinion that Aspen Heights provides an alternative to student housing and provides positive economic aspects that the development will bring to Ames’ tax base. She believes the development will contribute greatly to the overall visual appeal of the neighborhood as the building design is attractive, high-quality, and would set a new

standard for student living. Ms. Boersma urged the City Council to support Aspen Heights for the future needs of ISU students, as a source of pride for the Ames community, and for the long-term economic vitality of the area.

John Crawford, 3101 Weston, Ames, advised that he and his wife own a business just west of the proposed development. He said that the proposal before the Council seems adequate and fair. From a business perspective, Mr. Crawford sees the Aspen Heights development as being a great economic shot for West Ames. The land has had a dilapidated building on it long enough, and it would be best suited as proposed by the developer.

Tony Ramey, 425 Hilltop Road, Ames, referenced the disparity between the neighborhood and the development by a ratio of approximately 2:1 in favor of the developer. Although there was some shifting of property, Mr. Ramey said what didn't shift was the total number of students that would be allowed to live in the development. He felt that it would be much more fair if it were to be half the property and half the number of students. Mr. Ramey would like part of the land to be sold back to Iowa State University, which formerly owned the land before allowing the Ames School District to build the Middle School on it. He believes that if 200 beds were allowed on the North Parcel and 300 on the Middle Parcel, Breckenridge would actually get more than half the number of beds that it requested on half the land. This would put the development on a corner, which would be much less intrusive.

Erica Fuchs, 4014 Marigold Drive, Ames, urged the Council to keep the low-density zoning on the North and South Parcels as that would benefit the adjacent existing neighborhoods. Ms. Fuchs noted the detrimental effects of the increase in traffic caused by high-density development. She also noted that rainwater run-off will be a problem. She also suggested that as much of the South Parcel as possible remain undeveloped because it is a natural wildlife area within Ames. In the opinion of Ms. Fuchs, the Aspen Heights development will be detrimental to the entire community. There is already a rainwater run-off problem in the area. She said that such a development does not support the desire to have more owner-occupied residential development and encouraged the Council to reject the proposal of Breckenridge to rezone the North and South Parcels to create higher-density student housing.

Michael Petersen, 3302 Morningside, Ames, asked that the City Council consider that very few citizens of Ames are in favor of the proposed student-housing development as they are aware of the very negative effects it will have on the City. He noted that there are many student-housing projects under development in Campustown and on South 16th Street. Mr. Petersen does not believe the proposed development will provide benefit to the City of Ames or ISU. He asked if the City wanted people to continue to purchase homes in other nearby communities or provide single-family homes that will bring children in for the Ames School District. According to Mr. Petersen, the tract of land that Breckenridge would reserve for a conservation easement does not preserve anywhere near as much habitat as in the 18-acre conservation easement that was proposed by the Neighborhood Association last spring. Mr. Petersen believes that Ames can do better; it needs a predictable and sustainable mode of development and zoning patterns. He believes that City Council members do have an obligation to the residents of Ames who elected them to serve the community, not to ensure that a profit is made by the developer. It was pointed out that medium- and high-density housing on the North and South Parcels would be completely counter to the original intent of the LUPP and will not fit in with what is right for the City of Ames. He said that the vote of each Council member will go a long way towards showing whether he or she truly represents his or her constituents. Mr. Petersen urged the City Council to do what "most of the citizens of the City want for the City of Ames" and that is to "stand up and be brave municipal leaders and reject the settlement proposal."

Jake Sage, 2717 White Oak Drive, Ames, spoke in support of the Aspen Heights development. He believes that the development would be beneficial to the Ames community in the following ways: removal of a blighted building; a substantial increase in tax revenue for the City, Ames School District, and Story County; and provide much-needed attractive housing for Iowa State University students. Mr. Sage said that Aspen Heights has shown that it is committed to the Neighborhood and to the Ames community.

Holly Fuchs, 806 Brookridge Avenue, Ames, asked that the City maintain as much of the natural areas in the City as possible. She is also concerned about what the development would do to the school system; there is a need for single-family homes with children to improve the quality of Ames Schools. Ms. Fuchs asked that the City Council look at the long-term vision for Ames.

Catherine Scott, 1510 Roosevelt, Ames, asked the City Council to reject the proposed development. Ms. Scott said that one of her main concerns is the flexibility of the housing. If housing designed for students is built in a low-density area, that is all it can ever be even if student enrollment decreases. It was noted by Ms. Scott that the City's LUPP is to provide for quality of life and predictability in land use. Quality of life makes people want to continue to live in a neighborhood. In her opinion, a price cannot be put on the value provided by neighborhoods that make people want to purchase a home and remain living in that area. Ms. Scott referenced an ordinance that had been enacted in Winona, Minnesota, that limited the number of lots that could obtain rental certification. That ordinance was upheld by the Minnesota Supreme Court. Many cities believe that too high of a concentration of rentals is de-stabilizing for neighborhoods. It was stated by Ms. Scott that the cost of fighting a lawsuit is not a reason to settle out of court. She urged the City Council to reject the proposed settlement.

Fred Bradner, 1111 Stafford Avenue, Ames, said that it was made very clear on a number of occasions that former school properties that were sold were to be returned to the RL designation for well-thought-out reasons. Housing would then be available for families to purchase and add to the school enrollment. In his opinion, any degree of approval of the proposed Breckenridge settlement would bring with it incremental change in the wrong direction for all neighborhoods in the City of Ames. Mr. Bradner urged the City Council to protect a strong and vibrant established neighborhood for the benefit of all neighborhoods in Ames. He does not want residents of Ames to ask years down the road how the City ever allowed high-density student housing produce "with all of its inherent problems" to be dropped into a residential neighborhood. Mr. Bradner asked the Council to reject the settlement, stating that "Ames can do better."

Sue Ravenscroft, 455 Westwood, Ames, alleged that developers such as Breckenridge have one goal and that is to maximize profits. It is her belief that in order to get approval of what they want, developers sometimes say untruthful things. Ms. Ravenscroft said that the developer's goal in this case is not about strengthening Ames. The affected citizens who have spoken against the development on many occasions have a very different goal - that of strong and diverse neighborhoods with aesthetically appealing natural areas, bike paths, and safe walkways, affordable housing, growth in the school population, mitigation of traffic problems, and a fair voice in processes. Residents of the City hope that the Council will move forward on goals that strengthen Ames. She asked whose goals the Council will support as it votes.

Whitney Funkhouser, 1226 Curtiss Avenue, Ames, voiced her support for the Aspen Heights development. She believes that this type of development is needed to provide more student housing in proximity to Iowa State University and it will attract even more students to Ames. In her opinion, Aspen Heights builds attractive town homes and cottages, and the development will enhance the overall appearance of the neighborhood.

Hollis Monroe, 2825 Arbor Street, Ames, asked the Council to consider the quality of life and future of the community. Mr. Monroe described experiences that he has had in the past year with a student who had wandered into his house and one who had collapsed on the front lawn of his property, which is located directly across from the north entrance to the Arboretum. Police have had to intervene. He has been assured that things such as traffic and parking concerns are being taken into consideration. At this point, he does not believe that Ames needs to be seeking a great deal more growth in population; however the quality of life in neighborhoods is what encourages people to stay. He noted that the student population is largely transient. The City should be thinking about the future of Ames – keeping those who are going to live here, raise families here, and invest their time, business, and lives in Ames.

Linda Feldman, 1111 Stafford Avenue, Ames, raised her concerns about the process that has been followed in this matter. She expressed her continued support of strong vibrant neighborhoods and is opposed to any other zoning designation other than low-density residential. Ms. Feldman believes that the lawsuit filed by Breckenridge is a ploy and asked the Council not to fall for that. In her opinion, the decision to be made by the City Council tonight should be separated from the lawsuit. She voiced concerns as to whether the Middle Parcel can be sold and developed with single-family homes with high-density student housing on either side of it. Ms. Feldman said she hoped the Council was thinking about the transportation issues that the proposed development will cause, as she had been told that CyRide is already at over capacity.

Ken Platt, 3620 Woodland Street, Ames, urged the Council not to approve the proposed settlement. He believes that the area is not suited for high-density student housing. Mr. Platt has serious doubts that the Middle School can ever be developed as single-family owner-occupied housing since it would be surrounded by high-density student housing. He asked the Council to consider the traffic problems that will occur if high-density housing is allowed to develop next to established neighborhoods. Mr. Platt believes that there will be a significant decline in the quality of life for long-term residents and families of the area in question. He urged the Council to litigate, if necessary. Referencing a comment made by the Breckenridge representative that if the proposal is not approved, Breckenridge will build as it originally intended, Mr. Platt stated that he considered that a threat and a form of bullying the City Council.

Joanne Pfeiffer, 3318 Morningside Street, Ames, requested that the City Council consider three things: consistency, conscience, and service as it makes a decision on this issue. By consistency, she was referring to the existing zoning of the College Creek/Old Middle School Neighborhood and surrounding neighborhoods and consistency with the LUPP. By conscience, she means doing the right thing. She has been told by many students that they seek out a neighborhood that will provide them with an environment that will allow them the quiet they need. It also means to promote the well-being of each person in the neighborhood from the young to the elderly and providing quality of life that involves conditions that offer a place to live, learn, work, and play. Doing the right thing would be to hold all developers to the same standards. She believes that the decision of the Council on this issue will be setting a precedent with lasting implications for future developments. Regarding service, the City Council is to serve the will of the people. The large majority of people have asked the City Council to reject the Breckenridge proposal as it is not in the best interests of students or residents.

Sarah Cady, 2812 Arbor Street, Ames, pointed out that there are a number of unknowns with whatever path is chosen at this meeting. It is unknown how the decision made tonight will affect future policies. It is unknown whether all 50 acres could be completely owner-occupied, how 50 acres of three-bedroom rental housing will affect neighborhood dynamics, and if a local developer

will want to purchase and develop the Middle Parcel as single-family owner-occupied housing. Ms. Cady said that she does not support the Breckenridge business model or development goals; however, she recognizes that the landowner has rights to do what it chooses regarding the development of its property. She said she was speaking from a position of rationality and reality and presented the reasons why she believed the current proposal presented by Breckenridge should at least be considered. It was pointed out by Ms. Cady that the opportunity for owner-occupied housing on the Middle Parcel had not been “on the table” prior to the proposed settlement. Ms. Cady expressed her desire for acceptance of an amended settlement with a reduced number of rental bedrooms and inclusion of the corner at Morningside and Wilmoth, portions of the steep slope areas, the conservation easement, and a landscape buffer of at least 75 feet between the North Parcel development and the surrounding neighborhood. She stated that she is not sure how much city planning is achievable through current and future litigation or if the plausible litigation outcomes are better than the offer currently “on the table.” Ms. Cady expressed her firm belief that any future litigation regarding a change to the LUPP for the South Parcel could potentially produce a highly negative outcome for the neighborhood. It was recommended by Ms. Cady that if the City Council members planned to reject the proposed settlement, they should do so because they wished to continue dealing with litigation through the courts and that they believe dealing with litigation in settlement form sets a bad precedent for future city planning. They should not reject the settlement on the belief that 50 acres of detached three-bedroom slab-on-grade with no garage and no basement rental houses are better for the neighborhood than the proposed settlement. Ms. Cady cited her understanding that the City is in a no-win situation put there by the School Board with impossible development goals that are not compatible with the neighborhood. At the end of the day, she believes they “are all getting thrown under the bus by Breckenridge.”

Amy Doolittle, 406 Briarwood Place, Ames, cited her love of the existing prairie. She believes that the Breckenridge proposal is bad for the City. Ms. Doolittle thinks that it will attract the wrong people and destroy progressive areas of the City.

Dickson Jensen, 4611 Mortensen Road, Ames, told the Council that to rezone property associated with litigation is wrong. He pointed out the precedent that would be set if Council accepted the proposal. Mr. Jensen urged the Council to take a stand and do what was right and reject the proposal. He said that this all started with one thing: the School Board wanted the most money and felt that it was its love of money that brought this on the City. Mr. Jensen identified himself as a builder for over 30 years and said he had been told numerous times by the City that it does not “bargain with zoning.” He cited his belief that associating litigation with zoning is wrong.

Carol Stuve, 218 Hilltop, Ames, said that she drove the streets of Ames recently and believed that there was not a street in Ames that doesn’t have an apartment for rent unless it is north of 13th Street. Ms. Stuve shared that she had found the website for the proposed developers out of Texas. There were 51 comments by students on the page; the rating was 1.7 out of 5. Some of those comments were cited by Ms. Stuve to point out that promises made to students by these developers are not always kept.

Becca Miller, 407 Hilltop, Ames, said that she trusts the City Council to make a very good decision to keep her neighborhood and the City of Ames safe and retain the charm that it has.

Victoria Szopinski, 3710 Ross Road, Ames, stated that she sees this issue as setting a precedent for all residents and neighborhoods that are adjacent to properties owned by the Ames Community School District. Ms. Szopinski noted the promise of the former members of the School Board that the character of neighborhoods would be retained and consequently so would the property values for citizens and the City of Ames. Properties in the area in question had been sold and then

purchased by persons believing in the promise that the neighborhood would be low-density residential. Ms. Szopinski identified herself as a former City Council Member and said she believes the lawsuit against the City is without merit. She pointed out the number of residents in attendance who were against the proposed settlement and urged the Council not to accept it.

Robert Lorr, 233 Hilltop, Ames, said he was speaking on behalf of his wife, Duffie, who is in the hospital. Mrs. Lorr had found information pertaining to Aspen Heights, the Breckenridge development, on Facebook™. In particular, he spoke about Breckenridge allowing sharing a room with a roommate. Breckenridge had requested 840 bedrooms. Apparently, that did not mean 840 students because it did not account for the number of persons that could potentially share one bedroom; the number of renters could, therefore, actually be much higher. Mr. Lorr also asked what will happen to the student rental properties when student enrollment goes down.

Kelly Beacon, 2812 Arbor Street, Ames, stated his fear that if the proposal were to be rejected, Ames will get a development similar to the slab-on-grade development formerly known as Pammel Court.

Tami Hicks, 4125-530th Avenue, Ames, expressed her support of the Breckenridge development. She shared that she is a realtor in Ames and has witnessed the shortage of rental properties for families. Part of the shortage of those types of rental properties is due to students renting those units. Ms. Hicks believes that the Breckenridge development would relieve that shortage. According to Ms. Hicks, she has spoken with three developers who may be interested in the Middle Parcel for development of single-family owner-occupied housing.

The meeting recessed at 9:20 p.m. and reconvened at 9:32 p.m.

Mayor Campbell asked City Attorney Parks what the fall-back would be if the Council did not accept. Ms. Parks reported that these properties have to be rezoned. One (the Middle Parcel) has already been rezoned to low-density residential, and there are pending applications for the other two parcels. That will still allow the cottage configuration originally proposed by Breckenridge. The request for the North Parcel is for R-L, which would allow for cottage configuration. The request for the South Parcel is for FS-RL. Those two pending applications were tabled to allow public input process, but could move forward and would have to come before the City Council for votes. Ms. Parks further stated that nothing would mandate owner-occupied housing. Planning and Housing Director Kelly Diekmann stated that detached single-family housing on individual lots and attached single-family housing would be allowed in the FS-RL zone.

At the inquiry of Council Member Nelson, Mr. Diekmann advised that the number of beds that would be allowed under a RL North Parcel and FS-RL South Parcel would be between 500-700 beds.

Council Member Betcher named the core neighborhoods around the proposed development. She pointed out that it appeared that 98% of the people speaking from those neighborhoods were not in favor of approving the proposal of Breckenridge.

Ex officio Member Lissandra Villa stated that Iowa State's enrollment is 33,241 students. She expressed her support of the position of Iowa State University in that the location in question is not the most desirable.

Council Member Corrieri noted that she had received a number of comments from people who did not feel comfortable speaking in public – some of those were in support of the proposal, but others

were not. Ms. Corrieri noted that she never felt fear over this issue. In her opinion, while not perfect, the proposal achieves some of the goals that have been stated by the neighbors.

Council Member Gartin asked City Attorney Parks to address the need for Closed Sessions. Ms. Parks said that because there is pending litigation, the *Iowa Code* allows cities to discuss its strategy in a Closed Session, so as not to divulge its position to the other party. Information from those Closed Sessions is not information that may be shared with the public.

At the request of Council Member Goodman, City Attorney Parks reported that there is a provision under Iowa law that states a protest may be filed by persons who live within a certain geographic area to the property in question. If the protest is valid, a super majority of votes would be required, which means that five of the six Council members would have to vote in favor of the rezoning. City Manager Steve Schainker noted that if the Council were in favor of accepting the proposal, it would need to direct the City Attorney to draft an agreement.

Noting that the current zoning of the land in question is Government/Airport, Council Member Orazem asked City Attorney Parks to explain why it cannot retain that zoning designation. Ms. Parks pointed out that the now-private ownership of the land would not allow for it to be zoned Government/Airport land.

Council Member Orazem pointed out that when land is developed, a surface water drainage plan is required. Ms. Parks elaborated that site plan review by City staff would be required, and staff would ensure that there would be infrastructure in place to address drainage.

Mr. Orazem also noted that, presently, the RL zone allows for some unintended consequences for the City. He suggested that the City Council review what is allowed under the RL zoning designation prior to the next sale of Government/Airport land by the Ames School District.

Council Member Goodman noted that some students make bad choices; however, the majority of students make good choices. He wanted it to be known that this issue is not about students; it is about life styles and densities. Mr. Goodman believes that all Council members believe that they are making the best choice possible. It is a complicated issue, and there are a lot of different perspectives. Council Member Goodman expressed his disapproval of negotiating land use in a Closed Session; that is a game-changer for him. He believes that it does not lead to the best choices and it hinders the community. What it means to him is that, in the future, developers will have no choice but to consider lawsuits in order to compete. He sees it as extremely risky land speculation. Council Member Goodman stated that Council members are elected to represent the people of the community, and sometimes that calls for the decision-makers to be brave and stand up for the rights of the people.

Council Member Orazem took issue with Mr. Goodman's usage of the word "brave," as he believes each Council member is doing the best he or she can under the situation that the City has been put in. He noted that Council members took an oath to uphold the laws of the state of Iowa and the Constitution of the United States, which includes property rights. That does not necessarily mean that it will be the popular choice.

City Attorney Parks reiterated that requiring owner-occupied housing is not part of the rezoning process.

In the opinion of Council Member Betcher, this is not about who the developer is; it is about what is appropriate for the parcels of land in question. For her, this is about policy being set and how the

Council deals with development contracts. Because she does not have a crystal ball, Ms. Betcher said it is very difficult to determine how much damage will be done by each scenario. Ms. Betcher advised that the policy she wants to set is that Ames zones land because it believes the zoning is correct for the parcels, not because someone is suing the City. She does not want to negotiate rezoning while the City is being sued by the developer requesting the rezoning.

Council Member Gartin shared that, in his role as a City Council member, he has to balance being responsive to the property owners most affected versus the needs of the community as a whole. Although he believes the proposal on the table is a very sound one, he is troubled by the idea of the entire area (North and South Parcels) being student rental cottages. A large factor in his decision is that the neighborhood residents and others in the community don't buy it. He is troubled by the fact that the majority of the surrounding property owners do not think that the current proposal is worthwhile; there has been no buy-in by the neighbors most-impacted. Mr. Gartin noted that he had been sitting through Council meetings when this topic had been discussed for over a year, and he has hardly had anyone contact or email him encouraging him to move forward with this.

Moved by Orazem, seconded by Corrieri, to direct that the City move forward with the proposal and direct staff to take the next steps to formalize a written agreement.

City Attorney Parks clarified that there would first be a Development Agreement. From that Agreement, the Council would have an idea of what kinds of base zoning will be looked at; likely, PRD on the South Parcel and HR on the North Parcel. On those, there would need to be five votes in favor to pass.

Vote on Motion: 3-3. Voting aye: Corrieri, Nelson, Orazem. Voting nay: Betcher, Gartin, Goodman. Mayor voted aye to break the tie. Motion declared carried.

Mayor Campbell noted that she had voted aye with considerable reluctance; however, a lot of information was brought forward tonight that had not been known before. This will give an opportunity for the public and Council to digest the information. The Mayor expressed her hesitancy in voting in the affirmative given the hundreds and hundreds of hours that had already been invested by City staff.

Council Member Orazem reiterated that the rezonings are still pending. He felt it was necessary at this point to allow the process to go forward and let people digest all the different discussion that had occurred at this meeting.

The meeting recessed at 10:31 p.m. and reconvened at 10:40 p.m.

CHANGE ORDER NO. 4 WITH FOX ENGINEERING PERTAINING TO NEW WATER TREATMENT PLANT: Water and Pollution Control Director John Dunn stated that informal reviews with the Iowa Department of Natural Resources (IDNR) of the design for the new Water Treatment Plant took place through calendar year 2013. The preliminary designs shared with the IDNR included the use of external cascade aerators. Mr. Dunn explained that in April 2014, the completed final design for the new Water Treatment Plant was submitted to the IDNR for review and issuance of a construction permit. During its review, the IDNR informed City staff that the use of external cascade aerators would not be permitted based on concerns that it posed an unacceptable potential for contamination of the water. Excerpts from the Ten States Standards were read by Director Dunn, which appeared to allow cascade aerators that discharge to lime softening or clarification plants. Given that Ames is a lime softening groundwater system that chlorinates and the *Ten States Standards* appear to contemplate such a design and includes applicable standards to allow them,

staff had asked IDNR to comment. Staff from IDNR explained that the use of cascade aerators would be inconsistent with its previous practices, the Standards are out-of-date, and that it is within its discretion to require the use of other methods.

Two alternatives offered by the IDNR were explained by Director Dunn, as follows:

1. Ames would agree to change its classification from being a “groundwater” system to being a “surface water” system. Mr. Dunn said this would require piping modifications and baffling of the existing finished water storage tanks and/or substantial increase in on-site finished water storage in order to meet the criteria for disinfection that apply to surface water systems. According to Director Dunn, staff believes that this option is an unacceptable option for the long-term operation of the treatment facility.
2. Ames would enclose the cascade aerators. The City’s consultants have indicated that enclosing the aerators in a pre-cast concrete room would cost approximately \$250,000 in increased construction costs plus an additional design fee to redesign the concrete platform and add the necessary electrical and ventilation equipment. The new room would then be categorized as an OSHA confined space, which which increase the operational expense due to additional heating and ventilation requirement. The increased energy demand would also likely reduce the LEED credits the project could obtain. The City is pursuing a LEED Certified facility in order to receive approximately \$6 million of forgivable loan proceeds.

Director Dunn advised that staff had come up with two additional options:

3. Change from using cascade aerators to using an induced (mechanical) draft aerator. The IDNR has routinely approved the use of external induced draft aerators for groundwater systems. The construction costs would increase by approximately \$400,000 and would necessitate an additional \$107,780 in redesign fees and would delay the issuance of a Notice to Bidders by approximately four weeks.
4. Appeal the IDNR staff’s decision to disallow external cascade aerators. The unwillingness by the IDNR to consider the use of a treatment technique that appears to clearly be contemplated and planned for in the Ten States Standards would be construed as an abuse of the IDNR’s administrative discretion. An appeal would likely take nine (9) to 12 months to resolve, and during that time period, the project could not move forward with bidding or construction. Using the Consumer Price Index, the cost to the project for delaying construction is estimated at more than \$125,000 per month. This option would come with the greatest cost tot he project with no guarantee of a successful outcome.

City staff held an in-person meeting with IDNR’s Water Supply Engineering Division on July 3. Director Dunn stated that additional material to back up the City’s position was provided to the IDNR, and it is possible, but not highly likely, that the IDNR will reverse its decision.

Mr. Dunn advised that the Professional Services Agreement with FOX Engineering for design work related to the new Water Treatment Plant was approved on October 13, 2009. Since that time, three change orders have been approved. FOX Engineering has prepared an amended Scope of Work to complete the redesign of the induced draft aerators and incorporate it into the already completed plans and specifications. It includes a fixed fee of \$107,780. Staff is recommending this Change Order to allow the redesign work to begin immediately in an effort to save at least a portion of the 2014 construction season.

Moved by Goodman, seconded by Betcher, to adopt RESOLUTION NO. 14-392 approving Change Order No. 4 with FOX Engineering to redesign the aeration process for the new Water Treatment Plant in a fixed amount of \$107,780.

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

HEARING ON MAJOR SITE DEVELOPMENT PLAN FOR 3299 EAST 13TH STREET: Mayor Campbell stated that the applicant had requested, due to unforeseen circumstances, that the hearing on this item be continued to August 26.

Mayor Campbell opened the public hearing.

Moved by Goodman, seconded by Orazem, to continue the hearing to August 26, 2014.

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

HEARING ON NUISANCE ASSESSMENTS: Mayor Campbell opened the public hearing. She closed same after no one came forward to speak.

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 14-393 assessing the costs of snow/ice removal and certifying assessments to the Story County Treasurer.

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

ORDINANCE AMENDING CHAPTER 13 TO ONLY REQUIRE BELOW-GRADE EGRESS WINDOWS IN BEDROOMS: Moved by Goodman, seconded by Nelson, to pass on first reading an ordinance amending Chapter 13 to only require below-grade egress windows in bedrooms.

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

ORDINANCE MAKING ZONING TEXT AMENDMENTS PERTAINING TO PETITIONS FOR REZONING AND MASTER PLAN DETERMINATION: Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance making zoning text amendments to Sections 29.1507(2) and 29.1507(3) pertaining to Petitions for Rezoning and Master Plan Determination, respectively.

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

ORDINANCE MAKING ZONING TEXT AMENDMENT PERTAINING TO FLOATING SUBURBAN RESIDENTIAL DISTRICT: Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance making a zoning text amendment pertaining to Floating Suburban Residential District, specifically related to density range, limitation on units per building, changes to setbacks, clarifications to Establishment Sections' references to rezoning and map amendment process, and cleanup of net density terminology.

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

ORDINANCE AMENDING CHAPTER 21 TO ALLOW FOR MULTIPLE-FAMILY DEVELOPMENT ENTRANCE SIGNS: Moved by Nelson, seconded by Corrieri, to pass on second reading an ordinance amending Chapter 21 to allow for multiple-family development entrance signs.

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

COUNCIL COMMENTS: Moved by Betcher, seconded by Goodman, to refer to staff the letter from Nirmalendu Majumdar requesting that the City vacate the alley between 11th and 12th Street, from

Grand to Wilson Avenue, and allow him to purchase a portion of that land.

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

Moved by Orazem, seconded by Corrieri, to refer to Legal staff the need for an amendment to the RL designation that would prevent the type of development that is occurring on the Old Middle School property.

Council Member Orazem clarified that he did not want staff to begin this process until the Breckenridge development issue is resolved.

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

Moved by Orazem, seconded by Corrieri, to refer to staff the letter dated July 2, 2014, from Dan Carter pertaining to problems with a drainage ditch behind his property at 4006 Stone Brooke Road..

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

Moved by Orazem, seconded by Goodman, to refer to staff the letter from Scott Renaud of FOX Engineering, requesting the vacation of two easements at 701 S. Duff Avenue for a report back to Council.

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

Moved by Nelson, seconded by Goodman, to refer to staff for placement on the July 22, 2014, Agenda the request of Linda Murken of the League of Women Voters of Ames pertaining to the City's scheduling policy for rooms in City Hall.

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

Mayor Campbell announced that the City Attorney had just received an email from the developers of Breckenridge that stated, "In light of the outcome of tonight's meeting, Breckenridge asks that the tabled rezoning applications be untabled" and Council proceed with their rezoning requests for the other two properties.

City Attorney Parks advised that if the City Council were to refer that request for action, it would require republication of the Legal Notices regarding the two pending applications.

Mayor Campbell asked if a motion needed to be made at this meeting since the Council had just received the request. City Attorney Parks stated that the motion to untable had not been on an agenda. She suggested that the Council refer this for getting the action back on an agenda. Staff would then follow with Hearing Notices that would be coincident with the hearing happening right afterwards.

Moved by Nelson, seconded by Orazem, to add that to a future agenda.

Council Member Goodman noted the tendency of the City Council to not take up things around the dais. He is unsure if that is this Council's policy or if it was just the previous Council's policy.

Mayor Campbell clarified that the motion would be to take the pending applications for rezoning off the table and reactivate them. Ms. Parks further clarified that it would be to put that item on the next agenda so there can be a motion to take them off the table, and if there is time for publication of notice, there would be a hearing after the items had been taken off the table by that motion. If there is time to publish the Notice, the hearing would occur at the same meeting as the items were taken off the table.

Vote on Motion: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Betcher, Goodman. Motion declared carried.

City Attorney Parks said that the motion to take the item from the table can definitely occur on the next agenda. If there is enough time to get the Notice published, the hearing would be on that same agenda; if not, the hearing would have to be held at the meeting after that one.

City Manager Steve Schainker questioned whether the City Attorney should start writing up the Agreement prior to the hearing. The Mayor said that was moot now. Ms. Parks agreed that that was her understanding. She said that, in light of the most recent request of Breckenridge, it was her interpretation that it was withdrawing from wanting to get an agreement drawn up.

ADJOURNMENT: Moved by Goodman, seconded by Corrieri, to adjourn the meeting at 11:07 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

**MINUTES OF THE SPECIAL MEETING
OF THE AMES CITY COUNCIL**

AMES, IOWA

JULY 14, 2014

The Ames City Council met in special session at 12:03 p.m. on the 14th day of July, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and Council Member Gloria Betcher present. Since it was impractical for all Council members to attend in person, Mayor Ann Campbell and Council Members Amber Corrieri, Tim Gartin, Chris Nelson, Peter Orazem, and *Ex officio* Member Lissandra Villa were brought in telephonically. Council Member Matthew Goodman was absent.

FIREWORKS PERMIT FOR IOWA GAMES ON JULY 18, 2014: Moved by Orazem, seconded by Betcher, to approve a permit to shoot fireworks from the southeast corner of Jack Trice Stadium at approximately 9:15 p.m. on Friday, July 18, pending approval of ISU Risk Management.

Vote on Motion: 5-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Nelson to adjourn the meeting at 12:04 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Emily Burton, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – End of Month
Month & Year:	July 2014	
For City Council Date:	July 22, 2014	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Water & Pollution Control	WPC Facility Blower Replacement Project	1	\$156,300.00	Woodruff Construction, LLC	\$0.00	\$10,353.00	J. Dunn	MA
Electric Services	Sulfuric Acid Tank Foundtion and Containment Structure	1	\$30,329.00	Larson Contracting Central LLC	\$0.00	\$4,227.23	D. Kom	CB
Electric Services	Protective Relay and Arc Flash Study at Power Plant	1	\$48,440.00	Utilities Plus Energy Services	\$0.00	\$2,959.81	D. Kom	CB
Electric Services	Vet Med Substation Feeder Extension	1	\$170,786.97	Tri-City Electric Company of Iowa	\$0.00	\$4,714.00	D. Kom	CB
Water & Pollution Control	Ames Water Treatment Plant Tree Removal Project	1	\$54,910.00	Aspen Land Clearing	\$0.00	\$5,000.00	Michael Klocke-Sullivan	MA
Public Works	2012/13 Asphalt Street Reconstruction (Pierce, Westbend, Southbend)	1	\$770,765.63	Manatt's, Inc.	\$0.00	\$-(14,884.70)	J. Joiner	MA

*Caring People
Quality Programs
Exceptional Service*

6 & 7

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Jeff Brinkley – Ames Police Department

DATE: July 15, 2014

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
July 22, 2014

The Council agenda for July 22, 2014, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer & B Wine – AJ’s Liquor II, 2515 Chamberlain Street
- Class B Beer – Pizza Ranch, 1404 Boston Avenue
- Class C Liquor – Sportsman’s Lounge, 123 Main Street
- Class C Liquor & Outdoor Service – Charlie Yoke’s, 2518 Lincoln Way

A routine check of police records for the past twelve months found no violations for AJ’s Liquor or Pizza Ranch. The police department would recommend renewal of these two licenses.

Officers responded to Sportsman’s Lounge for one incident where a patron was charged with disorderly conduct and serious assault. It was the only call for service that resulted in criminal charges. The police department would recommend renewal at this time.

I want to give you a brief update on Charlie Yoke’s. As you may remember, outdoor service was added to its probationary liquor license on May 27, 2014. Since that time, there have been two additional citations issued for on premises during the same incident. We have been happy with their efforts to be compliant and we are seeing a reduced number of violations at their new location. Their current license was for six months and it expires on August 13, 2014. At this time, we would be supportive of renewal of a 12-month license. We will continue to monitor compliance and will report back to you if there is a change in commitment with the approval of a 12-month license.

Commander Tuttle will be at the council meeting to answer any questions.

License Application ()

ITEM #8
7-22-14

Applicant

Name of Applicant:	<u>Red Lobster Restaurants, LLC</u>		
Name of Business (DBA):	<u>Red Lobster #0747</u>		
Address of Premises:	<u>1100 Buckeye Avenue</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(515) 232-2922</u>		
Mailing Address:	<u>ATTN: Licensing</u>		
City: <u>Orlando</u>	State: <u>FL</u>	Zip: <u>32869</u>	

Contact Person

Name:	<u>Colleen Hunter</u>		
Phone:	<u>(407) 245-4711</u>	Email Address:	<u>chunter@darden.com</u>

Classification: Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 07/28/2014

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)
Sunday Sales

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>475719</u>	Federal Employer ID #	<u>46-5134308</u>

Ownership

C. Bradford Richmond

First Name: C. Bradford

Last Name: Richmond

City: Orlando

State: Florida

Zip: 32836

Position Assistant Secretary

% of Ownership 0.00 %

U.S. Citizen

Colleen Hunter

First Name: Colleen

Last Name: Hunter

City: Orlando

State: Florida

Zip: 32827

Position Assistant Secretary

% of Ownership 0.00 %

U.S. Citizen

GMRI, Inc.

First Name: GMRI

Last Name: Inc.

City: Orlando

State: Florida

Zip: 32837

Position Member

% of Ownership 100.00 %

U.S. Citizen

Horace G. Dawson III

First Name: Horace G.

Last Name: Dawson III

City: Maitland

State: Florida

Zip: 32751

Position Secretary

% of Ownership 0.00 %

U.S. Citizen

Joseph G. Kern

First Name: Joseph G.

Last Name: Kern

City: Orlando

State: Florida

Zip: 32801

Position Assistant Secretary

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Liberty Mutual Insurance Company

Policy Effective Date: 07/28/2014

Policy Expiration Date: 07/28/2015

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

Name of Applicant:	<u>LJPS</u>		
Name of Business (DBA):	<u>Olde Main Brewing Company</u>		
Address of Premises:	<u>1407 University Blvd</u>		
City:	<u>Ames</u>	County:	<u>Story</u> Zip: <u>50010</u>
Business Phone:	<u>(515) 232-0553</u>		
Mailing Address:	<u>PO Box 1928</u>		
City:	<u>Ames</u>	State:	<u>IA</u> Zip: <u>50010</u>

Contact Person

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

Classification: Special Class C Liquor License (BW) (Beer/Wine)Term: 5 daysEffective Date: 08/04/2014Expiration Date: 01/01/1900

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)**Status of Business**

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

Ownership

Daniel Griffen

First Name: Daniel

Last Name: Griffen

City: Potomac

State: Maryland

Zip: 24854

Position Owner

% of Ownership 25.00 %

U.S. Citizen

Scott Griffen

First Name: Scott

Last Name: Griffen

City: Ames

State: Iowa

Zip: 50010

Position Owner

% of Ownership 50.00 %

U.S. Citizen

Susan Griffen

First Name: Susan

Last Name: Griffen

City: Potomac

State: Maryland

Zip: 24854

Position Owner

% of Ownership 25.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:



MEMO

To: Mayor and City Council

From: Roger Wisecup, CPA 
City Treasurer

Date: July 3, 2014

Subject: Investment Report for Fiscal Year Ending June 30, 2014

Introduction

The purpose of this memorandum is to present a report summarizing the performance of the City of Ames investment portfolio for the quarter ending June 30, 2014.

Discussion

This report covers the period ending June 30, 2014 and presents a summary of the investments on hand at the end of June 2014. The investments are valued at amortized cost; this reflects the same basis that the assets are carried on the financial records of the City. All investments are in compliance with the current Investment Policy.

Comments

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

A brief comparison of fiscal year 2013 to fiscal year 2014 follows:

	<u>FY13</u>	<u>FY14</u>	<u>Increase</u>
Interest Income	\$750,365	\$758,154	\$7,789
Portfolio Effective Rate of Return	0.60%	0.61%	0.01%

CITY OF AMES, IOWA

CASH AND INVESTMENTS SUMMARY
AND SUMMARY OF INVESTMENT EARNINGS

FOR THE FISCAL YEAR ENDED JUNE 30, 2014
AND THE ACCUMULATED YEAR-TO-DATE

DESCRIPTION	BOOK VALUE	MARKET VALUE	UN-REALIZED GAIN/(LOSS)
CERTIFICATES OF DEPOSIT	8,000,000	8,000,000	0
FEDERAL AGENCY DISCOUNTS	5,833,160	5,831,880	(1,280)
FEDERAL AGENCY SECURITIES	72,284,089	72,109,451	(174,638)
INVESTMENT POOLS			0
COMMERCIAL PAPER			0
PASS THRU SECURITIES PAC/CMO	2,151	2,194	42
MONEY FUND SAVINGS ACCOUNTS	23,376,944	23,376,944	0
CORPORATE BONDS			0
US TREASURY SECURITIES	4,941,125	4,957,720	16,595
INVESTMENTS	114,437,470	114,278,189	(159,281)
CASH ACCOUNTS	16,698,584	16,698,584	
TOTAL FUNDS AVAILABLE	131,136,054	130,976,773	(159,281)

ACCRUAL BASIS INVESTMENT EARNINGS

YR-TO-DATE

GROSS EARNINGS ON INVESTMENTS:

720,660

INTEREST EARNED ON CASH:

37,494

TOTAL INTEREST EARNED:

758,154



**Investments FY 2013-2014
Portfolio Management
Portfolio Summary
June 30, 2014**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit	8,000,000.00	8,000,000.00	8,000,000.00	6.99	1,065	229	0.986	1.000
Money Market	15,345,232.41	15,345,232.41	15,345,232.41	13.41	1	1	0.362	0.367
Passbook/Checking Accounts	8,031,712.04	8,031,712.04	8,031,712.04	7.02	1	1	0.247	0.250
Federal Agency Coupon Securities	71,990,428.57	72,109,450.76	72,284,089.19	63.16	1,267	829	0.658	0.667
Federal Agency Disc. -Amortizing	6,000,000.00	5,831,880.00	5,833,160.00	5.10	1,288	1,066	0.805	0.816
Treasury Coupon Securities	5,000,000.00	4,957,720.00	4,941,125.38	4.32	1,365	1,210	1.113	1.128
Pass Through Securities /PAC/CMO	2,062.67	2,193.70	2,151.33	0.00	1,808	84	2.200	2.230
Investments	114,369,435.69	114,278,188.91	114,437,470.35	100.00%	999	646	0.640	0.649

Total Earnings	June 30 Month Ending	Fiscal Year To Date	Fiscal Year Ending
Current Year	58,109.65	720,659.92	720,659.92
Average Daily Balance	115,713,684.60		
Effective Rate of Return	0.61%		

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

Roger J. Wisecup II, CPA 7-3-14
 Roger J. Wisecup II, City Treasurer

**US TREASURY CONSTANT MATURITY RATES
PERIOD ENDING JUNE 30, 2014
3 YEAR COMPARISON**

	June 30, 2014	June 30, 2013	June 30, 2012
3 Months	0.03%	0.04%	0.09%
6 Months	0.06%	0.10%	0.16%
1 Year	0.11%	0.15%	0.21%
2 Years	0.46%	0.36%	0.33%
3 Years	0.90%	0.66%	0.41%
5 Years	1.64%	1.41%	0.72%

Reporting period 06/01/2014-06/30/2014

Run Date: 07/01/2014 - 14:25

Portfolio 2014
AC
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.5

Investments FY 2013-2014
Portfolio Management
Portfolio Details - Investments
June 30, 2014

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Certificates of Deposit												
144241707	144241707	Great Western Bank		10/01/2012	3,500,000.00	3,500,000.00	3,500,000.00	0.710	0.700	0.710	92	10/01/2014
SYS7809399210	7809399210	Wells Fargo		10/14/2011	4,500,000.00	4,500,000.00	4,500,000.00	1.226	1.209	1.226	335	06/01/2015
Subtotal and Average			9,266,666.67		8,000,000.00	8,000,000.00	8,000,000.00	0.986	1.000	1.000	229	
Money Market												
12224067	12224067	Great Western Bank			6,017,975.30	6,017,975.30	6,017,975.30	0.300	0.296	0.300	1	
SYS4531558874A	4531558874A	Great Western Bank			4,113,250.00	4,113,250.00	4,113,250.00	0.550	0.542	0.550	1	
SYS4531558874B	4531558874B	Great Western Bank			5,214,007.11	5,214,007.11	5,214,007.11	0.300	0.296	0.300	1	
Subtotal and Average			15,344,601.94		15,345,232.41	15,345,232.41	15,345,232.41	0.362	0.367	0.367	1	
Passbook/Checking Accounts												
SYS6952311634A	6952311634A	Wells Fargo			4,016,039.39	4,016,039.39	4,016,039.39	0.250	0.247	0.250	1	
SYS6952311634B	6952311634B	Wells Fargo			4,015,672.65	4,015,672.65	4,015,672.65	0.250	0.247	0.250	1	
Subtotal and Average			8,031,541.52		8,031,712.04	8,031,712.04	8,031,712.04	0.247	0.250	0.250	1	
Federal Agency Coupon Securities												
3133EAWY0	0599-12	Federal Farm Credit		07/10/2012	1,000,000.00	999,950.00	1,000,000.00	1.040	1.026	1.040	1,105	07/10/2017
3133EAZK7	0600-12	Federal Farm Credit		07/25/2012	1,500,000.00	1,492,755.00	1,500,000.00	0.970	0.957	0.970	1,119	07/24/2017
3133EA3H9	0609-12	Federal Farm Credit		10/11/2012	1,000,000.00	999,940.00	1,000,000.00	0.470	0.464	0.470	559	01/11/2016
3133EA4G0	0610-12	Federal Farm Credit		10/11/2012	1,000,000.00	992,890.00	1,000,000.00	0.700	0.690	0.700	1,015	04/11/2017
3133EA4H8	0614-12	Federal Farm Credit		10/19/2012	1,500,000.00	1,486,785.00	1,500,000.00	0.820	0.809	0.820	1,106	07/11/2017
3133EA4H8	0617-12	Federal Farm Credit		11/16/2012	890,000.00	882,159.10	890,000.00	0.820	0.809	0.820	1,106	07/11/2017
3133ECAS3	0621-12	Federal Farm Credit		12/31/2012	1,000,000.00	999,740.00	999,732.76	0.450	0.459	0.466	629	03/21/2016
3133EC3B8	0631-13	Federal Farm Credit		04/15/2013	1,299,000.00	1,298,883.09	1,299,000.00	0.520	0.513	0.520	688	05/19/2016
3133ECQT4	0636-13	Federal Farm Credit		05/30/2013	2,000,000.00	1,985,140.00	2,000,000.00	0.750	0.740	0.750	1,064	05/30/2017
3133ECQF4	0637-13	Federal Farm Credit		05/28/2013	1,000,000.00	1,000,630.00	1,000,086.29	0.250	0.237	0.240	331	05/28/2015
31331SYW7	0642-13	Federal Farm Credit		05/30/2013	2,000,000.00	2,077,340.00	2,075,606.39	4.450	0.306	0.310	335	06/01/2015
3133EDEZ1	0653-14	Federal Farm Credit		02/12/2014	1,000,000.00	999,920.00	1,000,000.00	0.370	0.365	0.370	591	02/12/2016
3133EDFV9	0655-14	Federal Farm Credit		02/27/2014	1,000,000.00	998,530.00	1,000,000.00	0.240	0.237	0.240	514	11/27/2015
3133EDFV9	0658-14	Federal Farm Credit		03/05/2014	1,000,000.00	998,530.00	999,796.62	0.240	0.251	0.255	514	11/27/2015
3133792M0	0594-12	Federal Home Loan Bank		04/17/2012	3,500,000.00	3,510,710.00	3,500,000.00	0.540	0.533	0.540	304	05/01/2015
313380Z26	0613-12A	Federal Home Loan Bank		10/24/2012	1,500,000.00	1,497,915.00	1,500,000.00	0.625	0.616	0.625	846	10/24/2016
313380Z26	0613-12B	Federal Home Loan Bank		10/24/2012	1,000,000.00	998,610.00	1,000,000.00	0.625	0.616	0.625	846	10/24/2016
313381AN5	0615-12	Federal Home Loan Bank		11/23/2012	1,500,000.00	1,491,450.00	1,500,000.00	0.800	0.789	0.800	1,057	05/23/2017
313382MC4	0628-13	Federal Home Loan Bank		04/15/2013	1,500,000.00	1,499,100.00	1,500,000.00	0.500	0.493	0.500	654	04/15/2016
313379ER6	0640-13	Federal Home Loan Bank		05/30/2013	1,550,000.00	1,554,371.00	1,552,707.74	0.500	0.311	0.315	346	06/12/2015

Investments FY 2013-2014
Portfolio Management
Portfolio Details - Investments
June 30, 2014

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Coupon Securities												
313371PC4	0641-13	Federal Home Loan Bank		05/30/2013	1,500,000.00	1,504,935.00	1,504,112.50	0.875	0.257	0.260	164	12/12/2014
313383V81	0647-13	Federal Home Loan Bank		10/29/2013	1,000,000.00	1,001,560.00	1,001,094.70	0.375	0.276	0.280	423	08/28/2015
313379XC8	0649-13	Federal Home Loan Bank		12/19/2013	1,000,000.00	1,003,050.00	1,002,382.50	0.510	0.242	0.245	329	05/26/2015
313383V81	0650-13	Federal Home Loan Bank		12/19/2013	1,000,000.00	1,001,560.00	1,001,146.92	0.375	0.272	0.276	423	08/28/2015
3130A0Z45	0657-14	Federal Home Loan Bank		03/05/2014	1,071,428.57	1,071,353.57	1,071,853.81	0.750	0.000	0.000	881	11/28/2016
3134G3M23	0607-12	Federal Home Loan Mortgage Co.		09/28/2012	1,000,000.00	994,120.00	1,000,000.00	1.020	1.006	1.020	1,185	09/28/2017
3137EACT4	0612-12	Federal Home Loan Mortgage Co.		10/17/2012	4,500,000.00	4,672,575.00	4,668,858.90	2.500	0.503	0.510	696	05/27/2016
3134G33R9	0626-13	Federal Home Loan Mortgage Co.		03/20/2013	1,500,000.00	1,502,520.00	1,500,000.00	0.450	0.444	0.450	563	01/15/2016
3134G4QT8	0652-14	Federal Home Loan Mortgage Co.		01/30/2014	1,180,000.00	1,174,749.00	1,179,632.20	0.375	0.391	0.396	541	12/24/2015
3137EACT4	0664-14	Federal Home Loan Mortgage Co.		04/17/2014	3,500,000.00	3,634,225.00	3,635,235.61	2.500	0.454	0.460	696	05/27/2016
3135G0KM4	0611-12	Federal Nat'l Mtg. Assoc.		10/17/2012	3,500,000.00	3,509,450.00	3,504,090.61	0.500	0.365	0.370	330	05/27/2015
3136G05X5	0616-12	Federal Nat'l Mtg. Assoc.		11/30/2012	2,000,000.00	1,985,140.00	2,000,000.00	0.750	0.740	0.750	1,064	05/30/2017
3136G07M7	0619-12	Federal Nat'l Mtg. Assoc.		11/27/2012	1,500,000.00	1,482,300.00	1,500,000.00	0.900	0.888	0.900	1,245	11/27/2017
3135G0TD5	0620-12A	Federal Nat'l Mtg. Assoc.		12/31/2012	1,500,000.00	1,486,005.00	1,500,000.00	1.000	0.986	1.000	1,276	12/28/2017
3135G0TD5	0620-12B	Federal Nat'l Mtg. Assoc.		12/31/2012	1,000,000.00	990,670.00	1,000,000.00	1.000	0.986	1.000	1,276	12/28/2017
3136G1BZ1	0625-13	Federal Nat'l Mtg. Assoc.		03/08/2013	1,000,000.00	999,080.00	999,634.22	0.625	0.602	0.610	1,309	01/30/2018
3136G1BU2	0629-13	Federal Nat'l Mtg. Assoc.		04/05/2013	2,000,000.00	1,975,460.00	2,001,822.19	0.850	0.811	0.822	1,217	10/30/2017
3136G1E96	0632-13	Federal Nat'l Mtg. Assoc.		04/15/2013	3,000,000.00	2,991,090.00	3,004,318.30	0.900	0.893	0.906	1,060	05/26/2017
3136G1KG3	0634-13	Federal Nat'l Mtg. Assoc.		05/08/2013	3,000,000.00	2,980,980.00	3,000,000.00	0.750	0.740	0.750	1,042	05/08/2017
3135G0WU3	0635-13A	Federal Nat'l Mtg. Assoc.		05/15/2013	1,500,000.00	1,489,830.00	1,500,000.00	0.750	0.740	0.750	1,049	05/15/2017
3135G0WU3	0635-13B	Federal Nat'l Mtg. Assoc.		05/15/2013	1,000,000.00	993,220.00	1,000,000.00	0.750	0.740	0.750	1,049	05/15/2017
3136G0C58	0656-14	Federal Nat'l Mtg. Assoc.		03/05/2014	1,000,000.00	991,680.00	997,072.53	1.375	1.427	1.447	1,549	09/27/2018
3135GOWJ8	0663-14	Federal Nat'l Mtg. Assoc.		04/17/2014	5,000,000.00	4,908,550.00	4,895,904.40	0.875	1.559	1.581	1,420	05/21/2018
Subtotal and Average			72,293,990.64		71,990,428.57	72,109,450.76	72,284,089.19		0.658	0.667	829	
Federal Agency Disc. -Amortizing												
31359MEL3	0630-13	Federal Nat'l Mtg. Assoc.		04/10/2013	2,000,000.00	1,943,960.00	1,946,960.00	0.631	0.641	0.650	1,066	06/01/2017
31359MEL3	0661-14	Federal Nat'l Mtg. Assoc.		03/14/2014	4,000,000.00	3,887,920.00	3,886,200.00	0.872	0.888	0.900	1,066	06/01/2017
Subtotal and Average			5,833,160.00		6,000,000.00	5,831,880.00	5,833,160.00		0.805	0.816	1,066	
Treasury Coupon Securities												
912828SY7	0651-13	U.S. Treasury		12/23/2013	3,000,000.00	2,979,600.00	2,974,541.83	0.625	0.909	0.921	1,065	05/31/2017
912828VE7	0662-14	U.S. Treasury		03/21/2014	2,000,000.00	1,978,120.00	1,966,583.55	1.000	1.421	1.441	1,430	05/31/2018
Subtotal and Average			4,940,682.72		5,000,000.00	4,957,720.00	4,941,125.38		1.113	1.128	1,210	

**Investments FY 2013-2014
Portfolio Management
Portfolio Details - Investments
June 30, 2014**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Pass Through Securities /PAC/CMO												
31371LWK1	0465-09	Federal Nat'l Mtg. Assoc.		10/08/2009	1,508.98	1,604.27	1,576.88	4.500	2.252	2.284	92	10/01/2014
31371LVX4	0466-09	Federal Nat'l Mtg. Assoc.		10/19/2009	553.69	589.43	574.45	4.000	2.056	2.084	62	09/01/2014
Subtotal and Average			3,041.11		2,062.67	2,193.70	2,151.33		2.200	2.230	84	
Total and Average			115,713,684.60		114,369,435.69	114,278,188.91	114,437,470.35		0.640	0.649	646	

Investments FY 2013-2014
Portfolio Management
Investment Status Report - Investments
June 30, 2014

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Certificates of Deposit												
144241707	144241707	GWB	3,500,000.00	0.710	10/01/2014	10/01/2012	0.700	0.710	10/01 - At Maturity		3,500,000.00	3,500,000.00
SYS7809399210	7809399210	WF	4,500,000.00	1.226	06/01/2015	10/14/2011	1.209	1.226	06/01 - At Maturity		4,500,000.00	4,500,000.00
Certificates of Deposit Totals			8,000,000.00				0.986	1.000		0.00	8,000,000.00	8,000,000.00
Money Market												
12224067	12224067	GWB	6,017,975.30	0.300			0.296	0.300	06/01 - Monthly		6,017,975.30	6,017,975.30
SYS4531558874A	4531558874A	GWB	4,113,250.00	0.550			0.542	0.550	07/01 - Monthly		4,113,250.00	4,113,250.00
SYS4531558874B	4531558874B	GWB	5,214,007.11	0.300			0.296	0.300	07/01 - Monthly		5,214,007.11	5,214,007.11
Money Market Totals			15,345,232.41				0.362	0.367		0.00	15,345,232.41	15,345,232.41
Passbook/Checking Accounts												
SYS6952311634A	6952311634A	WF	4,016,039.39	0.250			0.247	0.250	10/31 - Monthly		4,016,039.39	4,016,039.39
SYS6952311634B	6952311634B	WF	4,015,672.65	0.250			0.247	0.250	10/31 - Monthly		4,015,672.65	4,015,672.65
Passbook/Checking Accounts Totals			8,031,712.04				0.247	0.250		0.00	8,031,712.04	8,031,712.04
Federal Agency Coupon Securities												
3133EAWY0	0599-12	FFCB	1,000,000.00	1.040	07/10/2017	07/10/2012	1.026	1.040	01/10 - 07/10		1,000,000.00	1,000,000.00
3133EAZK7	0600-12	FFCB	1,500,000.00	0.970	07/24/2017	07/25/2012	0.957	0.970	01/24 - 07/24	Received	1,500,000.00	1,500,000.00
3133EA3H9	0609-12	FFCB	1,000,000.00	0.470	01/11/2016	10/11/2012	0.464	0.470	01/11 - 07/11		1,000,000.00	1,000,000.00
3133EA4G0	0610-12	FFCB	1,000,000.00	0.700	04/11/2017	10/11/2012	0.690	0.700	04/11 - 10/11		1,000,000.00	1,000,000.00
3133EA4H8	0614-12	FFCB	1,500,000.00	0.820	07/11/2017	10/19/2012	0.809	0.820	01/11 - 07/11	Received	1,500,000.00	1,500,000.00
3133EA4H8	0617-12	FFCB	890,000.00	0.820	07/11/2017	11/16/2012	0.809	0.820	01/11 - 07/11	Received	890,000.00	890,000.00
3133ECAS3	0621-12	FFCB	1,000,000.00	0.450	03/21/2016	12/31/2012	0.459	0.466	03/21 - 09/21	Received	999,500.00	999,732.76
3133EC3B8	0631-13	FFCB	1,299,000.00	0.520	05/19/2016	04/15/2013	0.513	0.520	05/19 - 11/19	Received	1,299,000.00	1,299,000.00
3133ECQT4	0636-13	FFCB	2,000,000.00	0.750	05/30/2017	05/30/2013	0.740	0.750	11/30 - 05/30		2,000,000.00	2,000,000.00
3133ECQF4	0637-13	FFCB	1,000,000.00	0.250	05/28/2015	05/28/2013	0.237	0.240	11/28 - 05/28		1,000,190.00	1,000,086.29
31331SYW7	0642-13	FFCB	2,000,000.00	4.450	06/01/2015	05/30/2013	0.306	0.310	06/01 - 12/01	Received	2,165,188.50	2,075,606.39
3133EDEZ1	0653-14	FFCB	1,000,000.00	0.370	02/12/2016	02/12/2014	0.365	0.370	08/12 - 02/12		1,000,000.00	1,000,000.00
3133EDFV9	0655-14	FFCB	1,000,000.00	0.240	11/27/2015	02/27/2014	0.237	0.240	05/27 - 11/27		1,000,000.00	1,000,000.00
3133EDFV9	0658-14	FFCB	1,000,000.00	0.240	11/27/2015	03/05/2014	0.251	0.255	05/27 - 11/27	Received	999,750.00	999,796.62
3133792M0	0594-12	FHLB	3,500,000.00	0.540	05/01/2015	04/17/2012	0.533	0.540	05/01 - 11/01		3,500,000.00	3,500,000.00
313380Z26	0613-12A	FHLB	1,500,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,500,000.00	1,500,000.00
313380Z26	0613-12B	FHLB	1,000,000.00	0.625	10/24/2016	10/24/2012	0.616	0.625	04/24 - 10/24		1,000,000.00	1,000,000.00
313381AN5	0615-12	FHLB	1,500,000.00	0.800	05/23/2017	11/23/2012	0.789	0.800	05/23 - 11/23		1,500,000.00	1,500,000.00
313382MC4	0628-13	FHLB	1,500,000.00	0.500	04/15/2016	04/15/2013	0.493	0.500	10/15 - 04/15		1,500,000.00	1,500,000.00

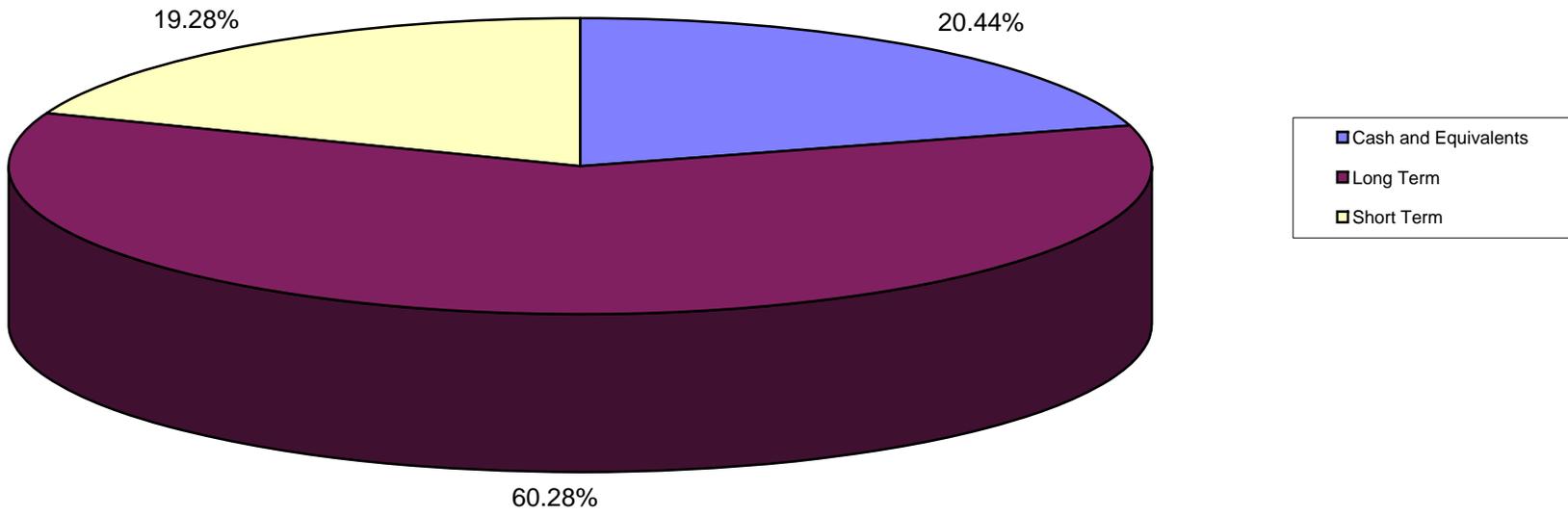
Investments FY 2013-2014
Portfolio Management
Investment Status Report - Investments
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CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency Coupon Securities												
313379ER6	0640-13	FHLB	1,550,000.00	0.500	06/12/2015	05/30/2013	0.311	0.315	06/12 - 12/12	Received	1,555,812.50	1,552,707.74
313371PC4	0641-13	FHLB	1,500,000.00	0.875	12/12/2014	05/30/2013	0.257	0.260	06/12 - 12/12	Received	1,514,100.00	1,504,112.50
313383V81	0647-13	FHLB	1,000,000.00	0.375	08/28/2015	10/29/2013	0.276	0.280	02/28 - 08/28	Received	1,001,730.00	1,001,094.70
313379XC8	0649-13	FHLB	1,000,000.00	0.510	05/26/2015	12/19/2013	0.242	0.245	05/26 - 11/26	Received	1,003,790.00	1,002,382.50
313383V81	0650-13	FHLB	1,000,000.00	0.375	08/28/2015	12/19/2013	0.272	0.276	02/28 - 08/28	Received	1,001,675.00	1,001,146.92
3130A0Z45	0657-14	FHLB	1,071,428.57	0.750	11/28/2016	03/05/2014	0.000	0.000	05/28 - 11/28	Received	1,071,910.71	1,071,853.81
3134G3M23	0607-12	FHLMC	1,000,000.00	1.020	09/28/2017	09/28/2012	1.006	1.020	03/28 - 09/28		1,000,000.00	1,000,000.00
3137EACT4	0612-12	FHLMC	4,500,000.00	2.500	05/27/2016	10/17/2012	0.503	0.510	11/27 - 05/27	Received	4,819,995.00	4,668,858.90
3134G33R9	0626-13	FHLMC	1,500,000.00	0.450	01/15/2016	03/20/2013	0.444	0.450	07/15 - 01/15	Received	1,500,000.00	1,500,000.00
3134G4QT8	0652-14	FHLMC	1,180,000.00	0.375	12/24/2015	01/30/2014	0.391	0.396	06/24 - 12/24	Received	1,179,528.00	1,179,632.20
3137EACT4	0664-14	FHLMC	3,500,000.00	2.500	05/27/2016	04/17/2014	0.454	0.460	05/27 - 11/27	Received	3,649,823.71	3,635,235.61
3135G0KM4	0611-12	FNMA	3,500,000.00	0.500	05/27/2015	10/17/2012	0.365	0.370	11/27 - 05/27	Received	3,511,795.00	3,504,090.61
3136G05X5	0616-12	FNMA	2,000,000.00	0.750	05/30/2017	11/30/2012	0.740	0.750	05/30 - 11/30		2,000,000.00	2,000,000.00
3136G07M7	0619-12	FNMA	1,500,000.00	0.900	11/27/2017	11/27/2012	0.888	0.900	05/27 - 11/27		1,500,000.00	1,500,000.00
3135G0TD5	0620-12A	FNMA	1,500,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,500,000.00	1,500,000.00
3135G0TD5	0620-12B	FNMA	1,000,000.00	1.000	12/28/2017	12/31/2012	0.986	1.000	06/28 - 12/28		1,000,000.00	1,000,000.00
3136G1BZ1	0625-13	FNMA	1,000,000.00	0.625	01/30/2018	03/08/2013	0.602	0.610	07/30 - 01/30	Received	999,500.00	999,634.22
3136G1BU2	0629-13	FNMA	2,000,000.00	0.850	10/30/2017	04/05/2013	0.811	0.822	04/30 - 10/30	Received	2,002,500.00	2,001,822.19
3136G1E96	0632-13	FNMA	3,000,000.00	0.900	05/26/2017	04/15/2013	0.893	0.906	08/26 - 02/26	Received	3,006,120.00	3,004,318.30
3136G1KG3	0634-13	FNMA	3,000,000.00	0.750	05/08/2017	05/08/2013	0.740	0.750	11/08 - 05/08		3,000,000.00	3,000,000.00
3135G0WU3	0635-13A	FNMA	1,500,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,500,000.00	1,500,000.00
3135G0WU3	0635-13B	FNMA	1,000,000.00	0.750	05/15/2017	05/15/2013	0.740	0.750	11/15 - 05/15		1,000,000.00	1,000,000.00
3136G0C58	0656-14	FNMA	1,000,000.00	1.375	09/27/2018	03/05/2014	1.427	1.447	03/27 - 09/27	Received	996,850.00	997,072.53
3135GOWJ8	0663-14	FNMA	5,000,000.00	0.875	05/21/2018	04/17/2014	1.559	1.581	05/21 - 11/21	Received	4,890,402.20	4,895,904.40
Federal Agency Coupon Securities Totals			71,990,428.57				0.658	0.667		0.00	72,559,160.62	72,284,089.19
Federal Agency Disc. -Amortizing												
31359MEL3	0630-13	FNMA	2,000,000.00	0.631	06/01/2017	04/10/2013	0.641	0.650	/ - Final Pmt.		1,946,960.00	1,946,960.00
31359MEL3	0661-14	FNMA	4,000,000.00	0.872	06/01/2017	03/14/2014	0.888	0.900	/ - Final Pmt.		3,886,200.00	3,886,200.00
Federal Agency Disc. -Amortizing Totals			6,000,000.00				0.805	0.816		0.00	5,833,160.00	5,833,160.00
Treasury Coupon Securities												
912828SY7	0651-13	US TRE	3,000,000.00	0.625	05/31/2017	12/23/2013	0.909	0.921	05/31 - 11/30	Received	2,970,000.00	2,974,541.83
912828VE7	0662-14	US TRE	2,000,000.00	1.000	05/31/2018	03/21/2014	1.421	1.441	05/31 - 11/30	Received	1,964,200.00	1,966,583.55

**Investments FY 2013-2014
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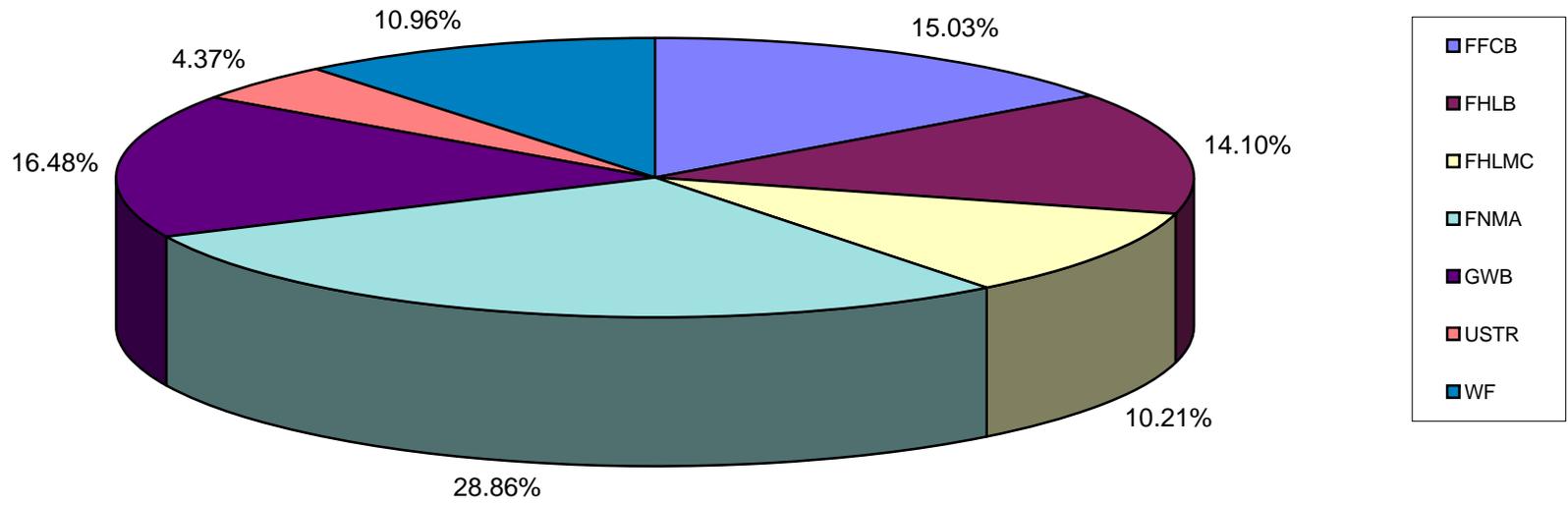
CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Treasury Coupon Securities Totals			5,000,000.00				1.113	1.128		0.00	4,934,200.00	4,941,125.38
Pass Through Securities /PAC/CMO												
31371LWK1	0465-09	FNMA	1,508.98	4.500	10/01/2014	10/08/2009	2.252	2.284	11/25 - Monthly	Received	1,576.88	1,576.88
31371LVX4	0466-09	FNMA	553.69	4.000	09/01/2014	10/19/2009	2.056	2.084	11/25 - Monthly	Received	574.45	574.45
Pass Through Securities /PAC/CMO Totals			2,062.67				2.200	2.230		0.00	2,151.33	2,151.33
Investment Totals			114,369,435.69				0.640	0.649		0.00	114,705,616.40	114,437,470.35

Portfolio by Asset Class



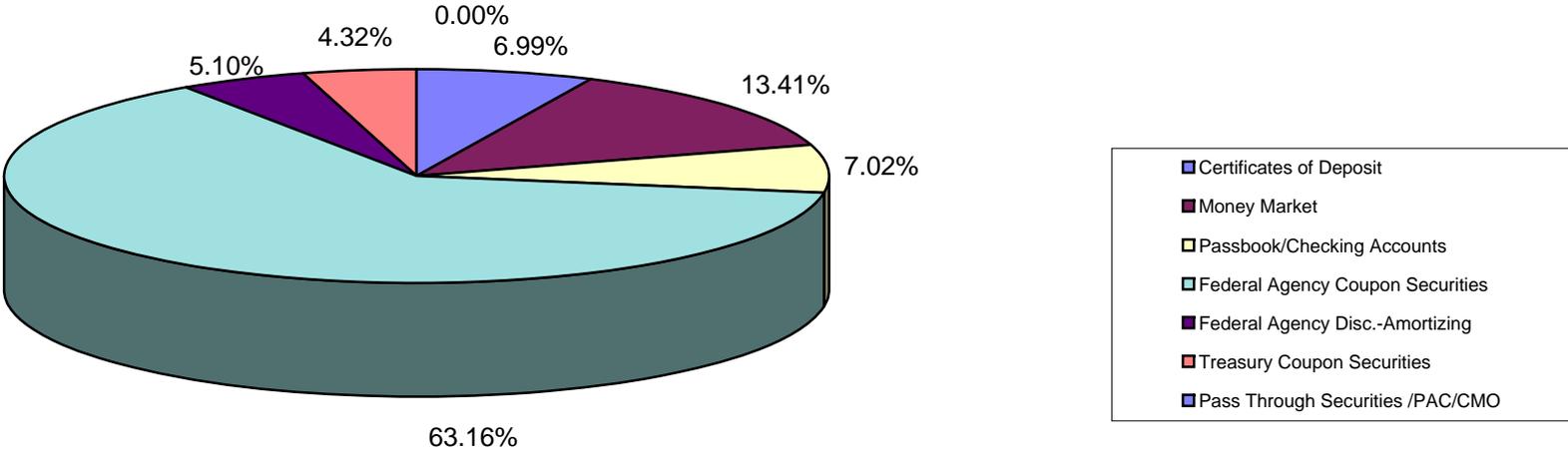
For Fiscal Year Ending June 30, 2014

Par Value by Issuer Graph



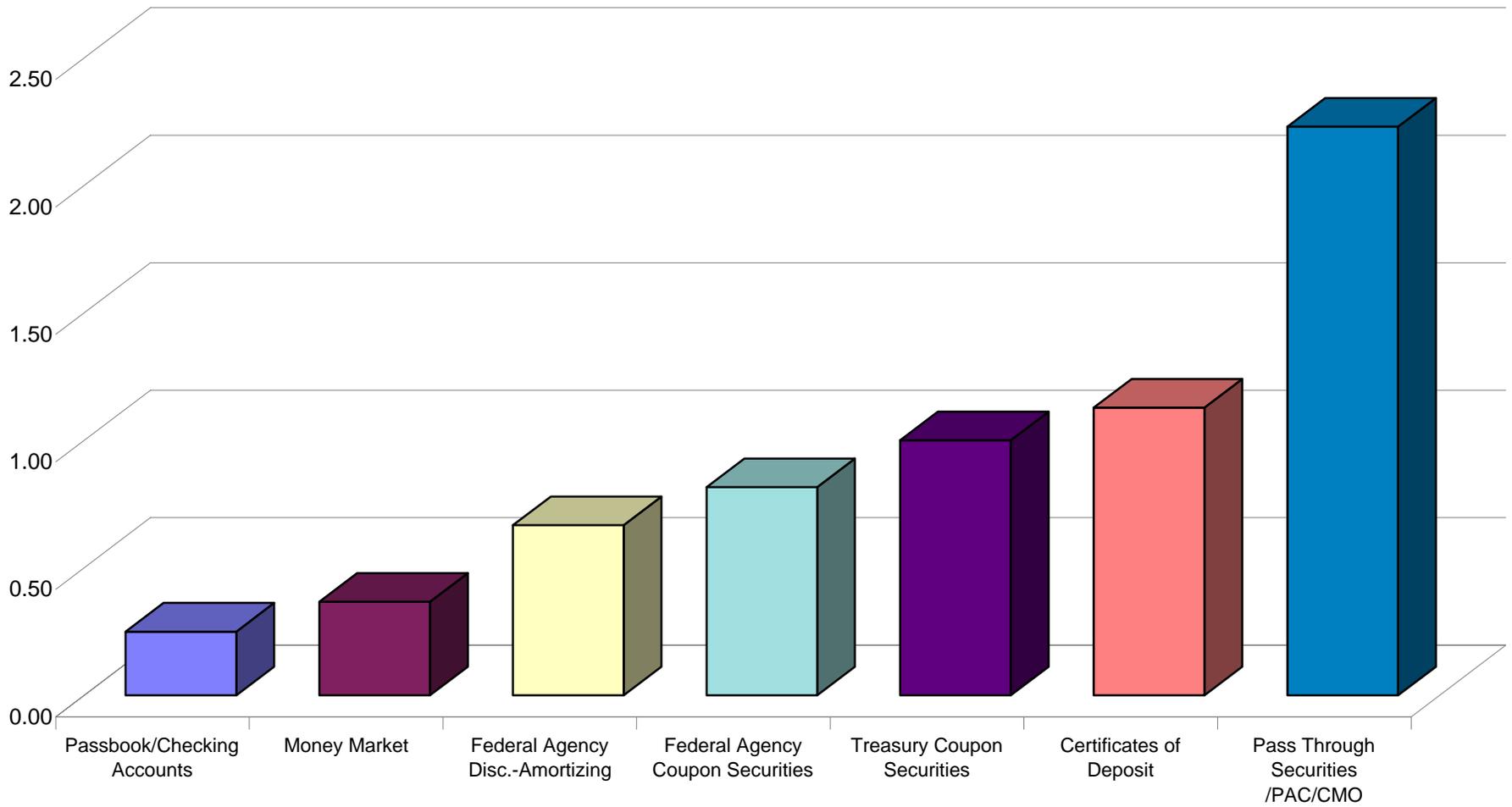
For Fiscal Year Ending June 30, 2014

Book Value By Investment Type



For Fiscal Year Ending June 30, 2014

Investment Yield by Type



For Fiscal Year Ending June 30, 2014

COUNCIL ACTION FORM

SUBJECT: CYRIDE LADDERS OF OPPORTUNITY GRANT

BACKGROUND:

On June 4, 2014, the Federal Transit Administration unexpectedly released a Notice of Funding Availability for a nationally competitive grant application process to distribute “left-over” discretionary funds, totaling approximately \$100 million, allocated under the SAFETEA-LU transportation bill. This new grant is called “Ladders of Opportunity.” This bill allows for discretionary allocation of funds to transit systems of 85% funding for buses. This is an unexpected and final grant opportunity for smaller transit systems to address capital needs, specifically for bus and facility needs, since subsequent transportation bills do not allow for the purchase of buses under discretionary programs. Applications for this funding must be submitted no later than August 4, 2014.

As part of a transit system’s application, it must demonstrate community support for its project. Therefore, the Ames City Council is being asked to approve a resolution supporting CyRide’s grant request. CyRide has requested similar support from Iowa State University, the ISU Government of the Student Body, Story County, the Ames Chamber of Commerce, the Ames Convention and Visitor’ Bureau, several human service agencies, and Iowa’s Senators and Representative. In total, it is hoped that at least 15 letters from various organizations/individuals can be secured prior to the grant’s submission.

Grant Project

Staff has developed a proposed bus expansion project in the table below to purchase up to four additional articulated buses to efficiently address CyRide’s record ridership levels. CyRide had more than 6.6 million rides this past fiscal year, which was a 12% increase from the previous year. The exact award will be determined by the FTA and will most likely be less than requested due to the federal agencies requirement that all projects be scalable.

Bus #	Bus Type	Federal Dollars	Cumm. Fed. Dollars	Local Dollars	Cumm. Local Dollars
1	60’ Bus	\$637,500	\$637,500	\$112,500	\$112,500
2	60’ Bus	\$637,500	\$1,275,000	\$112,500	\$225,000
3	60’ Bus	\$637,500	\$1,912,500	\$112,500	\$337,500
4	60’ Bus	\$637,500	\$2,550,000	\$112,500	\$450,000

Local Funding

CyRide currently has \$125,000 per year for used bus purchases programmed in the City's Five-Year Capital Improvements Plan (CIP). Since buses purchased under this grant would not be manufactured and delivered until the summer of 2017, and most likely span two budget years (2016/17 and 2017/18), this grant would fund the last two years of this plan with new buses requiring 15% local match as opposed to CyRide providing 100% local dollars for used, 18-year old buses.

If CyRide is fortunate enough to receive full funding for four buses, a State of Iowa Revolving Loan could be secured for the currently unprogrammed additional local match. This is a no interest loan available to transit systems for bus capital that can be repaid over a five-year period. CyRide would require \$200,000 additional in local match that could be repaid at a rate of \$50,000 per year. If this situation occurs, these commitments will be reflected in the next update of the CIP.

The Transit Board of Trustees considered the submission of a grant under this funding opportunity and determined that it could positively benefit CyRide in the future. The Board allowed staff to determine the type of bus to request in the grant (40' or 60' articulated buses) up to a maximum local match commitment of \$450,000. Since that Board meeting, staff has determined that articulated buses will provide the greatest efficiency for CyRide's service.

ALTERNATIVES:

1. Support CyRide's submission of a Ladders of Opportunity grant application for the purchase of four new articulated buses, committing up to \$450,000 in local match.
2. Support CyRide's submission of a Ladders of Opportunity grant application for fewer buses.
3. Do not support a Ladders of Opportunity grant application for new buses.

MANAGER'S RECOMMENDED ACTION:

This is the last foreseeable opportunity to purchase new buses with federal funding assistance. With CyRide's rapid expansion, a strong application can be developed for consideration of funds to support CyRide's efforts. With the local dollars needed to match the grant currently programmed in the CIP and with the possibility of a no-interest loan to spread out its local match requirement if a full-funding award is provided, staff believes that this grant opportunity would place CyRide in a better position to meet future service needs.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby supporting CyRide's submission of a Ladders of Opportunity grant committing up to \$450,000 in local match dollars if the grant is fully funded.

COUNCIL ACTION FORM

**SUBJECT: **SESQUICENTENNIAL ACTIVITIES CONTRACT WITH
AMES HISTORICAL SOCIETY****

BACKGROUND:

During the FY 2013/14 Budget Wrap-Up session, Mary Atherly and Sharon Wirth requested \$5,000 from the City Council to kick off the City's sesquicentennial activities. The Council then approved a \$5,000 budgetary allocation from the Local Option Sales Tax Fund with the Ames Historical Society (AHS) as the contracting entity.

Due to an oversight, no contract was established between the City and AHS for this activity. In early July 2014, the City received an itemized reimbursement request from AHS for these funds. According to the documentation, AHS spent \$5,269 on materials and supplies related to setting up a sesquicentennial display.

It should be noted that, of the \$5,000 that is being requested, \$775 was used towards purchasing copies of a book on the history of the Ames community co-authored by Council Member Gloria Betcher. The City Attorney has advised that, while the purchase of these books from a City official without open bidding would generally present a conflict of interest, reimbursement to the AHS for this expense is allowable, since AHS purchased the books without prior knowledge of or direction from the City Council.

Before City staff can process payment to AHS, the City Council must authorize the expenditure. The attached contract, which outlines the terms for payment, has been approved by AHS. If the contract is approved by the City Council, City staff will immediately process the reimbursement request already submitted by AHS. Although the 2013/14 fiscal year has already ended, the Finance Department can still process this request and accrue it to that fiscal year if it is done immediately.

ALTERNATIVES:

1. Approve the attached contract with the Ames Historical Society for \$5,000 to conduct sesquicentennial activities.
2. Do not approve the attached contract with the Ames Historical Society.

MANAGER'S RECOMMENDED ACTION:

The City Council allocated \$5,000 for the Ames Historical Society during the FY 2013/14 budget adoption process, and the Ames Historical Society has completed activities related to the budget allocation. However, the contract confirming this funding arrangement was not brought to City Council for approval due to a City staff oversight.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a contract with the Ames Historical Society for \$5,000 to conduct sesquicentennial activities.

To be submitted to the City for reimbursement:

6/4/2014	Paper cutting	Linda Emmerson	/	\$ 1,000.00
6/9/2014	"Ames" books	Arcadia	/	\$ 775.77
6/11/2014	Paint and primer	Lowe's	\$	\$ 84.47
6/19/2014	Foam core	artsupply.com	\$	\$ 302.60
6/25/2014	Hollow core doors	Lowe's	\$	\$ 83.46
6/25/2014	Painting supplies	Lowe's	\$	\$ 47.42
6/26/2014	Header printing	ISU Printing	/	\$ 625.20
6/26/2014	Pens	Quality Logo Products	\$	\$ 269.15
6/26/2014	Paper cutting posters	Alpha Copies	\$	\$ 384.00
6/26/2014	Club cards	PS Print	\$	\$ 308.40
6/26/2014	Hollow core doors	Lowe's	\$	\$ 111.28
6/27/2014	Panel printing	ISU Printing	/	\$ 198.76
6/29/2014	Brackets	Lowe's	\$	\$ 94.12
6/29/2014	Glue	Lowe's	\$	\$ 42.75
7/7/2014	Media equipment	eBay	\$	\$ 54.57
7/8/2014	Hollow core doors	Lowe's	\$	\$ 111.28
7/8/2014	Command strips	Wal-mart	\$	\$ 276.12
TOTAL				\$ 4,769.35

ck 3337

ck 3338 - reimburse Alexis Boleber

debit

debit

debit

130.88 ck 3353 reimburse Cassi U

ck 3362

debit

debit - No receipt

debit

debit

ck 3362

debit

136.87 debit

debit

debit

debit

+ other \$500 of Ames books =

\$5269.35

CONTRACT FOR SERVICES

THIS AGREEMENT, made and entered into the ___ **day of July, 2014**, by and between the **CITY OF AMES, IOWA**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called "City") and **Ames Historical Society** (a nonprofit entity organized and existing pursuant to the laws of the State of Iowa and hereinafter called "Provider");

WITNESSETH THAT:

WHEREAS, the City of Ames has, by its City Council acting in open and regular session, determined that certain services and facilities to be provided to the City of Ames and its citizens by Provider, such services and facilities being hereinafter described and set out, should be purchased in accordance with the terms of a written agreement as hereinafter set out, in accordance with all applicable Federal, State, and Local laws or regulations;

NOW, THEREFORE, the parties hereto have agreed and do agree as follows:

I PURPOSE

The purpose of this Agreement is to procure for the City of Ames and its citizens certain services and facilities as hereinafter described and set out; to establish the methods, procedures, terms and conditions governing payment by the City of Ames for such services; and, to establish other duties, responsibilities, terms and conditions mutually undertaken and agreed to by the parties hereto in consideration of the services to be performed and monies paid.

II SCOPE OF SERVICES

A. For an amount not to exceed **\$5,000**, the City agrees to purchase the Provider's services and facilities as generally described in the Provider's 2013/14 application. This description shall be made a part of this Agreement.

B. The Provider's application proposal is modified as described in the box below:

Funds awarded shall be used to purchase supplies, equipment, and services to develop activities and programs related to the Ames sesquicentennial. Expenditures and tasks for such activity and program development shall occur between July 1, 2013, and June 30, 2014.

III METHOD OF PAYMENT

A. All payments to be made by the City of Ames pursuant to this Agreement shall be reimbursement for actual costs incurred by Provider in providing services required by Section II above. Any alternate payment arrangements must be approved by the City Council.

B. The City will disburse payment monthly on requisition of Provider.

C. Requisitions for disbursement shall be made in such form and in accordance with such procedures as the Director of Finance for the City shall prescribe. Said form shall include but not be limited to an itemization of the nature and amount of costs for which reimbursement is requested, and must be filled out completely.

D. The maximum total amount payable by the City of Ames under this agreement is detailed in the SCOPE OF SERVICES (Part II of this contract), and no greater amount shall be paid.

E. All unobligated amounts disbursed to the Provider shall be repaid to the City as of the effective date of termination of this agreement. The Provider shall repay to the City any disbursed funds for which documentation of actual expenses is not provided.

F. The Provider shall requisition for funds no more frequently than once per month. If Provider wishes to request disbursement of funds on other than a monthly basis, the Provider must submit a request in writing to be approved by the City Manager's Office. Failure to request reimbursement in a timely manner shall be grounds for termination of this agreement. In no case will a disbursement request be accepted for reimbursement after July 31st of the following fiscal year.

IV FINANCIAL ACCOUNTING AND ADMINISTRATION

A. All monies disbursed under this Agreement shall be accounted for by the accrual method of accounting.

B. Monies disbursed to Provider by the City will be deposited by Provider in an account under the Provider's name. All checks drawn on the said account shall bear a memorandum line on which the drawer shall note the nature of the costs for which the check is drawn in payment, and the program(s) of service.

C. All costs for which reimbursement is claimed shall be supported by documentation evidencing in proper detail the nature and propriety of the charges. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

D. All records shall be maintained in accordance with procedures and requirements established by the City Finance Director, and the City Finance Director may, prior to any disbursement under this Agreement, conduct a pre-audit of record keeping and financial accounting procedures of the Provider for the purpose of determining changes and modifications necessary with respect to accounting for funds made available hereunder. All records and documents required by this Agreement shall be maintained for a period of three (3) years following final disbursement by the City.

E. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the use made of monies disbursed hereunder.

F. At any time during normal business hours, and as often as the City may deem necessary, there shall be made available to the City for examination all records with respect to all matters covered by this Agreement and Provider will permit the City to audit, examine, and make excerpts or transcripts from such records.

G. The Provider must submit a final report to the City within thirty (30) days of the submission of the final requisition for reimbursement or the concluding date of this contract, whichever is earlier. The final report shall describe, at minimum, the services and facilities provided under the contract, an accounting of the number of individuals to whom services or facilities were provided, and any supporting documentation to substantiate these descriptions. Failure to submit a final report as required may result in any funds awarded to the Provider through subsequent contracts being held in sequestration until the final report is complete.

**V
DURATION**

This Agreement shall be in full force and effect from and after July 22, 2014, until July 31, 2014. The City Council may terminate this Agreement by giving written notice to the Provider at least sixty (60) days before the effective date of such termination. From and after the effective date of termination, no further disbursement under this Agreement shall be made by the City. Any money disbursed to the Provider and unencumbered or unspent as of the effective date of termination, shall be repaid to the City.

**VI
DISCRIMINATION PROHIBITED**

In accordance with Chapter 14 of the Municipal Code, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

CITY OF AMES, IOWA

ATTEST:

BY _____
Ann Campbell, Mayor

Diane Voss, City Clerk

Organization Name

BY _____
Authorized Representative

COOPERATIVE AGREEMENT
Between Ames Human Relations Commission
&
IOWA CIVIL RIGHTS COMMISSION

1. **Definitions:** As used in this Cooperative Agreement the following terms are defined as follows:
 - a) "ICRC" means the Iowa Civil Rights Commission.
 - b) "Fiscal year 2014" runs from July 1, 2014 to June 30, 2015.
2. **Authority:** In order to effectuate the purposes of the "Iowa Civil Rights Act," (ICRA) the ICRC now enters into a Cooperative Agreement with the Ames Human Relations Commission. Iowa Code §216.19.
3. **Purpose:** Our purpose is to assist local agencies in resolving discrimination complaints and to reduce case backlogs without compromising quality or the integrity of the system. We have designed criteria to ensure an efficient, effective, and coordinated effort between the ICRC and local agencies.
4. **Scope:** Under this Cooperative Agreement, ICRC contracts with the Ames Human Relations Commission for the satisfactory intake and resolution of complaints whose allegations fall within the prohibitions of Iowa Code §§216.6, 216.7, 216.8, 216.8A, 216.9, 216.10 and 216.11.
5. **Period:** This Cooperative Agreement will run during Fiscal Year 2015. There is no commitment on the part of ICRC to contract with the Ames Human Relations Commission for the resolution of complaints after June 30, 2015.
6. **Total Amount:** The total amount ICRC can be required to spend, as aggregate compensation to all contracting local commissions for work performed under this agreement for Fiscal Year 15 is \$45,000 maximum. If insufficient funds exist for payment of all cases tendered for payment by the contracting Local Commissions, payment shall be allocated on a first-come first-served basis, according to the date of submission of the intakes or resolutions.
7. **Payment Date:** ICRC agrees to provide payment on a quarterly basis based upon satisfaction of the conditions established in this agreement. Payment will be provided for work performed and accepted under this Agreement by the ICRC. Payment will be provided only for cases that are determined by the ICRC to be jurisdictional under the ICRA and assuming the complaints are timely received by the ICRC. In the case of payment for intake services, ICRC accepts the work when ICRC opens the case file corresponding to the intake. Payment is conditioned upon execution of this contract which must be accomplished and returned to the ICRC no later than October 15, 2014. Agreements presented after that date will be rejected by the ICRC absent prior written approval for late submission by the Director of the ICRC.
8. **Payment Schedule***:**
 - (a) **Intakes** – See chart below for breakdown of reimbursement rates based on the timing of receipt of the complaint for housing and non-housing referrals to the ICRC. For purposes of the contract, intake is defined as receipt by the ICRC of a completed, signed, jurisdictional complaint in any area covered by the ICRA,

including housing, that are forwarded to the ICRC for processing and investigation. No payment will be made for non-housing intakes that are more than 60 days old or housing intakes that are more than 30 days old on the date received by the ICRC.

(b) Resolutions – See chart below for rate of payment based on time received. For purposes of the contract, resolution includes case closures resulting in Satisfactory Adjustments, Administrative Closures for reasons *other than* failure to cooperate or unable to locate, No Probable Cause Orders, Probable Cause Orders or closures after Public Hearings. In the case of administrative closures for failure to cooperate or failure to locate complainant, no reimbursement will be provided. Further, this clause does not apply to resolutions submitted by the local agency to the EEOC or HUD for contract credit or payment by the federal agencies in which case, the ICRC will provide no payment. Settlement agreements for cross filed EEOC cases **cannot include** a no rehire clause and **must** indicate in the agreement itself that the agreement was signed voluntarily. These are EEOC requirements that will not be waived by the EEOC and cannot be waived by the ICRC. Any agreements with language that includes the impermissible language will be rejected by the ICRC (and EEOC) and no payment will be made until the settlement agreements are revised accordingly.

(c) Jurisdictional – Any and all complaints submitted for credit and payment, must be jurisdictional including meeting the 300 day limit when the complaint **is received by the ICRC** and must be a claim under the Iowa Civil Rights Act.

9. **Maintenance of Effort:** Iowa Code §216.19(2) provides that a local government required to maintain a human rights agency shall structure and adequately fund the local human/civil rights agency in order to effect cooperative undertakings with ICRC and to aid in effectuating the purposes of the “Iowa Civil Rights Act.”

10. **Reports:** The local agency agrees to submit quarterly reports to ICRC listing each intake and resolution submitted for contract credit or payment under this Agreement. Quarterly Reports are due, as applicable, on **October 1, 2014** (for July 1 – September 30, 2014 activity); **January 2, 2015** (October 1 – December 31, 2014); **April 1, 2015** (for January 1 - March 31, 2015 activity), and **July 1, 2015** (for April 1 - June 30, 2015 activity). Payments under this contract will be made after the Quarterly Reports are completed and submitted to the ICRC. Failure to provide Quarterly reports within 30 days of due date will result in forfeiture of funds for the quarter for which the quarterly report is not timely filed. As a condition of final payment, the local commission must submit, and ICRC must have received, all cases no later than July 15, 2015. Cases submitted after July 15, 2015 will not be paid.

11. **Training.** ICRC and the local agency will cooperate in planning, sponsoring, and conducting necessary complaint processing training for staff and commissioners.

12. This contract recognizes the 300-day filing period for initial complaints, which is set out in Iowa Code Ch. 216 begins the day the complaint *is received by the ICRC*, not the day received by the local. Therefore, local commissions **are responsible for ensuring that cases are received by the ICRC within 300 days of the date of the last incident of discrimination**. The local agency agrees that complaints that are not received by the ICRC within the 300 day time limit **are not jurisdictional** on their face and **no payment will be made in that case**. To be considered received by the ICRC, the complaint must be physically received by the ICRC either through mail, fax, personal delivery or electronically, by 4:30 pm, Monday through Friday. Complaints received after 4:30 pm will be considered filed on the next business day.

13. **Closures.** Closure submissions must include the following closing documents from the local commission: Copies of closures notices sent to all parties by the local commission, copy of the local commission's findings/decision. *All closure documents including settlement agreements and withdrawals must include local and state case numbers, and when cross filed with EEOC, federal case numbers.*

Payment may be denied if closure papers or settlement agreements do not include case numbers, or if any case number is incorrect. ICRC may be required to obtain a full copy of the case file maintained by the local commission. The copies should be provided to ICRC at no cost and within two weeks of request.

If required by your local protocol, ordinance or practice, separate signature lines have been provided for your Mayor and Commission Chair.

Chairperson, Ames Human Relations Commission

Date

Mayor

Date

Director, Iowa Civil Rights Commission, Beth Townsend

Date

***The following summarizes the payment schedules.

Intake: (See definition for Intake below)	Complaint sent to ICRC for processing and investigation within 7 days (housing) or 30 days (non-housing) of initial filing date with local agency.	\$500 for housing cases; \$250 for non-housing cases
	Complaint sent to ICRC for processing and investigation greater than 7 days but less than 30 days (housing); 30 days but less than 60 days (non-housing) of initial filing date with local agency.	\$250 for housing cases; \$150 for non-housing cases
	Complaint sent to ICRC for processing and investigation greater than 30 days (housing) or 60 days (non-housing) of initial filing date with local agency.	\$0
Resolutions for Non-housing Cases: (See definition for Resolutions below)	Complaint Resolutions sent to ICRC for closure processing within 180 days of initial filing date with local agency.	\$325
	Complaint Resolutions sent to ICRC for closure processing greater than 180 days but less than 600 days of initial filing date with local agency.	\$200
	Complaint Resolutions sent to ICRC for closure processing greater than 600 days of initial filing date with local agency.	\$0

For the purpose of this contract the definition for the terms of payments are as follows:

“INTAKE”

A completed and signed complaint that meets the jurisdictional requirements of ICRA and forwarded to the ICRC for initial processing and investigation.

“RESOLUTIONS”

Case closures resulting in an administrative closure (except for failure to cooperate or locate Complainant); conciliated and settled cases; satisfactory adjustments; No Probable Cause Orders; Probable Cause Orders; and closures after Public Hearing.

COUNCIL ACTION FORM

SUBJECT: RENEWAL OF CONTRACT FOR WORKERS COMPENSATION AND MUNICIPAL FIRE AND POLICE SYSTEM CLAIMS ADMINISTRATION

BACKGROUND:

This request involves the contract with EMC Risk Services, LLC, of Des Moines, Iowa, for third party administration (TPA) of workers compensation and municipal fire and police “411 System” claims. The contract renewal period is for August 1, 2014 through July 31, 2015.

Services provided by EMC in this contract include workers compensation claims administration for City employees, including the police and fire employee groups, medical bill review, self-insured loss fund management, and pharmacy and medical expenses. EMC also performs regulatory filings and maintains on-line claims data that City staff can access.

Fees are based on a combination of per claim unit prices for administration and also percentages based on medical bill review invoice reductions. These fees, along with claims expenses, are charged to individual City departments.

The City's 2014/15 Budget anticipated the renewal cost to be \$60,500. The price quoted by EMC for 2014/15 is the same as the expiring agreement, written as a not to exceed contract amount of \$55,000. The average monthly expenses incurred for the 11 months ending June 30, 2014 are approximately \$4,300, which is approximately \$280 per month below the average included in the *not to exceed* \$55,000 amount.

EMC Fee Administration Charges, Expiring vs. New Contract
 (volume estimate basis 83 claims)

Fee Component	Fee Components Fiscal Year 2013-14	Fee Components Fiscal Year 2014-15	Change	FY 2013/14 Proposal	FY 2014/15 Proposal
Claim Set Up, Incident Only	\$35 per claim	\$35 per claim	0%	Included	Included
Claim Set Up, Medical Only	\$125 per claim	\$125 per claim	0%	Included	Included
Claim Set Up, Lost Time	\$950 per claim	\$950 per claim	0%	Included	Included
Medical Bill Review	\$9.50/claim 30% PPO Savings 30% Non-PPO Savings \$12,000 per claim cap	\$9.50/claim 30% PPO Savings 30% Non-PPO Savings \$12,000 per claim cap	0% 0% 0% 0%	Not to exceed \$55,000	Not to exceed \$55,000
Note:	Actual Claims Count = 81	Claims Count YTD = 72	Budget	\$55,000	\$60,500

ALTERNATIVES:

1. Approve the renewal contract with EMC Risk Services, LLC, Des Moines, Iowa, to provide third party administration of the City's workers compensation and municipal fire and police "411 System" claims for the period from August 1, 2014 through July 31, 2015 at a cost not to exceed \$55,000.
2. Reject the EMC renewal option and direct staff to seek other claims administration alternatives.

MANAGER'S RECOMMENDED ACTION:

EMC Risk Services, LLC, has been an effective provider of professionally administered Workers' Compensation claims and associated services. EMC has been responsive and sensitive to the needs of City employees in managing their injury and disability claims. The online claims data accessible to City staff provides a frequently utilized tool for analyzing injury types and safety programs.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the renewal contract with EMC Risk Services, LLC, Des Moines, Iowa, for third party administration of workers compensation and municipal fire and police "411 System" claims for the period from August 1, 2014, through July 31, 2015, at a cost not to exceed \$55,000.

COUNCIL ACTION FORM

SUBJECT: PUBLIC UTILITY EASEMENT VACATION – 4540 MORTENSEN ROAD

BACKGROUND:

The law firm representing the property owner at 4540 Mortensen Road has made a request to vacate the public utility easement currently running through the existing lot shown on Attachment A. The vacation is requested in order for the property owner to move forward with the process to develop the site.

Public Works staff received responses from all registered right-of-way users as to the extent of utilities in this immediate area, including any intention to utilize the existing easement. All have responded that they do not have facilities in the existing easement, and will place any needed future utilities within the new easements. These new easements, if necessary, will be defined during the site plan review process.

ALTERNATIVES:

1. Set August 12, 2014, as the date of public hearing for the proposed vacation of the existing public utility easement at 4540 Mortensen Road.
2. Direct staff to pursue other options.

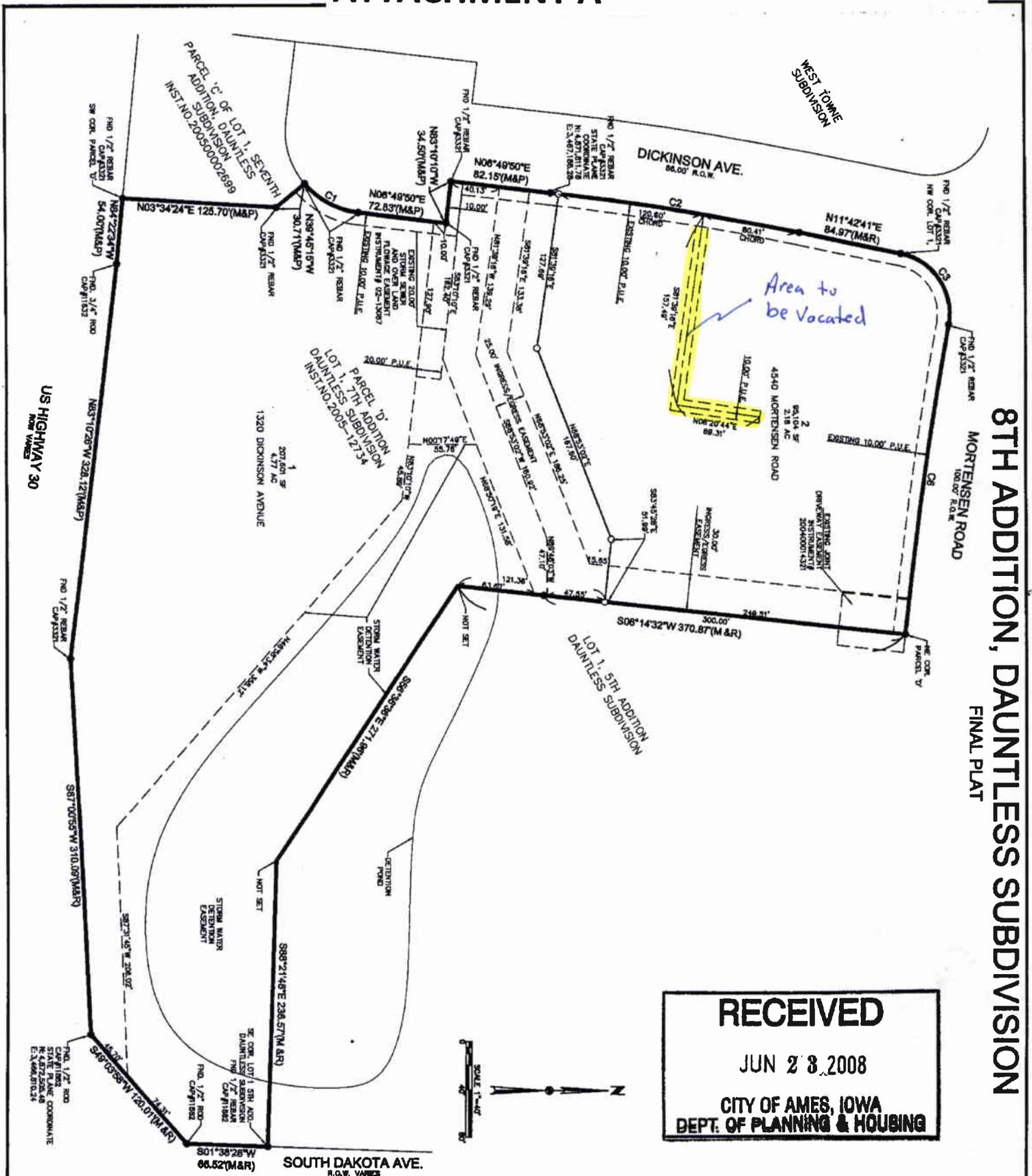
MANAGER'S RECOMMENDED ACTION:

By moving forward with the process to approve the vacation of the easement, Council will meet this property owner's need to move forward with development of their existing site. The property owner will provide any new easements that better fit the site at no charge to the City, should they be determined to be necessary during the City's site plan approval process.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting August 12, 2014, as the date of public hearing for the proposed vacation of the existing public utility easement at 4540 Mortensen Road.

Instrument: 2008-00007779
 Date: Jul 11, 2008 12:54:33P
 Rec Fee: .00 E-Com Fee: .00
 Aud Fee: .00 Trans Tax: .00
 Rec Management Fee: .00
 Non-Standard Page Fee: .00
 Filed for record in Story County, Iowa
 Susan L. Vande Kamp, County Recorder

ATTACHMENT A



8TH ADDITION, DAUNTLESS SUBDIVISION
 FINAL PLAT

RECEIVED
 JUN 23 2008
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING

PLAT DESCRIPTION:

PARCELS 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 2M, 2N, 2O, 2P, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 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18F, 18G, 18H, 18I, 18J, 18K, 18L, 18M, 18N, 18O, 18P, 18Q, 18R, 18S, 18T, 18U, 18V, 18W, 18X, 18Y, 18Z, 19A, 19B, 19C, 19D, 19E, 19F, 19G, 19H, 19I, 19J, 19K, 19L, 19M, 19N, 19O, 19P, 19Q, 19R, 19S, 19T, 19U, 19V, 19W, 19X, 19Y, 19Z, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 20K, 20L, 20M, 20N, 20O, 20P, 20Q, 20R, 20S, 20T, 20U, 20V, 20W, 20X, 20Y, 20Z, 21A, 21B, 21C, 21D, 21E, 21F, 21G, 21H, 21I, 21J, 21K, 21L, 21M, 21N, 21O, 21P, 21Q, 21R, 21S, 21T, 21U, 21V, 21W, 21X, 21Y, 21Z, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, 22M, 22N, 22O, 22P, 22Q, 22R, 22S, 22T, 22U, 22V, 22W, 22X, 22Y, 22Z, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 23H, 23I, 23J, 23K, 23L, 23M, 23N, 23O, 23P, 23Q, 23R, 23S, 23T, 23U, 23V, 23W, 23X, 23Y, 23Z, 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 24S, 24T, 24U, 24V, 24W, 24X, 24Y, 24Z, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 25I, 25J, 25K, 25L, 25M, 25N, 25O, 25P, 25Q, 25R, 25S, 25T, 25U, 25V, 25W, 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ITEM # 16
DATE: 7-22-14

COUNCIL ACTION FORM

**SUBJECT: REVISED MAIN STREET CULTURAL DISTRICT REQUESTS FOR
“MUSICWALK”**

BACKGROUND:

The Main Street Cultural District (MSCD) planned to host its annual “MusicWalk” event on Thursday, June 19. The City Council approved the MusicWalk requests at its meeting on May 13, 2014. Unfortunately, inclement weather precluded the event from taking place in June. MSCD has proposed rescheduling the event for Thursday, September 11. With the exception of the date, the closures and requests remain the same as in the original request to the City Council (original request letter attached).

In addition to the traditional arrangements for MusicWalk, the District will be working with Downtown food establishments to set up outdoor seating areas inside metered parking stalls adjacent to the establishments. MSCD staff makes the following requests of the City Council to help facilitate the MusicWalk festivities:

- a. Blanket Temporary Obstruction Permit for MSCD sidewalks and Blanket Vending License for MSCD from 3:00 p.m. to 10:00 p.m.
- b. Waiver of fee for Blanket Vending License
- c. Usage of electricity and waiver of costs from 3:00 to 9:00 p.m.
- d. Waiver of parking meter fees and enforcement in the MSCD from 3:00 to 6:00 p.m., with a loss of approximately \$300 to the Parking Fund
- e. Closure of up to 30 parking spaces along Main Street for outdoor seating areas from approximately 12:00 p.m. to 10:00 p.m., with a loss of approximately \$18 to the Parking Fund

A noise permit will be obtained from the Police Department as needed for planned entertainment. No alcohol service or consumption will be permitted in the temporary sidewalk cafes.

ALTERNATIVES:

1. The City Council may approve the “MusicWalk” requests as submitted by the Main Street Cultural District.
2. The City Council may deny these requests.

MANAGER'S RECOMMENDED ACTION:

This event provides our citizens with another opportunity to enjoy family-oriented outdoor activities. Because of the City Council’s goal of enhancing commercial development in the Downtown, this type of special event should be facilitated.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the “MusicWalk” requests as submitted by the MSCD.



May 1, 2014

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

Dear Honorable Mayor Campbell and City Council:

The Main Street Cultural District is planning to hold its annual MusicWalk celebration on Thursday, June 19th from 5pm to 10pm. The event will showcase more than 30 musicians playing at businesses throughout the district. At this time, MSCD requests the Council to consider these specific requests:

1. The MSCD requests a temporary obstruction permit for the entire Central Business District (CBD) to allow businesses to use the sidewalk in front of their stores to allow musicians to play and display merchandise. MSCD requests the permit for June 19th between the hours of 3pm and 10pm.
2. The MSCD requests a Blanket Vending Permit for the entire CBD to allow musicians, businesses, and food vendors to sell products. MSCD requests the permit for June 19th between the hours of 3pm and 10pm and further request the vending permit fee be waived.
3. The MSCD plans to use Tom Evans Plaza on June 19th between the hours of 3pm and 9pm for information tables, kids activities, and possible live entertainment. MSCD requests the use of electricity in Tom Evans Plaza and requests a waiver for electricity costs for outlets in the Park and other outlets in the Downtown area if necessary.
4. The MSCD requests a district wide waiver of parking fees beginning from 3pm through 6pm on June 19th to help attract additional patrons downtown.
5. The MSCD requests the use of up to thirty parking spaces along Main Street for "sidewalk cafes" to take place in the parking stalls parallel to the participating business.

Thank you for your consideration of these requests and continued support of the Main Street Cultural District. We look forward to seeing you on June 19th at the MusicWalk.

Sincerely,

A handwritten signature in black ink that reads "Emily Miller". The signature is written in a cursive style with a large, looped "E" and a long, sweeping "y".

Emily Miller
Event Coordinator
Main Street Cultural District

Cc: Emily Burton

304 Main Street, Ste 201, Ames, IA 50010 | 515.233.3472 | AmesDowntown.org

COUNCIL ACTION FORM

SUBJECT: MAIN STREET CULTURAL DISTRICT REQUEST FOR FOODIES AND BREW

BACKGROUND:

The Main Street Cultural District (MSCD) plans to host a new event on Friday, August 15, called "Foodies and Brew." The event is intended to offer attendees a variety of local restaurant food sampling and tasting of craft beers from around Iowa, along with live entertainment on the street. To facilitate this event, MSCD has requested the following approvals:

- Closure of Douglas Avenue from Main Street to 6th Street from 3:00 p.m. to 11:00 p.m. on August 15 (approximately \$10 loss to the Parking Fund)
- A temporary obstruction permit for the 400 and 500 blocks of Douglas Avenue
- A blanket vending license for the 400 block of Douglas Avenue (\$50 payable to the City Clerk's Office)
- Approval of a Class B Beer Permit and Outdoor Service Privilege
- Waiver of fees for the blanket vending permit and parking

Organizers have indicated that they will limit the event to the 400 block of Douglas Avenue if possible; and that the 500 block of Douglas will only be closed if needed.

Staff should note that the Library has planned activities this same week as part of its return to the 515 Douglas building. Library staff has been consulted regarding Foodies and Brew and has indicated that it does not present a conflict with the Library's plans.

ALTERNATIVES:

1. Approve the requests of MSCD as stated above, including the waiver of fees.
2. Approve the requests for closures and permits, but require reimbursement for the lost parking revenue (\$10) and the cost of the vending license (\$50).
3. Do not approve the event.

MANAGER'S RECOMMENDED ACTION:

This event is an opportunity to showcase Ames restaurants and attract people to the Downtown area. The event conforms to the City Council goal to strengthen Downtown and Campustown. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.



July 15, 2014, 2014

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

Dear Honorable Mayor Campbell and City Council,

The Main Street Cultural District is organizing a new event this year called Foodies and Brew, to take place on Friday, August 15. The event will feature brews from 9 Iowa craft breweries and food samples from various Ames eateries. We aim to attract young professionals and responsible community members that enjoy food and drink opportunities. At this time, MSCD requests the commission to consider the following requests:

1. The MSCD requests the closure of Douglas Ave from Main Street to 6th St. from 3:00pm-12:00am with the use of barricades on either end of Douglas.
2. The MSCD requests a temporary obstruction permit for the 400 and 500 block of Douglas Ave from 3:00pm-12:00am.
3. The MSCD requests a Blanket Vending Permit for the 400 Block of Douglas to allow Ames restaurants to contribute to our event by offering samples of their cuisine between the hours of 6:30 and 8:30pm.
4. The MSCD requests music to be played on a small stage from 6:30pm-11:00pm within the allowed decibels.
5. The MSCD requests that alcohol be permitted strictly within the fenced area of the event. This is a 21+ event, with the only entry/exit points staffed with trained ID checkers. There will be no possibility of alcohol exiting the event area.
6. The MSCD requests the fees be waived. The income of this event will be to cover the costs of the event, with any leftover profit to be used as a fundraiser for the Main Street Cultural District to fund beautification and growth of the downtown business district.

Thank you for your consideration of these requests and continued support of the Main Street Cultural District.

Sincerely,

A handwritten signature in black ink that reads "Emily Miller". The signature is written in a cursive style.

Emily Miller
Events Coordinator
Main Street Cultural District

COUNCIL ACTION FORM

SUBJECT: CAMPUSTOWN ACTION ASSOCIATION REQUESTS FOR “FRIDAY AFTERNOON CELEBRATION”

BACKGROUND:

The Campustown Action Association (CAA) plans to host the third annual Friday Afternoon Celebration (FAC) in Campustown on August 29, 2014. Organizers propose to host a beer garden and live band in Welch Lot T from 5:00 to 9:00 p.m. The purpose of the event is to bring ISU alumni who are in Ames for the first home football game into the Campustown business district.

In order to facilitate this event, organizers are requesting the closure of Welch Lot T from 12:00 to 11:00 p.m. on August 29, including a waiver of parking meter fees and enforcement. Lost revenue would equate to approximately \$57. CAA is also requesting a Blanket Vending License and waiver of fee for the license (\$50), and a Blanket Temporary Obstruction Permit for the area.

CAA also requests approval of a Class B Beer Permit with Outdoor Service to provide alcoholic beverage service at the beer garden.

Public Works will provide barricades for the event. Organizers will obtain a noise permit through the Police Department. In the previous two iterations of this event, the Police Department required the hiring of one police officer to monitor the event. Due to the success of the safety planning the past two years, the Police Department will not require an officer to be hired this year.

The Ames Chamber of Commerce is providing liability insurance coverage for this event, as the CAA is an affiliate organization of the Chamber.

ALTERNATIVES:

1. Approve the requests for the Friday Afternoon Celebration on August 29, 2014, as requested by the Campustown Action Association.
2. Approve requests for lot closure and blanket permits, but require CAA to pay the \$50 Vending License fee and reimburse the City for lost revenue to the Parking Fund.
3. Deny the requests.

MANAGER'S RECOMMENDED ACTION:

The 2012 and 2013 FAC events, held during ISU Homecoming weekend, went well with no reports of any major issues. City staff and the Association will continue to closely monitor the success of the event, and to note any corrective actions which may be needed in future years. It is to the benefit of the entire community that the CAA is successful in promoting the Campustown area.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests as stated by the CAA for Friday Afternoon Celebration on August 29, 2014.



campustown
action
association

July 14, 2014

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

Dear Honorable Mayor Campbell and City Council,

The Campustown Action Association is planning to hold our third annual Friday Afternoon in Campustown event to coincide with the start of the 2014 ISU football season on Friday, August 29 from 5pm to 9pm. The purpose of this event is to bring Iowa State fans and alumni to Campustown and bring in a more diverse mix of customers to our business district. At this time, CAA requests the Council to consider these specific requests:

1. CAA requests the closure of Welch Lot T on August 29 between 12pm and 11pm to host the Friday Afternoon in Campustown celebration.
2. CAA requests a Blanket Temporary Obstruction Permit for the same space (Welch Lot T) to enclose part of the sidewalks and the parking lot with double fencing to host the beer garden and event space. CAA requests the permit for August 29 between the hours of 12pm and 9pm. Set up for fencing will begin at 12pm after the parking lot closure.
3. CAA requests a Blanket Vending License for various food and retail vendors within the beer garden, and further request that the fee for the license be waived.
4. CAA requests the use of all metered parking spaces within the confines of the beer garden in Welch Lot T to place the music stage, beer tent, tables, and guests. CAA further requests that the parking lot fees be waived.

Matthew Goodman, owner of Battles Barbeque has agreed to apply for a Class B Beer Permit with Outdoor Service to provide alcoholic beverage service for the event. The CAA is supportive of the application and asks that the City Council also approve the application.

Thank you for your consideration of these requests and continued support of the Campustown Action Association. We thank you for your support in the 2012 and 2013 FACs and your assistance in making these events a success. Please save the date to attend on August 29, 2014.

Sincerely,

Kim Hanna
Director, Campustown Action Association



Memo

City Manager's Office

TO: Mayor and City Council

FROM: Diane Voss

DATE: July 18, 2014

SUBJECT: Item No. 19

The Council Action Form (CAF) pertaining to the WPC Digester Improvements Project is still being worked on at the time of the posting of the agenda packet. The CAF will be sent to you on Monday.

Thank you.

/drv

COUNCIL ACTION FORM

**SUBJECT: APPROVAL OF PRELIMINARY PLANS AND SPECIFICATIONS –
CITY HALL RENOVATION PHASE 2 PROJECT**

BACKGROUND:

After nearly twenty years in the “new” City Hall, several years ago City staff conducted a City Hall space needs and space re-utilization study. The results of the study indicated that, in addition to several small changes, renovating and remodeling of the basement and Police Department spaces would address the greatest space needs in the building. The most significant benefits included the following:

1. Space on the first floor of the building could be renovated to improve the efficiency of the Police Department and provide an adequately sized Emergency Operations Center for use during local disasters and emergencies.
2. Space in the basement could be renovated in a way that would allow the City’s Information Technology Division to move into City Hall after years of occupying rented space outside of City Hall. Basement space being used by other City functions could also be updated, and concerns over air circulation and moisture could be addressed.

In 2011 the City began a project to renovate portions of the first floor and the basement of City Hall. After two failed attempts at bidding the project, it was recognized that the project could not be completed as originally designed. As a result, the City went through a significant amount of project restructuring which primarily consisted of dividing it into two phases. Phase 1 would remodel the majority of the space occupied by the Police Department on the first floor. City Council may recall that Phase 1 was successfully completed in November 2013.

After the completion of Phase 1, Walker Coen Lorentzen Architects of Des Moines, Iowa was hired for analysis, design, drawing development, specification development, construction contract preparation, and providing detailed cost estimates for the Phase 2 project.

The architects have now completed their design work. This request is for City Council to approve the preliminary plans and specifications for the City Hall Renovation Phase 2 project. Phase 2 of the project is to improve the basement of City Hall and complete the renovations on the first floor. The departments affected by the renovation in Phase 2 are the Police Department, Public Works Engineering, and Finance (Information Technology and Print Shop).

Budgeted funds available for the City Hall Renovation Phase 2 project and current cost estimates are shown in the tables below. Estimated costs are slightly more than the budgeted amount, but are in a range where staff expects that adequate funding could be identified from existing balances to proceed with the project, if needed. The primary source of funding for this project is unobligated carryover funding from the General Fund.

Budgeted Funds	
Carryover from Phase 1 Project	\$1,078,591
Carryover from Space Needs Project	\$ 25,000
	\$1,103,591

Estimated Expenses	
Construction Estimate	\$894,000
Alternate #1 Additional Carpet	\$ 11,600
Construction Contingency	\$ 67,000
Architectural Fees	\$ 91,000
Construction Observation from ISU	\$ 15,000
Furniture	\$ 25,000
Environmental Study/Temporary Space Mods	\$ 2,000
	\$1,105,600

The project will include an add alternate to replace the carpet in the public corridors on the remainder of the first floor, which would provide a consistency to the main floor of City Hall. This work is included in the current cost estimates above.

Upon City Council approval and receipt of favorable bids, the work would begin in early October, 2014, with final completion no later than July 31, 2015.

Extensive efforts have been put into this project by staff from Facilities, Police, Finance, Public Works, and the City Manager’s Office, and have been buoyed by construction advisory services from ISU Facilities Planning & Management (FP&M) to create these new spaces. All City staff members directly affected by this project were involved in reviewing the spaces and identifying the features and options required to perform their respective services.

ALTERNATIVES:

1. Approve the preliminary plans and specifications for the City Hall Renovation Phase 2 project and set August 27, 2014, as the bid due date and September 9, 2014, as the date for public hearing and award of contract.
2. Do not move forward with the project at this time.

MANAGER'S RECOMMENDED ACTION:

This project will improve the basement in City Hall and complete the Police Department renovations on the first floor, thereby better utilizing the existing space in City Hall. This would include moving the IT staff to the City Hall prior to the expiration of its current space lease in September 2015. Council has previously budgeted \$1,080,000 for this project, which hopefully will be adequate to perform the needed work.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the preliminary plans and specifications for the City Hall Renovation Phase 2 project and setting August 27, 2014, as the bid due date and September 9, 2014, as the date for public hearing and award of contract.

COUNCIL ACTION FORM

SUBJECT: POWER PLANT FIRE PROTECTION SYSTEM – PRELIMINARY PLANS AND SPECIFICATIONS FOR GT2 CONTROL ROOM AND SHOP PREACTION SPRINKLER SYSTEM AND FIRE ALARM UPGRADE

BACKGROUND:

The City's insurance carrier has made several loss prevention recommendations in the area of fire suppression for the Power Plant and at our gas turbine site in east Ames.

This specific project is to hire a contractor to furnish all labor, materials, and equipment for a fully operating fire protection system (including automatic sprinkler systems and fire alarm systems) in the Gas Turbine No. 2 control room and shop area to become fully compliant with the applicable NFPA standards and all other codes, regulations and laws applicable to the work.

The engineer's estimate of this project is \$94,000.

Funding is available from the FY13/14 Capital Improvements Plan in the Power Plant Fire Protection System Project. There is currently \$872,534 remaining in the Final Budget Amendments from the FY13/14 budget cycle for fire suppression projects at all power generation sites. This funding will be carried over to the FY14/15 budget to cover this project.

ALTERNATIVES:

1. Approve the preliminary plans and specifications for the GT2 Control Room and Shop Preacton Sprinkler System and Fire Alarm Upgrade and set August 27, 2014, as the bid due date and September 9, 2014, as the date of public hearing and award of contract.
2. Delay the upgrades, which could increase the risk of extensive damage in the Power Plant if there is a serious fire.

MANAGER'S RECOMMENDED ACTION:

A serious fire in any one of the City's electric generation systems could force the outage of Unit #7, Unit #8, or one of our gas turbines. Replacement power during an extended period of time can be very expensive.

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

COUNCIL ACTION FORM

**SUBJECT: LIBRARY RENOVATION AND EXPANSION PROJECT
CHANGE ORDER NO. 16 WITH A&P/SAMUELS GROUP**

BACKGROUND:

The City Council is being asked to approve Change Order #16 with A&P/The Samuels Group for the Library Renovation and Expansion Project. While this change order will only result in a total increase of \$19,222 in the contract sum, the absolute value of all additions and deletions since the Council's last contract review exceeds \$50,000. The following items are included in Change Order No. 16:

- 1) Add \$13,417 for additional electrical work associated with motorized shades;
- 2) Add \$492 for audio-video equipment revisions in second-floor meeting rooms;
- 3) Add \$416 for additional corner guards and picture rail;
- 4) Add \$6,173 for code-required venting for the oil tank in Elevator 2.
- 5) Deduct \$1,276 for elimination of solid surfacing material for a soffit in Youth Services.

A summary of The Samuels Group's contract cost history appears below.

Original Contract Sum	\$ 12,543,350
Net changes authorized by Change Orders #1-15	\$ 543,905
Contract Sum after processing Change Order #15	\$ 13,087,255
Contract Sum increase by approval of Change Order #16	\$ 19,222
New Contract Sum including Change Order #16	\$ 13,106,477

After processing Change Order #15, the allowance reserved for potential change orders was \$456,095. With approval of Change Order #16, the Samuels Group's change order allowance will be \$436,873. The Library Board's Building Project Committee has reviewed these requests and recommends that the City Council approve Change Order #16, which will result in a net increase of \$19,222 in the Samuels Group contract.

ALTERNATIVES:

1. Approve Change Order #16 with A&P/Samuels Group, A Joint Venture, for additional electrical work, audio-video equipment, corner guards, picture rail, and elevator oil tank venting, and for deletion of solid surfacing material for a soffit in the Youth Services area, all for a net increase in the contract sum of \$19,222.
2. Do not approve Change Order #16.

MANAGER'S RECOMMENDED ACTION:

Change Order #16 requests revisions to The Samuels Group's scope of work that are indicated as the library's interior nears completion. After approval of the requested changes, \$436,873 will remain in the change order allowance established for the general contractor by the Library Board.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Change Order #16 for the Library Renovation and Expansion Project with A&P/Samuels Group, A Joint Venture, for a net increase in the contract sum of \$19,222.



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: July 18, 2014

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 23. Council approval of the contract and bond for this project is simply fulfilling a *Code of Iowa* requirement.

/jr

COUNCIL ACTION FORM

SUBJECT: 2013/14 COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC FACILITIES NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS (SOUTH MAPLE AVENUE)

BACKGROUND:

The Neighborhood Infrastructure Improvements Program focuses on areas of the City with targeted low- and moderate-income census tracts. The program objective is to replace and/or repair curbs, driveway approaches, sidewalks, and/or street resurfacing in areas that have deteriorated and are causing premature pavement failure. The overall goal of the program is to preserve and enhance the viability and aesthetics of our existing core neighborhoods.

This specific project was part of the 2013/14 Community Development Block Grant (CDBG) Annual Action Plan. It involved reconstruction of the existing roadway on South Maple Avenue from South 4th Street to approximately 125' south of South 2nd Street. This area is in a targeted census tract where at least 51 percent of the residents have income at or below 80 percent of the Story County median income limits.

On August 27, 2013, City Council awarded this project to Con-Struct, Inc., of Ames, Iowa, in the amount of \$367,803.20. The first change order, in the amount of \$40,833.10, was administratively approved by staff. That change order extended the project limits to include the reconstruction of South Maple up to just south of the South 2nd Street intersection due to favorable costs during the initial bid phase.

The second change order **(this Council action)** will be the balancing change order for the project, and is in the amount of \$33,487.96. Major items in this change order include replacement of an additional storm sewer manhole, additional vegetative restoration along the corridor, and balancing of the actual field-installed quantities.

Construction was completed in the amount of \$442,124.26. The project was financed with \$450,000 in CDBG funds along with \$30,000 from the 2013/14 Water System Improvements Program to cover the water main costs, bringing total available construction funding to \$480,000.

Engineering and contract administration costs totaled \$56,000. However, those costs are ineligible for CDBG funding and will be financed by unobligated G.O. bond funds.

ALTERNATIVES:

- 1a. Approve Change Order No. 2 (balancing) for the 2013/14 CDBG Public Facilities Neighborhood Infrastructure Improvements Program – South Maple Avenue (South 4th Street to approximately 125’ south of South 2nd Street) in the amount of \$33,487.96.
 - b. Accept the 2013/14 CDBG Public Facilities Neighborhood Infrastructure Improvements Program – South Maple Avenue (South 4th Street to approximately 125’ south of South 2nd Street) as completed by Con-Struct, Inc., of Ames, Iowa, in the amount of \$442,174.26.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

The project has now been completed in accordance with approved plans and specifications, and is within the approved budget.

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

COUNCIL ACTION FORM

SUBJECT: **REQUEST FOR DEFERRAL OF A PORTION OF THE PUBLIC
SIDEWALK AT 712 S. 16TH STREET**

BACKGROUND:

Staff has received a request to defer the construction of a portion of the public sidewalk along the frontage of the Copper Beech apartment project at 712 S. 16th Street. (See map on Attachment 1.) **The request encompasses two sidewalk segments with ramps for crossing of the site driveway. Sidewalk for the remaining full frontage of the site, including crossing of South 16th Street, will be constructed with the project.**

Copper Beech is a multi-family residential apartment development located between Creekside Mobile Home Park and Pheasant Run Apartments along the south side of South 16th Street. The Site Development Plan approved for the site showed a public sidewalk running the full frontage of the lot (See Attachment 2). Currently there are no public sidewalks along the south side of South 16th Street, except on the Aspen Business Park property 500 feet further east on South 16th Street. The property owner has agreed to install the public sidewalk from the west property line to the west side of the site's access drive, where a sidewalk crossing is being installed to the north side of South 16th Street for access to CyRide. The request for deferral is only for the access ramps, approximately 20 linear feet, from the west and east side of the drive to the east property line (See Attachment 3).

The applicant articulated the following reasons for this request:

- 1) There is no connection to existing sidewalk abutting the subject lot to the east to make a connection with any new sidewalk.
- 2) The sidewalk access to the north side of South 16th Street is located on the west side of the driveway, so the portion of the sidewalk requested for deferral does not affect access to CyRide or pedestrian access to the site.

The applicant has requested that the sidewalk be deferred until such time as the sidewalk is installed east of the subject site. Staff would suggest, if Council agrees to the deferral request, that the approval be conditioned that the City have authority to require installation of the sidewalk at such time as a sidewalk is extended to the east property line or if intersection improvements are made to the South 16th and South Grand Avenue intersection.

Deferrals are commonly part of a subdivision improvement approval as described in Section 23.403 (14)(a)(i) of the Municipal Code. In this instance, the request is not part

of a final plat but is part of a Minor Site Plan approval. While not a subdivision issue, the criteria are relevant to this situation and provide a guide to the Council's determination.

Deferrals may be granted by Council when topographic conditions exist that make the sidewalk installation difficult or when the installation of the sidewalk is premature. Where the installation of a sidewalk is deferred by the City Council, an agreement will be executed between the property owner/developer and the City that ensures the future installation of the sidewalk. The deferment agreement will be accompanied by a cash escrow, letter of credit, or other form of acceptable financial security to cover the cost of the installation of the sidewalk.

ALTERNATIVES:

1. The City Council can approve deferral of installation of the portion of the sidewalk east of the driveway to the Copper Beech development located at 712 S. 16th Street and direct staff to draft a deferral agreement subject to the following condition: **That the sidewalk and ramps be installed at such time as are determined appropriate by the City for the sidewalk connection to the east property line or when improvements are made to the intersection of South 16th Street and South Grand Avenue requiring the need to complete the pedestrian crossing.** Under this alternative, the deferment agreement will be accompanied by a cash escrow, letter of credit, or other form of acceptable financial security to cover the cost of the installation of the sidewalk.
2. The City Council can approve the request to defer installation of the portion of the sidewalk for the Copper Beech development located at 712 S. 16th Street and direct staff to draft an agreement, **without conditions or with alternative conditions.**
3. The City Council can **deny** the request to defer installation of the portion of the sidewalk for the Copper Beech development located at 712 S. 16th Street.
4. The City Council can refer this request back to staff for additional information.

MANAGER'S RECOMMENED ACTION:

The property owner has emphasized that installation of this segment is premature. The site in question is in an area where no sidewalks exist along the south side of South 16th Street, except for Aspen Business Park, and that they are not requesting a full deferral of sidewalk installation, just deferral of the access ramps and connection to the east property line at this time as there is not a need for sidewalk connection to the east. The property owner has agreed to provide the sidewalk along their frontage and a pedestrian crossing to the north side of South 16th Street prior to final occupancy of the development.

In this case, it appears that deferral of the two sidewalk ramps would not hinder pedestrian circulation. However, it is suggested that at such time as the sidewalk

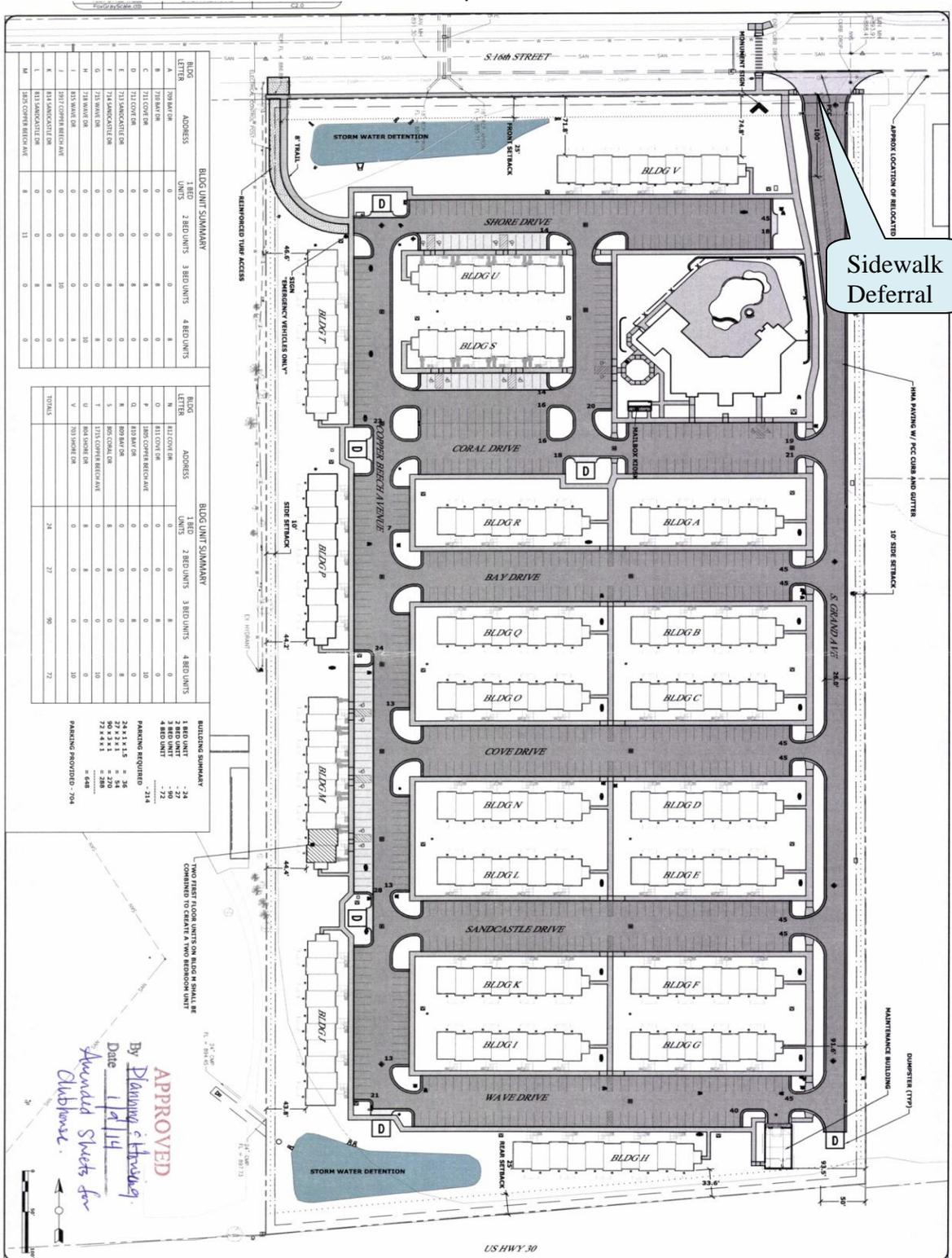
connection is needed, that the city have the authority to require that the sidewalk connection be installed. **Therefore, it is the City Manager's recommendation that Council approve Alternative #1, thereby granting the deferral for the installation of a portion of the public sidewalk and access ramps at 712 S. 16th Street in accordance with the conditions stated above.**

**Attachment 1
Location Map**



**Location Map
712 S. 16th Street
Copper Beech Development**

Attachment 2 Site Development Plan



BLDG UNIT SUMMARY									
BLDG LETTER	ADDRESS	UNITS	2 BED UNITS	3 BED UNITS	4 BED UNITS	5 BED UNITS	6 BED UNITS	7 BED UNITS	8 BED UNITS
A	709 BAY DR	0	0	0	0	0	0	0	0
B	709 BAY DR	0	0	0	0	0	0	0	0
C	713 COVE DR	0	0	0	0	0	0	0	0
D	713 COVE DR	0	0	0	0	0	0	0	0
E	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
F	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
G	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
H	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
I	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
J	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
K	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
L	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
M	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
N	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
O	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
P	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
Q	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
R	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
S	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
T	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
U	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
V	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
W	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
X	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
Y	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
Z	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
TOTALS		24	27	90	72				

BLDG UNIT SUMMARY									
BLDG LETTER	ADDRESS	UNITS	2 BED UNITS	3 BED UNITS	4 BED UNITS	5 BED UNITS	6 BED UNITS	7 BED UNITS	8 BED UNITS
A	709 BAY DR	0	0	0	0	0	0	0	0
B	709 BAY DR	0	0	0	0	0	0	0	0
C	713 COVE DR	0	0	0	0	0	0	0	0
D	713 COVE DR	0	0	0	0	0	0	0	0
E	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
F	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
G	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
H	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
I	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
J	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
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W	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
X	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
Y	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
Z	713 SANDCASTLE DR	0	0	0	0	0	0	0	0
TOTALS		24	27	90	72				

BUILDING SUMMARY			
BLDG LETTER	ADDRESS	UNITS	2 BED UNITS
A	709 BAY DR	0	0
B	709 BAY DR	0	0
C	713 COVE DR	0	0
D	713 COVE DR	0	0
E	713 SANDCASTLE DR	0	0
F	713 SANDCASTLE DR	0	0
G	713 SANDCASTLE DR	0	0
H	713 SANDCASTLE DR	0	0
I	713 SANDCASTLE DR	0	0
J	713 SANDCASTLE DR	0	0
K	713 SANDCASTLE DR	0	0
L	713 SANDCASTLE DR	0	0
M	713 SANDCASTLE DR	0	0
N	713 SANDCASTLE DR	0	0
O	713 SANDCASTLE DR	0	0
P	713 SANDCASTLE DR	0	0
Q	713 SANDCASTLE DR	0	0
R	713 SANDCASTLE DR	0	0
S	713 SANDCASTLE DR	0	0
T	713 SANDCASTLE DR	0	0
U	713 SANDCASTLE DR	0	0
V	713 SANDCASTLE DR	0	0
W	713 SANDCASTLE DR	0	0
X	713 SANDCASTLE DR	0	0
Y	713 SANDCASTLE DR	0	0
Z	713 SANDCASTLE DR	0	0
TOTALS		24	27

PARKING PROVIDED: -214
 PARKING REQUIRED: -214
 1 BED UNIT - 24
 2 BED UNIT - 27
 3 BED UNIT - 90
 4 BED UNIT - 72

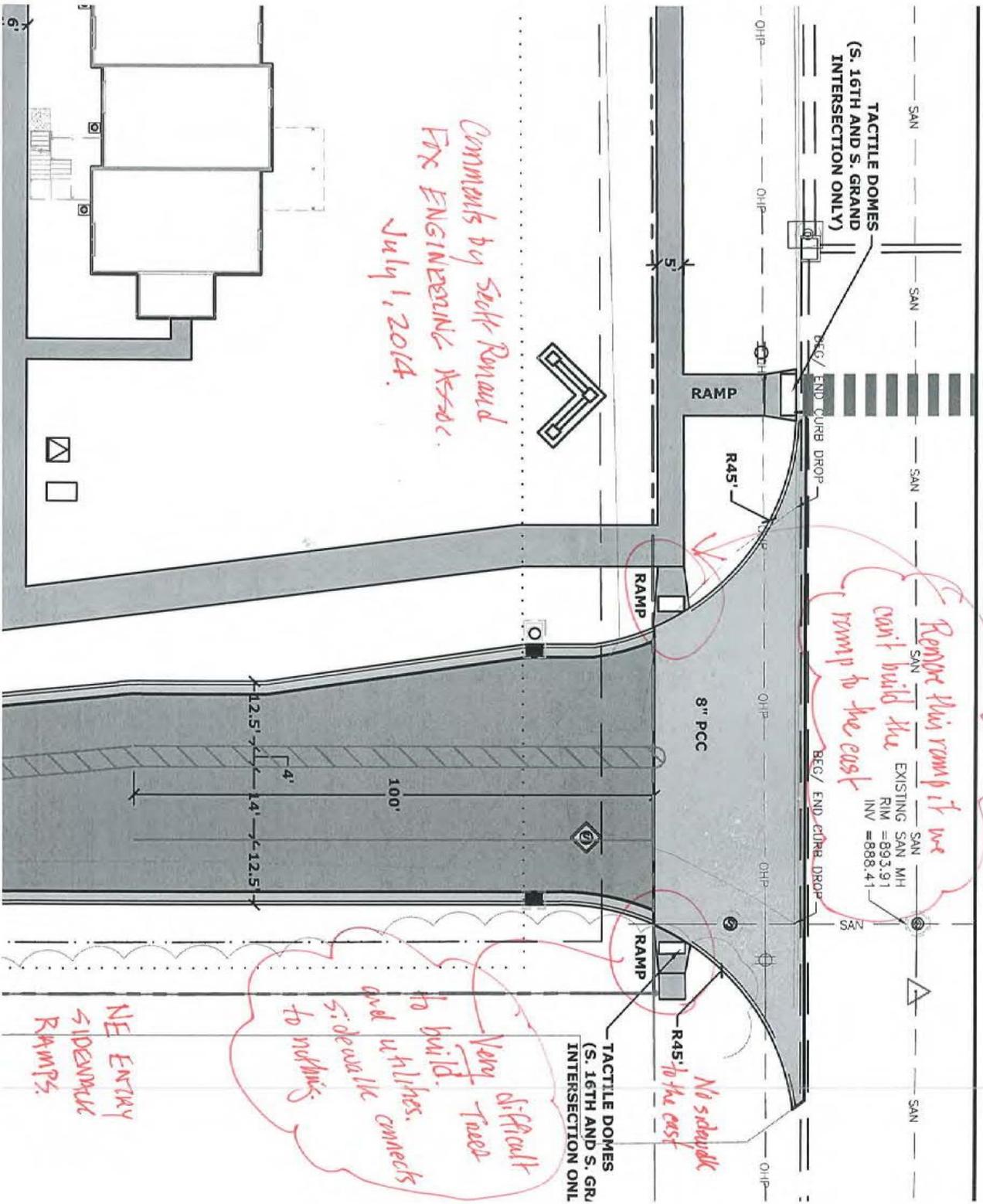
APPROVED
 By *Planning & Housing*
 Date *10/1/14*
Approved Streets for Clubhouse

OVERALL SIT LAYOUT & DIMENSIONING PLAN
 CORNER BEACH AT AMES
 5. 16TH AND GRAND AVE
 AMES, IA

FOX engineering
 FOX Engineering Associates, Inc.
 414 South 17th Street, Suite 107
 Ames, Iowa 50010
 Phone: (515) 233-0000
 FAX: (515) 233-0103

DATE	REVISION	BY	DATE
09/18/13	AS PER DRC COMMENTS 08-12-13	DESIGNED	SLK 01/14
		DRAWN	ERS 01/14
		CHECKED	
		LAST UPDATE:	12/09/13

Attachment 3
Sidewalk Deferral Request Map



COUNCIL ACTION FORM

SUBJECT: MAJOR FINAL PLAT FOR SOUTH FORK SUBDIVISION SEVENTH ADDITION

BACKGROUND:

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. This "Subdivision Code" includes the process for creating or modifying property boundaries, and specifies whether any improvements are required in conjunction with the platting of property. The creation of new lots is classified as either a major or minor subdivision, with a major subdivision requiring a two step platting process to finalize the creation of new lots. The "Preliminary Plat" is first approved by the City Council, and identifies the layout of the subdivision and any necessary or required public improvements. Once the applicant has completed the necessary requirements, including provision of required public improvements or provision of financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. Often the subdivision is developed in phases, called "additions." After City Council approval of the Final Plat, it must then be recorded with the County Recorder to become an officially recognized subdivision plat.

Pinnacle Properties Ames LLC has submitted a final subdivision plat for South Fork Subdivision, Seventh Addition to allow further residential development. This final plat is consistent with the approved preliminary plat and master plan. The South Fork development lies south of Lincoln Way and north of the Ames Middle School site.

This proposed final plat of this Seventh Addition (attached) includes 21 residential lots. These include 8 lots for single family and 13 lots for attached homes. The plat also includes an extension of Marigold Drive to its intersection with Sunflower Drive, an extension of Dotson Drive to the north boundary of the Ames Middle School property, an extension of Harris Street to Dotson Drive (where it becomes Coy Street), and extensions of two public alleys. An outlot (8.22 acres) is reserved for future development.

It should be noted that this project completes Dotson Drive to the northern boundary of the Ames Middle School property. Once that portion of the street is built and is open to traffic, the Ames Community School District is committed to complete its portion of Dotson Drive within two years, thus completing the connection from Lincoln Way to Mortensen Road.

All required improvements, including streets, sanitary sewer, public water, and storm sewer system, have been completed or financial security provided. The applicant has provided a letter of credit in the amount of \$42,910 for completion of the streets and utilities. The City Council is asked to accept those improvements that are completed,

and to accept the signed Improvement Agreement with financial security for those remaining improvements.

The applicant has also provided an agreement for the installation of street trees and sidewalks, but has requested a waiver of providing financial security for these improvements. As an alternative to installing sidewalks before lots are platted, Section 23.403 (14) allows deferment of sidewalks with financial security when installation is considered premature. Notwithstanding this code requirement for financial security, the City Council's past practice has been to accept a signed, written agreement for sidewalk and street trees from the owner specifying that, in lieu of financial security, occupancy of new structures will not be permitted by the City until the sidewalks and street trees associated with each individual lot are installed. Consistent with this practice, the City Council may wish to waive this financial security condition and allow sidewalk and street trees to be deferred until occupancy of structures on abutting sites.

After reviewing the proposed Final Plat, staff finds that it complies with the approved Master Plan, Preliminary Plat, adopted plans, Developer Agreement, and all other relevant design and improvement standards required by the Municipal Code.

ALTERNATIVES:

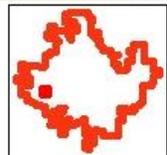
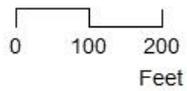
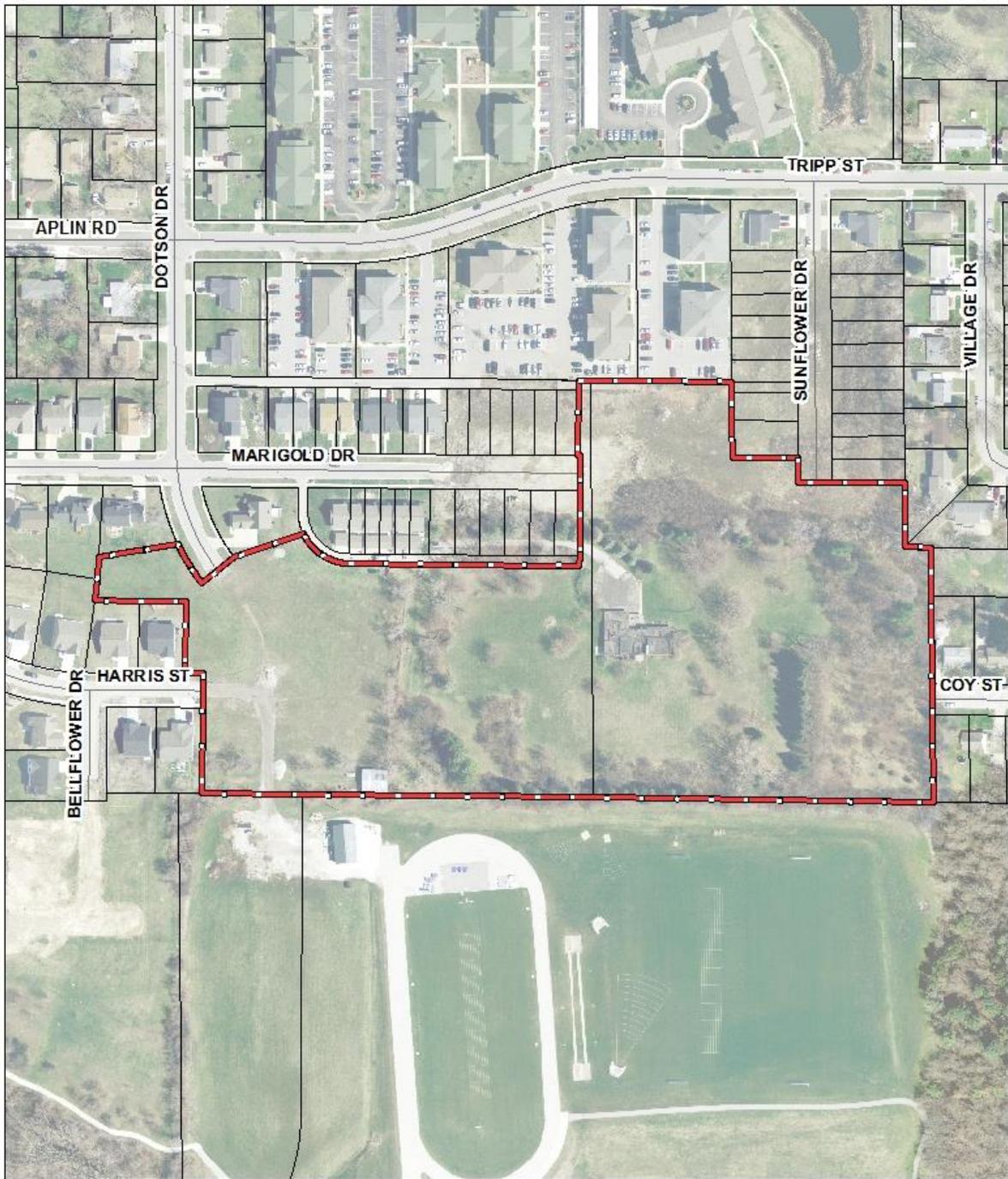
1. The City Council can take the following two actions:
 - A. Waive the subdivision code requirement for financial security for sidewalks and street trees in the South Fork Subdivision, Seventh Addition, since the Developer has signed the "Agreement for Sidewalk and Street Trees" requiring the installation of these improvements prior to occupancy or within 24 months of issuance of a building permit, whichever occurs first; and,
 - B. Approve the Final Plat of South Fork Subdivision, Seventh Addition, based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with an Improvement Agreement and financial security.
2. The City Council can deny the Final Plat for South Fork Subdivision, Seventh Addition if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

MANAGER'S RECOMMENDED ACTION:

City staff has evaluated the proposed final subdivision plat and determined that the proposal is consistent with the preliminary plat approved by City Council and that the plat conforms to the adopted ordinances and policies of the City as required by Code.

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

Location Map



Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

Ames *Municipal Code* Section 23.302

(10) City Council Action on Final Plat for Major Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final 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.

(c) The City Council may:

(i) deny any subdivision where the reasonably anticipated impact of such subdivision will create such a burden on existing public improvements or such a need for new public improvements that the area of the City affected by such impact will be unable to conform to level of service standards set forth in the Land Use Policy Plan or other capital project or growth management plan of the City until such time that the City upgrades such public improvements in accordance with schedules set forth in such plans; or,

(ii) approve any subdivision subject to the condition that the Applicant contribute to so much of such upgrade of public improvements as the need for such upgrade is directly and proportionately attributable to such impact as determined at the sole discretion of the City. The terms, conditions and amortization schedule for such contribution may be incorporated within an Improvement Agreement as set forth in Section 23.304 of the Regulations.

(d) Prior to granting approval of a major subdivision Final Plat, the City Council may permit the plat to be divided into two or more sections and may impose such conditions upon approval of each section as it deems necessary to assure orderly development of the subdivision.

(e) Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.

(Ord. No. 3524, 5-25-99)



MEMO

Legal Department

To: Mayor Campbell and Members of the City Council

From: Judy K. Parks, City Attorney

Date: July 18, 2014

Subject: Request to Remove from Table the Rezoning Applications for 205 South Wilmoth and 610 State Avenue – Agenda items 27(a) and (b)

Based on the communication received from the Applicant's attorney (attached), these items are on your agenda for action to remove them from the Table. Since statutory hearing notification must precede any additional action on these applications, it is appropriate to remove them from the Table and to set a date for the public hearing on each so that staff can publish notice.

From: Torresi, Brian D.
To: Judy K Parks
Subject: Tabled Applications
Date: 07/08/2014 10:39 PM

Judy - in light of the outcome of tonight's meeting, Breckenridge asks that the tabled rezoning applications be untabled, if that is a word. Thank you.

Brian D. Torresi | Attorney (also admitted in New York) | 515-246-7860 | www.DavisBrownLaw.com
The Ames Office | 2605 Northridge Parkway | Ames, Iowa 50010 | Fax: 515-471-7860
The Davis Brown Law Firm is committed to providing Exceptional Client Service. For a review of the supporting principles, go to www.davisbrownlaw.com/exceptional.

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COUNCIL ACTION FORM

SUBJECT: **AMENDMENT TO SOUTH BELL AGREEMENT WITH DAYTON PARK, LLC**

BACKGROUND:

The City of Ames and Dayton Park, LLC entered into a development agreement on February 4, 2009 in order to establish an urban renewal area and tax increment finance (TIF) district for the construction of the Ames Community Development Park 4th Addition. This development created 14 lots for industrial development and completed the connection of S. Bell Avenue between E. Lincoln Way and SE 16th Street.

The agreement, among other things, requires the developer to construct a series of speculative buildings. The first building was required within 18 months after the completion of the public improvements. The second speculative building was required to be constructed within twelve months of the occupancy of the first (or by July 23, 2013). This requirement was not met by the developer.

The agreement also required the developer to grant to the City a first lien mortgage in the amount of \$350,000 encumbering not less than 6.36 acres of the development. This mortgage was to ensure the completion of the required speculative buildings. This mortgage was never granted and the City is holding no financial security to ensure satisfactory performance by the developer.

At the December 17, 2013 meeting, the City Council directed staff to prepare amendments to the agreement to grant a one-time extension to require the second speculative building to be completed by June 1, 2014. The City Council also directed staff to obtain a letter of credit (rather than a mortgage) and to assess the developer \$12,000 as consideration for non-performance to meet the timeline for completion of the second speculative building and grant an extension.

At the January 28, 2014 City Council meeting, the Council reviewed a letter from Dayton Park, LLC offering amended terms to the development agreement (see attached). In response to this request, City Council directed staff to prepare an amendment to the agreement that required completion of the second building by July 1, 2014 and **to accelerate the construction of the third speculative building to be completed by December 31, 2014.**

On March 25, 2014, the City Council asked for a review of the building materials requirements and its relationship to the second speculative building that was under construction at 2812 Hyatt Circle. The second building has now received an occupancy permit from the City's Inspections Department as a shell building. On April 22, 2014,

Council directed staff to work with the representative of Dayton LLC on how future buildings would conform to the design requirements of the Development Agreement for the Ames Community Development Park 4th Addition.

The Developer Agreement includes certain design standards that are incorporated as covenants for new development. The covenants within the developer agreement specify a wide range of materials that are acceptable, but limit the front façade to no more than 60% corrugated metal. Discussion on April 22, 2014 revolved around the meaning of corrugated steel in terms of ridges and colored finish and how the 4th addition's design requirements differ from the prior 3rd addition's covenants.

The following is the current language from the 4th Addition's covenants that are binding upon development by Dayton LLC and to subsequent property owners within the 4th Addition.

4. Buildings constructed in the Subdivision shall have all exterior surfaces constructed with steel, brick, wood trim, split face block, stone, glass, exterior insulation and finish systems (EIFS), or precast wall panels. or combinations thereof. Any corrugated steel on the front facade shall comprise less than 60 percent of the area of the facade.

To resolve both the issue of timing of construction of the speculative buildings and the interpretation of design requirements, the following terms are offered by the applicant to execute as an amendment to the Development Agreement:

1. Provide a \$350,000 letter of Credit to secure construction of the next speculative building
2. Complete the third speculative building by December 31, 2014
3. The second speculative building at 2812 Hyatt will remain as is, with no changes required to the exterior finishes
4. The common understanding that references to "Corrugated Steel" for the front facade shall mean metal with raised ridges, curved or straight. Corrugated does not mean only unfinished or galvanized steel panels.
5. The third speculative building and all subsequent development in the 4th addition will be constructed consistent with the above understanding.
6. No changes to covenants of the subdivision, current language applies to all projects and Dayton LLC will be bound by the understanding of the design terms described in #4.

ALTERNATIVES:

1. The City Council can agree to enter into amended Development Agreement for the Ames Community Development Park 4th Addition that requires the Developer to complete the third speculative building by December 31, 2014, and to provide a letter of credit to the City in the amount of \$350,000, rather than a first lien mortgage at execution of the agreement.

To assure a common understanding of the exterior design standards, the City Council can further direct that a Memorandum of Understanding be executed to document the definition of corrugated steel as described above.

2. The City Council can deny the request to approve the amended the agreement and direct staff to pursue a different means of recourse for failure to perform consistent with the obligations of the agreement.
3. The City Council can refer this item to staff for further information.

MANAGER'S RECOMMENDED ACTION:

The development agreement approved in 2009 required certain timeframes for completion of speculative buildings in the South Bell business park. Unfortunately, the timeframe to complete the second speculative building was not met by the developer. The 2812 Hyatt building now has a building permit occupancy permit as a shell building, approximately one year later than required by the agreement.

The proposed modification to the existing agreement accelerates the construction of the third speculative building by the developer as consideration for the City Council extending the time for the construction of the second building.

This agreement also provides the City with a more liquid form of financial security. With a letter of credit, the City will be better able to draw upon any funds than with a mortgage, which would require foreclosure on the property.

Going forward, there is also clarity on the design intent of the Development Agreement for use of multiple materials on the front façade. While the language for the exterior design standards will not be changed with this recommended alternative, there will be an understanding between the City and developer as to the meaning of corrugated steel.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 as described above, thereby approving an amended Development Agreement for the Ames Community Development Park 4th with a requirement that the third speculative building be completed by December 31, 2014, and for the developer to provide a letter of credit in the amount of \$350,000 rather than a first lien mortgage. To assure a common understanding of the exterior design standards, a Memorandum of Understanding will be executed to document the definition of corrugated steel.

Attachment A-Developer Letter

Date: January 24, 2014

To: Honorable Mayor and City Council

From: Chuck Winkleblack

RE: S. Bell development agreement

Mayor and Council,

In December council directed staff to meet with our organization and make some modifications to our existing agreement as well as impose a penalty for not completing the second spec building per the terms of the agreement.

I met with the planning director to discuss alternatives to the council action that was taken in December. Dayton Park would like to suggest an alternative proposal to the direction that the council gave staff. Rather than pay a penalty of \$12,000 to the city of Ames, I propose that in addition to completing the building under construction prior to July 1 of 2014, Dayton Park also agrees to start another building within the TIF district by July 1, 2014 and completing the building by December 31, 2014.

Dayton Park would also like to amend the agreement to allow for a letter of credit instead of a mortgage for security against future improvements.

Thanks in advance for your consideration.

Respectfully submitted,



Chuck Winkleblack
Hunziker & Associates, Realtors

COUNCIL ACTION FORM

SUBJECT: TEMPORARY MODIFICATIONS TO LINCOLN WAY AND WELCH AVENUE PARKING FOR BIKING SAFETY IMPROVEMENTS

BACKGROUND:

At the May 27, 2014, City Council meeting, City staff presented temporary alternatives to address bicycle-car and bicycle-pedestrian collisions in Campustown. These alternatives would also provide an opportunity for the creation of wider sidewalks and sidewalk cafés. The Campustown Action Association (CAA) board indicated its support for the temporary project along Lincoln Way, but did not support the removal of parking elsewhere in Campustown. At this same meeting, the City Council heard complaints from business owners in the area who are opposed to the elimination of any on-street parking spaces. **The City Council directed staff to work through the CAA to solicit feedback from the area business owners/property owners to determine if consensus could be reached regarding these options.**

A copy of the May 27th Council Action form is attached for reference.

Proposed Projects:

On Lincoln Way, the proposed project would involve closing the parking lane on the south side of the road between Hayward Avenue and Lynn Avenue. This eight-foot lane would become a five-foot bike lane, delineated through the use of paint striping, plastic posts, Jersey barrier, or planters. Businesses along this frontage could elect to construct offset sidewalk cafes using a portion of the existing sidewalk and a platform extending up to three feet into the parking lane. Extensions of the sidewalk into the parking lane could also be used to create wider sidewalks for games, demonstrations, sidewalk sales, vendors, or other activities.

Along the northbound lane of Welch Avenue, the proposed project would involve converting six parking spaces of the 200 block to a striped bike lane and converting the parking spaces in the 100 block to an extended sidewalk by using platforms and planters. This would eliminate the primary danger to bicyclists on Welch Avenue—being struck by car doors while moving downhill—and provide a space for activities such as sidewalk cafés, vending carts, and more pedestrian space for lengthy bar lines.

Staff suggested that if the option to remove on-street parking is pursued, it should be considered for a test period, perhaps one year. If the City Council chooses to proceed with either of these projects, City staff would develop specific concepts for implementation, including timeframes, costs, materials, and a plan to

gather information regarding the use of the areas. Additional details, such as how deliveries could be accomplished, would be explored as the project is designed. The Council should note that the timing of the Kingland Systems, Opus, and Gilbane construction projects and the budgeting process may preclude the implementation of the test projects until summer 2015 at the earliest.

Communication with the Public:

At the May 27th meeting questions were raised to the City Council regarding the extent of the effort made to inform impacted parties. The following is a summary of the past efforts to gather public input.

1. Meeting between City staff and CAA Transportation Task Force in early 2013.
2. Surveys sent in early 2013 to bicyclist mailing list and to all businesses in Campustown. 491 responses were received for the biking portion; 7 responses were received for the business owner portion.
3. City staff presentation at CAA membership social in June 2013.
4. City staff presentation to City Council on September 10, 2013.
5. CAA discussion at January 2014 membership social.
6. Task Force meetings in November 2013 and January 2014, consisting of CAA representatives, Iowa State University students, Campustown business owners and cyclists. Task Force report drafted and sent to task force. CAA indicates that to recruit the business members to the task force, CAA staff sent emails and went door-to-door in the District.
7. City staff meeting with ISU SEEC Committee representatives on February 7, 2014.
8. Ames Bicycle Coalition discussion of task force report in February 2014.
9. City staff solicitation for feedback specifically from Kingland Systems, Gilbane, and Opus in March 2014. A follow up meeting was held with a representative from Kingland in early April 2014 to answer questions about the report.

Follow-Up Discussion:

In response to the City Council direction to staff, an additional meeting was held on June 19th by CAA. All Campustown businesses (CAA members and non-members),

known building owners, and ISU were invited via email to attend, and CAA staff again went door-to-door in Campustown to encourage participation.

Approximately 30 people attended the meeting. City staff outlined the proposed projects and previous attempts to gather feedback. The group was overwhelmingly opposed to the concept of removing parking along Lincoln Way. Business owners in attendance felt that removal of the parking would cause economic harm, logistical issues with deliveries, and inconvenience to customers. Alternatives to closing the parking were suggested, including increasing enforcement, signage regarding the prohibition of bicycling on the sidewalk, using experimental markings in the vehicular lanes, obtaining more right-of-way from ISU to create space for biking, and removing street trees to create more space.

The proposed project along Welch Avenue generated less discussion. A member of the Ames Bicycling Coalition (ABC) stated that Welch Avenue was the greater priority for the ABC, but there appeared to be little interest among the individuals present for any project on Welch Avenue. Bicyclists present urged the City to provide more obvious markings indicating where they should go if not allowed on the sidewalk in Campustown. The bicyclists also expressed a desire for more complete routes that form a connected network.

Following the public meeting, CAA's board has withdrawn its support for the proposed Lincoln Way project. CAA instead proposes creating a green painted traffic lane (indicating bike-friendly) eastbound and westbound on Lincoln Way from Franklin Avenue to University Boulevard, installing large dismount signs on Welch Avenue, and installing sharrows on Chamberlain Avenue and on Welch Avenue (see attached letter)

Many of the alternatives raised at the recent public meeting were considered by the task force and/or City staff, but were ultimately not pursued because they were believed to be less effective than other strategies. These include the suggestions regarding more signage prohibiting bicycling when entering the District, removing street trees, and using experimental lane markings. The possibility of acquiring more right of way from ISU was not explored by the task force, although City staff would caution that shifting Lincoln Way to the north to provide more space on the south side would likely be a large and expensive undertaking.

ALTERNATIVES:

1. Direct staff to explore the installation of bicyclist dismount signage at the entrances to the Lincoln Way and Welch Avenue "Bicyclists Prohibited on Sidewalks" zones and develop signage and markings to route bicyclists around these areas.

2. Direct staff to explore the installation of bicyclist dismount signage at the entrances to the Lincoln Way and Welch Avenue “Bicyclists Prohibited on Sidewalks” zones, develop signage and markings to route bicyclists around the these areas, and paint a green traffic lane eastbound and westbound on Lincoln Way from Franklin Avenue to University Boulevard.
3. Direct staff to develop a project to temporarily place a bike lane in the parking lane along Lincoln Way from Hayward Avenue to Lynn Avenue.

This project would involve developing concepts, costs, and a timeline for the implementation of this project. The project would be developed in such a way that it would be reversible in the event that the sense of the community was that the test was not effective. City staff would return this information to the City Council for direction regarding how to incorporate it into the budget process. The earliest this project could occur is July 2015. **This project is not supported by the Campustown businesses or by CAA.**

4. Direct staff to develop a project to temporarily close parking along the east side of the 100 and 200 blocks of Welch Avenue in order to widen the sidewalks and install a bike lane.

This project would also involve developing concepts, costs, and a timeline for the implementation of this reversible, temporary project. City staff would return this information to the City Council for direction regarding how to incorporate it into the budget process. The earliest this project could occur is July 2015. **This project is not supported by the Campustown businesses or by CAA.**

5. Direct staff to explore other alternatives to improve bicyclist/pedestrian safety in Campustown only after completing the previously approved projects.

The City Council has directed staff to pursue six projects to address bicyclist and pedestrian safety in Campustown. Before directing City staff to investigate further new alternatives, staff recommends that the projects already approved be completed and evaluated to determine what needs remain unfulfilled.

MANAGER’S RECOMMENDED ACTION:

Availability of on-street parking appears to be of great interest to the Campustown business community, and there appears to be little interest from this group in even a temporary project to modify the streetscape along these corridors.

As Council will recall, City staff has already been directed to pursue projects that will have little to no impact on the Campustown infrastructure. City staff believes that pursuing two of CAA’s suggestions regarding bicyclist signage and sharrows would have no negative effect on the businesses and may improve the wayfinding for

bicyclists. The bicyclists present at the public meeting indicated that projects such as these would be helpful.

While the staff is supportive of two of the three recommendations of the CAA, there is concern for the third project. The use of green paint to designate a bike-friendly lane is considered an “experimental” pavement marking and has not been approved as part of the Manual on Uniform Traffic Control Devices. Use of such a marking must meet criteria for experiments, including data gathering and reporting of results. Additionally, this quantity of paint would require frequent reapplication, since snow plowing dramatically shortens the paint’s lifespan. Cost for painting this large an area would be significant. Due to these issues, City staff does not feel comfortable proceeding with a green painted lane.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby directing staff to explore the installation of bicyclist dismount signage at the entrances to the Lincoln Way and Welch Avenue “Bicyclists Prohibited on Sidewalks” zones, and directing staff to develop signage and markings to route bicyclists around the “Bicyclists Prohibited on Sidewalks” zones along Lincoln Way and Welch Avenue.

FEEDBACK FORM

June 19, 2014 CAA Social RE: Bicycle, Car, & Pedestrian Safety

1. What issues do you see in Campustown relating to customer safety?

- There is no clear signage or enforcement of bicyclists to dismount on Lincoln
- Bike and pedestrian safety. There are many bikes, pedestrians, and cars. A lot of people bike and we need some safe alternatives
- People exiting businesses on Lincoln Way colliding with bikes on sidewalks, bikes colliding with opening car doors on Welch
- None
- Crossing Lincoln Way as a pedestrian or cyclist is definitely challenging at times. Disabled persons particularly have a hard time since they aren't longer crossing times
- Heavy vehicle, pedestrian, and bicycle traffic area with a wide variety of ever-changing businesses and business needs
- Very few. The potential for accidents is high but frequently avoided. The dangers seem to be bike vs pedestrian accidents, or bike vs car accidents. I would prefer avoiding the more lethal of the two
- Parallel parking, bikers, boarders on sidewalks
- Heavy, fast traffic both on the sidewalk and on the street
- All users need a designated space that they can easily identify. This will keep all modes of transportation safe in their own space. Currently, this space is not clearly designated
- Bikes sharing busy roads with cars, bikes sharing sidewalks with peds
- Lack of proper signage regarding bike use. Clearly separate sidewalk for pedestrians-bike lane for bikes-street for cars
- Illegal riding of bikes on sidewalks. It is illegal because it is dangerous. There is no enforcement of this law ever. What do other commercial areas do in Iowa?
- Poor parking. Poor thinking
- Illegal to ride bikes on the south side

2. Are you/your customers aware of all of the parking options in Campustown?

- No. There is a lack of signage and information about the parking garage. None of our staff or our customers use the parking garage partially due to this. It is also too far of a walk for customers with children
- Maybe? I bike mostly. We could use MORE bike racks for parking bikes
- Probably not
- Probably
- Not at all
- No
- Our greatest parking issues (CUMC) has to do with the parking requirements that Dunkin Donuts has. AS I understand it, they are required to have just four parking spots. As a result, their customer parking regularly spills into our lot. And because their customers "discover" this parking area, they frequently return to park there at other times when they are not Dunkin Donuts customers. Our other major parking issue has to do with pass-thru drivers who use our lot as a rapid way to go between Sheldon and

Hayward. This traffic occasionally gets very dangerous, as those drivers regularly drive too fast

- Yes
- Not everyone is aware of the parking areas and we try to educate them on a case by case basis
- I am overly educated in it. Customers-probably not. Can I get an electronic map to link on my website?
- Yes, probably not normal day to day customers
- Yes
- The only clearly marked parking is on street car parking. The lack of clear bicycle parking is just as bad as not having clear signage to direct drivers to parking lots
- There aren't a lot of bike parking options in Campustown
- Probably not. Put up some signs showing public parking options in Campustown
- Yes
- Too few parking places-we have seen lots better parking In college areas. Very few with poorer.
- Yes

3. Are your customers mainly neighborhood/ISU (pedestrian/bus/bike) or do they come from the entire community (bus/car/bike)?

- We have a lot of customers that come in from out of town-Fort Dodge, Marshalltown, Nevada, etc. and they all use cars. While we do have some pedestrians and cyclists as customers, a much larger and significant portion of customers use cars
- Both, but many from outside/entire community
- Entire community
- All of them
- Entire community
- Entire community
- Entire community. Also, approx. half of our new retail is not yet leased to removal of parking will limit their options
- Entire community and further. We have customers visiting, sometimes from hours away. We serve customers of all transportation modes
- During the academic year-lots of pedestrians. On off season, more vehicle traffic
- We have 150 interns and 30 FT staff; FT drive, most interns walk, ride bikes
- Equal numbers
- Regarding Jeff's Pizza #1 close parking for delivery vehicles #2 walk in #3 close parking for community pick up and eat in
- Most drive from all over Iowa
- People from 100 ft to 100 miles
- They come from all over Ames and the surrounding communities

4. What are your suggestions on how to improve pedestrian safety in Campustown?

- Either remove the trees on the sidewalk of Lincoln Way and use that part of sidewalk for bike path OR do not put bike path on Lincoln Way and use Chamberlain instead
- More education about "shared uses"

- Open alley in between Café Beaudelaire/Mr. Burrito and Rice House to allow easy access to parking lot behind Lincoln Way businesses
 - Put all bike traffic (east and west) at the north side of street of Lincoln Way
 - Enforce laws
 - I'd like to see Welch turned into a one way, one-lane street with angled parking on both sides (or perhaps one). That would allow for a bike path and/or sidewalk cafes
 - Slow down the bikes and increase driver awareness
 - Remove trees to widen sidewalks, without loss of parking. Could help with crow problems as well
 - Info booths first two weeks of school that stops everyone and informs them of rules and regulations. Enforce light requirements for bikers
 - Wider pathways
 - Supply appropriate space for all users of the roadway. If on street cycling infrastructure is not possible on Lincoln Way, provide a useable alternate on street route
 - Clearly designate an area where cyclists can safely ride through Campustown. If cyclists can easily identify the space they are supposed to ride in, it will make it safer for drivers and pedestrians as well as cyclists
 - Keep bikes off the sidewalk
 - Clearly publish and promote safety rules and regulations. Utilize social media. Put articles in the Daily
 - Monitor bikes on sidewalks
 - You have had poor parking plans for 50 years
 - Better signs "Implement a walk your bike" like the one in Des Moines
5. Would/Do you direct your customers to use the Ames Intermodal Facility? Why or why not?
- No because again, its unclear where it's okay to turn/park. It is also a long walk for customers carrying out our products (books, statues, and toys) and for customers with small children
 - Yes
 - No-too far to walk
 - Sometimes, but not often
 - We would
 - Generally no necessary in our case except for rare situations
 - No, too far away for convenience of short business visits and carrying purchased goods
 - We mention it as an option but most customers prefer something closer (Americans can be...opportunistic/lazy)
 - Yes, for those coming in for several hours I would for sure offer that solution. Need better literature
 - All FT staff have passes for there
 - Yes-it is a good way to have a less congested Campustown

- Not really. Too far to park and walk. Customers use meter parking on Stanton, Lincoln Way or lot on Chamberlain
 - We have. The sidewalks are badly broken, curbs broken and road is irregular. Poor area to walk
 - No-people don't like ramps. Poor plan-poor thinking
 - Yes-but the pedestrian sidewalks are mostly broken, no even, raised, no curb and a poor road, all in need of repair
6. Where do your customers currently park? Where do you have your staff currently park?
- Our customers park at the metered spots on Lincoln Way and Hayward. We park there as well, and more importantly, unload shipments most of the week on Lincoln Way
 - Behind buildings on Lincoln Way and on the street or they bike/walk
 - Customers on Lincoln Way, staff parking facility
 - On the street
 - Lot T and Welch Ave street parking
 - Church parking lot, bank drive-thru lot, on street
 - Anywhere they can find a spot
 - In front of our store or in the lot closest to us (Lot X)
 - We have 2-4 dedicated spaces for our customers and drive thru. My staff walks in or park on Hyland Ave
 - Staff parks in Intermodal
 - Customers park on Stanton and Lincoln Way at parking meters, lot on Chamberlain, St. John's parking lot
 - Our staff pays for private parking. Customers park outside our business on-street parking. Our business feeds meters
 - Where they get tickets and don't come back
 - Our customers park on street, get dropped off because of handicap issues, we pay meters. Our staff pay for parking in private lots
7. If sidewalks were expanded, would your business take advantage of outdoor space for sidewalk cafes/sales/events? Why or why not?
- No, it does not pertain to us. It would be more upkeep and much of our product is paper based and would not do well
 - I would love to be a customer who could utilize more café/events on sidewalks
 - Yes, because the ability to easily serve food outside is not only an opportunity for increased business, but its an opportunity to showcase our product
 - No, there would be no benefit
 - Yes, if there were enough spaces for customers to feel comfortable
 - We would for improving the "feel" of Campustown
 - Not applicable, generally
 - No, not that type of business
 - Possibly, on a limited basis, not a priority for us. It would be better used for something else
 - If our business moves closer in we would absolutely use a sidewalk café. People want to sit outside and it would increase our desirability and eating space

- Yes
 - Yes-but need more than three feet
 - No. we are a service business, unable to do outside
 - No-not the type weather
 - We can't do our business outdoors, as is 90% of the businesses currently occupying space. We can do events now without an expanded sidewalk
8. If you do not support modifying the parking and sidewalks to reduce bicycle collisions, what suggestions do you have to address bicycle/pedestrian/vehicle safety in Campustown?
- We do not support this. Again, we want the trees gone and use that as a bike lane and keep our parking
 - If people really don't want to lose parking then it would be great to create alternate routes that are connected to other routes with good signage and better public education of drivers, bikers, and pedestrians
 - Physical barrier on sidewalk to force dismounting and make parking lot behind Lincoln Way more accessible and more safe
 - Instead of asking our clients to walk three blocks from the parking facility ask the bicyclists to walk their bikes through Campustown
 - Find a way to create a dedicated bike path
 - Instead of a bike lane on Lincoln Way, route through Campustown. Perhaps Chamberlain
 - Shared use ped/bicycle paths and marked bike routes around congested areas (ie around Lincoln in Campustown) remove trees and more space on sidewalks for shared use
 - Removing trees/bumps/to widen sidewalks but try to keep parking. Also move bicycling routes to chamberlain
 - Move paths to Chamberlain, better signage for Intermodal and bicycle paths, cheaper rates for business owners/employees in Intermodal to free up parking
 - Provide on street cycling infrastructure (sharrows or bike lanes) on parallel streets (Chamberlain, Lynn, Welch, Hayward)
 - Clearly marking a route for cyclists so cyclists and drivers are both aware of where they are supposed to be
 - Redirect bikes to alternate routes clearly with signs and painting on the road. Enforce lower speed limits on the roads
 - Campustown business needs to keep the metered parking. Provide a separate area for bikes. Install new bike lane on north side of Lincoln Way from Memorial Union west to Hayward or Sheldon. Public pedestrian and bikes rules and then strictly enforce. Co-owner of Cranford Building, 103 Stanton. It was clear to me that City staff wasn't listening to business owners or bike users or Warren Madden at ISU
 - Better signs. Better enforcement. Meters on one block generate close to \$24,0000 a year for City, hire someone to enforce bike laws
 - This is a car world. Parking. Parking. Who's doing the thinking? We thought so-no one!
 - Have bicycles on north side, better sign directing cyclists where they can ride. Have a bicycle safety program for isu students each along with literature for incoming freshman where to ride. Use the \$24,000 in meter money to implement these ideas.

Sign In Sheet:

City of Ames: Brian Phillips, Corey Mellies, and Damion Pregitzer
Jeff's Pizza Shop: Jeff Utz and Brenda Freeman
Leedz Salon: Doug and Donna Ziminski
Kingland Systems: Jeff Gorbball and Amanda Wiebers
Sizzlin Cabana Tanning: Craig Bumgarner
Ames Bicycle Coalition: Jennifer Tillman and Paul Doffing
Copyworks: Kory Kehrli
Café Beaudelaire: Nick Ohde
Iowa State Daily: Laura Widmer and Mark Witherspoon
Iowa State University: Cathy Brown and Warren Madden
ISU Prevention Services: Austin Henshaw and Lauri Dusselier
Welch Ave Station: Mike Adams
ISU Student: Gabrielle Roesch-McNally
Cranford Apartments: Monte Gibbs
Arcadia Café: Liz and Ryan Jeffrey
Downtown University: Anne Taylor
CUMC/WF: Tim Gossett
Pizza Pit/Welch Ave Station: Tom Northrop
CAA: Kim Hanna

There but did not sign sheet:

Mayhem Comics and Games: Rob Josephson and wife
ISU PD
Ames PD
ISU Rep from Ames City Council



campustown
action
association

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

July 11, 2014

RE: Campustown Transportation Alternatives Report

Dear Honorable Mayor Campbell and City Council,

Campustown Action Association (CAA) was pleased to receive the Campustown Transportation Alternatives Report, compiled by City of Ames staff. One of the six goals of CAA's Five Year Strategic Plan (2012-2017) is to increase the strength of all modes of transportation through Campustown and this work done by the Transportation Task Force, in which CAA also participated, will be another step forward in achieving this goal.

Safety is our number one priority regarding transportation to and through our district.

While the first two feedback sessions we held encouraged the removal of parking to make way for dedicated bike paths along Lincoln Way, the third and final feedback session, held in June, provided feedback that was not in favor of the loss of thirty-six parking spaces. Feedback provided by both members and non-members of CAA included comments about the loss of business if customers were not able to park directly in front of their place of business and concerns about delivery trucks. Because of this, CAA is withdrawing our support of the loss of parking but propose the following three options to address the safety of bicycle, pedestrian, and vehicle traffic through Campustown.

1. Creating a painted lane (on north and south sides) along Lincoln Way (green is what is used in other communities) from Franklin Avenue through University Ave
2. Large dismount signs for the Lincoln Way and Welch Ave sidewalks as well as signage painted directly onto the sidewalks
3. Sharrows and cyclist graphics on Chamberlain from Hayward Ave to Lynn Ave.
Sharrows and cyclist graphics along Welch Ave (in both directions) to designate where cyclists should ride and to alert vehicle traffic of this heavily biked area.

The loss of parking was perceived by some Campustown businesses to be too great a risk for their support of this project. We hope that in the next few years, all of the changes in Campustown will motivate change in that way of thinking and we can readdress that particular issue. We continue to encourage City Council to look at the Lincoln Way bicycle lanes as part of a larger goal in creating bike lanes throughout Ames to connect West Ames to Campustown, the Iowa State Center, and farther east to the Ames Main Street Cultural District.



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We thank the City of Ames and the staff involved on this project and are excited that so many changes are coming to our district in the next few years.

Sincerely,

Anne Taylor

CAA Board President

Kim Hanna

CAA Director

ITEM # ~~47~~
DATE: ~~05-27-14~~**COUNCIL ACTION FORM****SUBJECT: FOLLOW-UP REGARDING MULTI-MODAL TRANSPORTATION
SAFETY IN CAMPUSTOWN****BACKGROUND:**

On April 22, 2014, City Council heard a staff presentation on possible projects from a task force established to investigate ways to reduce bicycle-car and bicycle-pedestrian collisions in Campustown. The task force recommended 11 projects for the City Council to consider; and the Council directed that these projects be returned to a future agenda for discussion.

TASK FORCE PROJECTS:

In the previous staff report, City staff organized the task force projects into three groups. Numbers beside each project indicate the task force's priority, with "1" being the most important. Details regarding each project can be found in the original staff report, which is attached. The projects are as follows:

Non-Infrastructure and Minor Infrastructure Projects: City staff believes there would be little or no opposition from businesses, pedestrians, or bicyclists to completing these projects. These projects could each help address transportation challenges in a unique way, and could likely be implemented within current budgeting and planning constraints or with minor amendments to the budget. These include the following projects:

2. Install Bike Detection at Lincoln Way Intersections and Include Bike/Ped Priority
3. Install Wayfinding Signage to Direct Users to Intermodal/Other Facilities
7. Education Campaign for ISU Students and Public on Rights/ Responsibilities of Roadway Users
8. Adjust Parking Fees
9. Coordinate Bike Parking
10. Coordinate Continuity of Routes with ISU

Non-Incremental Infrastructure Projects: Of the remaining projects, two require irreversible changes to infrastructure. After further study, the task force also determined that these two projects may have positive benefits, but would not substantially reduce conflicts between different modes of transportation. These projects are:

6. Remove Trees, Adjust Lighting along Welch and Lincoln Way
11. Make Lot X More Usable, More Attractive to Drivers

Street Alteration Projects: These final projects involve the key philosophical question of how to balance parking versus biking infrastructure in a finite space:

1. Install Bike Lanes on Chamberlain and Sharrows on North/South Roads
4. Install Sharrows/Bike Lanes along the 100 Block of Welch Avenue,
5. Install a Bike Lane along Lincoln Way

STAFF COMMENTS:

The City Council should note that the 2017/18 Capital Improvements Plan (CIP) has \$1,500,000 to replace utility infrastructure and reconstruct the 100 block of Welch Avenue. During that process, the City must decide what the streetscape elements will look like when the project is complete. It is possible to return the existing features (bump-outs with light poles, street trees), or to replace those features with new streetscaping such as planters, seating areas, or wider sidewalks. **Until that process occurs, now is a critical opportunity to test any projects the City Council might be interested in.**

The City Council will recall that in April, Kingland Systems asked the City Council to develop a streetscape vision sooner, so Kingland can incorporate those elements into its project at one time. City staff is not yet comfortable making recommendations about features such as permanent bike lanes. The projects that are being recommended by staff appear to be the best balance between the needs of the existing businesses, bicyclists, and the future needs of Kingland.

After reviewing the task force projects in relationship to ongoing and proposed projects in Campustown, City staff makes the following recommendations:

- 1. Proceed with the non-infrastructure and minor infrastructure projects.** As noted in the original staff report, the bike detection project would cost \$18,500 per intersection, the coordination of bike racks would cost \$150 per bike rack installed, and the other projects in this category could be completed at no cost other than staff time. The bike detection project would be incorporated with the adoption of the 2015/16 to 2019/20 CIP. Therefore, the earliest that project could be implemented is in July 2015. The remaining projects in this group can be initiated immediately. The City has provided funding in FY 2013/14 for the CAA to develop and install a wayfinding system.
- 2. Do not proceed with the project to modify Parking Lot X.** As the task force was completing its work it was determined that improvements to Lot X would not likely increase vehicle parking space inventory. Additionally, the capital investment for this project would be substantial.
- 3. Develop a project to temporarily place a bike lane in the parking lane along the south side of Lincoln Way from Hayward Avenue to Lynn Avenue.** The previous staff report identified various methods to temporarily install biking

features. The project would be reversible if the sense of the community was that retaining the parking spaces is a greater priority.

The Kingland project has caused the sidewalk along one block of Lincoln Way to be placed in the parking lane. City staff proposes that as the Kingland project continues and the Lincoln Way sidewalk reopens to pedestrian use, the parking lane should remain closed to accommodate a bike lane. The parking along the adjacent west and east blocks would also be closed to accommodate a bike lane. **Campustown Action Association has indicated that parking along Lincoln Way is not compatible with different uses and encourages the City to remove the parking to accommodate bike safety, wider sidewalks, and sidewalk cafes.**

If directed to proceed, City staff would identify alternative methods to close the parking, costs, and a timetable for implementation. In this project, City staff would also evaluate the number of sidewalk cafes that could be accommodated with this project. As the previous staff report regarding sidewalk cafes has indicated, a buffer space such as a bike lane is important to the creation of sidewalk cafes.

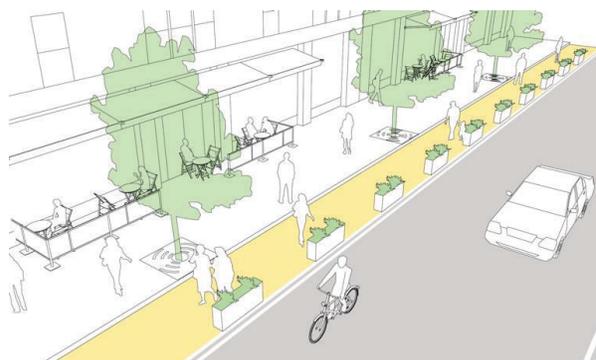
The specific details regarding implementation would be returned to the City Council for final approval. The City Council may have to incorporate this project into the budgeting process, which would require the project to take place after July 2015 at the earliest. The project could not take place until after Kingland’s project has progressed enough to return pedestrians to the sidewalk along Lincoln Way. Examples of different methods to create a temporary bike lane are shown in the table below:

Example options to create a temporary three-block bike lane on Lincoln Way			
Example	Estimated Cost	Notes	
Striping	\$1,000	Low-cost option. Does not provide physical protection if a car enters the bike lane.	
Tubular Barrier	\$11,200	Low-cost option. Does not provide physical protection if a car enters the bike lane.	

Jersey Barrier	\$20,600	Provides physical separation of cars from bicyclists. Can be re-used elsewhere.	
Planters	\$50,850	More attractive, provides physical separation between cars and bicyclists for safety. Can be re-used elsewhere. Less cost savings compared to other options.	

4. **Develop a project to temporarily close parking along east side of the 100 and 200 blocks of Welch Avenue in order to widen the sidewalks and install a bike lane in those spaces.** This is anticipated to improve bicyclist safety because the major hazard of biking along these blocks of Welch Avenue is the danger of being struck by an opened car door, particularly when moving downhill. This would require no modifications to the streetlight bumpouts. There are 17 existing spaces on the east side of these two blocks, although depending on the final configuration of the Kingland project, as few as 12 spaces might exist when the Kingland project is complete.

Under this concept, the 200 block of Welch Avenue could simply be striped for a northbound bike lane, while the 100 block could utilize planters and small platforms to create the effect of widened sidewalks. This approach increases the pedestrian passing room and room for vendor lines, while adjacent businesses would have the ability to place sidewalk cafes in the newly created areas.



Example of closing parking spaces with planters for widened sidewalks, such as on east side of the 100 block of Welch Avenue

Staff estimates that striping the 200 block of Welch for a bike lane would cost less than \$500, while installing planters and ramps on the 100 block of Welch Avenue would cost up to \$10,000. The planters could be re-used on other projects in the future. Like the Lincoln Way project above, City staff would return specific concepts to the City Council for final approval. **If the City Council felt strongly, this project could be duplicated on the west side of Welch**

Avenue. However, the priority for bike safety would be the east side of the street.

The CAA has indicated that the on-street parking should be preserved every where possible, but not on Lincoln Way. The City Council can conclude that the CAA does not support the concept of a parking closure on Welch Avenue.

ALTERNATIVES:

1. a. Direct staff to prepare specific plans to install wayfinding signage, develop an education campaign for ISU students and the public on rights/responsibilities of roadway users, adjust parking fees, coordinate bike parking, and coordinate continuity of routes with ISU. Staff will return to the City Council for direction during the CIP process to prioritize the installation of bike detection equipment at two additional Campustown intersections.
- b. Direct staff to develop a project to temporarily place a bike lane in the parking along Lincoln Way from Hayward Avenue to Lynn Avenue. Project details would be returned to the City Council for approval prior to implementation.

Depending on which technique is selected, the City Council may have to incorporate this project into the budgeting process, which would require the project to take place after July 2015 at the earliest.

- c. Direct staff to develop a project to temporarily remove parking along one side of the 100 block of Welch Avenue for a widened sidewalk and remove parking along one side of the 200 block of Welch Avenue for a bike lane. Project details would be returned to the City Council for approval prior to implementation.

The City Council may have to incorporate this project into the budgeting process, which would require the project to take place after July 2015 at the earliest.

2. Direct staff to gather more information regarding strategies to address bicycling, parking, pedestrian uses, and sidewalk cafes.
3. Do nothing.

MANAGER'S RECOMMENDED ACTION:

In the discussions regarding this topic, it has been made clear that the current use of public space in Campustown does not provide for enough safety, freedom of movement, and outdoor vibrancy. Unfortunately, there is a finite space available to commit to uses

such as bicycling, walking, vehicles, street furniture, vendors, and other activities. The majority of public space in this area is currently dedicated to driving and parking.

The task force established by the City Council has outlined projects that may make the use of the public space in Campustown more efficient. City staff has further identified methods to test different configurations of the street to determine how the community will respond to actual changes. Testing is the only way to get an accurate picture of how the community will use different configurations of space available to them. The timing of these tests is ideal with the current redevelopment projects and anticipated street reconstruction in Campustown. These projects have been designed in a reversible fashion with little cost compared to a permanent capital project. The City Council will further have opportunities to discuss the specifics of the temporary parking closures before they would take place.

It is important to emphasize that the staff has not verified that there is total support from the area business owners for the elimination of on-street parking. Assuming that the City Council is willing to test the elimination of on-street parking in return for increased bicyclist safety, pedestrian movement, and availability of sidewalk cafes, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 a-c as outlined above.

COUNCIL ACTION FORM

**SUBJECT: ACCESS EASEMENT AND SANITARY SEWER EASEMENT
VACATION AT 701 SOUTH DUFF AVENUE**

BACKGROUND:

On July 8, 2014, City Council referred to staff a letter from Scott Renaud, representing the property owner at 701 South Duff regarding the vacation of an existing access easement, as well as an existing sanitary sewer easement as shown in Attachment A.

The Access Easement provides access to the City of Ames property located behind Howe's Welding and the sanitary sewer easement provides access for maintenance activities related to the existing sanitary sewer main within the easement.

City staff from Parks and Recreation, Planning and Housing, and Public Works met with Mr. Renaud and the property owner on July 14, 2014, to discuss the vacation and relocation/re-establishment of the easements. Parks and Recreation utilizes the existing easement in order to mow the City lot and concurred with the vacation and relocation of the Access Easement as shown in Attachment A. Upon review of the proposed easement location shown in Attachment A, the width is satisfactory for the long-term maintenance of the sanitary sewer main.

It should also be noted that due to the location of the main and the floodway fringe requirements (to build at three feet above the base flood elevation), a retaining wall will be required over the existing water main. Easement language will grant all rights for the City to access the main, even to the extent of removal of the wall with notification to the property owner, at no cost to the City. The property owner will be responsible for wall replacement, as necessary.

Staff was able to discuss the impacts of the wall with Jim Howe, owner of Howe's Welding. Jim stated that if he would have known that the property to the north would have developed in this manner, he would have adjusted the location of the building when he built it to allow more room for oversized loads to access the site. Apparently, he has been utilizing both the City's easement and several feet of his neighbor's private property to the north to gain access to his property. This area to the north provided enough room to get heavy machinery in and out of the site over the past 28 years.

Staff relayed to Jim that the developer is considering a concrete wall in order to minimize the damage impacts that could come from equipment/machinery contacting the wall and the general feeling was that would be more durable than a block wall. Jim stated to staff that he realizes that the developer owns the lot to the north and that he has no direct input on the final plan for the site. However, he emphasized that the 12.5

feet that would remain between the wall on the property line and his building would make it very difficult to accommodate truck and equipment access to his property.

ALTERNATIVES:

1. Set August 12, 2014, as the date of public hearing for the proposed vacation of the existing access easement and the existing sanitary sewer easement at 701 South Duff Avenue.
2. The City Council can decide not to set the date of public hearing for the proposed vacation of the existing access easement until feedback has been received at the August 19th workshop.

MANAGER'S RECOMMENDED ACTION:

By moving forward with the easement vacation process, City Council will allow this property owner to move ahead with the development of the project site while assuring the maintenance needs of existing City infrastructure. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting August 12, 2014, as the date of public hearing for the proposed vacation of the access easement and the existing sanitary sewer easement at 701 South Duff Avenue.**

In response to a previous Council direction, a workshop is scheduled for August 19, 2014 to provide feedback from the business and property owners to the City Council about the proposed traffic safety improvements along South Duff. At this workshop, the Council should receive information regarding the possibility of creating private cross easements to facilitate traffic movements in the corridor. Concern was expressed by the City Council regarding the access for the property immediately north of the Hunziker property once the area is redeveloped. **Therefore, on August 12, the Council might need to decide if these public easements should be vacated before cross easements between the Hunziker and Flummerfelt properties have been finalized.**

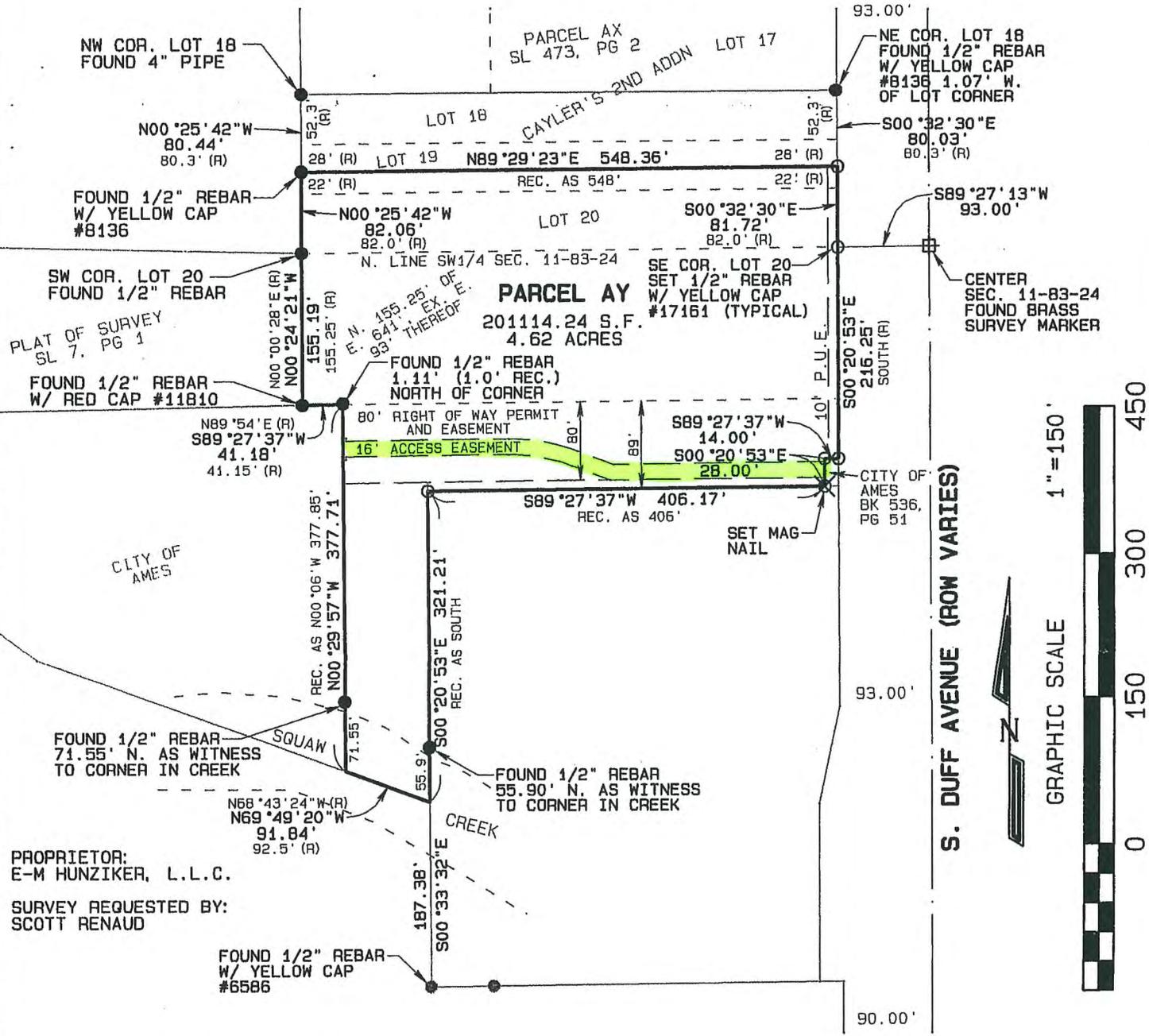
ATTACHMENT A

Instrument: 2014- 00004095
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 Aud Fee: .00 Trans Tax: .00
 Rec Management Fee: 1.00
 Non-Standard Page Fee: .00
 Filed for record in Story County, Iowa
 Susan L. Vande Kamp, County Recorder

SLIDE 484 PAGE 5

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

PLAT OF SURVEY



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 S00°20'53"E, 216.25 feet along the West right of way line of South Duff Avenue; thence S89°27'37"W, 14.00 feet; thence S00°20'53"E, 28.00 feet; thence S89°27'37"W, 406.17 feet; thence S00°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°29'57"W, 377.71 feet; thence S89°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 S00°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 May 13, 2014, with Resolution No. 14-212. I certify that it conforms to all conditions for approval.

Kelly Diekmann
 Planning and Housing Director

FIGURE A

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 Date: 5/30/14

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



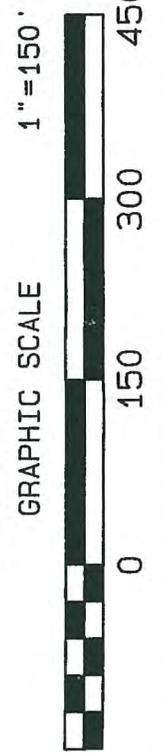
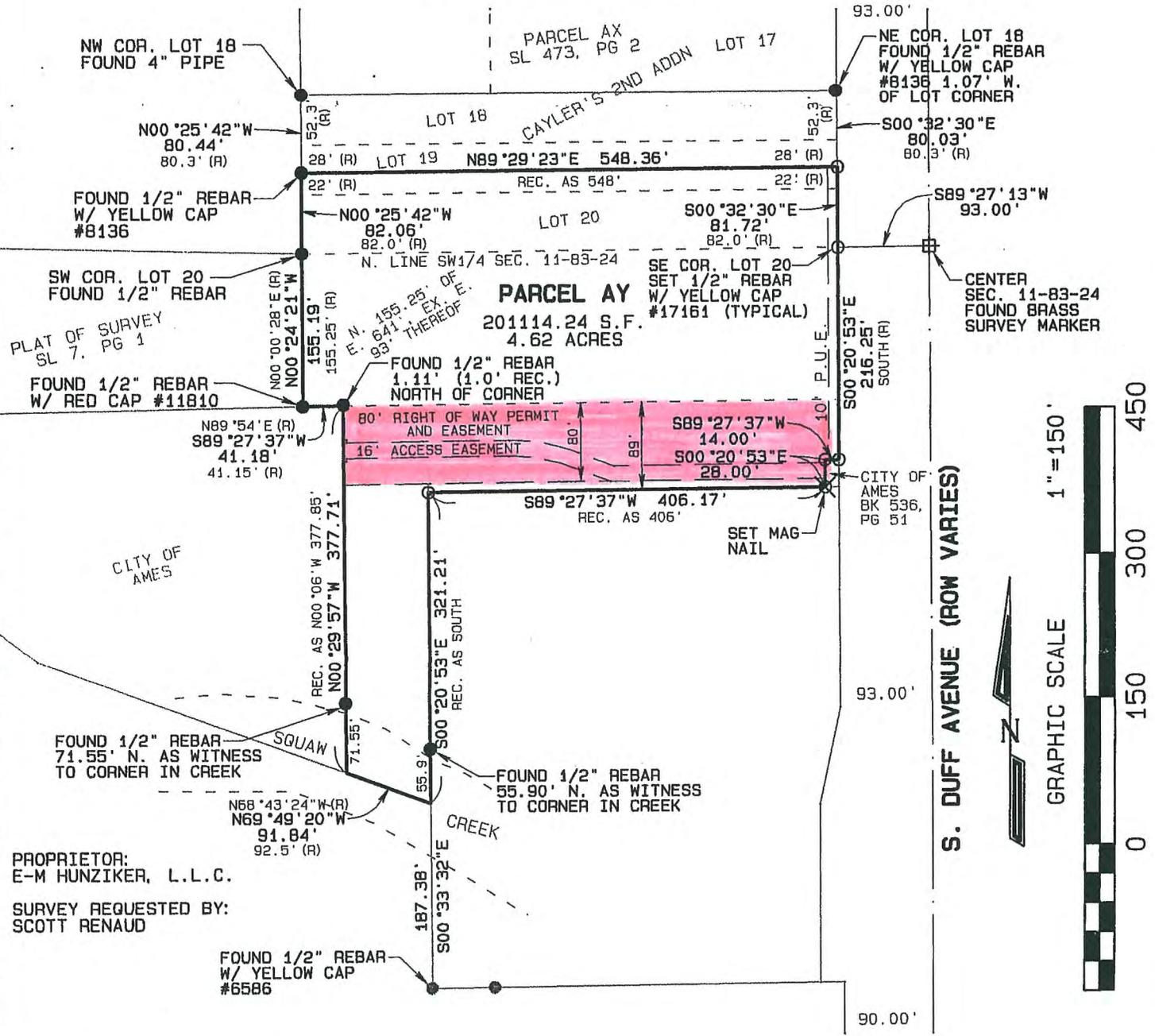
RECORDER'S NOTE: SEE RES. NO. 14-275, FILED JUNE 2, 2014, INST. NO. 14-04093. sf

Instrument: 2014- 00004095
 Date: Jun 02, 2014 11:25:46A
 Rec Fee: 5.00 E-Com Fee: 1.00
 Aud Fee: .00 Trans Tax: .00
 Rec Management Fee: 1.00
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SLIDE 484 PAGE 5

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

PLAT OF SURVEY



RECORDER'S NOTE: SEE RES. NO. 14-275, FILED JUNE 2, 2014, INST. NO. 14-04093.

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R. Bradley Stumbo
 Planning and Housing Director

FIGURE B

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 Date: 5/30/14

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



COUNCIL ACTION FORM

SUBJECT: AUTHORIZATION TO WAIVE PURCHASING POLICY FOR COMPETITIVE BIDDING REQUIREMENTS AND FOR STAFF TO VET & POSSIBLY NEGOTIATE WITH FRONTLINE BIOENERGY LLC FOR RDF CONVERSION SYSTEM

BACKGROUND:

Since the City's Resource Recovery Plant (RRP) first opened in 1975, the practice of burning refuse derived fuel (RDF) along with coal has been a very effective way to reduce landfilled waste and co-fire the City's Power Plant. In 2008 the power market began to flip, making the internal production of energy a more expensive option compared to purchasing power from the power grid. In addition, federal environmental mandates led the Power Plant to begin studying conversion from coal to natural gas. This provided a timely opportunity to explore other waste-to-energy technologies.

Staff from the City Manager's Office, Finance, Electric Services and Public Works formed a working group to explore options that would allow for 1) more economical purchase and generation of power, 2) improved energy recovery rates, 3) increased consumption rate of RDF, 4) proposed emission standards being met, and 4) sustainability well into the future by minimizing the amount of landfilled waste. **In October 2010, City Council awarded a contract to URS Corporation to prepare a feasibility study of current Waste to Energy (WTE) conversion alternatives. URS examined six unique conversion methods and determined that thermal gasification would be the most viable alternative conversion process for the City, from a technological standpoint.**

The URS study focused on evaluating various conversion technologies, but did not include a detailed financial analysis of the alternatives. Therefore, **in July of 2012 City Council awarded a contract to HDR Engineering to perform detailed financial modeling of the identified gasification process.** This contract produced a tool to assist in determining the cost effectiveness of an individual project using capital expenses, operating expenses, market cost, and labor, assuming an independently redundant system that would be fully financed, owned and operated by the City of Ames. **On November 12, 2013, City Council decided that the HDR gasification model appeared to be too expensive to pursue. At that time, Council advised Staff to continue looking for conversion technology options in the future that would be both financially and technologically viable.**

The HDR financial evaluation was conducted in parallel with Electric Services' Energy Resource Options study, which was performed by Black and Veatch. Based on that study, **in November 2013 City Council determined that the City's Power Plant**

would be switched to natural gas as the primary boiler fuel source. The EPA has established a deadline for this conversion of April 2016. It was noted at that time that using natural gas would potentially reduce the Power Plant's capability to utilize RDF by as much as 13%.

Since reporting to Council in 2013, staff has continued to explore potential RDF to gas conversion technology options at the Resource Recovery Plant. Staff has researched and had discussions with several vendors and consultants about projects that are at a commercial scale and at a size sufficient to accommodate our community's future needs. Our ongoing research of viable options has led us to Frontline Bioenergy, LLC, of Ames, Iowa. This firm has an existing commercial scale gasification technology, and it appears that this technology could be integrated into the Ames WTE system under financially advantageous terms.

A Frontline gasification system was installed in Benson, MN, in partnership with Chippewa Valley Ethanol Company (CVEC). This is a full scale plant that gasified wood waste to power the CVEC ethanol production process. As the availability of the wood waste began to diminish and the price of natural gas began to steeply fall, the financial viability of this gasification process declined and the gasifier was decommissioned. In an effort to assess the compatibility of Ames RDF in their gasifier, Frontline used City of Ames RDF as test feedstock at the Biomass Energy Conversion Facility (BECON) in Nevada, IA, with successful conversion of the RDF to biogas. Frontline Bioenergy has proposed that they would dismantle the Benson gasifier and relocate the equipment to the City Power Plant's coal yard for use in the Ames WTE system. City staff visited the site in Benson, MN this past March, viewed the equipment, and found that it appears to be a viable option. Staff has also had very preliminary discussions with Frontline regarding potential financial arrangements.

Should the City Council desire to move forward with gasification of RDF, staff has identified three approaches that could be followed.

Approach 1

The first approach would be to **construct the City's own gasification system**. That process would involve engaging a consultant to design the project. The project would then be **publicly bid**, with a construction contract being awarded to the lowest responsive and responsible bidder. This process is not feasible in this case, however, since any gasification technology is very specific to the particular vendor's technology and would likely be proprietary in nature. This makes it impractical to design plans and specifications for which multiple contractors could submit bids.

Approach 2

A potential procurement process would be for the City to competitively select a **private firm that would build, own and operate a plant** which utilizes RDF to produce electrical power or another marketable product. To identify such a firm, the City would typically issue a **Request for Proposals (RFP)**. Given the lack of commercially proven,

financially viable conversion technologies presently available, however, staff does not believe that the RFP process would be worthwhile at this time.

Approach 3

A third approach is to **waive formal bidding requirements and identify one firm with whom to negotiate a contract**. As was mentioned above, staff has researched potential vendors and processes for thermal conversion as recommended in the URS study. Staff has found Frontline to have the only promising, full-scale, proven technology available. **It is important to note that under this alternative, the vetting process of Frontline's technology would continue after the Council waives the competitive bidding requirements. If the vetting process determines that this is an unworkable solution or if staff is unable to negotiate an acceptable arrangement for the City, the Council will not be asked to approve a contract.**

There are a number of advantages of moving forward with this third approach, including the following:

- Frontline has a full-scale, commercial gasification plant that was in operation.
- Frontline's existing gasification equipment is presently idled, and could be physically relocated to Ames.
- Frontline could potentially acquire other needed equipment, including pre-owned pelletizers, gas boiler, and turbine generator. As long as the equipment is in acceptable condition and is valued appropriately, this could provide an economic advantage compared to purchasing new equipment.
- As a private company, Frontline can take advantage of New Market Tax Credits. These would provide a 30% tax credit to qualified investment taking place south of the City's Power Plant.
- Frontline has stated that they would insure that the conversion system they construct meets the City's required performance standards (E.g., emission standards, tons per hour throughput, energy output).
- Frontline appears to have the ability to install its existing equipment and set up a viable conversion process that could closely follow the April 2016 Power Plant fuel conversion deadline.
- It appears that Frontline's system could fit within the City's existing coal yard. This would place it in close proximity to the existing fluff bunker storage building, as well as to the Power Plant substation for connection to the City's electric distribution system.

For these reasons, staff is requesting that the City Council waive the City's purchasing policies requiring formal competitive bids, authorize staff to work with Frontline to

thoroughly vet their system, and then to potentially enter into negotiations with Frontline Bioenergy, LLC of Ames, Iowa for a contract to provide a commercial scale gasification-to-electricity operation. The negotiated agreement would come before the City Council for final approval.

Staff's vetting process will include two critical elements prior to negotiations. The first is to gain assurance that the process of securing Iowa Department of Natural Resources air quality permits for Frontline's system does not delay or negatively affect the City's own environmental permits for the Power Plant fuel conversion project. The second is to scrutinize the financial viability of the project and the fiscal capability of Frontline Bioenergy. Construction timelines and a workable operating agreement must also be determined.

Should this vetting process prove the project to be viable, staff would seek to negotiate terms and conditions with Frontline Bioenergy that include but not be limited to the following:

- **Sale or transfer of RDF to Frontline**
- **Lease of land to Frontline**
- **Engineering and construction**
- **Operation and staffing**
- **Purchase power agreement**
- **Risk sharing that protects the City's interests**

Staff would have liked to also explore a possible lease-purchase arrangement with Frontline, whereby the City could assume ownership of the gasification system after a number of years of successful operation. However, City Legal staff determined that such an advance agreement to lease-purchase the gasification system would make the project a "public improvement" under the state Public Bidding Law, which in turn would require the City to obtain plans and specifications from an engineering firm and to publicly bid the project. As was described above, such a process is unworkable in the Frontline situation with its patented technology and existing equipment.

ALTERNATIVES:

1. Waive the City's Purchasing Policies for competitive bidding, and authorize staff to thoroughly vet Frontline Bioenergy, LLC and its commercial scale gasification-to-electricity operation, and if the vetting process is successful, to initiate contract negotiations with Frontline.
2. Follow the City's formal Purchasing Policies and direct staff to prepare a Request for Proposals for RDF conversion technologies.
3. Do not pursue RDF conversion technologies at this time, continue to burn RDF in the City's Power Plant, and direct staff to continue to look for other technically and financially viable alternatives.

MANAGER'S RECOMMENDED ACTION:

The City's existing Waste to Energy system has brought immeasurable benefits over the past 40 years. A key component of this system has been the City's ability to utilize refuse derived fuel along with coal in the City's Power Plant. Upon conversion of the Power Plant to natural gas, however, the ability to utilize RDF as supplemental boiler fuel will likely be reduced. Furthermore, the need to constantly burn RDF sometimes reduces Electric Services' ability to turn down the Power Plant boilers and take advantage of purchasing lower cost energy over the City's electric tie lines.

In order to address these concerns, the City Council has directed staff to study a variety of technological alternatives for converting RDF to energy. Staff has done extensive research of possible alternatives while reporting to City Council along the way. According to the URS study, gasification of the RDF has been shown to be the most viable conversion alternative. Until now, however, there did not appear to be any proven gasification systems that merited City consideration. Furthermore, none of the gasification alternatives identified in the HDR study were financially realistic.

Staff has determined that Frontline Bioenergy, LLC of Ames has an operational, full-scale gasification system. It appears that this existing system could be moved to Ames and be located in the City's existing coal yard. Frontline has access to other pre-owned equipment and to federal tax credits that could help make the cost of this relocation acceptable to the City. The availability of those assets, however, is time sensitive since Frontline and CVEC are actively seeking the sale of their gasifier and associated equipment.

It seems appropriate to take advantage of this opportunity to further explore the suitability of Frontline's gasification process. Designing and bidding a City-owned system or engaging in a lengthy RFP process in accordance with the City's Purchasing Policies do not appear to be the best alternatives in this situation.

Waiving the City's purchasing policies requiring formal competitive bids and entering into negotiations with Frontline Bioenergy will allow staff to continue vetting Frontline's technology, environmental permitting, and financial stability. This action would also allow staff to negotiate potential contract agreement terms, if appropriate. This option has the potential to allow the Resource Recovery System to continue the efficient and sustainable handling of the area's solid waste and position the system for future needed growth.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above. **It is important to note that under this alternative, the vetting process of Frontline's technology will continue after the Council waives the competitive bidding requirements. If staff determines that key elements related to this approach are unacceptable to the City, Council will be advised that negotiations should cease.**

COUNCIL ACTION FORM

SUBJECT: REQUEST FROM THE LEAGUE OF WOMEN VOTERS TO SCHEDULE THE COUNCIL CHAMBERS FOR MULTIPLE DATES

BACKGROUND:

Since opening in 1990, the Ames City Hall meeting rooms have been used extensively by the public. Since demand for these spaces sometimes exceeds availability during certain times and days, the staff created the attached policy, hopefully, to provide a fair process for determining use of the City Hall rooms.

You will note from the attached policy that it limits scheduling for outside organizations to only one meeting at a time. This was done to prevent one group who comes in first to reserving all of the preferred times or dates in the year. One exception that has been made to the policy was for the reservation of the Council Chambers for the League of Women Voters for Candidate Forums and Legislative Wake-Ups. This group has been allowed to schedule these events for the year.

With the lack of public meeting rooms, the competition for low-cost space is intense. As a result of this situation, representatives from other community groups have questioned the staff-created policy that grants preference to the League functions. Therefore, the City staff is seeking direction on how to handle the scheduling of the League's Candidate Forums and Legislative Wake-Ups.

ALTERNATIVES:

1. The City Council can pass a motion supporting the staff policy that limits scheduling of only one meeting at a time per group, with the exception of the League of Women Voters who are allowed to schedule their Candidate Forums and Legislative Wake-Ups at one time each year.
2. The City Council can pass a motion supporting the staff policy that limits scheduling of only one meeting at a time per group. This alternative would not provide an exception for the League of Women Voters.
3. The City Council can direct the staff to modify the City Hall Room Scheduling Policy and ask that it be brought back for Council approval.

MANAGER'S RECOMMENDED ACTION:

It can be argued that the League of Women Voters is different than the other groups who seek to use the City Hall rooms. The mission of this organization is to serve the

total community through its civic education. In order to effectively reach the community, access to the Council Chambers with its cable television capabilities is critical. Finally, in order to best serve all of our citizens, advanced notification of the dates and locations for the Candidate Forums and Legislative Wake-Ups is very important. Therefore, the commitments for their room space must be made well in advance of the events so that can be advertised.

For all of the above reasons, it is the recommendation of the City Manager that the City Council approve Alternative #1. This action will provide formal City Council support for the staff-created policy regarding the scheduling of rooms in the City Hall and allow the League of Voters to scheduling their Candidate Forums and Legislative Wake-Ups at one time each year.



June 16, 2014

Dear Mayor Campbell and Ames City Council Members,

As you may be aware, there have been discussions recently about how the City's scheduling policy for rooms in City Hall applies to events hosted by the League of Women Voters of Ames. The specific issue is the provision that a non-profit agency may have only one meeting scheduled at a time.

The mission of the League of Women Voters is to inform and educate voters. For as long as most of us can recall, the City has allowed the League to use City Council Chambers to hold candidate forums for all local elections, informational events such as the annual State of the Community address and presentations by Legislators during the session (Legislative Wake-ups). These events are open to the public and provide opportunities for citizens to ask questions face-to-face of candidates and public officials. The Council Chambers is an ideal location for these events. The City's ability to televise and stream these events adds to their value as it makes them accessible to citizens for whom travel is difficult.

Each July we schedule these events for the following year, in order to notify candidates and officials so they can reserve the dates, to reserve rooms in which to hold them and to submit these events to the Ames Bulletin Board, which publishes quarterly. For many years the League has been allowed to reserve the Council Chambers for all of our events for the upcoming year. If we can make only one reservation at a time, and must wait until that event is over before scheduling another, we might often have to change the date of an already-publicized event or find a new location in a short amount of time. We would also have to reach all of our audiences as best we could with the new date or location, and hope the candidates or officials could still attend. All of this would add much complexity to the activities of our all-volunteer organization, and create confusion for our citizens.

The City's assistance over the years has made it possible for us to reach a large number of citizens of Ames and Story County and has been very much appreciated. In light of the public service the League of Women Voters provides through these events, and our need to set and publicize dates and locations well in advance, we are asking that the City allow the League to reserve the Council Chambers, if available, for the dates of the known events for the upcoming year. We also hope the City will continue to make our events accessible through broadcast and streaming as staffing allows.

Please do not hesitate to contact me if you would like more information about this issue or about the League of Women Voters.

Sincerely,

Linda Murken, President

ameslww@gmail.com

515-460-5080

AMES CITY HALL ROOM SCHEDULING POLICY

Conference Room 135--1st floor; capacity 24 ❖ Conference Room 235--2nd floor; capacity 24
 Conference Room 233--2nd floor, capacity 18 ❖ Council Chambers--2nd floor, capacity 88

The City Manager's office (239-5101) manages the use of three Conference Rooms and the Council Chambers. Although intended for City meetings, the City is happy to accommodate other groups needing a meeting space, following the scheduling policy and notes listed below:

PRIORITY OF USE	SCHEDULING SEQUENCE	WHO CAN SCHEDULE
(1) City Council/Boards/Commissions	As Needed/Throughout The Year	Dept. Secretary/Board or Commission Chair
(2) City Departments/Divisions	As Needed/Throughout The Year	Dept. Secretary
(3) City-Funded Non-Profit Agencies	First Come/First Served (1x)*	Manager's Office Only
(4) Other Governmental Agencies	First Come/First Served (1x)*	Manager's Office Only
(5) Other Non-Profit Agencies (Ames only)	First Come/First Served (1x)*	Manager's Office Only
(6) City-Sponsored Open Forum, Non-Partisan Events	First Come/First Served (1x)*	Manager's Office Only
(7) Non-Profit Organizations Organizational Meetings – non-repetitive events, limited to 2 events per year	First Come/First Served (1x)*	Manager's Office Only
***Per Doug Marek, no campaign events for particular candidates allowed in conference rooms (9/20/11)		

* (1x = *Can Schedule Only One Meeting at a Time*)

NOTES:

- (1) No "for-profit" use (i.e., insurance companies, product sellers, attorneys taking depositions, etc.).
- (2) City conference rooms are for City use first; then public use, as available. The Library also provides public space.
- (3) Four-hour MAXIMUM time for non-City users (except on weekends).
- (4) There is NO charge for use of rooms. We provide NO conference services.
- (5) Rooms may be scheduled only 90 days ahead without express permission from the City Manager.
- (6) It is the responsibility of the group using the conference room to pick up a key from the City Manager's office during our office hours (M-F, 8 a.m.-5 p.m.). Groups will be denied access without a key (Police will not open doors).
- (7) The conference room door is to be locked following each meeting. In addition, the front door of City Hall is to be locked by the last group to leave City Hall.
- (8) Keys are to be dropped in the Utility Drop Box located outside the east entrance of City Hall.
- (9) In the event a meeting is cancelled and the space is no longer needed, please call the Manager's office (239-5101) to release the room.
- (10) The Auditorium is scheduled through Mike King (239-5365). Use policy differs from that of City Hall conference rooms. Fees vary.
- (11) The Gymnasium is scheduled through Parks & Rec (239-5350). Use policy differs from that of City Hall conference rooms. Fees vary.

(12) Per Steve on 2/13/06: It is acceptable for groups to use the rooms on holidays, but the heat and/or a/c may not be working.

Staff Report

FY 2013-14 Sustainability Report

July 22, 2014

This report provides an update of the FY 2013/14 activities and accomplishments related to the Sustainability Advisory Services contract between the City of Ames and Iowa State University.

Background

On July 1, 2010, the City entered into a contract with Iowa State University to utilize the services of its fulltime Director of Sustainability. Initial Scope of Services focused on the reduction of electric consumption. The expectation was that the primary focus would be to provide City staff assistance to the three committees in implementing the Task Force's recommendations. During FY 2013/014, in keeping with the Council's direction, Scope of Services targeted five Priority Areas related to energy consumption reduction:

1. Develop a program and related communications materials for businesses, non-profit and civic facilities entitled "Five Ways to Start Saving Energy".
 - o As part of this program, develop an awards/recognition component branded around the City's 150th Anniversary and or Sesquicentennial.
2. Review of the City's building codes as it pertains to energy efficiency requirements and a report to the City Council regarding how the City compares other municipalities within the State of Iowa and nationally.
3. Advise the City on updating the Smart Energy page on the City's website to provide a better customer experience.
4. Work with Iowa State University professors and students to develop a residential energy consumption comparison tool.
5. Work with Public Works and Electric to educate the ISU community and all residents on waste diversion and reuse as related to promoting the City's waste to energy program.

Progress on Scope of Services:

- 1. Develop a program and related communications materials for businesses, non-profit and civic facilities entitled "Five Ways to Start Saving Energy".***

As part of this program, develop an awards/recognition component branded around the City's 150th Anniversary and or Sesquicentennial.

Through discussions with City staff related to long-term goals and opportunities for engagement and empowerment of community businesses, non-profit and civic facilities in energy reduction, the focus of this priority area became the development of a Smart Business Challenge.

<http://www.cityofames.org/index.aspx?page=1781>

Accomplishments include the following for Priority Area #1:

- Development of a ten tier Smart Business Challenge Checklist. Tiers were chosen to offer an overarching consideration of and commitment to sustainability and building and nurturing a sustainable community (inclusive of environmental, economic, and social sustainability) and include: policy and planning, conservation (energy and water), transportation, indoor environment, outdoor environment, purchasing, waste diversion, carbon footprint, customer relations, and community relations).
- Compilation of an online resource list to assist businesses in increasing sustainability efforts and impacts. The resources are applicable and relevant to both businesses participating and not participating in the Smart Business Challenge.
- Creation of a branding strategy for the Smart Business Challenge, that allows the Challenge to continue even after the Sesquicentennial year.
- Creation of marketing materials including a Smart Business Challenge website, challenge logo, and recognition decals for participating businesses and those achieving bronze, silver, gold, and platinum status.

- Recruitment and hire of a Smart Business Challenge Intern with the Electric Department to act in a liaison and resource role to businesses participating in the Challenge through organizing and facilitating participant meetings, assisting with energy audits and follow-up goals and action plans, creating and maintaining participant files and spreadsheets to track correspondence, resources, and deadlines, and responding to requests for information and resources - as well as recruit new participants.
- Outreach to and recruitment of community businesses and organizations through tabling at the Annual Chamber of Commerce Dinner and Awards Ceremony, presenting to business associations, and meetings with local business owners.
- Collaboration partners: Electric Services – Steve Wilson; Public Relations Officer – Susan Gwiasda; Purchasing – Derek Zahn, Chamber of Commerce; and Assistant City Manager Melissa Mundt.

2. Review of the City's building codes as it pertains to energy efficiency requirements and a report to the City Council regarding how the City compares to other municipalities within the State of Iowa and nationally.

The following is the report for Priority Area #2:

- Staff requested the Inspections Division to determine what the current municipal code requires.
- In October 2013, Seana Perkins noted that as the City was working through the most recent round of updates to the Building Code and that originally they were looking to adopt the 2012 International Energy Conservation Code(IECC), along with all of the other 2012 Building Code updates, and the Building Board of Appeals recommended approval of that Code to the City Council. The IECC regulates the design and construction of new buildings for the effective use of energy. This code applies to both residential and commercial buildings and is compatible with the other Codes that the City has adopted which dictate the installation of mechanical, electrical, and plumbing systems. (International Mechanical Code, International Fuel Gas Code, National Electrical Code, Uniform Plumbing Code)
- Compliance with the 2012 IECC requires verification from the contractor to the City of Ames that the design will comply with the 2012 IECC. For a comparison

by States, here are the adoptions of the 2012 IECC as of July 2014:
<http://www.iccsafe.org/gr/Documents/stateadoptions.pdf>

- The City of Ames followed the State of Iowa's 2012 IECC adoption process which mandated that all new residential and commercial construction be in compliance with the 2012 IECC by June 1, 2014. The City has also adopted the International Existing Building Code (IEBC) which is used for the design of alterations, renovations, additions, etc. of *existing* commercial buildings and is also compatible with the other Codes adopted by the City. There are varying levels of alterations and categories for additions, occupancy change, etc. but the basis for this code is any alteration or addition must comply with the IECC without requiring the entire building or structure to comply with the energy requirements of the IECC. Existing buildings and building systems can, for the most part, continue to be used as is with no upgrades other than to keep systems in safe working order. This can also be used for one and two family dwellings, but anything new in those buildings must comply as if it were new construction.
- Existing buildings are exempt from the IECC unless repairs, alterations, etc. are made to the building which would require the new to comply.
- New buildings that meet the requirements of a low energy building or buildings that do not contain conditioned space are exempt from the IECC.
- The 2012 IECC is a State of Iowa mandated Code. The Inspection Division is not aware of a jurisdiction that has adopted a more restrictive Code or more restrictive addendums to the 2012 IECC.
- The Sustainability Task Force had been seeking the City to move toward a more holistic sustainable design and to incorporate more LEED related requirements into the Code, which would be above what is currently adopted.

3. Advise the City on updating the Smart Energy page on the City's website to provide a better customer experience.

In consideration of the expanded focus of Priority Area 1 and the establishment of the Smart Business Challenge, an expanded focus was also given to this priority area to include all of the EcoSmart web pages and not be limited to Smart Energy.

<http://www.cityofames.org/index.aspx?page=990>

Accomplishments include the following for Priority Area #3:

- Collaboration with Iowa State University's College of Business to offer "live" case study projects to Management 370 (students during both fall and spring semesters) related to completing an analysis of current EcoSmart program websites, meeting with City staff to discuss goals and objectives, gathering feedback from customers, and providing recommendations focused on increasing education, engagement, and empowerment of website users.
- Delivery of twenty-two formal business proposals offering customer feedback and perspective gathered through survey results and focus groups as well as "shovel-ready" recommendations were provided to City staff for review and implementation.
- Delivery of two additional proposals, specifically focused on the City of Ames ISU Students webpage.
- Confirmation of additional opportunities for collaboration with the College of Business during the 2014-2015 academic year, related to continued website development and/or additional areas of focus.
- Collaboration partners: Electric Services – Steve Wilson; Public Relations Officer – Susan Gwasda; Management Analyst – Brian Phillips; Parks and Recreation – Keith Abraham, Water and Pollution Control – John Dunn; Iowa State University College of Business; and Assistant City Manager Melissa Mundt.

4. Work with Iowa State University professors and students to develop a residential energy consumption comparison tool.

This priority area specifically focuses on a targeted action item identified by the Residential Sector of the Sustainability Task Force and discussed in the City of Ames Sustainability Plan for Electrical Consumption Reduction: Creating an On-line, Self-guided Data System to Track Personal Electrical Usage and Compare Usage to Similar Households. <http://www.cityofames.org/index.aspx?page=1144>

Accomplishments include the following in Priority Area #4:

- Collaboration with Iowa State University's Colleges of Engineering and Liberal Arts and Sciences to offer senior software engineering and design students a software design and programming consultation project opportunity (including

spring 2014 and fall 2014 semesters) related to meeting with City staff to discuss goals and objectives, researching and collecting energy performance benchmark and goal-setting data and formulas, and gathering feedback from customers, and creating an online interactive residential energy consumption reduction tool.

- Delivery of an interactive online, self-guided data system to track personal electrical usage and compare usage to similar households (provided spring semester 2014) that will be developed into a full prototype, evaluated, and finalized fall semester 2014. The final product will serve as a modification to the web interface currently available for Ames Electric Utility customers allowing customers to see energy consumption information on a relative basis as well as compare themselves to other customers with similar household space and electrical need.
<http://www.thecityofames.org/php/home.php>
- Confirmation of additional opportunities for collaboration with the College of Engineering during the 2014-2015 academic year, related to online tools and interactive initiatives.
- Collaboration partners: Electric Services – Steve Wilson and Mike Wheelock; IT Services – Stan Davis and Miriam Carlson; The Energy Group; Iowa State University Colleges of Engineering and Liberal Arts and Sciences; and Assistant City Manager Melissa Mundt.

5. Work with Public Works and Electric to educate the ISU community and all residents on waste diversion and reuse as related to promoting the City's waste to energy program.

Although much of the progress related to this priority area has been accomplished through the expanded focus of Priority Area #3, as noted above, additional focus was also given to this area.

Accomplishments include the following in Priority Area #4:

- Development of a “Green Your Iowa State Adventure” handout, in collaboration with City staff, highlighting the diversity of waste diversion opportunities offered to Iowa State University students.
- Dissemination of the handout, in conjunction with the City of Ames display, at Iowa State University's Destination Iowa State event for all incoming students as

well as other student events offered by the Office of Sustainability throughout the 2013-2014 academic year.

- Creation of a “Follow Your Trash” webpage on the Live Green! website, focused on increasing awareness of and education about waste management at Iowa State University and the City of Ames’ waste to energy program.
<http://www.livegreen.iastate.edu/programs/facilities-services-and-operations/waste-diversion-and-recycling>
- Establishment of an Organic Waste Working Group (including City of Ames Public Works and Water and Pollution Control departments and Prairie Rivers RC&D) to discuss, research, and strategize opportunities related to diversion of organic waste, and in support of the FOG (fats, oils, and grease) Initiative, which includes but is not limited to composting is still being worked upon and will be part of the 2014/2015 program.
- Collaboration partners: Electric Services – Don Kom; Public Relations Officer – Susan Gwiasda; Parks and Recreation – Keith Abraham, Public Works – Gary Freel, Bill Schmidt, and Lorrie Hanson; Water and Pollution Control – John Dunn; Prairie Rivers RC&D; and Assistant City Manager Melissa Mundt.



Smart Business

Applicant Name (Name of Business): _____

This business has completed an energy audit with a certified entity (consultant, energy provider, government agency, etc.). Please note verification of an energy audit is required to take part in the Green Business Checklist Program.

Yes	No	If yes, list date and provider

Tier Level Section 1 - Policy and Planning

		Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Environmental policies, goals, practices, and accomplishments are publicized in employee updates, customer newsletters, annual reports, and media advisories.				
Silver	A formal tracking and reporting system of energy/utility/waste/water usage is used to identify trends and unusual changes in usage.				
Bronze	An awareness program for is in place for energy conservation including regular communication to employees about wasteful practices and encourages turning off lights and electronics when not in use. Reminder signs are posted. There is a system in place that allows employees to provide feedback and suggestions for new ideas and improvements.				

Examples of policies and plans include: luncheon and learns for employees, procedure manual update to reflect best practices, mission statement identifying sustainable practices as a priority, etc.

Tier Level Section 2.1 - Energy Conservation - Lighting

		Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Energy efficient lighting practices are required and in place in all applications, except those where no low-energy options are available.				
Silver	Energy efficient lighting practices and incorporating them (when possible) are a priority.				
Bronze	Energy efficient lighting options and opportunities are included in an awareness program. Information is provided about energy efficient lighting practices and how to incorporate them.				

Examples of energy efficient lighting practices include: audit of lighting use and system functionality, CFL, LED, T5, and T8 lighting applications, motion detectors, occupancy sensors, timers, and zone or individual workspace lighting control options.

Tier Level	Section 1 - Policy and Planning	Yes	No	Pending	Description of Tier Activities (Planned or Current)
	Section 2.2 - Energy Conservation - Equipment	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Energy efficient equipment use and practices are required and in place for all equipment, except those where no conservation options are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Energy efficient equipment use and practices and incorporating them (when possible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Energy efficient equipment use, practices and incorporation are included in an organizational awareness program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Examples of energy conservation practices include: use of Energy Star products, computers and non-essential office equipment turned off at the end of the work day and on weekends, all computers and non-essential office equipment programmed for auto power down and standby modes to take effect within 30 minutes of inactivity, reduction of personal office equipment toward communal equipment (printers, scanners, coffee pots, refrigerators, etc.), and work stations with multiple devices are powered through power strips that are turned off at the end of the work day and on weekends.

Tier Level	Section 2.3 - Water Conservation - Indoor Water	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Indoor water conservation practices are required and in place in all applications, except those where no options are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Indoor water conservation practices and incorporating them (when possible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Indoor water conservation options and opportunities are included in an awareness program. Information is provided about water conservation and how to incorporate it into business operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Examples of water conservation practices include: audit of water use and system functionality, low flow faucets and showers, auto shut-off or timed, faucets and showers, low flow or dual flush toilets, waterless urinals, auto shut-off or timed water features, and personal responsibility and behavioral commitment.

Tier Level	Section 2.3 - Water Conservation - Outdoor Water	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Outdoor water conservation practices are required and in place in all applications, except those where no options are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Outdoor water conservation practices and incorporating them (when possible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Outdoor water conservation options and opportunities are included in an awareness program. Information is provided about water conservation and how to incorporate it into business operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Tier Level	Section 1 - Policy and Planning	Yes	No	Pending	Description of Tier Activities (Planned or Current)
	<i>Examples of practices include: low or no maintenance and irrigation landscaping, (if not prohibited) irrigation plan consisting of time of day and length of time, landscape maintenance plan noting schedule of maintenance and specific maintenance completed, stormwater capture and reuse, written stormwater management plan, mowing practices that promote water retention, and adopting City seasonal water conservation recommendations (up to and including dormancy of green space).</i>				

Tier Level	Section 3 - Transportation	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Sustainability-minded transportation opportunities and practices are required and in place, except when no opportunities are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Sustainability-minded transportation opportunities and practices (when possible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Sustainability-minded transportation opportunities and practices are included in an organizational awareness program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<i>Examples of transportation practices include: develop incentives and create an environment to encourage employees to carpool (i.e. designated parking), use mass transit (i.e. subsidized bus passes), and ride their bikes to work (i.e. bike storage space and access to showering facilities); track and compare annual vehicle miles traveled and gallons of fuel consumed for company business; develop a plan and provide criteria for buying energy efficient vehicles; develop delivery routes and schedules to minimize driving time and fuel consumption; hold meetings via telecommunications and facilitate carpooling for offsite meetings where teleconferencing is not an option.</i>				

Tier Level	Section 4 - Indoor Environment	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Indoor environmental quality and energy efficiency practices and incorporating them are required and in place, except when no opportunities are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Indoor environmental quality and energy efficiency practices and incorporating them (when feasibly possible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Indoor environmental quality and energy efficiency practices and incorporating them are included in an organizational awareness plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<i>Examples of practices include: HVAC energy efficiency operations plan, programmable thermostats or thermostat adjustment plan, inventory of indoor use hazardous chemicals and educational signage noting chemical name, uses, and safe handling and cleanup procedures, low or no phosphate detergents, proper disposal of fats/oils/greases, low VOC, and/or low emission paints, stains, cleaning supplies, and furnishings (carpet, furniture, etc), reduced or non-chemical pest control programs, and (if not prohibited) smoking is confined to a separate and emissions-controlled and monitored area.</i>				

Tier Level	Section 5 - Outdoor Environment	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Outdoor environmental quality and energy efficiency practices and incorporating them are required and in place, except when no opportunities are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Tier Level	Section 1 - Policy and Planning	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Silver	Outdoor environmental quality and energy efficiency practices and incorporating them (when feasible) is a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Outdoor environmental quality and energy efficiency practices and incorporating them are included in an organizational awareness plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Examples of practices include: use of environmentally-sensitive maintenance and lawn products (deicer, cleaning products, fertilizers, herbicides, fungicides, etc.), reduced or non-chemical pest control programs (pesticides, insecticides, rodenticides, etc.), inventory of outdoor use hazardous chemicals and educational signage noting chemical name, uses, and safe handling and cleanup procedures, and (if not prohibited) smoking is confined to a separate and emissions-monitored area.

Tier Level	Section 6 - Purchasing	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Sustainability-minded purchasing processes and products for business operations and services are required and in place, except when no opportunities are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Sustainability-minded purchasing processes and products for business operations and services (when feasible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Sustainability-minded purchasing processes and products for business operations and services are included in an organizational awareness plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Examples of practices include: products that are made from recycled content, reusable, non-disposable, recyclable, green manufactured, local, energy efficient, utilize reduced packaging, and have a green certification (Green Seal, Energy Star, etc.), on-site recycling, "swap" opportunities for office supplies and equipment, donation policy for unneeded office supplies and equipment, leasing options for new equipment, and paperless procurement and inventory system.

Tier Level	Section 7 - Waste Diversion and Responsible Waste Management	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Waste diversion and responsible waste management practices and incorporating them are required and in place, except when no opportunities are available.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Silver	Waste diversion and responsible waste management practices and incorporating them (when feasible) are a priority.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bronze	Waste diversion and responsible waste management practices and incorporating them are a part of an organization awareness plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Examples of practices include: waste diversion plan for all waste generated on-site or as a result of products or services provided, on-site or participate in diversion (including reuse, recycling and/or composting), in-house or intra-company "swap" opportunities for business supplies and equipment, and donation policy for unneeded business supplies and equipment.

Tier Level	Section 1 - Policy and Planning	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Tier Level	Section 8 - Carbon Footprint	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	A carbon footprint assessment has been completed for the business and a carbon emission reduction plan has been put into place with specific time-sensitive goals and action step requirements.				
Silver	A carbon footprint assessment has been completed for the business and a carbon emission reduction plan has been put into place with specific time-sensitive goals and action step priorities.				
Bronze	A carbon footprint assessment has been completed for the business and a carbon emission reduction plan with goals and action steps is a part of an organizational awareness program.				

Tier Level	Section 9 - Customer Relations	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Sustainability-minded customer service practices are required and in place, except when no opportunities are available.				
Silver	Sustainability-minded customer service practices (when feasibly possible) are a priority.				
Bronze	Sustainability-minded customer service practices are included in an organizational awareness program.				

Examples of practices include: discounts for reusable bag use, minimal product packaging, paperless ordering, return, and/or accounting, environmentally-conscious products/merchandise (recycled content, reusable, recyclable, green manufactured, local, energy efficient, etc.), on-site recycling, and education and awareness resources about green business practices (website, in-store/business signage, public events, newsletters, publications, etc.).

Tier Level	Section 10 - Community Relations	Yes	No	Pending	Description of Tier Activities (Planned or Current)
Gold	Collaborative community opportunities related to sustainability-minded activities and awareness are required and in place, except when no opportunities are available.				
Silver	Collaborative community opportunities related to sustainability-minded activities and awareness (when feasibly possible) are a priority.				
Bronze	Collaborative community opportunities related to sustainability-minded activities and awareness are included in an organizational awareness program.				

Tier Level	Section 1 - Policy and Planning	Yes	No	Pending	Description of Tier Activities (Planned or Current)
	<i>Examples of opportunities include: events (hosting, planning, facilitation, or volunteerism), education materials and resources, charitable contributions (in-kind or monetary), and community service.</i>				

Tier Level	Section 11 - Additional or Innovative Actions	Yes	No	Pending	Description of Tier Activities (Planned or Current)
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Attach any additional information describing condition(s) or activity(ies) that you believe should be taken into account in the evaluation that is not otherwise covered in this checklist. This might include actions that are unique to your facility or industry, industrial process improvements, significantly lower emissions or discharge than permitted levels, land conservation, product life cycle analysis, super-efficient HVAC systems such as geo-thermal, environmental advocacy, etc. Points may be awarded commensurate with the scope and value of such additional actions.

I verify that the information provided above is accurate and representative of our business practices.

Signed (please print name) _____
 Title _____
 Signature _____
 Date _____
 Contact Address _____
 Contact City, State, Zip _____
 Phone and Email _____

SMART
BUSINESS
REDUCING OUR FOOTPRINT



FOUNDING MEMBER

Creating a sustainable Ames through increasing efficiencies and implementing business strategies that grow our economy while helping the environment.

COUNCIL ACTION FORM

SUBJECT: SUSTAINABILITY ADVISORY SERVICES CONTRACT RENEWAL

BACKGROUND:

On July 1, 2010, the City entered into a contract with Iowa State University to utilize the services of its fulltime Director of Sustainability. Since that time, the contract has been extended on three other occasions. The current contract expired on June 30, 2014. For the past couple of years, the City Council approved a Scope of Services to focus only on the reduction of electric consumption. The expectation was that the primary focus would be to provide City staff assistance to the three committees in implementing the Task Force's recommendations.

In keeping with the Council's direction, staff is recommending that the Sustainability Advisory Services Contract with ISU be approved with the Scope of Services being targeted in four specific areas and or projects related to energy consumption reduction and sustainable practices for the community for 2014/2015, those include:

- 1) Provide a staff report to the City Council regarding best practices that other communities are doing to consider "environmental impacts" in policies.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of a Challenge intern, and marketing of outcomes and accomplishments of Challenge participants.
- 3) Biannual progress reports will be provided to Council will be provided – December and June.
- 4) Continue work with Iowa State University professors and students to develop a residential energy consumption comparison tool.
- 5) Remain in a consulting role with City departments in updating EcoSmart Program websites toward providing a more consistent customer experience.
- 6) Work with Public Works and Water and Pollution Control on reuse and diversion programs related to the waste stream, including the exploration of a composting and food waste program.

The FY 2014/15 operating budget includes \$25,000 for services to be performed under this contract with Iowa State University's Director of Sustainability.

ALTERNATIVES:

1. Approve the contract renewal with Iowa State University for sustainability advisory services for a one-year period from July 1, 2014, through June 30, 2015. Total work in FY 2014/15 shall be an amount not to exceed \$25,000.
2. Do not renew the agreement and direct staff to seek other alternatives to meet Sustainability Task Force Recommendations.

MANAGER'S RECOMMENDED ACTION:

Staff has worked with the Sustainability Coordinator to target specific programs and initiatives for 2014/2015 that will continue to move the recommendations of the Sustainability Task Force forward and to provide a more environmentally healthy community for the City's future.

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

**CONTRACT
FOR
SUSTAINABILITY ADVISORY SERVICES**

This Agreement, made and entered into the 1st day of July 2014, by and between the CITY OF AMES, IOWA, hereafter called the "City" and IOWA STATE UNIVERSITY, hereafter called "ISU."

WITNESSTH THAT:

WHEREAS, the City and ISU had previously entered into a Contract for Sustainability Advisory Services dated July 1, 2010, which was, by mutual consent, extended to December 31, 2011, and to June 12, 2012, and to June 30, 2013 and to June 30, 2014; and,

WHEREAS, the City and ISU remain committed to the concept of sustainability and are desirous of reducing carbon emissions; and

WHEREAS, ISU currently employs a Director of Sustainability to coordinate their sustainability efforts; and

WHEREAS, the sharing of the services of ISU's Director of Sustainability is a more efficient method for both the City and ISU to provide this service.

NOW, THEREFORE, the parties hereto, pursuant to and in accordance with the provisions of Chapter 28E Code of Iowa for joint exercise of governmental powers, agree as follows:

**I
PURPOSE**

The purpose of this agreement is to secure for the City and its citizens leadership, coordination, and support services for sustainability efforts directed at carbon emission reduction and promoting sustainable community practices.

**II
SCOPE OF SERVICES**

ISU, through its Director of Sustainability, shall assist City staff in the implementation of the Sustainability Task Force's recommendations related to electric consumption reduction and other sustainable practices by planning, implementing and carrying out the following programs or initiatives:

- 1) Provide a staff report to the City Council regarding best practices that other communities are doing to consider "environmental impacts" in policies.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of a Challenge intern, and marketing of outcomes and accomplishments of Challenge participants. Biannual progress reports will be provided to Council will be provided – December and June.

- 3) Continue work with Iowa State University professors and students to develop a residential energy consumption comparison tool.
- 4) Remain in a consulting role with City departments in updating EcoSmart Program websites toward providing a more consistent customer experience.
- 5) Work with Public Works and Water and Pollution Control on reuse and diversion programs related to the waste stream, including the exploration of a composting and food waste program.

III METHOD OF PAYMENT

Although this is a lump sum contract for consulting services, ISU anticipates devoting a maximum of 480 hours (25%) of the Director of Sustainability's time to complete the tasks identified in the Section II. Furthermore, ISU shall not charge for the use of ISU office space or office equipment (such as computing and communications) used on a day to day basis by the Director of Sustainability for conducting the work.

The City will disburse payments to ISU each month in the amount of \$2,083.33. The maximum total amount payable by the City under this agreement is \$25,000 for work detailed in the SCOPE OF SERVICES (Section II of this Contract) and no greater amount shall be paid.

IV SUPERVISION OF CONTRACTED SERVICES

The work of ISU's Director of Sustainability under this agreement shall be supervised and directed by the Ames City Manager. Each month, the Director of Sustainability shall provide a written report to the City Manager highlighting the progress being made to accomplish the asks required in Section II. While the Director of Sustainability Programs will be responsible to take the minutes of the meetings, clerical assistance to type the minutes, schedule meetings, prepare and send out meeting packets, type other documents, or reproduce documents required to perform the work identified in the SCOPE OF SERVICES (Section II) will be provided by the City Manager's Office.

V DURATION AND EARLY TERMINATION

This agreement shall be in full force and effect from and after July 1, 2014, until June 30, 2015. This agreement may be terminated without cause by either party upon the giving of notice 90 days advance written notice. On or before April 1, 2015, the parties will discuss renewal of this agreement.

VI DISCRIMINATION PROHIBITED

In accordance with Chapter 14 of the *Municipal Code*, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from

participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

IN WITNESS WHEREOF the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

CITY OF AMES, IOWA

ATTEST:

BY _____
Ann H. Campbell, Mayor

Diane R. Voss, City Clerk

IOWA STATE UNIVERSITY

BY _____
Steven Leath, President
Iowa State University

COUNCIL ACTION FORM

SUBJECT: ANNUAL URBAN DEER MANAGEMENT PROGRAM REPORT

BACKGROUND:

Periodically the City has received citizen complaints about deer damage due to high concentrations of whitetail deer within the city. In an attempt to address those concerns, a Special Urban Deer Task Force (SUDTF) was created by the City Council in 2006. Previous Task Force recommendations to the Council have included an annual survey of deer population, a ban on deer feeding, public education efforts, and limited urban bow hunting of deer. Urban deer hunting is conducted in a limited number of locations under special rules administered by the Police Department. All participants must purchase a special tag and register with the Police Department. Rules also require participants to pass a safety course and proficiency test, to hunt only from tree stands situated at least 85 feet from trails, and to limit shots to 75 feet or less.

An aerial count in January identified 339 deer in the survey area as compared with 381 deer in the same areas last year. (The Council should understand that this decrease could have been impacted by the fluctuation of the winter weather at the time of the survey. Therefore, staff would caution against drawing any conclusions about the effectiveness of our deer management program from this decrease.)

Deer densities met or exceeded 30 deer/square mile in five of the eleven areas surveyed. Densities exceeding 30 deer/square mile are generally thought to be the most likely to have human-deer conflict at a level where intervention is warranted. This is not a formal goal, it is, however, a reflection of the guidance that the DNR has given to the UDTF and serves as a “rule of thumb” to assist in evaluating the information.

Again last year, hunting was allowed on private property if there were three or more acres available and hunting was supported from adjacent property owners. Due to the broad array of views in the community, the Special Urban Deer Task Force had proposed that two classes of private property hunts be created. In the first category, hunts on wooded or agricultural tracts are reviewed by the Police Department and, if the property met the program criteria, it could be approved for hunting. In the second category, locations that were primarily residential properties would be reviewed by the Police Department and then publicized to in a manner that would seek additional input from other residents in the neighborhood. **While there were a couple of private wooded/agricultural tracts approved for hunting, there were no residential properties approved for hunting last year. During 2013, there were 35 tags purchased and 18 deer were harvested.**

The Urban Deer Task Force met to consider this latest deer count as well as other data collected about whitetail deer within the city. Following the Task Force meeting, five

potential recommendations were circulated to the Task Force members for a vote. Comments from Task Force members illustrated the broad range of public attitudes toward deer and deer hunting. One perspective supported bowhunting of deer as a safe intervention that allows property owners in specific neighborhoods or locations to address a problem with high deer concentrations. Others felt that deer hunting is unnecessary and fails to control the population of deer causing problems within the city. These recommendations and the votes of the task force members are as follows:

1. Continue the city hunt locations (city properties)
Favor (6) Oppose (1) Abstain (0)
2. Continue current City rules (regulating hunting methods and locations)
Favor (6) Oppose (1) Abstain (0)
3. Continue the current private property process distinguishing wooded/agricultural from residential with additional consensus required for hunting in a residential area...
Favor (6) Oppose (0) Abstain (1)
4. Continue to request the buck incentive to encourage hunter participation and harvest.
Favor (6) Oppose (1) Abstain (0)
5. Continue the annual helicopter population survey.
Favor (6) Oppose (1) Abstain (0)

A majority of the Task Force members support the continuation of hunting in designated City locations. Dates for these locations were recommended by the Parks and Recreation staff. It should be noted that in addition to the votes, the feedback included thoughtful commentary, both pro and con, regarding the benefit of urban bowhunting. Comments in opposition to these recommendations included the view that urban hunting is entirely unacceptable while also noting that the urban harvest does not seem to be a major influence on whitetail deer population levels.

The Iowa Department of Natural Resources (DNR) establishes 'legal hunting hours' (one-half hour before sunrise that continue to one-half hour after sunset) and the 'dates' (September 14 to January 10) for the City of Ames. However, the City can modify these hours and dates as long as they fall within the overall DNR timeline as noted above.

Subject to City Council action and taking the DNR established hours and dates into consideration, staff recommends the following locations, dates, and times for deer hunting this coming fall:

NON-PARK / PUBLIC AREA

Wooded City property south of the Hunziker Youth Sports Complex:

Weekdays: One-half hour before sunrise and ending at 11:00 AM, September 13 to November 16

Weekends: No hunting until November 14

Daily beginning November 17, DNR legal hunting hours (following the anticipated conclusion of the youth sport season)

City property north of the landfill in east Ames off Edison Street:

DNR legal hunting hours beginning September 13

PARKLAND AREAS

South River Valley Park:

Weekdays: One-half hour before sunrise ending by 4 PM September 13 to October 27 (hours not used by sport leagues)

Weekends: One-half hour before sunrise ending by 8 AM, September 14 to October 27 (hours not used by sport leagues)

Daily beginning October 27 DNR legal hunting hours (following the conclusion of sport leagues)

Gateway Park: Restricted to the west timber

Daily beginning September 13: DNR legal hunting hours

Homewood Golf Course:

Daily beginning November 10 (following course closure for the season)

Inis Grove Park

Daily Beginning after the close of Homewood Golf Course-limited locations designated by Parks and Recreation staff.

All dates are subject to adjustment by the Ames Police Department for safety related issues. Hunting may be temporarily suspended by the Ames Police Department in any location for safety-related reasons.

In addition, the Urban Deer Task recommends continuation of the process allowing private property or other non-city, public property to be enrolled as urban deer hunting locations. The process of establishing eligibility requires the owner or lawful agent in control of the property to submit a written request for participation to the Police Department. Requests must include owner/agent permission for at least three contiguous acres, a map of the property, and a listing of any additional rules or restrictions being proposed. This may include limitations on who may hunt on the property. The City Hunt Manager (Police Department) will evaluate the property and treat it as one of two types:

1. **Wooded/agriculture property** will be reviewed to ensure the suitability of the proposed location, proximity to adjacent properties, and any special hazards or concerns.
2. **Residential locations** will receive a similar initial review by the City Hunt Manager, followed by notification of adjacent property owners. This will be done by the property owner or hunter(s) using City forms. For residential locations to be approved, neighbors within 200 yards of the stand must approve of the hunting. This will involve the signature of one owner or resident of each affected property. Neighbors within 400 yards of the stand must also be notified of the proposed hunt.

One or more signs will be posted at these locations and all other rules will apply.

ALTERNATIVES:

1. Approve bow hunting within the park system, on City property, and on other eligible property as detailed in the Urban Deer Management ordinance and rules as listed above. **This alternative continues the program under the same rules as last year.**
2. Approve bow hunting only in the City locations specified in this proposal by the Urban Deer Task Force and do not allow additional properties to be considered.
3. Do not approve bow hunting as proposed in the Urban Deer Management ordinance and rules listed above.

MANAGER'S RECOMMENDED ACTION:

The Iowa DNR, Special Urban Deer Task Force, Parks and Recreation Commission, and staff members within Parks and Recreation, the Police Department, and Animal Control all support the continuation of the Urban Deer Management ordinance and rules.

Continuing a process for designating additional hunting locations on private property will provide a tool for private landowners and other public entities to participate in efforts to control the deer population. Additional notice requirements will continue to ensure that neighboring property owners are formally notified of a property being considered for hunting.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving bow hunting in designated locations including the park system, on City property, and on other eligible property as detailed in the Urban Deer Management ordinance and rules.

COUNCIL ACTION FORM

SUBJECT: INSPECTION OF GT1 COMBUSTION TURBINE GENERATOR TO DETERMINE OPTIONS AND COSTS OF RETURNING UNIT BACK TO SERVICE

BACKGROUND:

On July 8, 2013, Electric Services' GT1 engine generator catastrophically failed while operating. At the time of the failure, the front compressing section of the engine was rotating at 5,900 revolutions per minute (rpm) when it threw blades and tore much of that section and the inlet vanes and cowling apart. The failure caused other collateral damage to the engine and other components of the combustion turbine. The root cause of the failure is unknown at this point.

This incident is covered by the City's property insurance coverage. Immediately following the failure, the City's Risk Manager notified the appropriate insurance contacts. Very shortly following the failure, an insurance adjuster and an engine consultant hired by the insurance adjustment company visited the site to observe the aftermath of the failure. The City also provided both the adjuster and the engine expert with all requested available documentation.

City staff issued a request for proposal (RFP) to the original equipment manufacturer (OEM), Wood Group Pratt & Whitney (WGPW), for the purpose of inspecting the post-failure combustion turbine to determine the extent of damage and to identify the repair options and associated repair costs to return the unit back into service. The OEM was chosen for this task because it was deemed that they would provide the most valid assessment of the damage and the repair options.

The proposal for this work from WGPW is itemized as follows:

- 1) On-site inspection and documentation of the engine failure and resultant damage; removal of the engine from its base plate and compartment; placement of engine onto a shipping stand and preparation for shipment; complete the visual inspection after the engine removal to determine what other items need repair or replacement; provide motor carrier transport from Ames to WGPW's facility; provide detailed field services report.

Estimated cost of \$22,763.70

- 2) Receive engine at WGPW's facility; disassemble, inspect and document shop inspection of engine; evaluate failure and provide engineering report.

Estimated cost of \$81,065

- 3) Field inspect expander (free turbine). To be performed by Energy Services, Inc.

Estimated cost of \$6,250 plus expenses

- 4) Field inspect generator. To be performed by Leppert-Nutmeg, Inc.

Estimated cost of \$14,000 plus expenses.

The total cost for all work as described above is estimated to be \$131,500.

This total includes estimates of the expenses for Items 3 and 4 above, and for the 10% markup that WGPW will apply to the invoices from its subcontractors, Energy Services and Leppert-Nutmeg.

Even though the failure of the engine, based upon visual observations, did not seemingly damage the expander (free turbine) and the generator, it is important to perform an inspection and assessment of them, since staff does not know their condition, related to the engine failure or otherwise. Since we are on a path to return the combustion turbine to service (with a repaired or replacement engine), it is important to make sure we are mating a like-new engine to an expander and generator in good condition.

Once the inspections and assessments of the engine, expander, and generator are complete, WGPW will provide the City with a report of the findings which will include the options and costs for returning the combustion turbine to service.

It is important to emphasize that the expenditures highlighted above do not cover the costs for repair or replacement of any of the combustion turbine's components (the engine, expander, generator, or any of the balance-of-plant equipment).

The cost of these inspections and assessments will be included in the insurance claim and will be applied against our insurance deductible (\$350,000). The FY 2014/15 Capital Improvements Plan includes \$1,500,000 for work on GT1.

ALTERNATIVES:

1. Approve a contract with Wood Group Pratt & Whitney of Bloomfield, Connecticut, for up to \$131,500 to provide inspection and assessment services as described in their proposal.
2. Direct staff to solicit proposals for inspection and assessment from other service and repair providers of this engine.

MANAGER'S RECOMMENDED ACTION:

This work is necessary to evaluate whether the City's GT1 engine can and should be repaired versus other options, and to also assess the condition of the unit's expander (free turbine) and electric generator. Wood Group Pratt & Whitney is the OEM for GT1's engine, and is therefore regarded to be in the best position to evaluate GT1's condition following the engine failure and to identify and cost out the options to return the unit to operating service.

This generating unit provides needed capacity and provides quick energy production in an emergency. Failure to return the unit to service will require the City to purchase replacement capacity and /or explore the purchase and installation of a new generating unit.

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

COUNCIL ACTION FORM

SUBJECT : REZONING AT 4710 MORTENSEN ROAD FROM COMMUNITY COMMERCIAL/RESIDENTIAL (CCR) TO FS-RM (SUBURBAN MEDIUM-DENSITY RESIDENTIAL)

BACKGROUND:

Cyclone Conference Center owns a 1.71 acre parcel on Mortensen Road west of the Hilton Garden Inn. Access to the site is from Mortensen Road through the West Town Condominiums mixed-use project. The site is zoned Community Commercial/Residential with an underlying land use designation of Village/Suburban Residential. Community Commercial/Residential zoning district was created to encourage mixed use development while meeting commercial needs. It was applied to the southwest area of town in response to the Land Use Policy Plan designation of the area with a Community Commercial Node and its Village/Suburban Residential land use designation. The residential use was intended to support the primary purpose of the area as a commercial node.

The subject parcel was originally intended to be the eighth building of the West Towne Condominiums mixed-use project. CCR zoning district requires development of non-residential uses on the ground floor in order to have residential uses on the upper floors. The zone limits residential development to two floors above the non-residential use based upon the height limit of the zoning district. **The owner seeks to rezone the parcel to FS-RM (Suburban Medium-Density Residential) in order to do an exclusively residential development. Conceptually this would be three separate buildings totaling 35 units and approximately 108 bedrooms.** Development of apartments in a FS-RM zoning district requires subsequent approval of a Major Site Development Plan by the City Council. The location and zoning are shown on Attachment 1.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission met on July 2 and recommended approval (5-0) of the proposed rezoning from CCR to FS-RM. The Commission noted the vacant retail space in the area and felt that this site would be even less desirable for such uses. Other than the applicant, no one spoke at the public hearing on this item.

A full analysis of the rezoning petition is included in the attached addendum.

ALTERNATIVES:

1. The City Council can approve the request for rezoning from CCR-Community Commercial/Residential to FS-RM Suburban Medium Density, based upon findings and conclusions as found in the addendum.

2. The City Council can deny the request for rezoning from CCR-Community Commercial/Residential to FS-RM Suburban Medium Density if the Council finds that the City's regulations and policies are not met with the request and prefers that the site be maintained for commercial development.
3. The City Council can defer action on this request and refer it back to staff and/or the applicant for additional information.

MANAGER'S RECOMMENDED ACTION:

As noted in the addendum, the proposed FS-RM zoning district is consistent with the Land Use Policy Plan residential land use designations and policies. As an FS-RM district, the proposed housing types are limited, with a maximum allowable apartment building of 12 units. Based on the square footage of the property, no more than two 12-unit and one 11-unit apartments can be constructed. The site, if developed as exclusively FS-RM apartments, would yield approximately 30% more bedrooms than the abutting mixed-use buildings built under the current CCR zoning district.

The LUPP places a Community Commercial Node at the intersection of S. Dakota Avenue and US Highway 30. A Community Commercial Node is intended to be between 40 and 75 acres. In this instance, the subject 1.7 acre site on its own is poorly situated for retail trade. The site may be able to accommodate other personal service or office uses that are less reliant on visibility, but it would remain a lower tier site because of its location. A separate commercial alternative would be for the site to be included with the hotel to the east for an expansion of that use. However, staff is not aware of an interest in expansion of the hotel at this time. **Staff believes the site is not a prime location for commercial development under current conditions and its use as exclusively residential can be found to be consistent with its surroundings and the LUPP.**

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the request for rezoning from CCR-Community Commercial/Residential to FS-RM Suburban Medium Density, based upon findings and conclusions as found in the addendum.

ADDENDUM

REZONING BACKGROUND:

Existing Land Use Policy Plan. The LUPP designation of the entire subject area is Village/Suburban Residential. This designation applies to much of the area lying west of S. Dakota Avenue and north of US 30 (the Ames city limits). The LUPP designation of the immediate area can be found in Attachment B. A Community Commercial Node is also shown on the LUPP map. It is intended to encompass between 40 and 75 acres. The combined area of CCN and CCR is 57 acres—reducing the area by 1.71 acres is not inconsistent with the expectations of the LUPP for a node.

Existing Zoning. The site is zoned Community Commercial/Residential, as are the abutting properties to the east and west. The surrounding West Town Condominiums mixed-use development was originally developed under the Community Commercial Node (CCN). The zoning classification of the CCN zoning district was modified in 2005 to exclude mixed use development and the new CCR zoning district was created and applied to this area in response to the already approved mixed use developments. CCR zoning was again modified in 2008 to clarify that household living is only allowed above a non-residential use and cannot be permitted above short term lodging that occurred within part of the West Towne Condominiums project.

The area immediately to the east of the subject site is zoned CCN (see Attachment B). To the north of Mortensen Road are properties zoned High-Density Residential and Community Commercial/Residential. US Highway 30 and the Ames city limits lie to the south. An excerpt of the zoning map can be found in Attachment B.

Existing Uses of Land. Land uses that occupy the subject property and other surrounding properties are described in the following table:

Direction from Subject Property	Existing Land Uses
Subject Property	Partial parking lot, vacant
North	Mixed commercial and residential (West Towne Condominiums)
East	Commercial (Hilton Garden Inn)
South	US Highway 30, farmland (unincorporated Story County)
West	Mixed commercial and residential (West Towne Condominiums)

A minor site development plan for the entire West Towne Condominiums property was approved in 2005. The development comprised eight mixed use buildings with a ground floor of retail/office uses and two upper floors of residential uses. In 2008, however, the parcel was subdivided to separate this subject parcel from the rest of the lot. The site plan was then resubmitted for just the seven West Towne buildings as they now stand (approved 2008). The proposed Building 'H', which was planned for this lot prior to the subdivision, included 15,282 square feet of office and 28 apartment units comprising 78

total bedrooms (a mix of 2-, 3-, and 4-bedroom units). Building “H” was never constructed and there is no approved site plan for the property at this time.

Master Plan. The City Council, at the June 10th meeting, voted not to require a Master Plan to accompany this rezoning due to the nature of the site and the need for subsequent approvals for development if the rezoning is approved.

Infrastructure. The Development Review Committee considered this site and found that it is fully served by City infrastructure. Sanitary sewer and water are readily available, as is electric services.

Access. Access is provided to the site from Mortensen Road through existing access points and easements on the West Towne development and no traffic improvements are anticipated.

Applicant’s Statements. The applicant has provided an explanation of the reasons for the rezoning in Attachment C. The applicant believes in essence that the site is not commercially viable for retail and trade uses due to limited visibility and access.

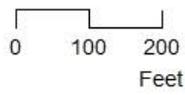
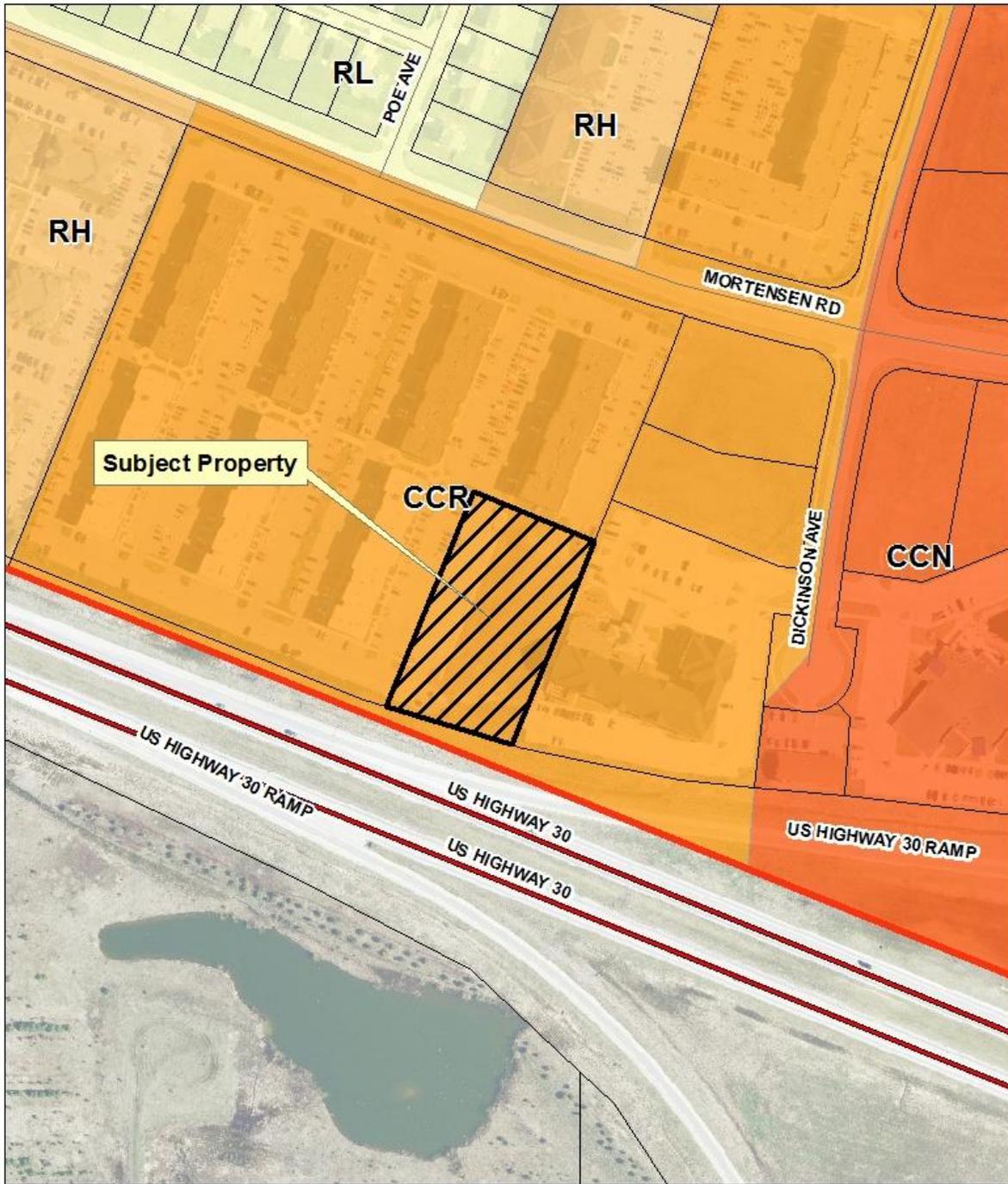
Findings of Fact. Based upon an analysis of the proposed rezoning and laws pertinent to the applicant’s request, staff makes the following findings of fact:

1. *Ames Municipal Code Section 29.1507(2)* allows owners of 50 percent or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The property represented by the applicant is entirely under one ownership representing 100 percent of the property requested for rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “Village/Suburban Residential.”
3. The “Village/Suburban Residential” land use designation supports the “FS-RM Suburban Medium Density Residential” zoning designation. Under the “FS-RM” zoning designation, detached and attached single-family housing types as well as apartments up to 12 units are allowed.
4. Infrastructure is adequate to serve the site and can be extended to the site.

Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. As of this writing, no comments have been received.

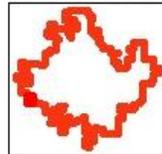
Conclusions. Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject property is consistent with the Future Land Use Map, as well as the City of Ames Land Use Policy Plan.

Attachment A: Location and Current Zoning

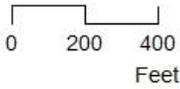
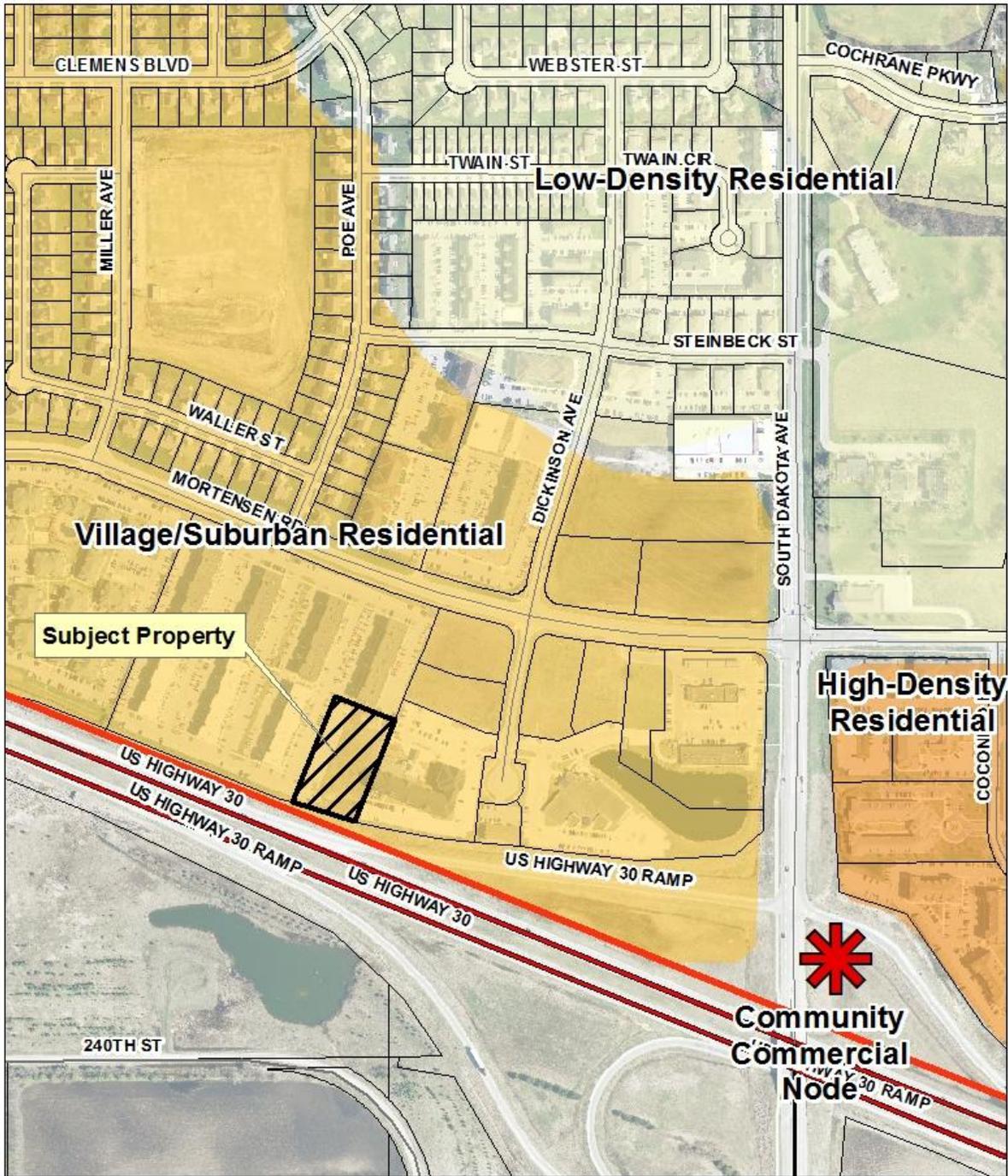


Legend

-  AMES CITY LIMITS
-  4710 Mortensen Road

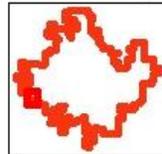


Attachment B: LUPP Map with Commercial Nodes [Excerpt]



Legend

-  AMES CITY LIMITS
-  4710 Mortensen Road



Attachment C: Applicant's Statement

Reasons for Requesting Rezoning
4710 Mortensen Rd Ames, IA 50014

After multiple meetings with the City of Ames Planning and Zoning Staff we have come to a conclusion of asking for a rezoning of 4710 Mortensen Rd. in Ames IA. We would like to ask for this parcel to be rezoned to SFRM. The parcel is currently zoned CCR.

We believe that the zoning we are asking for is consistent with the zoning around the property because of the following reasons.

- 1) The property to the West of us is currently being used for student housing and even though the zoning is CCR the property has been converted to short term stay units on the bottom floor and continued under grad housing on the 2nd and 3rd floors. So ultimately the majority of the square footage of the buildings directly adjacent to this parcel is more or less high density.
- 2) The current zoning is CCR. This requires commercial on the bottom floor and based on the location of being set way back behind a hotel and other apartments and the lack of success with former commercial space in the project we are asking for the rezoning.
- 3) We are able to add more active open space in this zoning request that will serve the residence of the property versus the current zoning calls for next to none active open space.

Our proposed use is for 2 -12 plex buildings and 1 - 11 plex building totaling 35 units which is the allowable number of units per the zoning requirements. We have over 8000 ft of active open space with 108 parking stalls required by the zoning.

Legal Description:

DAUNTLESS SD 7TH ADD LOT 2 PARCEL"H" OF PAR"A" SL 327 PG 5

The land area is 1.71 AC. or 74,487 sq/ft.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE

BE IT HEREBY ORDAINED by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 4710 Mortensen Road, is rezoned from Community Commercial/Residential (CCR) to Floating Suburban Residential Medium-Density (FS-RM).

Real Estate Description: Parcel 'H' of Lot 2 as shown on the Plat of Survey recorded as Instrument Number 2008-00002327, of the Seventh Addition Dauntless Subdivision an official plat in the City of Ames, Story County, Iowa, and containing 1.71 acres (74,566 square feet).

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS _____ day of _____, 2014.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

SUBJECT: **ZONING TEXT AMENDMENT REGARDING ACCESSORY
STRUCTURES FOR INSTITUTIONAL USES IN RESIDENTIAL
ZONING DISTRICTS**

BACKGROUND:

At the request of Heartland Baptist Church, the City Council initiated consideration of a text amendment related to accessory building size. Accessory building standards for size, location, etc. are part of Article 4 of Chapter 29 of the Municipal Code. The Code limits this type of building to 900 square feet for single-family dwellings or institutional uses. City Council amended the Zoning Code in 2005 to address issues of process for accessory buildings related to institutional uses by exempting accessory buildings from the Special Use Permit process and applied the 900 square foot limitation. At that time, the amendment addressed concerns about a burdensome process for small accessory buildings. In this instance, the request is to provide a mechanism to allow consideration of larger accessory buildings rather than consideration of small buildings.

Heartland Baptist Church is in the process of seeking a Special Use Permit to construct a church at 3333 Stange Road on a 21-acre lot in an FS-RL zoning district. Because of the zoning section noted above, they are limited to 900 square foot per accessory structure. They are interested in constructing a single maintenance/garage building of approximately 3,000 square feet. They suggest two options to meet their interest for a larger maintenance building. The first would be to exempt institutional uses from the size limit, and leave all review to the Special Use Permit process. The second would be to change the size restriction to a ratio of no more than 10% of the principal building size as a by right use. Staff is proposing a new third option that takes into account feedback from the Planning and Zoning Commission discussion and the background from the 2005 text amendment. This third option is a blend of allowing smaller structures by right, but also allowing for larger buildings subject the Special Use Permit process.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission met on July 2 and recommended approval (4-1) of the Special Use Permit process without a size restriction on accessory buildings. Commissioners discussed the range of options on size and process to approve accessory structures and whether there was a need to change the Code for this issue. It noted that the other review processes (Special Use Permit or Major Site Development Plan) that are in place for institutional uses provide a large range of discretion in process with less certainty in the outcome. One commissioner felt that there should be an upper limit on size tied to a defined component of a proposed project.

The proposed text amendment is shown below:

29.408(a) (iii) Size.

a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the rear yard.

b. The maximum gross floor area shall not exceed 900 square feet for a detached garage or accessory building/structure to a Single Family Dwelling ~~or Institutional Use~~, or 1,200 square feet for accessory uses to a Two Family Dwelling.

29.408 (c) When a special use permit is required for an institutional use, garages, and accessory buildings/structures they shall be exempt from that requirement if the accessory structure does not exceed 900 square feet. Institutional use accessory structures exceeding 900 square feet require approval of a Special Use Permit.

ALTERNATIVES:

1. The City Council can approve the attached text amendment for institutional uses that allows up to a 900 square foot accessory building by right and requires a Special Use Permit for accessory buildings that exceed 900 square feet.
2. The City Council can approve a text amendment that allows by right accessory buildings that exceed 900 square feet up to a maximum of 10% of the principal institutional building.
3. The City Council can approve a text amendment that requires a special use permit for all institutional use accessory buildings with no restriction on maximum size. (Planning & Zoning Commission recommendation)
3. The City Council can decline to adopt the proposed text amendments.
4. The City Council can refer this issue back to staff for further information at its next meeting.

MANAGER'S RECOMMENDED ACTION:

Institutional Uses in residential zones are reviewed by a Special Use Permit or a Major Site Development Plan that are subject to public notice and approved by the Zoning Board of Adjustment or the City Council. Accessory buildings are currently exempt from the special use permit process, but previously had been subject to it. The Special Use Permit process includes considering the characteristics of institutional uses in regards to size of the lot; the size, number, and placement of principal buildings; architectural design; the size, number, and placement of accessory structures; landscaping and

screening; the type and classification of adjacent streets; the proximity and location of adjacent structures and uses; and any public comment heard during the review. This process allows for a comprehensive assessment of the overall project regardless of size. **Maintaining an efficient administrative process for smaller accessory buildings coupled with a new discretionary process for larger buildings appears to be an appropriate balance of issues related to the 2005 amendment and the current request.**

Therefore, the City Manager recommends that the City Council act in accordance with Alternative 1, thereby approving the attached text amendment allowing a 900 square foot accessory building by right and requiring a Special Use Permit for those institutional use accessory buildings that exceed 900 square feet.

Addendum

Accessory Building Zoning Standards

Section 29.408(7) describes the requirements for accessory structures and private garages in terms of location, setbacks, access and size. The standards do not restrict the overall number of accessory structures. In Agricultural, Residential, and Hospital Medical zoning districts, the size of accessory garages is subject to sub-paragraph (a)(iii), which states:

(iii) Size.

- a. Detached garages and accessory buildings in the rear yard shall not occupy more than 25% of the rear yard.
- b. The maximum gross floor area shall not exceed 900 square feet for a detached garage or accessory building/structure to a Single Family Dwelling **or Institutional Use**, or 1,200 square feet for accessory uses to a Two Family Dwelling. [Emphasis added]

...

Also relevant to the proposed text amendment is Section 29.408(7) exempts accessory structures for institutional uses from Special Use Permit review that is required for the principal use. This exception was instituted in 2005.

- (c) When a special use permit is required for an institutional use, garages and accessory buildings/structures shall be exempt from that requirement.

Institutional Use in Residential Zones

Table 29.501(4)-5 describes the types of uses within the Institutional Use category. In summary, these include colleges and universities, community facilities (such as libraries, post offices, senior centers, youth club facilities), child care facilities, funeral facilities, medical centers, religious institutions, schools, and social service providers (such as shelters, soup kitchens, surplus food distribution centers).

Residential zoning districts generally do not allow for all of the uses described above. In most residential zones in which they are allowed, Institutional Uses need review and approval of a Special Use Permit by the Zoning Board of Adjustment following a public hearing. Exceptions to that are:

- In the RH High Density Residential zoning district, most Institutional Uses need approval from the Planning and Housing Director following review by the Development Review Committee.

- In the Village zoning district, only Community Facilities and Religious Institutions are allowed and need approval of a Major Site Development Plan by the City Council.

In all districts except RH, further review of site plans for Institutional Uses are required by either the Zoning Board of Adjustment or the City Council. The relevant approval criteria allow for the size and placement of accessory structures to be limited in order to be “in proportion” with adjacent and surrounding properties or “compatible” with the predominant building pattern in the area.

If either of the two alternatives proposed by Heartland Baptist Church were adopted, the ability to review and limit garages and accessory structures greater than 900 square feet for Institutional Uses would remain with the Zoning Board of Adjustment or the City Council, with the exception of RH where it is only staff approval. Review and approval of an accessory structure up to 900 square feet would remain with staff.

Institutional Uses Site Comparison

The following is a comparative sampling of institutional uses in residential zones. This list is intended to help provide context to the option of allowing buildings by right up to 10% of the principal building size.

<u>Institutional Use</u>	<u>Site Acres</u>	<u>Principal Building</u>
Bethesda Lutheran 1517 Northwestern Ave	5.3 ac	77,139 sq.ft.
Lutheran Services In Iowa, INC. 1323 Northwestern Ave	10.1 ac	29,562 sq.ft.
Saint Cecilia 2400 Hoover Ave	9 ac	62,700 sq.ft.
Stonebrook Church 3611 Eisenhower Ave	5.2 ac	16,600 sq.ft.
Ascension Lutheran 2400 Bloomington Rd	7 ac	11,800 sq.ft.
Ames Community Preschool Center 920 Carroll Ave	2.5 ac	21,000 sq.ft.
**Proposed Heartland Baptist 3333 Stange	21 ac	31,000 sq.ft.

2005 Text Amendment

It should be noted that in 2005, the Zoning ordinance was amended to add institutional use to the list of by-right allowed uses with accessory buildings and an exemption from the requirement of a Special Use Permit. Prior to 2005, all accessory buildings required approval of Special Use Permit with institutional uses. The change was instituted in response to requests for small sheds that were typical of residential neighborhood.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 29 ARTICLE 4 SECTION 408(7)(a)(iii)(b),(c) AND ENACTING A NEW CHAPTER 29 ARTICLE 4 SECTION 408(7)(a)(iii)(b),(c) THEREOF, FOR THE PURPOSE OF REMOVING THE SIZE LIMITATION FOR ACCESSORY STRUCTURES AND PRIVATE GARAGES FOR INSTITUTIONAL USES IN RESIDENTIAL ZONES; 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 enacting a new Chapter 29, Article 4, Sec. 29.408 (7)(a)(iii)(b),(c) as follows:

“Sec. 29.408. OTHER GENERAL DEVELOPMENT STANDARDS.

... (7) **Requirements for Private Garages and Other Accessory Buildings.**

(a) The following requirements apply to private garages and accessory buildings in Agricultural, Residential and Hospital/Medical districts:

... (iii) Size.
...

b. The maximum gross floor area shall not exceed 900 square feet for a detached garage or accessory building/structure to a Single Family Dwelling or 1,200 square feet for accessory uses to a Two Family Dwelling.

(Ord. No. 3595, 10-24-00; Ord. No. 3861, 11-22-05)

... (c) When a special use permit is required for an institutional use, garages and accessory buildings/structures shall be exempt from that requirement if the accessory structure does not exceed 900 square feet. Garages and accessory structures for an institutional use exceeding 900 square feet require approval of a special use permit.

(Ord. 3861, 11-22-05).”

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

COUNCIL ACTION FORM

SUBJECT: SALE OF PROPERTY AT 1126 BURNETT AVENUE STREET – CDBG ACQUISITION/REUSE AFFORDABLE HOUSING PROGRAM

BACKGROUND:

Under the City's Community Development Block Grant (CDBG) Acquisition/Reuse Program, the City seeks to acquire, demolish/remove single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income families. The program also initially provides "minor" repairs to single-family properties. Where possible, the program takes a more comprehensive approach at targeting single-family properties as follows:

- Converting single-family rental properties that are "for sale" back to single-family homeownership. Where possible, these homes are sold to eligible low-income (80%), first-time homebuyers through the City's CDBG Homebuyer Assistance Program.
- Assist in code enforcement for abandoned, deteriorated properties; and then sell the vacant lots for affordable housing.
- Acquire vacant properties and resell them at a reduced price to non-profit organizations and/or for-profit organizations for rehabilitation and sale for affordable housing.
- Acquire vacant lots and resell them at a reduced price to non-profit organizations and/or for-profit organizations for construction of affordable housing.
- Concentrate, where possible, in targeted low-income census tracts.

Staff has been working to sell properties that were purchased back in 2009 and 2010. The intent is to make them available to first-time homebuyers who have participated in the City's Homebuyer Assistance Program, or to sell them to Habitat for Humanity for eligible buyers through their program. Staff conducted homebuyer seminars this past year and was successful in identifying Erika Renz, who is qualified and is interested in purchasing the property at 1126 Burnett Avenue. City staff has negotiated an offer for Ms. Renz to purchase the property for \$100,000 pending final loan approval. Additionally, as part of the Homebuyer Assistance Program, she will be eligible to receive assistance towards the down payment in the form of a 2% low-interest loan payable over a 12-year period. The proceeds from selling this home, as well as repayment funds from the down payment loan, will be reinvested back into the City's CDBG program.

The City originally purchased this home for \$119,000. To date approximately \$17,000 of major repairs/improvements have been completed, including a new roof, gutters and downspouts, radon mitigation systems, attic insulation, electrical updates, plumbing and mechanical updates, addressing bacterial growth in the basement, water filtration measures, and addressing lead-based paint hazards. Most of the repairs/improvements address health and safety concerns on the property based on HUD's Housing Quality

Standards (HQS).

A down payment assistance lien will be recorded against the property in order to insure repayment of the down payment assistance. In addition, the City will have a twenty year silent "Equity Gap" re-payment clause to recapture the difference (if any) between the selling price and the appraised value at the point of future sale. The amount would be due if the property is sold, abandoned, rented or transfer to another person other than a surviving spouse.

ALTERNATIVES:

1. The City Council can set July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1126 Burnett Avenue to Erika Renz at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.
2. The City Council can choose not to sell the home at 1126 Burnett Avenue at this time.

MANAGER'S RECOMMENDED ACTION:

The sale of this property to Erika Renz will allow the City Council to address its goal of providing assistance to lower-income first-time homebuyers through the sale of affordable housing. The property at 1126 Burnett was a single-family rental unit that will now be converted back to single-family homeownership. Additionally, this property will now contribute to a revitalized core neighborhood in our community and assist first-time low and moderate income home buyer who otherwise would not be financially equipped to purchase and address the major property maintenance issues.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby setting July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1126 Burnett Avenue to Erika Renz at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.

COUNCIL ACTION FORM

**SUBJECT: SALE OF PROPERTY AT 1222 CURTISS AVENUE – CDBG
ACQUISITION/REUSE AFFORDABLE HOUSING PROGRAM**

BACKGROUND:

Under the City's Community Development Block Grant (CDBG) Acquisition/Reuse Program, the program seeks to acquire, demolish/remove single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income families. The program also initially provides "minor" repairs to single-family properties. Where possible, the program takes a more comprehensive approach at targeting single-family properties as follows:

- Converting single-family rental properties that are "for sale" back to single-family homeownership. Where possible, these homes are sold to eligible low-income (80%), first-time homebuyers through the City's CDBG Homebuyer Assistance Program.
- Assist in code enforcement for abandoned, deteriorated properties; and then sell the vacant lots for affordable housing.
- Acquire vacant properties and resell them at a reduced price to non-profit organizations and/or for-profit organizations for rehabilitation and sale for affordable housing.
- Acquire vacant lots and resell them at a reduced price to non-profit organizations and/or for-profit organizations for construction of affordable housing.
- Concentrate, where possible, in targeted low-income census tracts.

Staff has been working to sell properties that were purchased back in 2009 and 2010. The intent is to make them available to first-time homebuyers who have participated in the City's Homebuyer Assistance Program, or to sell them to Habitat for Humanity for eligible buyers through their program. Staff conducted homebuyer seminars this past year and was successful in identifying Alysia Larson, who is interested in purchasing the property at 1222 Curtiss Avenue. Staff has negotiated an offer with Ms. Larson to sell her the property for \$100,000 pending final loan approval. Additionally, as part of the Homebuyer Assistance Program, she will be eligible to receive assistance towards the down payment in the form of a 2% low-interest loan payable over a 12-year period. The proceeds from selling this home, as well as repayment funds from the down payment loan, will be reinvested back into the City's CDBG program.

The City originally purchased the home for \$134,000. To date approximately \$16,000 of major repairs/improvements have been completed. These include a new roof, gutters and downspouts, radon mitigation systems, attic insulation, electrical updates, and addressing lead-based paint hazards. Most of the repairs/improvements address health and safety

concerns on the property based on HUD's Housing Quality Standards (HQS).

A down payment assistance lien will be recorded against the property in order to insure repayment of the down payment assistance. In addition, the City will have a twenty year silent "Equity Gap" re-payment clause to recapture the difference (if any) between the selling price and the appraised value at the point of future sale. The amount would be due if the property is sold, abandoned, rented or transfer to another person other than a surviving spouse.

ALTERNATIVES:

1. The City Council can set July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1222 Curtiss Avenue to Alysia Larson at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.
2. The City Council can choose not to sell the home at 1222 Curtiss Avenue at this time.

MANAGER'S RECOMMENDED ACTION:

The sale of this property to Alysia Larson will allow the City Council to continue to address its goal of assisting lower-income first-time homebuyers with the purchase of affordable housing. The property at 1222 Curtiss was a single-family owner-occupied and it will remain a single-family owner-occupied dwelling. Additionally, this property will now contribute to a revitalized core neighborhood in our community and assist first-time low and moderate income home buyer who otherwise would not be financially equipped to purchase and make address the major property maintenance issues.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby setting July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1222 Curtiss Avenue to Alysia Larson at a price of \$100,000.

COUNCIL ACTION FORM

SUBJECT: POWER PLANT UNIT #7 CRANE REPAIR

BACKGROUND:

On June 10, 2014, City Council approved preliminary plans and specifications for the Power Plant Unit #7 Crane Repair project. This project is for materials, equipment, and labor necessary for the installation of equipment to renovate the Unit #7 crane.

Bid documents were issued to ten potential bidders. The bid was also 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 bid due date was April 22, 2014, and the City did not receive any bids.**

Staff is in the process of trying to determine why no bids were received. Staff's discussion with some of the likely bidders indicated that some of the technical specifications could have been clearer. Based on this information, the technical specifications will be reviewed along with discussions with the design engineer and plan holders to determine the reason no bids were submitted. This project will be rebid at a later date and will likely include changes to the specifications.

ALTERNATIVES:

1. a. Accept the report of no bids.
b. Direct staff to rebid the project.

MANAGER'S RECOMMENDED ACTION:

This crane is a critical piece of plant equipment used to complete major work on the Unit #7 turbine/generators. Therefore, the project will need to be rebid after discussions have been held with the design engineer to determine a future course of action. Until that time, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of no bids for this project.