

**COUNCIL ACTION FORM**

**SUBJECT: GEOTECHNICAL ENGINEERING CONSULTING SERVICES - LIME AND ASH PONDS**

**BACKGROUND:**

On December 22, 2008, an ash pond dike at Tennessee Valley Authority's (TVA) Kingston Power Plant failed, spilling 5.4 million cubic yards of ash material into the Emory and Clinch Rivers, ultimately requiring seven years and costing TVA \$1.2 billion to cleanup and repair the damage. This failure was the impetus for the United States Environmental Protection Agency (EPA) to launch a nationwide effort to assess the structural integrity of power plant ash impoundment and landfill dikes.

In August of 2012, an engineering consulting firm, Dewberry Consultants, LLC of Fairfax, Virginia, on behalf of EPA performed an on-site inspection and assessment of the impoundment dikes at the City's ash and lime pond system. A final report of the assessment was issued by EPA in April of 2014, which included recommendations that EPA expected the City to undertake. The report's recommendations included engineering analyses and studies to assess specific risks, and physical enhancements to the dikes and embankments to reduce the risk of failure. Then, in April of this year, EPA published the final rule regarding the disposal of coal ash from electric utilities, commonly referred to as the Coal Combustion Residuals (CCR) rule. Certain features of this (CCR) rule closely parallel the recommendations of EPA's inspection/assessment report of the lime/ash pond dikes in 2014.

The scope of work to be accomplished is to:

- 1) Perform a static and seismic slope stability analysis of the lime and ash ponds exterior dikes.
- 2) Develop a written fugitive dust control plan for the lime and ash pond system in accordance with the requirements of the recently promulgated CCR regulation. This item must be completed and placed in the facility's operating record by October 19, 2015. 40 C.F.R. 257.80
- 3) Perform the initial annual inspection of the ash system "CCR surface impoundment" and the "CCR landfill" by a "qualified professional engineer" in accordance with the requirements of the recently promulgated CCR regulation. 40 C.F.R. 257.83 and 40 C.F.R. 257.84

**This project is to hire a consulting engineer to furnish labor, materials, and equipment necessary to accomplish items 1) through 3) above.**

The City initially requested quotations from three consulting engineering firms with the geotechnical experience and expertise to perform the work. One of the firms by their responses proved to be uninterested in performing the work. The other two firms were and continue to be very interested in performing the work. Both firms have personnel with significant credentials and the necessary experience to perform the work. The two firms provided quotations for the scope of work as follows:

GEI Consultants, Inc.	Green Bay, WI	\$60,800
Wenck Associates, Inc.	Maple Plain, MN	\$62,800

**Although the proposals are very close in price and similar in their approach, it is staff's recommendation that Wenck Associates, Inc. be awarded the work on the basis that they proposed performing more soil borings than GEI proposed to ascertain the subsurface conditions.**

Funding in the amount of \$59,000 will be carried forward from the approved FY 2014/15 Power Plant operating budget in the Unit #8 Ash system account. Additional funds are available in the FY 2015/16 Unit #8 Ash system account to cover the remaining \$3,800 that is needed.

**ALTERNATIVES:**

1. Award the scope of work (itemized above) to Wenck Associates, Inc. of Maple Plain, Minnesota, in accordance with their proposal dated June 19, 2015, for the estimated price of \$62,800.
2. Award the scope of work (itemized above) to GEI Consultants, Inc. of Green Bay, WI in accordance with their proposal dated June 29, 2015, for the estimated price of \$60,800.
3. Require staff to seek other quotations for this work.

**MANAGER'S RECOMMENDED ACTION:**

EPA's rules regarding CCR were published in April of 2015. In order to comply with deadlines outlined in the rule, the City is working quickly to accomplish the scope of work outlined above. Any delay seriously jeopardizes the City's ability to be in compliance with the October 19, 2015, due date for the "CCR fugitive dust control plan" and inspection/assessment required by early next year.

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

**COUNCIL ACTION FORM**

**SUBJECT: PRELIMINARY PLANS AND SPECIFICATIONS FOR GT1 COMBUSTION TURBINE - GENERATOR PREACTION SPRINKLER SYSTEM, CARBON DIOXIDE 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 the unmanned gas turbine site in east Ames.

**This specific project is to hire a contractor to furnish all labor, materials, system layout and equipment for a fully operating fire protection system (including automatic preaction sprinkler system, carbon dioxide system, and fire alarm system) in the Gas Turbine No. 1 facility. The new system will protect all areas and be 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 \$400,000.

Funding is available from the FY 2012/13 Capital Improvements Plan in the Power Plant Fire Protection System Project. There is currently \$869,526 remaining in the Final Budget Amendments from the FY14/15 budget cycle for fire suppression projects at all power generation sites. This funding will be carried over to the FY15/16 budget to cover this project.

**ALTERNATIVES:**

1. Approve the plans and specifications for the GT1 Combustion Turbine - Generator Preaction Sprinkler System, Carbon Dioxide System and Fire Alarm Upgrade and set August 26, 2015, as the bid due date and September 8, 2015, as the date of public hearing and award of contract.
2. Delay the upgrades, which could increase the risk of extensive damage in the GT 1 unmanned facility if there is a 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: POWER PLANT FUEL CONVERSION – PRELIMINARY PLANS AND SPECIFICATIONS FOR UPS (UNINTERRUPTIBLE POWER SUPPLY) SYSTEM**

**BACKGROUND:**

In November of 2013 the City Council voted to convert the City's Power Plant from coal to natural gas. In May of 2014 the City Council selected Sargent & Lundy of Chicago, Illinois, to provide engineering and construction oversight services for the conversion project.

The major phases of work necessary to complete this conversion project are shown on page 2 of this report. **This specific action within the conversion project is to purchase a new Uninterruptible Power Supply (UPS) system. The UPS System provides steady state power to the plant's computer control system in the case of an interruption of the plants power due to a fault, lightning, or any loss of total system power. The existing UPS system is too small to meet the new systems power requirements. The engineer's estimate for the cost of this equipment is \$116,000.**

These costs will be covered from funding identified in the approved FY 2015/16 Capital Improvements Plan, which includes \$26,000,000 for the Unit 7 and Unit 8 fuel conversion. The overall project budget and commitments to date are summarized on page 3.

**ALTERNATIVES:**

1. Approve the preliminary plans and specifications for the Power Plant Fuel Conversion – UPS System, and set August 26, 2015, as the bid due date, and September 8, 2015, as the date of hearing and award of contract.
2. Do not approve plans and specifications for the UPS system at this time.

**MANAGER'S RECOMMENDED ACTION:**

This conversion is needed in order for the Power Plant to remain in compliance with state and federal air quality regulations. The purchase of this UPS system will provide enough capacity to meet the new systems power requirements.

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



## **PROJECT PHASING**

The major phases of work necessary to complete this conversion project are outlined below.

1. Procure the natural gas burners, igniters, and scanners, plus boiler/furnace modeling to assess the necessity for boiler modifications.

On November 5, 2014 City Council awarded a Contract to Alstom Power Inc. of Windsor, CT, with delivery of this equipment in the fourth quarter of 2015.

2. Replace the Power Plant's Distributed Control System (DCS), including both hardware and software.

2a. Replace (upgrade) the Turbine Control Systems (TCS) on Unit 7 and Unit 8, plus the steam seal regulator on Unit 8 only.

3. Design the necessary modifications to the control room and DCS cabinet room.
4. Design the necessary modifications to source natural gas inside the power plant, and all necessary structural, mechanical, and electrical modifications for the power plant to burn natural gas as its primary fuel.
5. Select a contractor to construct a new control room/DCS room in the Power Plant.
6. Select a contractor to modify the Power Plant and install the materials and equipment necessary to operate the Power Plant on natural gas.
7. Select a contractor to install the electrical equipment, including the work associated with the DCS upgrade and the electrical modifications to the control room.

## PROJECT BUDGET

The overall project budget and commitments to date are summarized below. To date, the project budget has the following items encumbered:

\$26,000,000	FY 2015/16 CIP amount budgeted for project
\$1,995,000	Encumbered not-to-exceed amount for Engineering Services
\$2,395,000	Engineering Services Contract Change Order No. 1
\$174,000	Engineering Services Contract Change Order No. 2 (separate item on this agenda)
\$3,355,300	Contract cost for Natural Gas Conversion Equipment
\$29,869	Equipment Contract Change Order No. 1
(-\$321,600)	Equipment Contract Change Order No. 2
(-\$51,000)	Equipment Contract Change Order No. 3
\$1,595,000	Contract cost for DCS equipment
\$1,001,240	Contact cost for TCS equipment
\$925,000	Estimated cost for Control Room Installation General Work Contract (separate item on this agenda)
\$5,115,000	Estimated cost for Mechanical Installation General Work Contract (separate item on this agenda)
\$3,272,793	Estimated cost for Electrical Installation General Work Contract (separate item on this agenda)
<b>\$116,000</b>	<b>Estimated cost for UPS System (this agenda item)</b>
<b><u>\$19,601,602</u></b>	<b>Costs committed to date for conversion</b>
<b>\$6,398,398</b>	<b>Remaining Project Balance</b> to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT FUEL CONVERSION – PRELIMINARY PLANS AND SPECIFICATIONS FOR ELECTRICAL INSTALLATION GENERAL WORK CONTRACT**

**BACKGROUND:**

In November of 2013 the City Council voted to convert the City's Power Plant from coal to natural gas. In May of 2014 the City Council selected Sargent & Lundy of Chicago, Illinois, to provide engineering and construction oversight services for the conversion project.

The major phases of work necessary to complete this conversion project are shown on page 2 of this report. **This specific phase of the conversion project is to hire a contractor to perform the electrical installation work. The engineer's estimate for this phase of the project is \$3,272,793.**

These costs will be covered from funding identified in the approved FY 2015/16 Capital Improvements Plan, which includes \$26,000,000 for the Unit 7 and Unit 8 fuel conversion. The overall project budget and commitments to date are summarized on page 3.

**ALTERNATIVES:**

1. Approve the preliminary plans and specifications for the Power Plant Fuel Conversion - Electrical Installation General Work Contract, and set September 9, 2015, as the bid due date, and September 22, 2015, as the date of hearing and award of contract.
2. Do not approve plans and specifications for the electrical installation general work contract at this time.

**MANAGER'S RECOMMENDED ACTION:**

This conversion is needed in order for the Power Plant to remain in compliance with state and federal air quality regulations. This major phase will provide for the electrical work necessary to install the electrical equipment, including the work associated with the Distributed Control System (DCS) upgrade and the electrical modifications to the control room.

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

## **PROJECT PHASING**

The major phases of work necessary to complete this conversion project are outlined below. **The component proposed for Council action at this time is shown in bold:**

1. Procure the natural gas burners, igniters, and scanners, plus boiler/furnace modeling to assess the necessity for boiler modifications.

On November 5, 2014 City Council awarded a Contract to Alstom Power Inc. of Windsor, CT, with delivery of this equipment in the fourth quarter of 2015.

2. Replace the Power Plant's Distributed Control System (DCS), including both hardware and software.

2a. Replace (upgrade) the Turbine Control Systems (TCS) on Unit 7 and Unit 8, plus the steam seal regulator on Unit 8 only.

3. Design the necessary modifications to the control room and DCS cabinet room.
4. Design the necessary modifications to source natural gas inside the power plant, and all necessary structural, mechanical, and electrical modifications for the power plant to burn natural gas as its primary fuel.
5. Select a contractor to construct a new control room/DCS room in the Power Plant.
6. Select a contractor to modify the Power Plant and install the materials and equipment necessary to operate the Power Plant on natural gas.
7. **Select a contractor to install the electrical equipment, including the work associated with the DCS upgrade and the electrical modifications to the control room.**

## PROJECT BUDGET

The overall project budget and commitments to date are summarized below. To date, the project budget has the following items encumbered:

\$26,000,000	FY 2015/16 CIP amount budgeted for project
\$1,995,000	Encumbered not-to-exceed amount for Engineering Services
\$2,395,000	Engineering Services Contract Change Order No. 1
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\$3,355,300	Contract cost for Natural Gas Conversion Equipment
\$29,869	Equipment Contract Change Order No. 1
(-\$321,600)	Equipment Contract Change Order No. 2
(-\$51,000)	Equipment Contract Change Order No. 3
\$1,595,000	Contract cost for DCS equipment
\$1,001,240	Contact cost for TCS equipment
\$925,000	Estimated cost for Control Room Installation General Work Contract (separate item on this agenda)
\$5,115,000	Estimated cost for Mechanical Installation General Work Contract (separate item on this agenda)
<b>\$3,272,793</b>	<b>Estimated cost for Electrical Installation General Work Contract (this agenda item)</b>
\$116,000	Estimated cost for UPS System (separate item on this agenda)
<b><u>\$19,601,602</u></b>	<b>Costs committed to date for conversion</b>
<b>\$6,398,398</b>	<b>Remaining Project Balance</b> to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion

ITEM # 30  
DATE: 07-28-15

**COUNCIL ACTION FORM**

**SUBJECT: 6<sup>TH</sup> STREET BRIDGE OVER SQUAW CREEK**

**BACKGROUND:**

The Capital Improvements Plan (CIP) includes a program for necessary repairs recommended by the Iowa Department of Transportation's (IDOT) biennial bridge inspections report. In both 2010 and 2012, these bridge inspections both recommended replacement of the 6<sup>th</sup> Street Bridge over Squaw Creek due to its condition. A feasibility study in 2009 also recommended replacement. The replacement of the bridge was placed in the CIP as a multi-year project to allow time for study, design, procurement of grants, and construction. A design alternatives study was completed and the style of bridge and aesthetic treatments were approved by City Council in 2013. (See Attachment) On May 13, 2014, City Council approved an agreement with the IDOT for the City Highway Bridge Program providing 80% reimbursement of eligible items up to \$1,000,000.

This project involves removal of the existing bridge structure and placement of a new concrete beam bridge. Aesthetic treatments including form liners on the concrete bridge rails, pedestrian path lighting, colored concrete sealer, and ornamental handrail, as selected by the City Council, have all been included in the project. The project will also reconstruct the approach pavement from the west to meet the new bridge geometry and to the east extending approximately 300 feet. The new bridge configuration will allow for multimodal use of the facility including sidewalks and shared use path connections across Squaw Creek. Staff has worked with Iowa State University, Parks and Recreation, and the neighborhoods to minimize the disruption from the bridge reconstruction. Pedestrian and bicycles detours are planned through Brookside Park during construction. A tentative construction schedule of bridge demolition in the fall of 2015 and bridge substructure work through the winter of 2015/16 will allow the project to be completed and reopened to traffic before the fall semester of Iowa State University in 2016.

Plans and specifications have been completed by WHKS, Inc with a construction estimate of \$2,530,660 for the structural bridge work and \$599,958 for the associated reconstruction of 6<sup>th</sup> Street west and east of the bridge. Engineering and contract administration are estimated to be \$170,000 for the bridge replacement and \$60,000 for the 6<sup>th</sup> Street reconstruction work bringing overall costs to \$2,700,660 for the bridge and \$659,958 for the 6<sup>th</sup> Street work. **Combined overall project costs are estimated at \$3,360,618.**

Because project funding includes state monies, the contract must follow IDOT processes. It is anticipate that the project will be let by IDOT on September 15, 2015.

Funding for this project is programmed in the amount of \$1,000,000 from IDOT City Highway Bridge funds, \$2,320,000 from General Obligation Bonds, and \$50,000 in Shared Use Path Maintenance funds, bringing **total project funding to \$3,370,000.**

It is important to note that the East Lincoln Way Bridge repair project is also programmed in FY 2015/16 the expectation that \$300,000 of the \$2,320,000 noted above in General Obligation Bonds would be available. The East Lincoln Way Bridge planned improvements include minor maintenance activities incorporating joint repair and painting. With the current condition of the 6<sup>th</sup> Street Bridge, the \$300,000 appears to be necessary to fund the 6th Street Bridge project because of increasing construction costs. Thus the East Lincoln Way Bridge work may need to be reprioritized in future CIP years. The work involved with this bridge is not due to safety concerns and, therefore, are not critical at this time.

**ALTERNATIVES:**

1. Approve plans and specifications for the 6<sup>th</sup> Street Bridge over Squaw Creek Project and establish September 15, 2015, as the date of letting and September 22, 2015, as the date for report of bids.
2. Do not proceed with the project at this time.

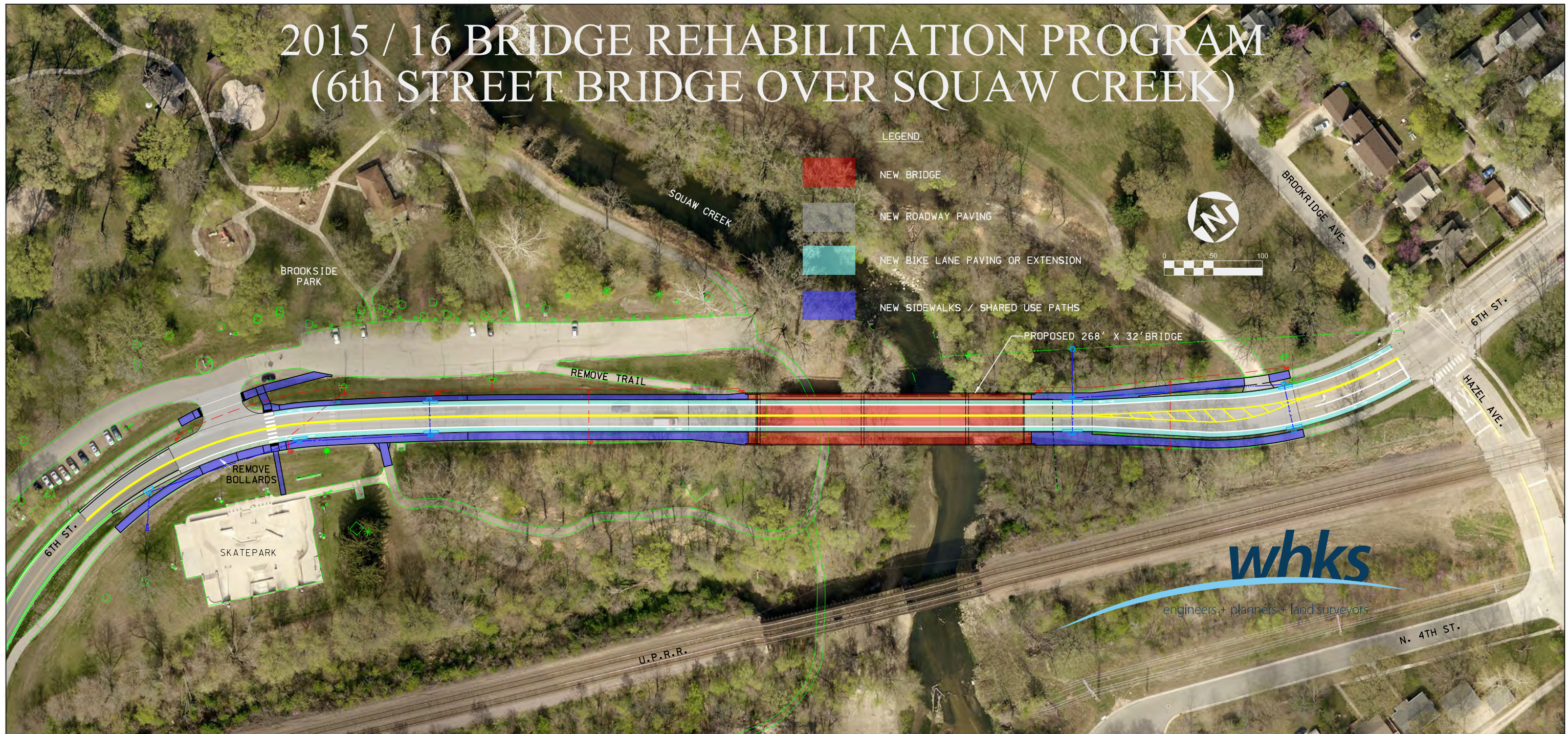
**MANAGER'S RECOMMENDED ACTION:**

The 6<sup>th</sup> Street Bridge has been identified as a critical piece of infrastructure that is in need of replacement. By approving this project, the replacement can begin this fall with the intent of completion in the summer of 2016.

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



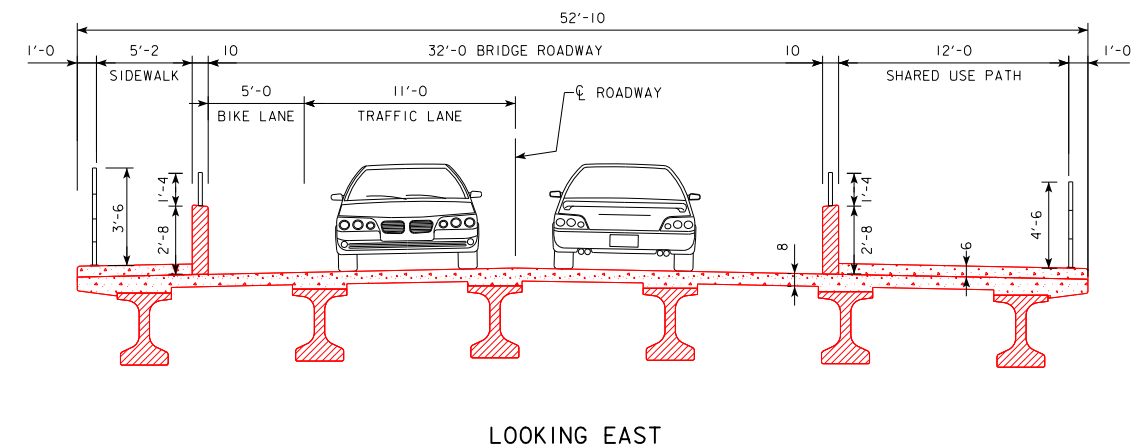
# 2015 / 16 BRIDGE REHABILITATION PROGRAM (6th STREET BRIDGE OVER SQUAW CREEK)



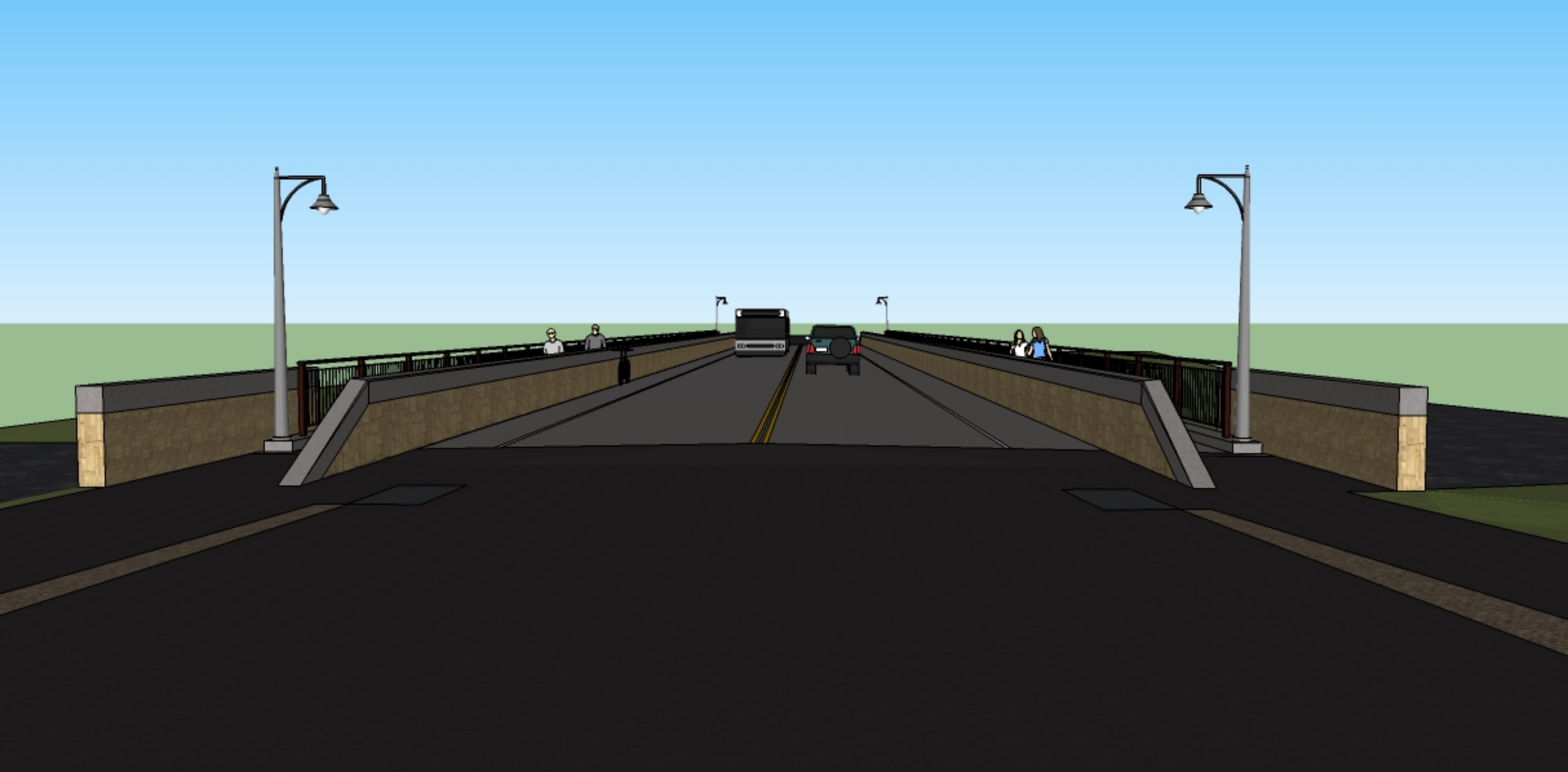
## PROJECT FEATURES

1. REPLACE EXISTING 3-SPAN, 250' X 26' FRACTURE CRITICAL STEEL GIRDER BRIDGE WITH 268' X 32' PPCB BRIDGE.
2. BRIDGE AESTHETIC ENHANCEMENTS INCLUDE CONCRETE TEXTURE AND COLOR SEALER ON BRIDGE RAILS, ORNAMENTAL METAL PEDESTRIAN RAILINGS, LED LIGHTING INCORPORATED INTO BRIDGE RAILS, AND UNDERDECK LIGHTING OVER SHARED-USE PATH.
3. REPLACE ROADWAY APPROACHES AND PAVEMENT TO JUST WEST OF THE BROOKSIDE PARK ENTRANCE.
4. INSTALL BIKE LANES FROM BROOKSIDE PARK ENTRANCE TO THE BIKE LANES ON 6TH ST. AT HAZEL AVE. FOR A CONTINUOUS CONNECTION TO GRAND AVE., PROVIDE CLEARANCE BETWEEN MOTORISTS AND PEDESTRIANS, AND GIVE A DESIRED OPTION FOR BICYCLISTS.
5. IMPROVE CONNECTIONS OF SHARED USE PATHS AND SIDEWALKS.
  - RELOCATE CROSSWALK AT BROOKSIDE PARK ENTRANCE AND INSTALL PEDESTRIAN ACTIVATED RECTANGULAR RAPID FLASHING BEACONS (RRFB's) ON CROSSWALK SIGNS TO IMPROVE PEDESTRIAN SAFETY.
  - COMPLY WITH THE AMERICAN WITH DISABILITIES ACT(ADA) FOR SIDEWALKS AND SHARED USE PATHS INCLUDING SLOPE COMPLIANCE, DETECTABLE WARNINGS, AND ACCESSIBLE ROUTES.
  - PROVIDE PROTECTED SIDEWALK AND SHARED-USE PATH ON THE BRIDGE.
6. ENHANCE PUBLIC ACCESSIBILITY AND PERCEPTION OF THE BROOKSIDE PARK AREA.

## BRIDGE CROSS SECTION









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# MEMO

**To:** Mayor and Members of the City Council

**From:** City Clerk's Office

**Date:** July 24

**Subject:** Contract and Bond Approval

There is no Council Action Form for Item No. 31. Council approval of the contract and bond for this project is simply fulfilling an *Iowa Code* requirement.

/jr

**COUNCIL ACTION FORM**

**SUBJECT: IOWA STATE UNIVERSITY RESEARCH PARK PHASE III –  
INFRASTRUCTURE DESIGN**

**BACKGROUND:**

In support of the ISU Research Park Phase III expansion, staff solicited proposals for engineering services to design and obtain all necessary permits related to extension of utilities and roadway improvements. The roadway improvements are primarily funded by a Revitalizing Iowa's Sound Economy (RISE) Grant, as approved by City Council on October 14, 2014. A tax increment financing (TIF) district has been created to finance the remainder of the roadway and utility costs.

Staff solicited proposals for the design work and at the November 25, 2014 meeting Council approved a contract with Shive-Hattery of West Des Moines in the amount of \$375,000.

Change Order No. 1 in the amount of \$46,750 was administratively approved by staff. Items included in Change Order No. 1 included: additional public outreach/information meetings/coordination with ISU Research Park tenants and community activists; sanitary sewer design modifications due to revisions to the subdivision layout of Phase III (in order to serve an additional lot immediately); coordination with Workiva's Landscape Architect to determine/mitigate disturbance to existing landscaping; design of the electric relocation and street lighting and additional roadway modifications from the original design to help ensure the roadway project would be within budget when bid.

**The requested action will be for the City Council to approve Change Order No. 2 in the amount of \$29,500 in to order finalize the design services contract.** Items included in Change Order No. 2 are: wetland delineation and final reporting; wetland mitigation planning; property appraisals and right of way acquisition activities in addition to the ISU Research Park dedication/acquisition; sanitary sewer design modifications due to the inability of ISU Research Park to acquire a sanitary sewer easement across private property.

Given the magnitude and the accelerated time frame to get these projects successfully bid, Staff feels strongly that these costs are justified and still provides the best value to the City. (Note: during the selection process, the highest ranked firm based on qualification only had estimated fees of \$672,600, giving the City a design cost savings of \$221,350 by using Shive Hattery)

	<b>Funding</b>	<b>Estimated Expenses</b>
RISE Grant (Roadway)	\$ 4,010,728	
TIF Abated GO Bonds	\$ 2,938,990	
Roadway (Bid)		\$ 4,607,745.60
Water Main (Bid)		\$ 597,980.00
Sanitary Sewer (Bid)		\$ 391,875.00
Electric Relocation (Est. by City of Ames Electric)		\$ 275,000.00
Wetland Mitigation Bank Credits		\$ 33,500.00
Engineering/Administration (Roadway)		\$ 725,000.00
Engineering/Administration (Utilities)		\$ 158,200.00
<b>Totals</b>	<b>\$ 6,949,718</b>	<b>\$ 6,789,300.60</b>

**ALTERNATIVES:**

1. Approve Change Orders No. 1 and No. 2 to engineering services agreement for the ISU Research Park with Shive-Hattery of West Des Moines, Iowa, in an amount not to exceed \$76,250.
2. Direct staff to re-negotiate the additional fees.

**MANAGER'S RECOMMENDED ACTION:**

Based on the compressed design time frame and the size and scope of the project, these additional costs were necessary and still provide the best value to the City for this project.

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

**COUNCIL ACTION FORM**

**SUBJECT: ENGINEERING SERVICES CONTRACT CHANGE ORDER –  
CONVERSION OF POWER PLANT FROM COAL TO NATURAL GAS**

**BACKGROUND:**

In November 2013, the City Council voted to convert the City's Power Plant from coal to natural gas. On May 27, 2014, City Council awarded a contract to Sargent & Lundy, LLC, Chicago, IL, for Engineering Services required to convert the Power Plant to natural gas. That contract was in the not-to-exceed amount of \$1,995,000.

On November 25, 2014, City Council approved Change Order #1 in the not-to-exceed amount of \$2,395,000 for Sargent & Lundy to design the installation of the DCS, design the control room and DCS cabinet room, and integrate the main and auxiliary control boards into the DCS.

**Council authorization for a second change order containing two elements is now being requested. This Change Order is necessary because at the time the original agreement with Sargent & Lundy (S&L) was signed, the need for a new Distributed Control System (DCS) and Control room expansion was not known. To accommodate the new control room addition, an old switchgear panel board must be removed from the existing Control Room and HAVC engineering must be done to balance the heating/cooling of the new and old space.**

**Item 1 : 13.8 kV Switchgear Control and Relaying Modifications**

**Description:** The control room expansion requires the removal of existing auxiliary control board. The circuit breaker control switches for the existing 13.8kV Switchgear breakers, plus several ammeters, are presently located on this auxiliary control board.

Staff has decided to relocate the operator manual control of the existing 13.8 kV switchgear breakers from the auxiliary control board to the front of the existing 13.8 kV switchgear. The breakers are also controlled via the SCADA System.

The protective relays and test switches for the existing 13.8kV switchgear breakers are located on the existing duplex panel. Staff has also decided to abandon the protective relays and test switches presently located on the existing duplex panel and provide new protection equipment on the front of the existing 13.8kV switchgear.

Since the switchgear cannot be easily taken out-of-service, the plan is to purchase replacement switchgear cubicle doors complete with the new control and relay devices pre-installed to facilitate rapid cut-out of the existing devices and rapid cut-in of the new devices on a cubicle by cubicle basis.

The existing 13.8kV switchgear consists of 8 cubicles of late 40's vintage General Electric equipment with 7 cubicle additions to both ends of the line-up installed in the mid-50's.

**Cost:** The not-to-exceed cost for Item 1 is \$120,000.

**Item 2: Existing HVAC Equipment and Controls Replacement**

**Description:** Staff has determined that the existing HVAC equipment (2x100% HVAC units with roof mounted condensers, in-duct heaters, modulating dampers) and controls for the Relay Room, Lunch Room and Control Room is nearing the end of its life. Additionally, the temperature control between the three different rooms is not very accurate. To address these issues, the staff has requested that the equipment be replaced as part of the ongoing natural gas conversion project.

**Cost:** The not-to-exceed cost for Item 2 is \$54,000.

**In total, Change Order #2 will add an additional \$174,000 to the existing S&L engineering services agreement, and will bring S&L's total not-to-exceed contract amount to \$4,564,000.**

The approved FY 2015/16 Capital Improvements Plan included \$26,000,000 for the Unit #7 and #8 Fuel Conversion. The overall project budget and commitments to date are summarized on page 3.

**ALTERNATIVES:**

1. Approve contract Change Order No. 2 to Sargent & Lundy, LLC, Chicago, IL, in the not-to-exceed amount of \$174,000 for the Engineering Services for Converting the City of Ames Power Plant from Coal to Natural Gas.
2. Reject contract Change Order No. 2 and delay the in service date of the control room.

**MANAGER'S RECOMMENDED ACTION:**

It has been determined that the existing power plant HVAC equipment is nearing the end of its 40 year life. Since this system will also provide HVAC service to the new control room, a comprehensive design is necessary to serve both the new and old control room, break room and relay room.

The control room expansion requires the removal of an existing auxiliary control board. To remove this board, engineering is required to relocate existing control switches for switchgear breaker equipment, and provide new protection equipment on the front of the existing switchgear.

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

**PROJECT BUDGET**

The overall project budget and commitments to date are summarized below. To date, the project budget has the following items encumbered:

\$26,000,000	FY 2015/16 CIP amount budgeted for project
\$1,995,000	Encumbered not-to-exceed amount for Engineering Services
\$2,395,000	Engineering Services Contract Change Order No. 1
<b>\$174,000</b>	<b>Engineering Services Contract Change Order No. 2 (this agenda item)</b>
\$3,355,300	Contract cost for Natural Gas Conversion Equipment
\$29,869	Equipment Contract Change Order No. 1
(-\$321,600)	Equipment Contract Change Order No. 2
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<b>\$19,601,602</b>	<b>Costs committed to date for conversion</b>
<b>\$6,398,398</b>	<b>Remaining Project Balance</b> to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion

**COUNCIL ACTION FORM**

**SUBJECT: WATER TREATMENT PLANT LIME SLUDGE DISPOSAL CONTRACT RENEWAL**

**BACKGROUND:**

The City of Ames Water Treatment Plant (WTP) is a conventional lime-softening facility that generates lime sludge as a by-product of the lime softening process. The lime sludge consists primarily of calcium carbonate and magnesium hydroxide and is dewatered and stored in lagoons prior to disposal on agricultural ground as a soil conditioner. To continue to have adequate storage for the lime sludge, the lime sludge must be cleaned out of the lagoons annually.

On May 28, 2013, City Council awarded a contract to Wulfekuhle Injection and Pumping, Inc. of New Vienna, Iowa for the removal and disposal of lime sludge. The contract agreement calls for the removal of 28,000 wet tons of lime at a unit cost of \$10.99 per wet ton, four dust control applications at \$500 per application, and mobilization charges totaling \$6,500 for a total contract price of \$316,220. The contract is renewable annually for a total of five years, dependent on successful performance by the contractor each year. The contract unit prices are fixed for the entire five-year agreement.

Over the past few years, the quantity of sludge being removed under this contract has not quite kept pace with the quantity being produced. As a result, there was one change order executed in FY 14/15 in the amount of \$42,000 to increase the quantity of sludge removed for a total price of \$358,220. Work performed under contract for FY 14/15 has been completed to staff's satisfaction and in accordance with the contract requirements; **staff recommends acceptance of the FY 14/15 contract.**

Staff recommends awarding the third year of the agreement to Wulfekuhle Injection and Pumping Inc., **with an increase in the contract quantity from 28,000 tons to 33,000 tons.** Increasing the quantity removed will better match the production rate of the material and will provide staff with more operational flexibility throughout the year.

Lime Sludge Disposal	33,000 tons	@	\$10.99/ton	\$362,670
Mobilization	1	@	\$6,500 ea	6,500
Dust Control	4	@	\$500 ea	2,000
<b>Total FY 15/16 Contract Award</b>				<b>\$371,170</b>

The FY 15/16 operating budget includes \$349,000 for this work, which is not sufficient to cover the recommended dollar amount. Because the new fiscal year has just begun, it is not possible at this time to identify specific savings to offset



**this \$22,170 shortfall. The staff will identify the needed savings by the time the Council reviews the Adjusted Budget in February 2016.**

**ALTERNATIVES:**

1. a.) Accept completion of the FY 14/15 lime sludge disposal contract in the amount of \$358,220.00  
  
b.) Award the third year of the lime sludge disposal contract to Wulfekuhle Injection and Pumping, Inc. of New Vienna, Iowa in the amount of \$371,170.
2. Award the third year of the lime sludge disposal contract to Wulfekuhle Injection and Pumping, Inc. of New Vienna, Iowa in the amount of \$316,220. While no budget adjustment would be necessary, the quantity removed will not keep pace with the rate of production, resulting in an increased quantity of lime sludge stockpiled on-site and in a reduced level of operational flexibility.
3. Do not award the contract for FY 15/16 to Wulfekuhle Injection and Pumping, Inc. and direct staff to solicit new bids for removal and disposal of lime sludge.

**MANAGER'S RECOMMENDED ACTION:**

Wulfekuhle Injection and Pumping, Inc. has completed the FY 14/15 lime sludge disposal work to staff's satisfaction and in accordance with the contract requirements. The quantity of lime disposal under contract in recent years has not kept pace with the production of the material, resulting in mid-year change orders being needed. Staff is recommending that the quantity contracted for in FY 15/16 be increased from 28,000 tons to 33,000 tons. This would require a mid-year adjustment to the FY 15/16 lime sludge disposal budget.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby: a) accepting completion of the FY 14/15 contract and b) approving renewal of the third year of the five-year agreement with Wulfekuhle Injection and Pumping Inc. of New Vienna Iowa in the amount of \$371,170 for the removal and disposal of the Water Treatment Plant's lime sludge.



## ENGINEER'S STATEMENT OF COMPLETION

Water Treatment Plant Lime Sludge Disposal  
Contract No. 2013-202

Engineer: Ames Water and Pollution Control Department

Contractor: Wulfekuhle Injection and Pumping, Inc.

I hereby state that the lime sludge disposal has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said contract.

The work was completed for the fiscal year 2014-2015.

I further state that the retainage may be released in accordance with the contract documents.

---

Kris Evans, Ph.D., P.E., Environmental Engineer  
Water and Pollution Control Department

Date: 7/22/2015

**COUNCIL ACTION FORM**

**SUBJECT: NORTHERN GROWTH AREA UTILITY EXTENSIONS**

**BACKGROUND:**

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

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

The City financed the initial costs to design and install each of these improvements. Utility connection districts were established to recover the utility costs as developments are platted and as existing homesteads connect to these mains. Street construction costs will be shared and recovered through a separate special assessment. The annexation agreements previously signed between the City and the three developers (Rose Prairie, Quarry Estates, and Hunziker) confirmed these financing arrangements.

The costs associated with the water main and sanitary sewer main installation will be recovered over time through the connection district ordinances that were adopted by City Council in May 2014.

On April 22, 2014, City Council awarded this project (utility installation) to J&K Contracting of Ames Iowa, in the amount of \$1,909,379.80.

**This action will be for the City Council to approve the balancing change order, a deduction in the amount of \$69,948.48 and approve final acceptance of the project.** Savings were realized due to the ability of the contractor to perform the work while disturbing a smaller area than was originally planned. By constricting the construction zone, savings were realized on items including the installation and maintenance of erosion control devices, temporary stabilization, and restoration activities (permanent seeding). The permanent seeding was a major factor, amounting to nearly half of the realized savings amount listed above. Construction was completed in the amount of \$1,839,431.32

The project funding below reflects those sources approved by City Council upon award of contract at the April 22, 2014, City Council meeting.

**Project funding for the water improvements** are summarized below:

Engineering Services Water Design (Developers)	\$ 24,330.00
2012/2013 General Obligation Bonds (Water Utility Abated)	\$ 703,000.00
Unobligated G.O. Bonds (12/13 CyRide Route Pavement Imp.)	\$ <u>125,000.00</u>
<b>Total Water Improvement Funding</b>	<b>\$ 852,330.00</b>

**The total costs associated with water improvements** include the following:

Engineering and Construction Administration	\$ 98,600.00
Civil Design Advantage (Engineering Services)	\$ 24,330.00
Water Main Construction	\$ <u>614,658.05</u>
<b>Total Water Improvement Costs</b>	<b>\$ 737,588.05</b>

**Project funding for sanitary sewer improvements** are summarized below:

Engineering Services Sewer Design (Developers)	\$ 30,500.00
General Obligation Bonds (Sewer Utility Abated)	\$ 698,000.00
Unobligated G.O. Bonds (12/13 CyRide Route Pavement Imp)	\$ 249,828.00
Unobligated G.O. Bonds (12/13 Downtown Pavement Imp)	\$ 285,996.00
Sanitary Sewer Funds (vertical turbine pump replacement)	\$ 115,000.00
Sanitary Sewer Funds (blower replacement project)	\$ <u>205,000.00</u>
<b>Total Sewer Improvement Funding</b>	<b>\$ 1,584,324.00</b>

**The total costs associated with sanitary sewer improvements** include the following:

Engineering and Construction Administration	\$ 153,220.00
Civil Design Advantage (Engineering Services)	\$ 30,500.00
Sanitary Sewer Main Construction	\$ <u>1,224,773.27</u>
<b>Total Sewer Improvement Costs</b>	<b>\$ 1,408,493.27</b>

The final project costs for both the water and sewer improvements came in below the funding amounts allocated for work, in the respective amounts of \$114,742 and \$175,831. This leaves \$290,573 of G.O. Bonds remaining to be used on other projects.

**ALTERNATIVES:**

- 1a. Approve Change Order No. 1, a deduction in the amount of \$69,948.48, for the North Growth Area Utilities Extension Project.
- b. Accept the North Growth Area Utilities Extension Project as completed by J&K Contracting of Ames, Iowa, in the amount of \$1,839,431.32

2. Direct Staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project was completed in accordance with the approved plans and specifications and is within the approved budget.

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

**COUNCIL ACTION FORM**

**SUBJECT: VET MED SUBSTATION FEEDERS EXTENSION – 1200 AMP SWITCHGEAR - CONTRACT COMPLETION**

**BACKGROUND**

This electric distribution system improvement project added a new underground feeder south from the Vet Med Substation to the ISU Research Park. **This portion of the project is for the purchase of one 1200 Amp Switchgear.**

On February 11, 2014, City Council awarded a contract to WESCO Distribution, Des Moines, IA, in the amount of \$17,334 for the 1200 Amp Switchgear.

**The engineer's estimated cost of this project was \$300,000.** The approved FY2013/14 Capital Improvements Plan for Electric Services includes \$300,000 for materials and construction of this project. A summary of the overall project costs are on page 2.

All of the requirements of the contract have been met by WESCO Distribution, and the Engineer has provided a certificate of completion.

**ALTERNATIVES:**

- 1) Accept completion of the contract with WESCO Distribution for the 1200 Amp Switchgear for the Vet Med Substation Feeder Extension at a total cost of \$17,334.
- 2) Delay acceptance of this contract.

**MANAGER'S RECOMMENDED ACTION:**

The contractor for the Vet Med Substation Feeder Extension has delivered the material specified under the contract. The Engineer has issued a certificate of completion on the work.

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

## PROJECT BUDGET

Below is a summary of all the project costs:

<b>\$300,000.00</b>	<b>Amount budgeted for project</b>
\$17,334.00	Bid award amount for 1200 amp switchgear
\$170,786.97	Bid award amount for Vet Med Substation Feeder Extension construction phase.
\$4,714.00	Contract Change Order No. 1 to Vet Med Substation Feeder Extension construction phase.
\$8,414.00	Contract Change Order No. 2 to Vet Med Substation Feeder Extension construction phase.
<u>\$22,854.40</u>	Contract Change Order No. 3 to Vet Med Substation Feeder Extension construction phase
<b>\$224,103.37</b>	<b>Total committed to date</b>

**COUNCIL ACTION FORM**

**SUBJECT: VET MED SUBSTATION FEEDERS EXTENSION CONTRACT  
COMPLETION**

**BACKGROUND**

This electric distribution system improvement project added a new underground feeder south from the Vet Med Substation to the ISU Research Park. **This portion of the project is for the construction phase.**

On May 13, 2014, City Council awarded a contract to Tri-City Electric Company of Iowa, Davenport, IA, in the amount of \$170,786.97 for the Vet Med Feeder Extension.

There were three change orders to this contract.

**Change Order No. 1 approved administratively on July 10, 2014, for \$4,714** covered additional 6 inch burial depth of a ductbank underneath U. S. 30, and installation of a small pedestal fence and conduit into the pedestal outside the substation.

**Change Order No. 2 approved administratively on August 6, 2014, for \$8,414** covered costs associated with mobilizing equipment, over excavating all three vaults for additional granular base, de-watering trenches, and flushing/swabbing/mandrel duct bank pipes with compressed air.

**Change Order No. 3 approved by City Council on August 26, 2014, for \$22,854.40** required to cover extra work associated with the contractor pulling 15kV primary cables from the south side of U.S. 30 to Airport Road and to install two padmount switchgears. This work was originally going to be accomplished by a City crew.

**The total contract amount including these change orders is \$206,769.37.**

**The engineer's estimated cost of this project was \$300,000.** The approved FY 2013/14 Capital Improvements Plan for Electric Services includes \$300,000 for materials and construction of this project. A summary of the overall project costs are on page 3.

All of the requirements of the contract have been met by Tri-City Electric Company of Iowa, and the Engineer has provided a certificate of completion.



**ALTERNATIVES:**

- 1) Accept completion of the contract with Tri-City Electric Company of Iowa for the Vet Med Substation Feeder Extension at a total cost of \$206,769.37.
- 2) Delay acceptance of this contract.

**MANAGER'S RECOMMENDED ACTION:**

The contractor for the Vet Med Substation Feeder Extension has completed all of the work specified under the contract. The Engineer has issued a certificate of completion on the work.

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

## PROJECT BUDGET

Below is a summary of all the project costs:

<b>\$300,000.00</b>	<b>Amount budgeted for project</b>
\$17,334.00	Bid award amount for 1200 amp switchgear
\$170,786.97	Bid award amount for Vet Med Substation Feeder Extension construction phase.
\$4,714.00	Contract Change Order No. 1 to Vet Med Substation Feeder Extension construction phase.
\$8,414.00	Contract Change Order No. 2 to Vet Med Substation Feeder Extension construction phase.
<u>\$22,854.40</u>	Contract Change Order No. 3 to Vet Med Substation Feeder Extension construction phase
<b>\$224,103.37</b>	<b>Total committed to date</b>

**COUNCIL ACTION FORM**

**SUBJECT: GT2 CONTROL ROOM AND SHOP PREACTION SPRINKLER SYSTEM AND FIRE ALARM UPGRADE - CONTRACT COMPLETION**

**BACKGROUND**

This 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.

On September 9, 2014, City Council awarded a contract to Summit Fire Protection, Urbandale, IA, for the GT2 Control Room and Shop Preaction Sprinkler System and Fire Alarm Upgrade in the amount of \$48,418.

Funding is available from the FY 2012/13 Capital Improvements Plan in the Power Plant Fire Protection System Project. After covering the GT1 project (separate CAF on this Council agenda), there is currently \$469,526 remaining in the Final Budget Amendments from the FY 2014/15 budget cycle for fire suppression projects at all power generation sites. This funding will be carried over to the FY15/16 budget to cover this project.

All of the requirements of the contract have been met by Summit Fire Protection, and the Engineer has provided a certificate of completion.

**ALTERNATIVES:**

- 1) Accept completion of the contract with Summit Fire Protection for the GT2 Control Room and Shop Preaction Sprinkler System and Fire Alarm Upgrade at a total cost of \$48,418.
- 2) Delay acceptance of this contract.

**MANAGER'S RECOMMENDED ACTION:**

The contractor for the GT2 Control Room and Shop Preaction Sprinkler System and Fire Alarm Upgrade has completed all of the work specified under the contract. The Engineer has issued a certificate of completion on the work.

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



**COUNCIL ACTION FORM**

**SUBJECT: CONTROLS AND RELAYING PANELS FOR 69KV SUBSTATIONS – DAYTON AND STANGE ELECTRIC SUBSTATIONS - CONTRACT COMPLETION**

**BACKGROUND**

In FY 2013/14 City Council approved a CIP project to replace the 69kV switchyard relay and controls at Electric Services' Ames Plant switchyard, as well as to replace the relay panels at the Stange Road, Dayton Avenue, and Haber Road substations.

On January 27, 2015, City Council awarded a contract to Schweitzer Engineering Laboratories, Pullman, WA, for the Controls and Relaying Panels for Dayton and Stange Substations in the amount of \$225,876.44 (inclusive of Iowa sales tax).

The Engineer's estimate of the cost for this phase of the project is \$279,000. The approved FY2013/14 CIP for Electric Services includes \$1,700,000 for engineering, materials, and replacement of the Ames Plant Switchyard Relays and Controls. A summary of the overall project costs are on page 2.

All of the requirements of the contract have been met by Schweitzer Engineering Laboratories, and the Engineer has provided a certificate of completion.

**ALTERNATIVES:**

- 1) Accept completion of the contract with Schweitzer Engineering Laboratories for the Controls and Relaying Panels for Dayton and Stange Substations at a total cost of \$225,876.44 (inclusive of Iowa sales tax), and pay all retainage.
- 2) Delay acceptance of this contract.

**MANAGER'S RECOMMENDED ACTION:**

The contractor for the Controls and Relaying Panels for Dayton and Stange Substations has delivered the material specified under the contract. The Engineer has issued a certificate of completion on the work.

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

## PROJECT BUDGET

Below is a summary of all the project costs:

<b>\$1,700,000.00</b>	<b>Amount Budgeted for the Total Project</b>
\$162,200.00	Encumbered Engineering for Ames Plant Switchyard (includes change orders 1 and 2)
\$56,377.35	Actual cost for SF6 circuit breakers
\$122,502.60*	Actual cost for electrical materials (*Includes applicable sales taxes to be paid directly by Ames to the State of Iowa)
\$198,469.55	Actual cost for Ames Plant Substation control panels.
\$395,163.40	Actual cost for materials installation phase for the Ames Plant Switchyard Project (includes change order 1, 2 & 3)
\$98,755.20	Actual cost for Control Panels for Haber Road Substation (includes change order 1)
\$160,435.00	Actual cost of Ames Plant area commissioning
\$123,688.30	Encumbered Engineering for Dayton Avenue and Stange Road Substation Relay and Control Panels (includes change orders 1 and 2)
<b>\$225,876.44</b>	<b>Actual cost for Controls and Relaying Panels for the Dayton and Stange Substations (this item)</b>
<b><u>\$1,543,467.86</u></b>	<b>Total committed</b>
\$156,532.16	Amount uncommitted (There are no other known material or construction work costs on this project)

**COUNCIL ACTION FORM**

**SUBJECT:**           **ENTREPRENEURSHIP WORKSHOP PLANNING**

**BACKGROUND:**

During its 2015 Goal-Setting Session, the City Council directed staff to plan a workshop regarding entrepreneurship. The purpose of this workshop would be to discuss the existing entrepreneurship environment in Ames, identify successes and assets in the Ames community, and understand what role the City can play in fostering the entrepreneurial environment in the future.

The City Council allocated funds in the FY 2015/16 budget to host this and another workshop regarding youth collaborative planning. City staff has developed a framework for how the entrepreneurship workshop might take place, and now requires specific direction to proceed.

**Consulting Organization**

City staff proposes that a key component of this workshop involve guidance from an organization with experience in local public policy that fosters entrepreneurship. The Kauffman Foundation, located in Kansas City, MO, is an organization that works in this field. City staff has contacted the Kauffman Foundation, and has been told that the Kauffman Foundation could provide a staff person to outline national trends transferable to Ames in creating entrepreneurial environments. City staff has been told that, as an endowed foundation, the Kauffman Foundation could provide an expert to discuss this topic at no cost to the City.

**Other Experts**

To understand factors unique to Ames regarding entrepreneurship, staff proposes inviting key leaders from Iowa State University to discuss the importance of entrepreneurship to the University, as well as policies or activities that could be undertaken by the City to help encourage entrepreneurship. Additionally, several local entrepreneurs would be invited to share their experiences in developing their businesses in Ames.

**Location and Timing**

Because of the connection this topic has to the University, and the interest that the local business and academic community might have in this topic, City staff proposes hosting this workshop in the Scheman Building at the Iowa State Center. Rates for hosting this discussion range from \$450 for a conventional room to \$775 for the use of the Benton Auditorium. An additional \$250 fee would apply for the use of a projector in the auditorium. City staff proposes that an additional \$500 be allocated for refreshments and any contingency costs.

Because of the number of schedules that must be coordinated to host a workshop of this scale, City staff proposes hosting it in November. This appears to be the earliest timeframe which will work for several of the key invitees.

**Invitees**

City staff will work to identify the final line-up of speakers and participants between now and when the workshop is held. However, many individuals and organizations might benefit from being specifically invited to attend this workshop. City staff proposes that, as a starting point, the following be invited to attend:

The Ames Economic Development Commission, the Ames Chamber of Commerce, Ames Seed Capital coordinators, the Ames Community School District staff and board members, ISU Research Park staff and board members, the ISU Entrepreneur Club, and the DMACC Entrepreneurship Program staff. The City Council may modify this list or identify other organizations or individuals who might benefit from an invitation.

**ALTERNATIVES:**

1. Authorize staff to do the following:
  - a. Spend up to \$1,600 from the City Council’s FY 2015/16 workshop budget to secure a room in the Scheman Building
  - b. Retain the services of the Kauffman Foundation to provide expert information regarding entrepreneurship trends
  - c. Request the participation of representatives from the local entrepreneurial community and University leaders
2. Direct staff to develop alternative proposals for this workshop.

**MANAGER’S RECOMMENDED ACTION:**

The City Council has indicated that it is interested in hosting a workshop regarding entrepreneurship that engages national experts and provides the City Council with feedback regarding how entrepreneurship in Ames can be fostered and grown. The Kauffman Foundation has experts in the field of entrepreneurial policy, and University and local entrepreneurs can help provide their perspectives regarding how Ames’ unique features can encourage entrepreneurship. Hosting this workshop at the University provides for a larger, more collaborative space to discuss the topic and also illustrates the importance of the University in addressing this topic.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby authorizing staff to spend up to \$1,600 from the City Council’s FY 2015/16 workshop budget to secure a room in the Scheman Building, retain the services of the Kauffman Foundation to provide expert information regarding entrepreneurship trends, and request the participation of representatives from the local entrepreneurial community and University leaders.



## Staff Report

**SETTLEMENT PROPOSAL BETWEEN THE CITY OF AMES &  
BRECKENRIDGE GROUP CONCERNING LAND LOCATED AT 321 AND 601 SOUTH  
STATE AVENUE AND 205 SOUTH WILMOTH**

July 23, 2015

**BACKGROUND:**

These three parcels are owned by Breckenridge Group LLC of Austin, Texas, which purchased the land from the Ames Community School District in 2012. Breckenridge purchased the three parcels with the intention of developing them with rental housing marketed toward students. The balance of this report outlines the relevant history of events occurring to give context to the proposal before Council to settle pending litigation.

**Land Description and current zoning designation**

The three parcels of land affected are located at 205 South Wilmoth Avenue (North Parcel), 321 State Avenue (Middle Parcel), and 601 State Avenue (South Parcel).

**South Parcel** – The South Parcel is an L-shaped site that has 28.9 acres. There are approximately 1.6 acres north of College Creek and 27.4 acres south of the creek. This parcel is presently zoned RL (low density residential).

**Middle Parcel** – The Middle Parcel is a rectangular shaped lot comprised of 10.8 acres. It had been developed and used as the Ames Middle School until it was vacated when the new Middle School was built at 3915 Mortensen Road and occupied in 2005. The vacant school building was demolished and removed from the site in February of 2014. The site currently stands as vacant. This parcel is presently zoned RL (low density residential).

**North Parcel** – The north site is made up of multiple parcels which are generally rectangular in shape. The former Middle School track and athletic field is 8.3 acres and the three parcels at the corner of Wilmoth and Lincoln Way total approximately 0.5 acres. There is one property fronting along Lincoln Way and surrounded by Breckenridge property that is not part of the north site. The 8.3 acre parcel is presently zoned RL (low density residential). The three parcels have occupied rental structures on them, and Breckenridge has options to purchase these.

**Ownership History**

The three parcels are owned by Breckenridge Group LLC of 1301 S. Capital, Texas Highway Suite B301, Austin, Texas. Until March 11, 2013, this land had been owned by the Ames Community School District (ACSD). Of these three sites, the South Parcel came into ownership of ACSD after it was sold to ACSD by Iowa State University as land for a new middle school.

The sale of this land by auction took place on December 7, 2012. The sale was conditioned on the requirement that the buyer remove the deteriorated middle school building within one year of its purchase. No other use restrictions were placed on the buyer by ACSD as part of the sale.

### **Other Significant Events**

#### **Litigation and Administrative Appeals.**

On November 6, 2013, Breckenridge filed its first petition in Story County District Court against the City of Ames alleging that the City had exceeded its authority in enactment of a zoning ordinance text amendment that prohibited multiple single family detached homes on any size of individual lots. Breckenridge's petition was answered by city legal staff, which subsequently referred the lawsuit to the Iowa Communities Assurance Pool (ICAP), which provides liability insurance to the City. ICAP then selected outside counsel to represent the City in that litigation and that representation has been ongoing since then. Subsequently, a second petition was filed by Breckenridge to add additional counts related to actions taken by the City in rezoning the three parcels from Government-owned land to its current zoning. This litigation has been proceeding toward trial, which is now scheduled for March 1, 2016.

The parcels were also assessed for taxation, since as privately-owned property they are no longer tax exempt. The tax assessments for all three had also been appealed, and those appeals have subsequently been handled by in-house legal counsel and have been resolved.

#### **Purchase Negotiations with ISU**

In the Spring of 2015, Breckenridge and Iowa State University entered into discussions concerning ISU's interest in purchasing the South Parcel. Those discussions resulted in the Board of Regents approving the purchase of the South Parcel from Breckenridge at their June 2015 meeting .

#### **Request for Settlement Negotiations.**

In April 2014, when Breckenridge's application for rezoning the South Parcel to FS-RL and the North Parcel to RL were scheduled for hearing, Breckenridge broached the subject of negotiating a settlement of the litigation with counsel representing the City. However, at this point, only the Middle Parcel had gone through the rezoning process. A settlement proposal went before the City Council in July of 2014 but was rejected by Council at their July 7, 2014 meeting.

In early May of 2015, at approximately the same time as Breckenridge was in discussions with ISU about the South Parcel, it also communicated to the City a request to once again enter into settlement discussions. Discussions have been ongoing since then, resulting in the negotiated agreement that is now before the City Council for consideration.

#### **Public Input.**

Approval of this settlement will still require other future public actions by the City Council. This includes following all statutory steps for rezoning and other related approvals. This will allow additional opportunities for public input at both preliminary stages as recommendations are made by the Planning and Zoning Commission, as well as at other City Council meetings. rather than waiting only until the next statutory public input opportunity.

## **Proposal Key Elements**

Even though all parcels have been rezoned and Breckenridge, as owner, would by right be able to proceed with RL development on all three, the settlement proposal contemplates different ownership and uses for each of the three parcels. An agreement with these elements is attached. The significant components of it are as follows:

### **Middle Parcel**

Breckenridge will be required to sell this parcel to the City of Ames for \$550,000 by January 15, 2016, subject to the site passing an environmental review.

### **South Parcel**

Breckenridge will be required to sell this parcel to ISU by August 31, 2015.

### **North Parcel**

Breckenridge and the City will:

- Take steps with the purpose of creating a mixed use residential and commercial development
- Breckenridge will be allowed, at its option, to consolidate with the North Parcel three additional lots on which it has purchase options.
- Breckenridge will be allowed to develop no more than 422 beds of housing if the optioned lots are combined to the North Parcel, or no more than 350 beds if the optioned lots are excluded.
- Breckenridge will develop a minimum of 15,000 square feet up to a maximum of 40,000 square feet of commercial space on the first floor of buildings along Lincoln Way
- Breckenridge will limit building height to 3 stories or less.
- Breckenridge will be eligible for partial urban revitalization tax exemption for 10 years for the North Parcel and the optioned lots.
- The City will take steps to amend the Land Use Policy Plan, rezone, enact the tax abatement, and approve a Plat of Survey.

These City's actions need to be completed by January 15, 2016.

It is also a condition that all litigation and administrative appeals related to the properties will be dismissed.



**Breckenridge Development Parcels**

**AGREEMENT BETWEEN BRECKENRIDGE AND CITY OF AMES**

WHEREAS Breckenridge Group Ames Iowa L.L.C., and its successors and assigns (hereinafter "Breckenridge") has filed two separate but consolidated Petitions which have made claims against the City of Ames (hereinafter "the City") both of which were filed in the Iowa District Court for Story County and identified as CVCV048455 and CVCV048881 ("Petitions") (Breckenridge and the City will be referred to herein as the "Parties");

WHEREAS Breckenridge is the owner of certain land formerly owned by the Ames Community School District containing the Ames Middle School ("the Property") that has been designated in the Petitions and will be referred to herein as the North Parcel (locally known as 205 S. Wilmoth Avenue), Middle Parcel (locally known as 321 State Avenue) and South Parcel (locally known as 601 State Avenue); and

WHEREAS Breckenridge and the City are desirous of resolving all of their disputes pursuant to this Agreement ("Agreement"):

It is hereby agreed as follows:

1. This Agreement shall be subject to the following condition precedent: Breckenridge agrees to sell or convey to Iowa State University the South Parcel for an agreed upon price negotiated between Breckenridge and Iowa State University; closing of the sale will occur at a reasonable time but no later than August 31, 2015.

Thus, if Breckenridge does not sell the South Parcel to Iowa State University and close on such sale by August 31, 2015, then the Agreement shall be null and void.

2. Breckenridge agrees to sell and the City agrees to buy the Middle Parcel for \$550,000.00, with the closing of such sale occurring within a reasonable time after the satisfaction/completion of the condition precedent set forth in paragraph 1 and in no event later than January 15, 2016. The Parties will cooperate and execute all reasonable and necessary

documents to accomplish this sale and purchase by the aforementioned date. The City will conduct an environmental due diligence and the Middle Parcel must be free of environmental hazards, which shall mean asbestos, petroleum, radioactive materials, and any other materials defined as "hazardous substances" or "hazardous materials" under federal, state, or local law. In the event the Middle Parcel is found not to be free of environmental hazards, Breckenridge will promptly engage in all reasonable steps to remediate and remove such hazardous substances before the sale and purchase closes.

3. Regarding the North Parcel, Breckenridge and the City agree as follows to create a mixed-use residential – commercial use development:
  - A. Breckenridge may in its sole discretion consolidate three lots (“Option Parcels”), which border on South Wilmoth Avenue upon which it currently holds options to purchase, with the North Parcel (the “Enlarged North Lot”).
  - B. Provided that Breckenridge meets the required eligibility prerequisites for the urban revitalization plan, the City shall provide partial urban revitalization tax exemption for ten (10) years to Breckenridge with respect to any and all completed improvements on the Enlarged North Lot in accordance with and pursuant to Iowa Code §404.3 and the City’s Urban Revitalization Program (Tax Exemption Schedule) in existence as of the Effective Date, as attached as Ex. A. Any relocation costs or assistance for any tenant displaced by the urban revitalization shall not be borne by the City.
  - C. Breckenridge may develop no more than 422 beds of housing for no more than 422 residents spread across the Enlarged North Lot. The City will issue certificates of occupancy for the bedrooms constructed by Breckenridge up to and for no more than 422 residents.
  - D. If Breckenridge develops the Enlarged North Lot as referenced in 3(C), then Breckenridge will also develop a minimum of 15,000 square feet of commercial space up to a maximum of 40,000 square feet on the first floor of those buildings that may have frontage on Lincoln Way on the Enlarged North Lot.
  - E. None of the buildings on the Enlarged North Lot may exceed three stories in height.



F. The City will promptly rezone the Enlarged North Lot to accomplish the purposes and terms of this Agreement, appropriately amend the City's Land Use Policy Plan, approve a Plat of Survey to combine the original North Parcel and any Option Parcels, enact the tax abatement in paragraph 3(B) and engage in any other administratively necessary action to accomplish the rezoning, tax exemption, and other terms set forth in this Agreement, with all such actions occurring no later than January 15, 2016. Breckenridge will cooperate with the City to accomplish such acts and will comply with the City's ordinances and both Parties will act reasonably and in good faith G. If Breckenridge does not consolidate the Option Parcels with the North Parcel, then subparagraphs B, C, D, E, and F of Paragraph 3 apply only to the original North Parcel. In such event, only a maximum of 350 beds of housing for a maximum of 350 residents may be built on the original North Parcel.

4. In consideration of the terms set forth in this Agreement, together with other good and valuable consideration, the Parties hereby agree and do release, acquit, and forever discharge each other, including each Parties' respective employees, officers, elected officials, directors or agents, insurers and like entities (including the Iowa Communities Assurance Pool (ICAP), American Risk Pooling Consultants, Inc., and Public Entity Risk Services of Iowa, Inc. (PERSI)), subsidiaries, parent companies, affiliate companies (collectively the "Released Parties"), from any and all liability whatsoever for all claims, demands, damages, expenses, causes of action of every nature including all statutory, constitutional, and common law claims, and claims for attorney fees and costs relating to the Petitions and/or Property that are known or could have been known as of the Effective Date of the Agreement that any of the Parties may have or ever claim to have against each other affecting them as more fully set forth in the Petitions and arising from Breckenridge's development of the Property. The Parties acknowledge and agree the release set forth herein does not release claims for breach of this Agreement. Finally, the Parties acknowledge and agree that Breckenridge is providing the aforementioned release and will be engaging in the required actions under this Agreement, including selling the South Parcel and Middle Parcel, in reliance upon the City's promise under

this Agreement to complete the required actions under this Agreement, including those actions set forth in Paragraphs 2 and 3.

5. Breckenridge agrees that not later than five days following the later of either:
  - a). the receipt of the City's payment for the Middle Parcel or
  - b). the re-zoning of the Enlarged North Lot and completion of the other actions under paragraph 3(F).

that it will file a Dismissal With Prejudice of both of its Petitions. Both Breckenridge and the City are responsible for the payment of their own attorneys' fees and costs.

6. The effective date ("Effective Date") of this Agreement is the date the last of the Parties hereto executes this Agreement. 7. The consideration referenced in this Agreement is all that either Party will ever receive for its claims released in this Agreement including unasserted claims whether presently known or not, and no promise for any other or further consideration has been made by any person or anyone acting on either Party's behalf including its employees, officers, directors, agents and attorneys.

8. This Agreement is executed as a compromise settlement of a disputed claim. The City expressly denies it has done anything improper in regards to the matters set forth in the Petitions. This Agreement does not constitute an admission of liability on the part of the City, Breckenridge, or any other person, or entity.

9. The Parties are voluntarily executing this Agreement solely upon their knowledge, belief, and judgment and not on any representation made by the other Party or any of its employees, officers, directors or agents or anyone acting on its behalf. The Parties have been advised of their right to seek legal counsel prior to executing this Agreement and the Parties acknowledge they have consulted attorneys of their choice.



10. This Agreement and its enforceability shall be governed by and construed in accordance with the substantive law of the State of Iowa.

11. This is the entire agreement between Breckenridge and City, and supersedes and prevails over all other prior and/or contemporaneous agreements, understandings or representations by or between the Parties, whether oral or written. The Agreement may not be modified or amended, and there shall be no waiver of its provisions, except by a written instrument executed by Breckenridge and the City. The Parties have made no promises to Breckenridge other than those in the Agreement.

12. Breckenridge acknowledges that it is the sole owner of the claims set forth in the Petitions against the City and has not assigned nor alienated such claim. Further, each of the Parties warrants and represents that it has good right and authority to enter into and execute this Agreement.

13. The Parties acknowledge that all Parties, through their counsel, played a substantive role in drafting and/or had an equal opportunity to review and/or modify this Agreement. Thus in the event of any misunderstanding, ambiguity, or dispute concerning this Agreement's provisions, or interpretation, the Parties agree that no rule of construction shall be applied that would result in having this Agreement interpreted against any Party. Should any provision of this Agreement be declared illegal or unenforceable by any court of competent jurisdiction and cannot be modified to be enforceable, excluding the general release language, such provision shall immediately become null and void, leaving the remainder of the agreement in full force and effect. This Agreement and its enforceability shall be governed by and construed in accordance with the substantive law of the State of Iowa.

14. This Agreement is binding upon, and shall inure to the benefit of, the Parties hereto and their respective successors, successor companies, assigns, heirs and representatives. The Parties understand, acknowledge, and agree that this Agreement and the obligations hereunder is and are freely assignable by Breckenridge without the requirement of any prior consent by the City.

15. This Agreement may be executed in counterparts, each of which is deemed to be an original. This Agreement may be executed by facsimile or by email/pdf transmission and such signatures shall be binding and deemed original. A copy of the Agreement shall have the same legal effects as the original.

16. The Parties agree to cooperate and to execute such documents and to take such other action as may be reasonably necessary to further the purposes of this Agreement. In particular, the Parties will file a motion to stay or other document with the Court, promptly after the Effective Date of this Agreement, to further the purposes of this Agreement. The Parties agree that, by execution hereof, they acknowledge receipt of a copy of this Agreement.

**CAUTION: THIS IS A RELEASE. READ BEFORE SIGNING.**

Dated in \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2015

**Breckenridge Group Ames Iowa, LLC:**

Sign: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**City of Ames:**

Sign: \_\_\_\_\_

Print Name and Title: Ann Campbell, Mayor

Date: \_\_\_\_\_

# Urban Revitalization Program

## *Tax Exemption Schedule*

All qualified real estate located in the designated Urban Revitalization Area is eligible to receive a partial exemption from taxation on the Actual Value added by the improvements as specified by the schedules below. Any qualified real estate may elect one of the three schedules.

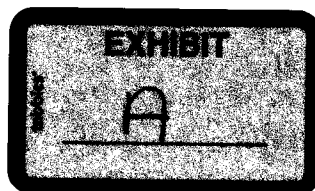
**The exemption period for ten (10) years.** The amount of the partial exemption is equal to a percent of the Actual Value added by the improvements, determined as follows:

For the first year	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

**The exemption period for five (5) years.**

For the first year	100%
second	80%
third	60%
fourth	40%
fifth	20%

**The exemption period for three (3) years.** All qualified real estate is eligible to receive a 100% exemption on the Actual Value added by the improvements for each of the three years.



Staff Report

**UPDATE ON INDOOR AQUATIC CENTER**

July 28, 2015

**BACKGROUND:**

Conversations regarding replacing Municipal Pool with an Indoor Aquatic Center have been going on for several years. This has included discussions with the Ames Community School District as to whether to build one facility to meet the needs of the School District and community or to build two separate facilities, one to meet School District needs and one to meet the recreational needs in the community.

The School District has been working with FRK Architects and Engineers on developing plans for a facility that would be suitable for the High School swim and dive teams, Ames Cyclone Aquatics Club, and other competitive activities. The School District facility would have 78-80 degree water, deep water for diving on one end and a minimum of five foot depth water on the other end for race starting, as much shallow water (i.e. four feet) as possible, seating for approximately 500 spectators, and other necessary areas (i.e. storage, office space, etc.). A 50 meter pool and a 25 yard stretch pool (25 yards by 30 meters) have been the main two options considered by the School District. School District officials have indicated adequate funding is available to construct their pool without a bond referendum. However, funding the operational costs for either of the two options described above will be a challenge.

**Although the City can utilize either of the pool options described above, they do not provide a suitable environment for most of the programs offered by Parks and Recreation Department. Warmer water (84-92 degrees) is suggested for swim lessons, aqua aerobics, older adult activities, recreational activities, and therapeutic activities. Shallow water (with a zero depth entry) and a current channel have also been identified as important components of an indoor aquatic center that would not be available in the School District's two options.**

**PUBLIC INPUT:**

The Parks and Recreation Commission determined the next step in pursuing an indoor aquatic center was to conduct public input sessions. Towards this end, three input sessions (May 28, June 1, and June 4) were held with 129 people

signing in for the meetings. The focus of the sessions was to educate and inform as to the status of the City and School District pool projects, to share examples of other pool design/features, and to gather input. Several Parks and Recreation Commission members were present at each of these sessions and School District representatives were at two.

At each input session the attendees were asked to complete a short questionnaire. The results of this input are reflected in Attachment A. In addition to this data, Attachment B provides the results of the 2014 Citizen Satisfaction Survey questions related to a proposed new indoor aquatic center. These results are scientifically valid and represent a random sample of the entire Ames community.

### **NEXT STEPS:**

It is important for the City and School District to determine if it is in the best interest for all parties to construct a combined facility or build separate facilities. In order to make this determination, additional information must be obtained. As mentioned earlier, the School District has been working with an architect to develop information regarding their two pool options. Staff believes it is time for the City to contract with a consultant to obtain data regarding capital costs, operating expenses, and revenue projections for various alternatives that serve our citizens' recreational needs. Therefore, **City staff intends to contract with Water's Edge Aquatic Design. Water's Edge was the aquatic consultant on the Furman Aquatic Center and provided excellent advice on that successful project.**

The consultant will be asked to provide capital expenses in 2017 dollars, operational expenses and revenue, and what the operational subsidy would be for each of the nine options shown on Attachment C. Funding for this \$9,500 study will come from the Municipal CIP fund which currently has a balance of approximately \$130,000.

The information contained in this staff report was presented to the Parks and Recreation Commission at its July 16, 2015 meeting to gain feedback. The Commission agreed that it necessary to have the cost/revenue estimates for the nine options in order to make an informed decision as to whether or not to partner with the School District.

## **ATTACHMENT A**

### **INDOOR AQUATIC CENTER INPUT SESSION FEEDBACK**

### 1. Date of survey:

	Number of Response(s)	Response Ratio
May 28	24	30.0%
June 1	43	53.7%
June 4	11	13.7%
No Responses	2	2.5%
<b>Total</b>	<b>80</b>	<b>100%</b>

### 2. How important is it that the following activities/features are planned for when designing an indoor aquatic center?

(Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.)

	Very Important	Somewhat Important	Uncertain	Somewhat Unimportant	Very Unimportant
Lap Swimming	65 80%	13 16%	1 1%	1 1%	1 1%
Play Features	20 26%	36 47%	9 12%	9 12%	3 4%
Therapeutic Exercise	38 49%	26 34%	12 16%	1 1%	0 0%
Swim Lessons	54 69%	14 18%	8 10%	2 3%	0 0%
Warm Water (85 Degrees and Above)	35 45%	28 36%	11 14%	3 4%	1 1%
Water Exercise	47 58%	29 36%	2 2%	3 4%	0 0%
Water Slides	16 20%	19 24%	21 26%	17 21%	7 9%
Water Walking	35 44%	30 38%	13 16%	1 1%	0 0%
Zero-Depth entry	30 41%	22 30%	17 23%	5 7%	0 0%

### 3. Other Features

50 Meter Pool (13)  
 Room! Larger Space!  
 Family locker space  
 physical education  
 More availability for lap swim  
 competitive pool (6)  
 suitable air temp  
 diving well (3)  
 water polo (2)

8-10 lanes (2)  
 deep enough  
 convenient hours  
 glass wall  
 Spectator setting (3)  
 working together to do this  
 energy efficient  
 adult fitness  
 Water Yoga  
 Salt water (2)  
 Kayak skill safety  
 Energy efficient solar power  
 Locker Rooms (3)  
 Well-lit  
 multiple basins  
 masters swim program  
 community space  
 50 meter  
 2 bulkheads  
 gym  
 family oriented  
 Water Safety  
 NO fumes/gases so a walking "circuit" possible  
 Open swim for families  
 Welcoming! With money to staff for max. hours.  
 scuba  
 good air quality (3)  
 one roof  
 adequate parking (2)  
 Life guarding skills

**4. Enter any additional comments written on front page:**

Water Slides: This is strictly entertainment and does not effective(sic)health conditioning of users.  
 Recreational lap swimming. More than 3 lanes. NOT 50m long!

**5. If an indoor aquatic center is built, do you have a preference as to where it should be located?**

	Number of Response(s)	Response Ratio
YES	49	61.2%
NO	29	36.2%
No Responses	2	2.5%
<b>Total</b>	<b>80</b>	<b>100%</b>



## 6. If yes, where?

As close to the center of Ames as possible - The Location should consider access to Cy-ride, proximity to the high school for early morning use by high school swimmers before going to class.

As central as possible- current Ames High location is good.

Ames High School (26)

school property

maybe not at ames high because restrictive on parking

central location

multiply at Ames Gilbert and Ankeny and East

try to stay centrally located south side of town because of stores available.

At the high school so expenses can be shared

connected to the high school

make it easily accessible to everybody- central

partner with high school

high school, but more parking lots

one land not connected to the high school

mentioned school road

separate facility on the school road

where it is most economical

free land

not at high school- need more room

Needs lots of parking, easy access

Near the high school--for two reasons.

1) Land is available and being GIVEN to the project.

2) Ames High and all participating schools is a high caliber team. Keeping this close to those participants is effective and safe.

1) Scholl Road (13th/Ontario)

2) Carr Park-If we don't decide on the Taj Mahal. It is already built up--and would not be costly to build up higher. We own it already. A parking lot is already there. The neighborhood is already used to the facility and traffic.

Where ADA accessible/closer adjacent parking

Competitive- Therapeutic/recreational separate location

Not on the high school property- even if partnering with the school district.

## 7. Would you support the City of Ames pursuing a bond referendum to construct an indoor warm water, aquatic center that would replace Ames Municipal Pool?

	Number of Response(s)	Response Ratio
YES	77	96.2%
NO	0	0.0%
No Responses	3	3.7%
<b>Total</b>	<b>80</b>	<b>100%</b>

### 8. If no, why?

If for recreational exercise and instruction and a therapy basin. NOT for competition. A different purposed facility than the noisy play-oriented. And NOT if built at the high school.

Depends on final proposal: design/cost

### 9. To what dollar amount would you be willing to support a referendum? Enter Question Text Here.

	Number of Response(s)	Response Ratio
\$5 Million	2	2.5%
\$6 Million	7	8.7%
\$7 Million	58	72.5%
No Responses	13	16.2%
<b>Total</b>	<b>80</b>	<b>100%</b>

### 10. To what dollar amount would you be willing to support a referendum? Enter Question Text Here. - Comments

any of these

10 million

It depends on where and what you intend to build. I would be willing to support the \$7m if it's 50 meter and recreation and at the high school so you have the additional money.

Depends.

Depends on what money are building/supporting

### 11. For what reasons should the City of Ames and the Ames Community School District explore partnering on a new aquatic center?

	Number of Response(s)	Response Ratio
Capital costs can be saved for both the City and the School District.	57	77.0%
Operational costs can be saved for both the City and the School District	58	78.3%
Aquatic programming and activities can be maximized in one locaiton.	56	75.6%
Unsure at this time if the city and School District should partner.	12	16.2%
The City and School District should not partner.	3	4.0%
<b>Total</b>	<b>74</b>	<b>100%</b>

### 12. Other (if any)

Reduced capital and operating costs with proper planning to groups using the facility should yield an (sic) very usable facility.

Staffing can be shared. Training for staff can be shared

difficult to find location for separate city facility

school district should pay more into facility in exchange for reduced contribution to operation cost

I am not sure. Please, we need more support and information.

LEADING QUESTION! PRE-DETERMINED OUTCOME!

You should ask: reasons for NOT partnering!

1)50 years of current partnership has NOT benefited the general community.

2)Programs: Ames School has favored athletics over academics, even over swim instruction in phys ed.

3)School dist. failed to budget wisely and now needs more money.

Not interested in City paying for school pool/program--DID NOT WORK WELL BEFORE. Continuous funding based on per/pupil

Referring to capital costs: the school dist. should pay more upfront because they are a risky partner for operation costs.

### **13. Please list any other comments you have related to a new Indoor Aquatic Center.**

Scheduling of usage and operating at reasonable cost levels need to be strong considerations during the design phase.

A joint venture is a must. The City of Ames & the School would both benefit. Ames needs an affordable option on both sides to have the town vote yes on.

I trust that city and schools will make great choices to move us forward by maximizing their resources so we can meet all the needs of all groups.

The issue of summer camps did not come up. These camps fill the Municipal pool in summer and demand a larger pool, more staff for recreation and safety.

This needs to be done now! Take action and move forward!!

Activities for aging population

Growing intercot/participation by older adults because Ames classes have grown younger. Class size there has grown in times offered.

build the pools together. While lessons and practice are taking place the parent/guardian can us warm water pool.

Please do not drag this out

New Indoor Pool should be 25 x 50 m pool. Including warm up pool.

Vision for a future needs to be a plan

every child in ames should know how to swim

needs to be 50 meters

Consistent and adequate staffing, and the feasibility to execute that, staffing, should be assured and inline with the vision.

in view of inevitable increase in senior population- that their concerns needs to be addressed.

citizens of ames support both the community and schools yet when it came to pool use it seemed that the non-students were put to a distant 2nd place.

competitive swimming pools and diving pools are needed

competitive pools with all its necessities

the community needs to offer competitive lap recreational therapeutic water to meet the goals of our citizens.

concern about time with shared facility- lap swim competitive swim and lessons often want/need similar time frame

need more information on real operating costs for other pools in Iowa, my looking should consultants on operational cost compared to reality when ACSP looked at 50x 25 yard pool

full facility should be designed to meet needs of the whole community. That being said I think that a 50m x 25 basin is essential

two basins

need to look at the vision for Ames. It would be a shame to build an inadequate facility.

please visit the U of I facility it is a great blueprint for a facility in Ames

more face to face promotion of amenities. Lets maximize usage and revenue.

be sure there is enough room for people and that it is deep enough.

50m x 25 yd (2)

I think the facility would be able to include everything desired only if there is a combined facility city/school district.

a place where everyone can come together and have fun

I need to hear and be informed and see plans that I have seen and heard so far at this time

Ames is a prospering visionary community. This will continue this path. Retaining and recruiting community members key

look to the future

think big and problem solve

we REALLY need an indoor pool

We should plan for a solar-energy future building and geo-thermal. I feel a retractable roof would make Ames a forward planning unique destination place.

-School board is fiscally irresponsible and self-interested-Community needs should be met-School district address competition swimming-By City facilities: instructional skill and safety. Therapeutic. Recreational (NOT play structures or slides.)

#### 14. Enter any additional comments written on the back page.

Many people have expressed dismay--that this is a "done-deal" with the Ames Schools. And are UPSET to be discounted.

#### 15. Are you interested in learning about and/or continuing to be informed about this project?

	Number of Response(s)	Response Ratio
YES	73	91.2%
NO	4	5.0%
No Responses	3	3.7%

<b>Total</b>	80	100%
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**16. If yes, please enter the information indicated below.**

First Name	61
Last Name	61
Home Phone	51
Email Address	67

## ATTACHMENT B

### 2014 Citizen Satisfaction Survey Results – Indoor Aquatic Center

**Would you support the City of Ames pursuing a bond referendum for \$6 to \$8 million to construct an indoor, warm water, recreational aquatic center that would replace Ames Municipal Pool? (Please note Municipal Pool is nearing the end of its useful life and the Ames Community School District proposed new pool, which will be a separate facility, is being designed for competition.)**

	Ames Residents		ISU Students		Total	
	No.	%	No.	%	No.	%
Yes	178	61.0%	82	62.6%	260	61.5%
No	114	39.0%	49	37.4%	163	38.5%
Total	292	100.0%	131	100.0%	423	100.0%

**If No, why?**

	Ames Residents (n=100)	ISU Students (n=32)	Total (n=132)
	No.	No.	No.
Will not use or don't use it	26	8	34
Not necessary or not needed (already have aquatic center, ISU pools; gym with indoor pool; one outdoor facility is enough)	19	10	29
Property tax are already too high; don't want to pay for the pool (1)	20	3	23
Too costly or expensive to operate	10	5	15
Poor use of city \$ (money should be invested somewhere else instead (K-12, improving parks & trails, bike paths, road, plowing, human services & energy)	10	4	14
Should have user fee to recover cost	5	0	5
Need more info	2	1	3
Shared pool has worked for many years - ACSD & City of Ames	3	0	3
Private funds should be used	2	0	2
Would support if other facilities included- additional gym, tennis courts, etc.	2	0	2
A YMCA or new city gym is more needed than indoor aquatic center	0	1	1
Benefit only few people	1	0	1
Dependent on location	1	0	1
Enough bond issues	1	0	1
I would rather see Ames municipal pool renovated.	0	1	1
Keep ACAC out	1	0	1

Rent the university's pool	0	1	1
School should have there own pool	1	0	1

**If an Indoor recreataional aquatic center is built, do you have a preference as to where it should be located?**

	No.	%	No.	%	No.	%
No	205	71.4%	99	75.6%	304	72.7%
Yes	82	28.6%	32	24.4%	114	27.3%
Total	287	100.0%	131	100.0%	418	100.0%

**If yes, where :**

	Ames Residents (n=82)	ISU students (n=26)	Total (n=108)
	No.	No.	No.
High school or near HS	14	0	14
Central location	10	2	12
Carr pool used to be	5	4	9
West Ames	7	0	7
North Ames	6	0	6
Near or at Middle school	5	0	5
Next or near Furman aquatic center	4	0	4
NE side of town	2	2	4
Downtown area	2	1	3
Northwood	1	2	3
Wilmoth Ave.	1	2	3
South Ames	3	0	3
Campus	0	2	2
Close to ISU	0	2	2
Somerset	2	0	2
East Ames	2	0	2
Old middle school property on State	2	0	2
Research Park	1	1	2
North of 24th St.	1	0	1
Stange Rd near golf course	1	0	1
At City Hall	0	1	1
Near BoysGirls Scout	1	0	1
Near Target	1	0	1
Other Comments			
CyRide_accessible	3	3	6
In the county	1	3	4
Parking is not an issue	3	0	3
Not in floodplain area	2	0	2
Not on traffic area	1	1	2

Gilbert	1	0	1
Place where people can walk or ride not drive	1	0	1
Not in campustown, closer to where Ames residents would make use of it instead of college students	1	0	1

**How important is it that the following features are included in an indoor recreational aquatic center?**

<b>Lap pool (lap swimming, swim lessons, water exercise)</b>	<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>
Very Important	129	47.8		61	46.6		190	47.4
Somewhat Important	71	26.3		35	26.7		106	26.4
Uncertain	36	13.3		16	12.2		52	13.0
Somewhat Unimportant	10	3.7		10	7.6		20	5.0
Very Unimportant	24	8.9		9	6.9		33	8.2
<b>Total</b>	<b>270</b>	<b>100.0</b>		<b>131</b>	<b>100.0</b>		<b>401</b>	<b>100.0</b>

<b>Zero-depth entry pool with play structure</b>	<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>
Very Important	73	27.0		26	19.8		99	24.7
Somewhat Important	74	27.4		45	34.4		119	29.7
Uncertain	64	23.7		24	18.3		88	21.9
Somewhat Unimportant	23	8.5		23	17.6		46	11.5
Very Unimportant	36	13.3		13	9.9		49	12.2
<b>Total</b>	<b>270</b>	<b>100.0</b>		<b>131</b>	<b>100.0</b>		<b>401</b>	<b>100.0</b>

<b>Current channel (water walking, resistance activities)</b>	<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>
Very Important	66	24.6		25	19.1		91	22.8
Somewhat Important	100	37.3		44	33.6		144	36.1
Uncertain	50	18.7		30	22.9		80	20.1
Somewhat Unimportant	23	8.6		19	14.5		42	10.5
Very Unimportant	29	10.8		13	9.9		42	10.5
<b>Total</b>	<b>268</b>	<b>100.0</b>		<b>131</b>	<b>100.0</b>		<b>399</b>	<b>100.0</b>

<b>Therapy pool (rehab, exercise)</b>	<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>
Very Important	72	26.7		30	22.9		102	25.4
Somewhat Important	94	34.8		49	37.4		143	35.7
Uncertain	53	19.6		28	21.4		81	20.2
Somewhat Unimportant	24	8.9		13	9.9		37	9.2
Very Unimportant	27	10.0		11	8.4		38	9.5
<b>Total</b>	<b>270</b>	<b>100.0</b>		<b>131</b>	<b>100.0</b>		<b>401</b>	<b>100.0</b>

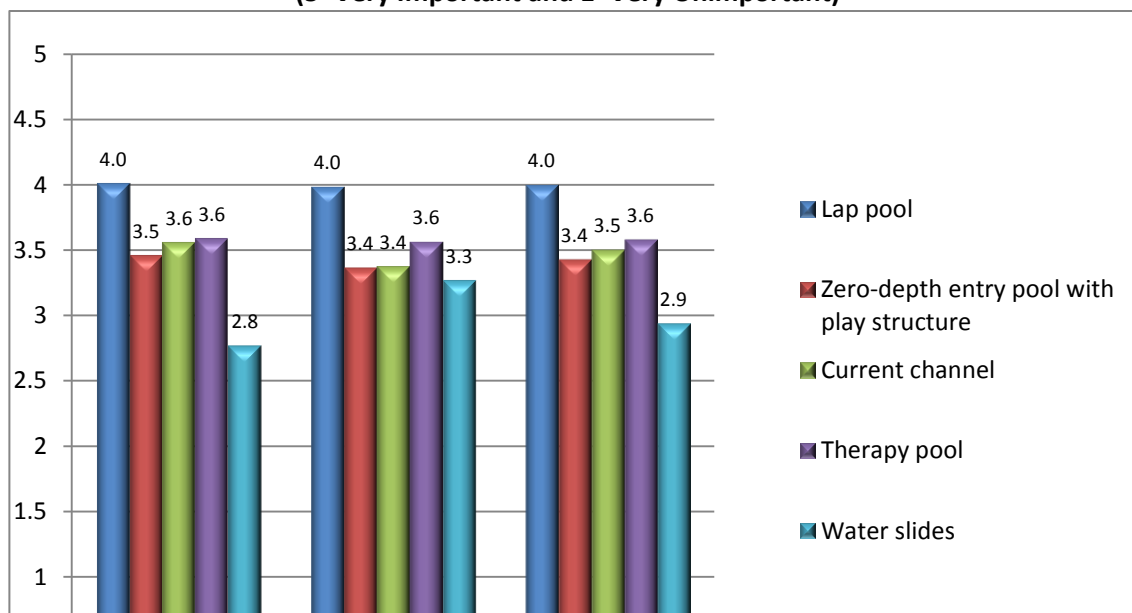
<b>Water slides</b>	<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>		<b>No.</b>	<b>%</b>
Very Important	31	11.8		30	23.1		61	15.5
Somewhat Important	59	22.4		34	26.2		93	23.7



Uncertain	61	23.2	25	19.2	86	21.9
Somewhat Unimportant	43	16.3	23	17.7	66	16.8
Very Unimportant	69	26.2	18	13.8	87	22.1
Total	263	100.0	130	100.0	393	100.0

<b>Other features</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>
sauna	4	0	4
diving boards	2	1	3
flexible hours	2	1	3
hot tubs	1	1	2
steam room	1	1	2
handicap accessible	1	0	1
handicap chair to lower into the water	1	0	1
zero depth entry for handicapped	1	0	1
keep it recreational	1	0	1
<b>Other features continued</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>
swim classes	1	0	1
water slide	1	0	1
heated pool/ warm or very warm water	1	0	1
multi-temperature basins	1	0	1
shower- locker room access	1	0	1
fitness center	1	0	1
snack bar with healthy food	1	0	1
some alternative to chlorine which burns the skin and is unhealthy	1	0	1
lifeguards	1	0	1
adequate parking	1	0	1
shelter or rec area	1	0	1
entire pool visible from single point like Nevada pool	1	0	1

**Mean Score for Amenities  
(5=Very Important and 1=Very Unimportant)**



## **ATTACHMENT C**

### **INDOOR AQUATICS CENTER OPTIONS**

**(10,000 Foot Level Estimates!)**

**(Capital Costs In 2017 Dollars)**

**(Operational Costs – Operational Revenue = Estimated Operational Subsidy)**

#### **1. STAND ALONE HIGH SCHOOL POOL**

- 50 Meter Pool
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

#### **2. STAND ALONE HIGH SCHOOL POOL**

- 25 Yard Stretch Pool (25 Yard X 30 Meter Pool)
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

#### **3. STAND ALONE CITY RECREATIONAL FACILITY (THREE BASINS)**

- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Therapeutic basin
- Water slides
- 3 Locker Rooms (Male, Female, Family)
- 2 Restrooms

#### **4. STAND ALONE CITY RECREATIONAL FACILITY (TWO BASINS)**

- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Water slides
- 3 Locker Rooms (Male, Female, Family)
- 2 Restrooms

#### **5. COMBINED CITY/SCHOOL FACILITY (50 METER POOL WITH THREE BASINS)**

- 50 Meter Pool
- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Therapeutic basin
- Water slides

- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

#### **6. COMBINED CITY/SCHOOL FACILITY (50 METER POOL WITH TWO BASINS)**

- 50 Meter Pool
- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Water slides
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

#### **7. COMBINED CITY/SCHOOL FACILITY (25 YARD STRETCH POOL WITH THREE BASINS)**

- 25 Yard Stretch Pool (25 Yard X 30 Meter Pool)
- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Therapeutic Pool
- Water slides
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

#### **8. COMBINED CITY/SCHOOL FACILITY (25 YARD STRETCH POOL WITH TWO BASINS)**

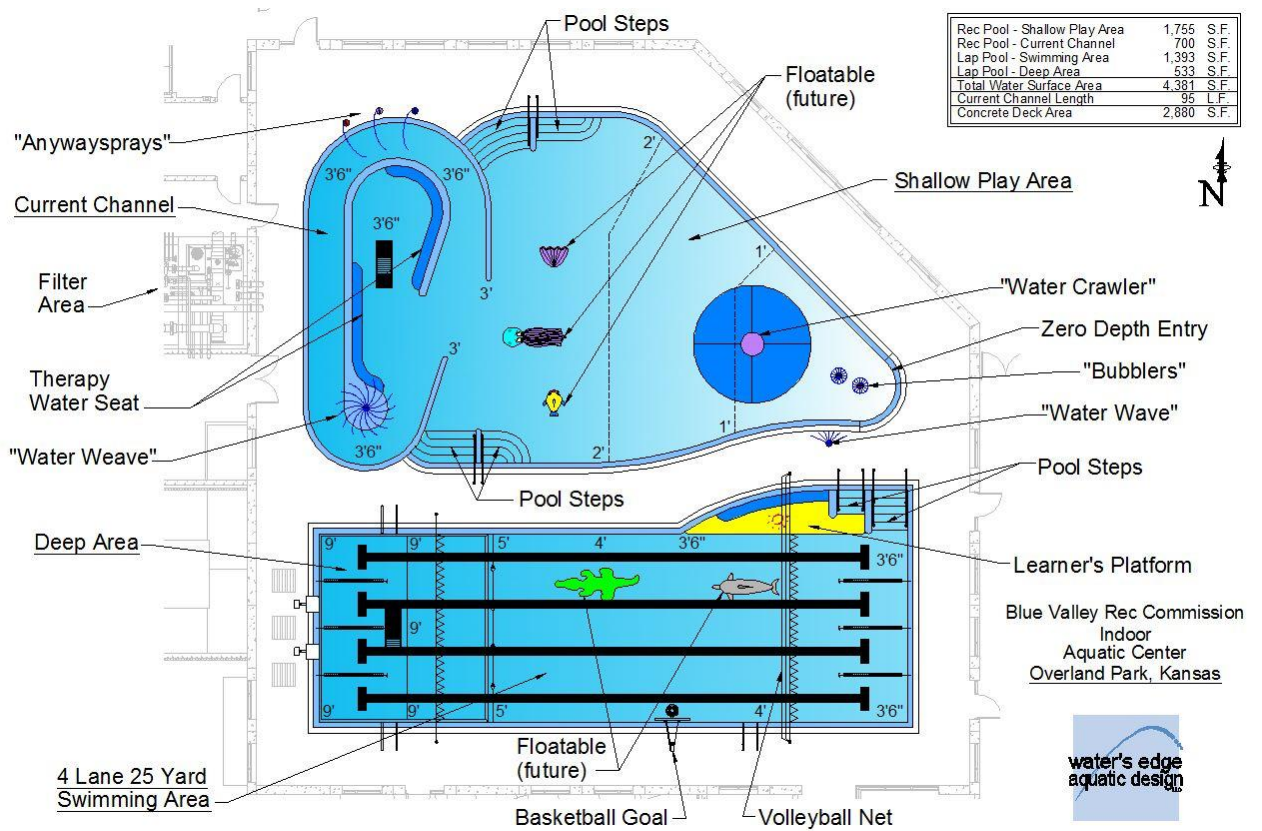
- 25 Yard Stretch Pool (25 Yard X 30 Meter Pool)
- Six lane X 25 Yard lap basin
- Zero Depth basin with current channel
- Water slides
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

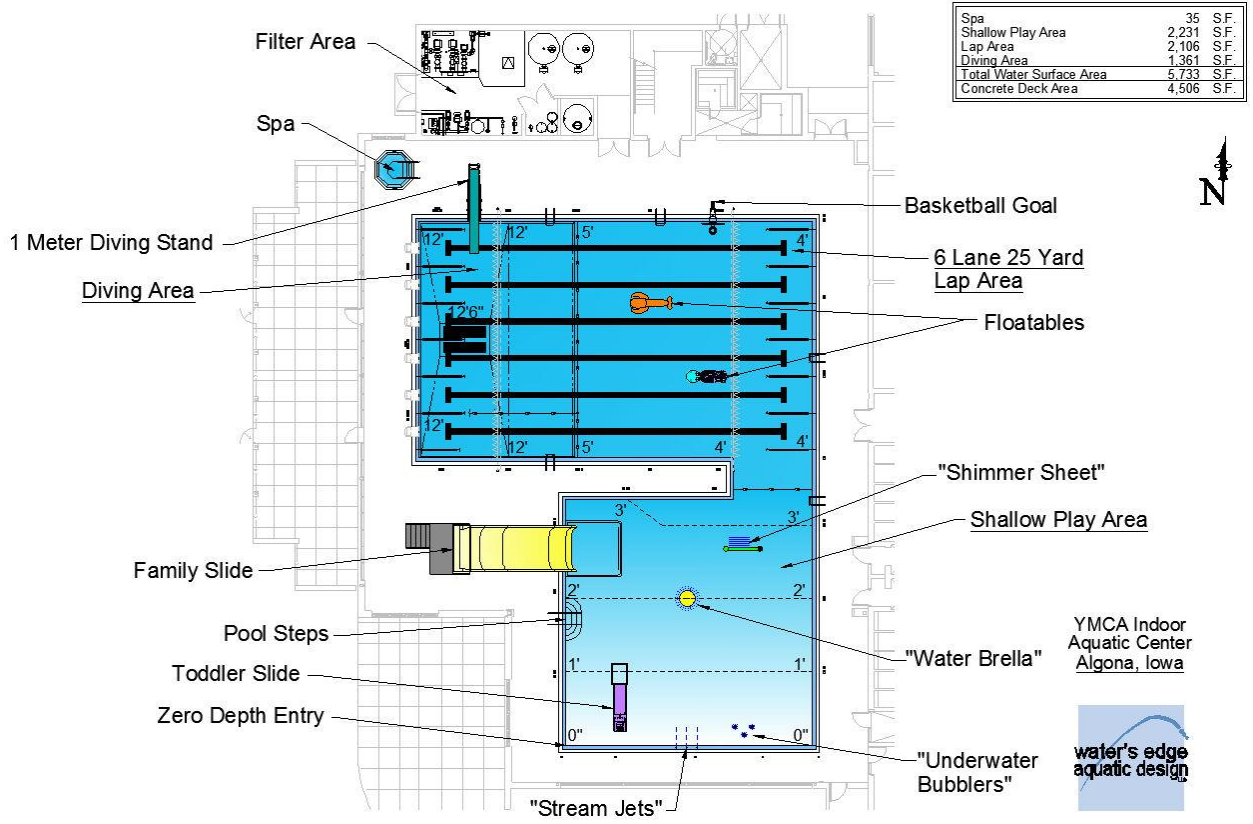
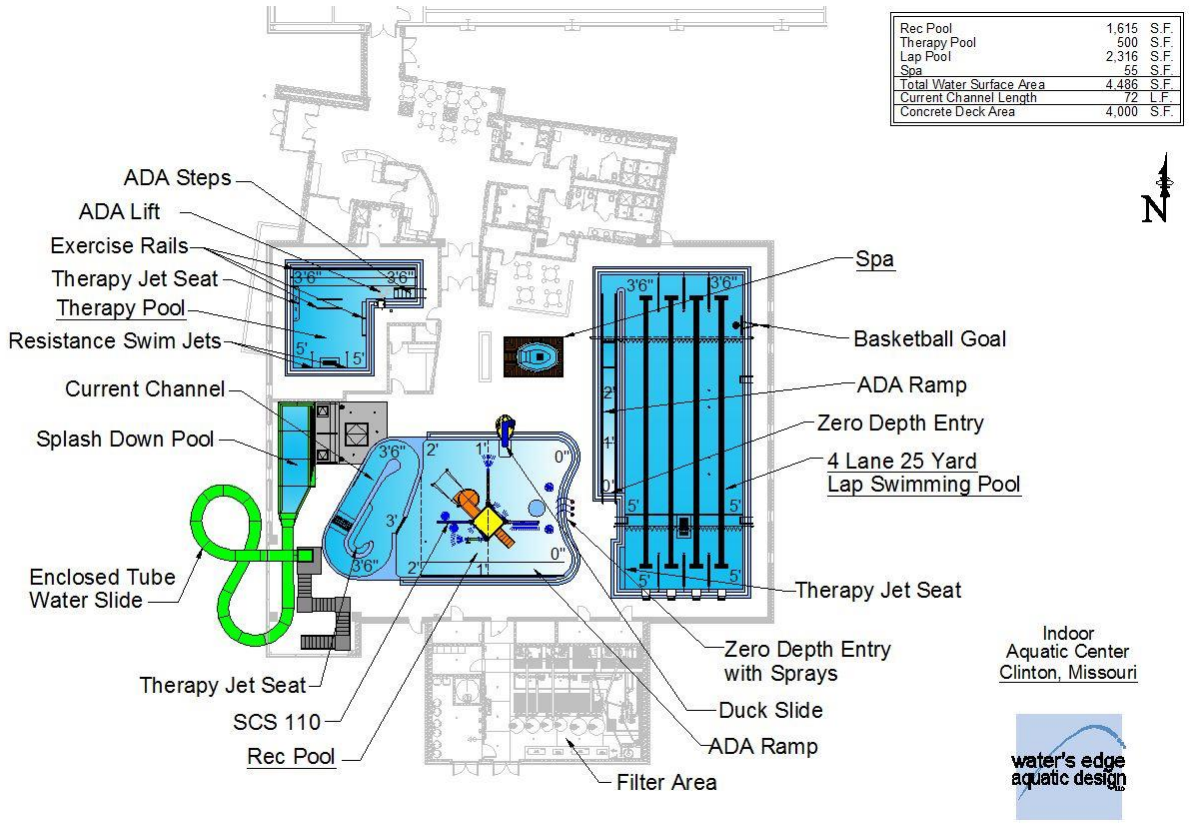
#### **9. COMBINED CITY/SCHOOL FACILITY (25 YARD STRETCH POOL WITH ONE BASIN)**

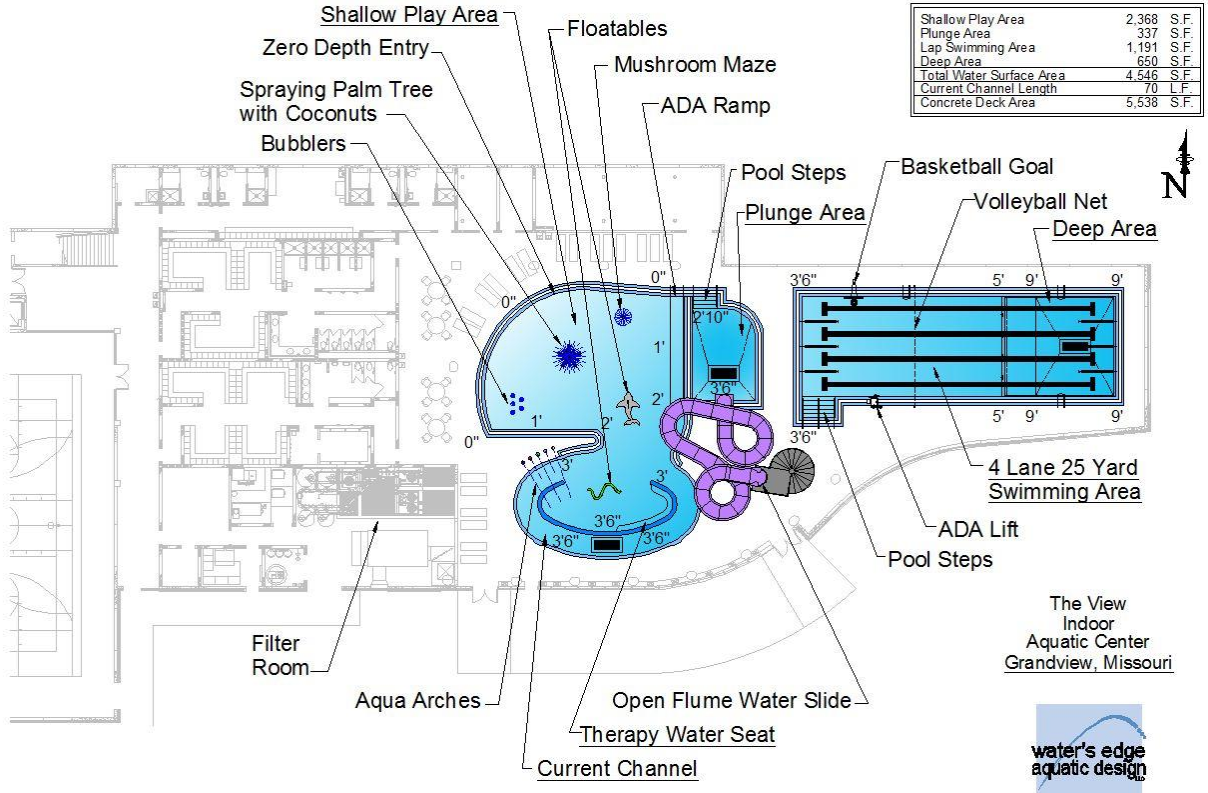
- 25 Yard Stretch Pool (25 Yard X 30 Meter Pool)
- Zero Depth basin with current channel
- Water slides
- Approximately 500 Spectators (To Be Determined)
- 5 Locker Rooms (Athlete – M & F, General – M & F, Family)
- 2 Restrooms

## ATTACHMENT D

### EXAMPLES OF POOL DESIGNS (EXCLUDING SCHOOL DISTRICT POOL)





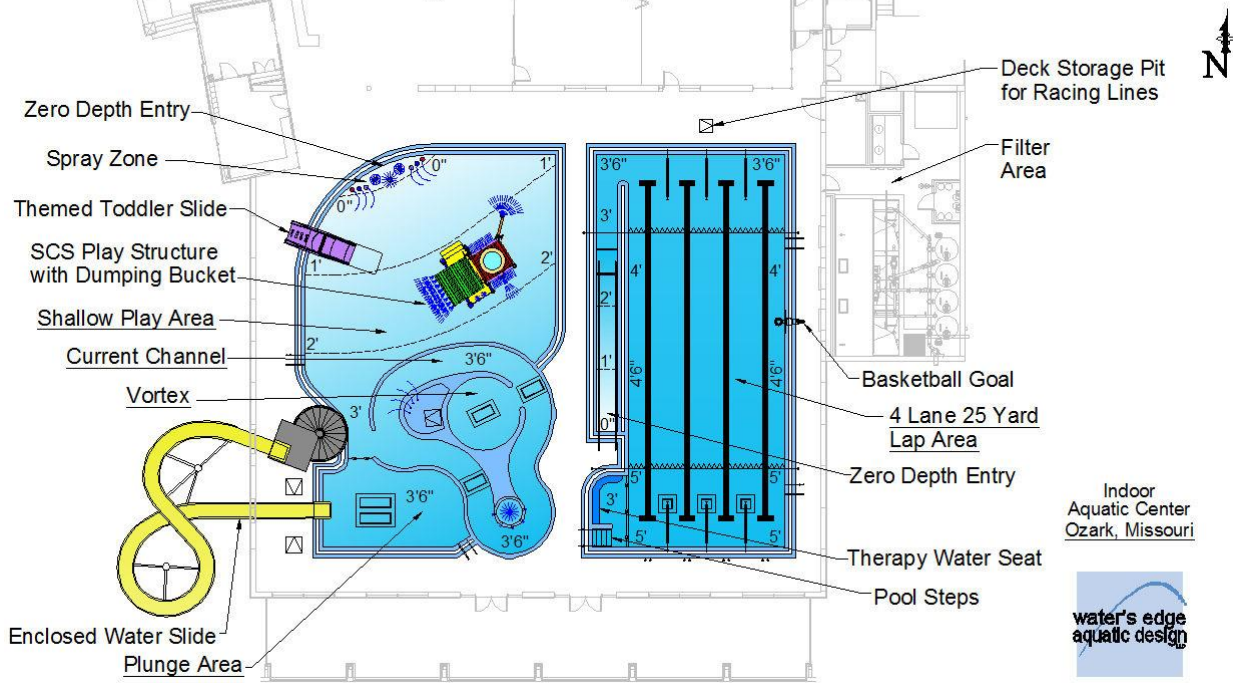


The View  
Indoor  
Aquatic Center  
Grandview, Missouri





Shallow Play Area	1,817	S.F.
Current Channel - Vortex Area	738	S.F.
Plunge Area	398	S.F.
Lap Pool	2,562	S.F.
Total Water Surface Area	5,515	S.F.
Current Channel Length	106	L.F.
Concrete Deck Area	4,380	S.F.



Indoor  
Aquatic Center  
Ozark, Missouri



**COUNCIL ACTION FORM**

**SUBJECT: INITIATION OF ANNEXATION FOR McCAY PROPERTIES IN THE SOUTHWEST ALLOWABLE GROWTH AREA**

**BACKGROUND:**

The City of Ames received an annexation petition for several properties totaling 258 acres in the Southwest Allowable Growth Area. The petitioners are the Douglass Rex McCay Trust and the Wanda Chaffin McCay Trust. Together, they own 251.28 acres on the south side of US 30, west of South Dakota Avenue. Because their property surrounds two other properties, an additional 6.72 acres would need to be annexed in order to avoid creating an island. John Moore owns one property and Katherine Frame the other. A map of the requested annexation is found in Attachment A.

Southwest Allowable Growth Area: The Land Use Policy Plan (LUPP) has identified areas intended to be annexed and developed for residential purposes and these are known as Allowable Growth Areas. A map of these areas is found in Attachment B. The subject properties are principally within Southwest I Allowable Growth Area, as most of the McCay land area is north of Worle Creek.

The Southwest Allowable Growth Area was once identified as the Southwest Priority Growth Area prior to 2011 LUPP Amendments creating the allowable growth terminology in place of the priority growth terminology. Amendments to the LUPP in 2011 further differentiated Southwest I as an Incentivized Growth Area, for which the Capital Investment Strategy of the LUPP identifies ways in which the City may contribute to the costs of development. Attachment C is an excerpt of the LUPP Allowable Growth Policies for the Southwest and Attachment D is an excerpt of the Capital Investment Strategy.

The City has already made significant investment over the years to facilitate the future annexation and development of this area. A South Dakota Avenue/US 30 interchange was developed. The City constructed a new water tower along 500<sup>th</sup> Avenue and a separate water pressure zone to better serve this western area. South Dakota Avenue was widened to accommodate future traffic loads. And a Worle Creek Sanitary Sewer Study was completed to identify how to serve the areas north and south of the creek.

Service and Infrastructure Issues: The area currently is not served by most City infrastructure. Part of the Southwest Growth Area is within the Xenia service territory and part is within the City's. The McCay land is in an area the City believes is part of the City's service territory. The City has water available on the north side of US 30 at several locations that would need to be extended south under Highway 30 to serve the site in the future.

**The Southwest area located south of Highway 30 lacks readily available service connections and significant sewer line extensions are needed into the area. In response to concerns expressed by property owners along Worle Creek**



regarding potential environmental impacts of a sewer line within the creek area, the City Council approved back in January 2005 a concept for two sanitary sewer lines to be constructed connecting to the southeast, near Dartmoor Lane. One line would be on the north side of Worle Creek and the second line would be on the south side of Worle Creek. In regards to the McCay lands, future development would require nearly 6,000 feet of sanitary sewer extension on the north side of Worle Creek across lands owned by Iowa State University, the ISU Foundation, the Committee for Agricultural Development, and several private landowners.

Part of the Southwest Growth area is within the Ames School District and the remainder is within the United School District. Electric services are also split between Ames Electric and Midland Power Coop.

Owners' Plans: Mr. and Mrs. McCay are seeking to sell their home on the south side of 240<sup>th</sup> Street (see Attachment B). It is a 75-acre parcel of land containing a home, several outbuildings, a pond, and a forest reserve designation. A prospective buyer wishes to purchase a portion of the McCay property with the existing house, but not the entire developable area of the parcel. Mr. McCay would need to prepare a subdivision plat for approval by the City to divide the property as described. **The desire to split part of this 75 acre parcel off to sell the existing home is the motivation for this annexation request.** The McCay's have no other specific development interest at this time for their remaining land that is part of annexation request.

The McCay approach differs from most annexation requests that the City has considered in recent years. Their goal is to complete a two-lot subdivision of an existing house and there is no intent for immediate development. Typically, rural lot divisions are requested through subdivision waivers approved by City Council. However, this area is designated as Urban Residential in the Fringe Plan and the City's policy would be for annexation and the installation of infrastructure (or financial guarantee submitted) prior to subdivision. Annexation was suggested by staff as an option to the property owner to support his desired lot split and align with City policy of the Fringe Plan. However, the owner would like to split the lot prior to annexation due to the potential length of time to complete the annexation.

The second difference is that large annexation area requests have traditionally included an immediate development interest. With large annexation requests, the City has considered general development issues of a site and may enter into a pre-annexation development agreement to deal with essential service issues. In this case, there is no pending development request to motivate annexation and to discuss development details. Therefore, a specific development agreement is not sought by the McCays. Staff has looked at this action as essentially taking in agricultural land with a few existing homes requiring City services and deferring development considerations until a future date.

Although no development is proposed, staff has indicated that the standard agreement for city costs associated with any necessary rural water territory transfers would be borne by the property owner would be required to proceed with annexation. Additionally, staff believes a waiver of right to withdraw is needed for the annexation to secure the City's investment in time to proceed with the process. Mr. McCay has indicated his willingness to sign such agreements.

## **Next Steps:**

Typically, when an annexation request is submitted, especially one of this size, the City Council has directed City staff to meet with other property owners to gauge their interest in joining an annexation. **Since this area has had a longstanding interest by the City for annexation for residential development, maximizing this opportunity would be prudent at this time.**

Staff believes that with current resources that outreach would happen in the next 6 weeks with a return to Council for direction by the end of September. After these outreach meetings, staff will provide options to the City Council regarding enlarging the initial annexation request by including other owners who wish to be annexed, or by including non-consenting owners that may be needed to avoid creating islands or to create more uniform boundaries as allowed by state law. Such non-consenting owners may not exceed 20 percent of the land area of the proposed annexation. Attachment E contains some of the outreach material that will be provided to nearby property owners who may have questions about annexation into Ames. If no other property owners were to join this annexation request, an additional 50 acres of property could be added under the 80/20 allowances.

While staff has not begun officially gauging interest in this annexation by other property owners, staff is aware that representatives of the 50-acre Crane property on the north side of Highway 30 are interested in annexation and development along an extension of Mortensen Road to 500<sup>th</sup> Avenue. This property is identified on Attachment A for reference. Staff believes a request for annexation of the Crane property will be submitted shortly. This property may or may not have implications for a broader annexation strategy for the Southwest based upon other outreach to property owners in the southwest.

## **ALTERNATIVES:**

1. The City Council can accept the petition for annexation from Doug and Wanda McCay and direct staff to seek other owners in the Southwest Allowable Growth Area who may wish to seek annexation. Under this alternative, staff will return to the City Council with options to define the extent of the annexation before formally proceeding with the annexation request.

This option would include having McCays submit a binding waiver to withdraw their petition prior to commencing statutory noticing requirements for the annexation area. It would also require McCays to sign a water service covenant regarding any related City costs for a buyout of Xenia territory, if needed, prior to commencing statutory noticing.

2. The City Council can accept the petition for annexation from Doug and Wanda McCay without seeking whether other owners wish to annex. This option would still require the non-consenting annexation of Moore and Frame in order to avoid creating an island.

Like Alternative 1, this option would include having McCays submit a binding waiver to withdraw their petition prior to commencing statutory noticing requirements for the annexation area. It would also require McCays to sign a water service covenant regarding any related City costs for a buyout of Xenia territory, if needed, prior to commencing statutory noticing.

3. The City Council can choose to not move forward with a Southwest annexation at this time.

Under the current policies of the City, McCay could not divide his land for the purposes of selling a portion of the 75 acre parcel.

4. The City Council can choose to not move forward with a Southwest annexation at this time and indicate a willingness to consider a subdivision waiver to allow for the McCay lot split of dividing the existing lot through our typical rural subdivision process.

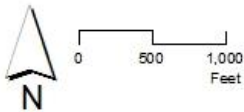
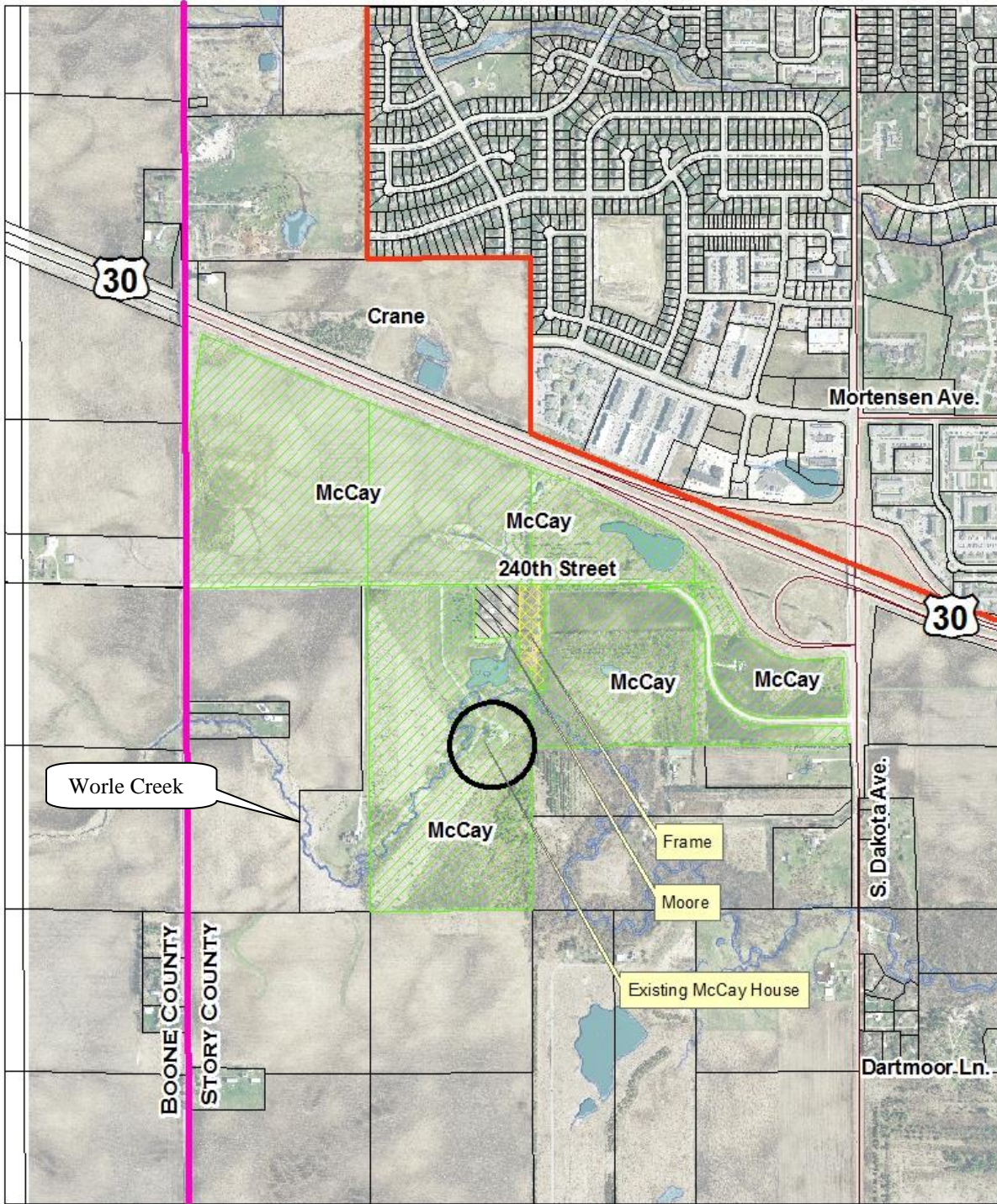
This option would allow the McCays to meet their current interest of selling their existing home and defer any annexation of land until there is developer interest to enter into a pre-annexation agreement that would detail the development needs and obligations for the area to be served by the City. Typical rural subdivision covenants for future annexation, water service, and assessment districts would still be required of the 75 acre parcel subdivision.

#### **MANAGER'S RECOMMENDED ACTION:**

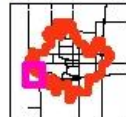
The Southwest Allowable Growth Area has long been considered the next development area on the periphery of Ames. Because of that expectation, the City has made several investments in water service and traffic infrastructure. However, sanitary sewer services are not yet readily available. The annexation of this area would, however, be the next step in ensuring that this land is available for residential development in the mid-term horizon. Although previous planning for services to the area has been done, there have been no development agreements or budgeting by the City for extending services to the area at this time. **Service to this area will require more detailed planning and property owner agreements prior to any future rezoning of the property for development.**

Because of the longstanding desire of the City Council to expand into this growth area, staff believes breaking with the tradition that requires both a pre-annexation agreement and the requirement to wait to subdivide until the annexation is completed is warranted. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, accepting the annexation petition of the Douglass Rex McCay Trust and the Wanda Chaffin McCay Trust (and including two non-consenting owners, John Moore and Katherine Frame) and directing staff to reach out to other property owners in the Southwest Allowable Growth Area to determine any additional interest in annexation.**

# ATTACHMENT A: REQUESTED ANNEXATION

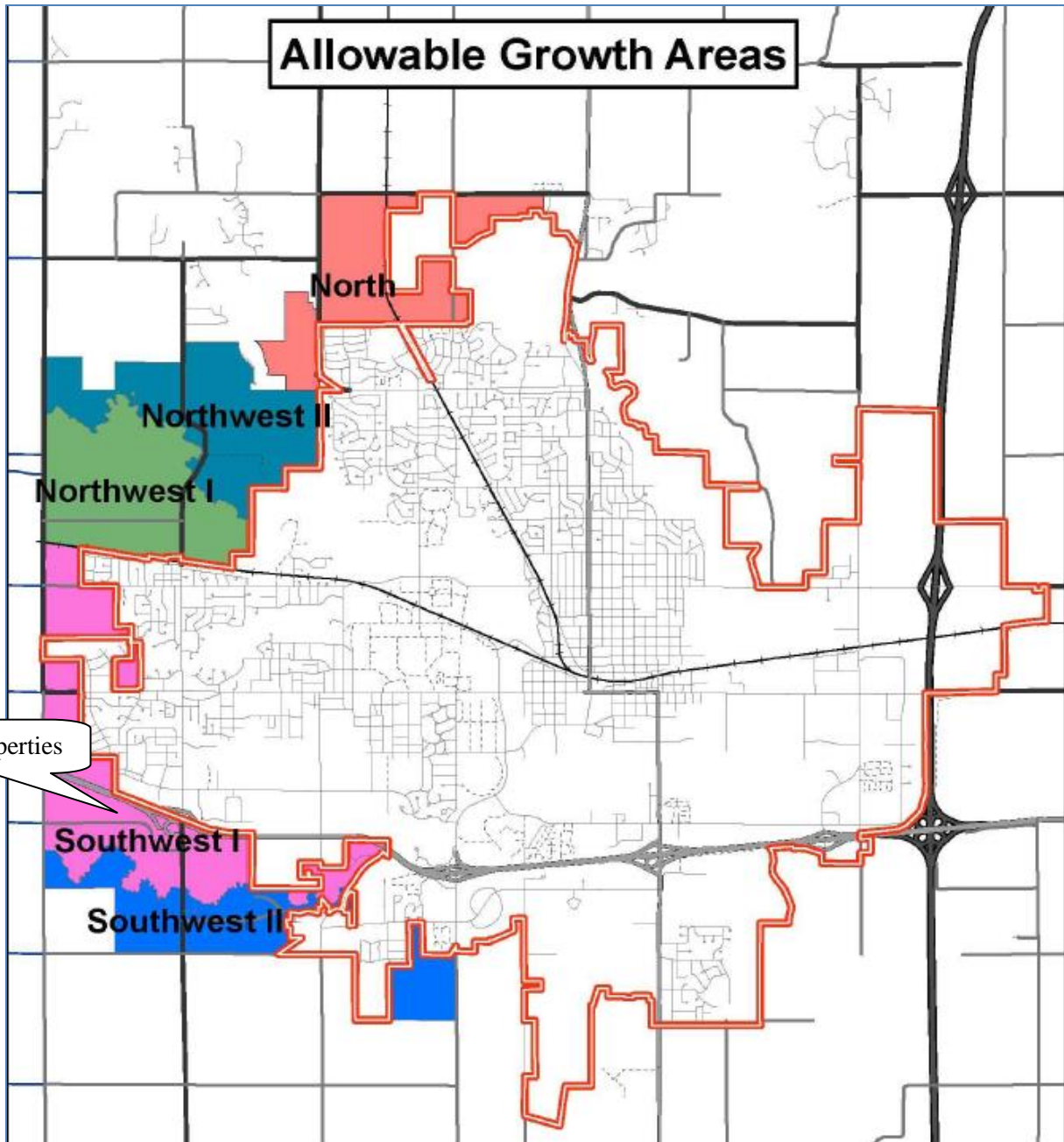


**Legend**  
Ames City Limits





ATTACHMENT B: ALLOWABLE GROWTH AREAS



## **ATTACHMENT C: SOUTHWEST ALLOWABLE GROWTH POLICIES (LUPP, CHAP. 6, PAGE 111)**

**Southwest Allowable Growth Area.** Portions of the City and Planning Area near the western limit of Highway 30 are recommended for designation as an Allowable Growth Area. To the extent that major landholders can make sites available, new development should be concentrated in the area. These areas are identified as Southwest I and II.

The concentration of new lands for development should be readily served by public infrastructure. Such a concentration can be found immediately north and south of Highway 30. If the presence of the limited-access highway is utilized as a spine for future development rather than a barrier, the potential for growth to the southwest increases. Although a new interceptor sewer is required, the location of the wastewater treatment plant further south and in the same watershed makes expanding the City's wastewater facilities in the southwest area more cost effective.

Access to the southwest area is provided by the Highway 30 and University Drive interchange and by South Dakota Avenue. An additional interchange with Highway 30 serving the southwest area is recommended. Representatives of the Iowa Department of Transportation have voiced general support for using Highway 30 as access for the southwest growth area and for locating an interchange further west on Highway 30.

Development Policies for the Southwest Allowable Growth Area. Ames should establish the following policies to guide the development of the Southwest Allowable Growth Area.

- A. A new interchange further west along Highway 30 should be pursued. Location of the interchange should be coordinated with any major thoroughfare improvements in the northwest.
- B. In order to increase and accelerate growth opportunities in preferred but currently constricted locations, a major new development area should be targeted in the southwest associated with Highway 30.
- C. The City should encourage ISU's consolidation/relocation of its agricultural farms from north and south of Highway 30. Provided that ISU releases some holdings in this area, the City should coordinate its infrastructure improvements with the timing of development in the area.
- D. If, through the relocation of any ISU agricultural farms, a large undeveloped location is created in the southwest area, the location should be recommended for more intensive residential use and supporting commercial.
- E. Designation of a Southwest Allowable Growth Area should not preclude growth from occurring in areas that are currently zoned for development and have adequate capacity in the infrastructure serving them.

## **ATTACHMENT D: CAPITAL INVESTMENT STRATEGY (LUPP, CHAP. 6, PAGE 113-114)**

**Capital Investment Strategy.** In an effort to stimulate development in certain portions of the Allowable Growth Areas, the Capital Investment Strategy contains incentive provisions, which are available to developers who must install major infrastructure improvements. Under this strategy, the City might consider paying the cost of some or of the entire major infrastructure required to expand sanitary sewer mains, water mains, and paving four lanes of arterial streets. The Allowable Growth Areas in which City incentives are available are called Incentivized Growth Areas.

The Capital Investment Strategy contains a disincentive provision for development that occurs outside of the Incentivized Growth Areas. Where development is permitted to occur outside of the identified Incentivized Growth Areas, the developer is responsible for all costs associated with the development of the area. These allowable growth areas that are not incentivized can be referred to as Non-incentivized Growth Areas.

The Capital Investment Strategy adopted by the City Council is stated as follows:

### **Within Southwest I Allowable Growth Areas - Village Residential.**

For new development within the Southwest I Allowable Growth Area as defined in the Land Use Policy Plan that utilize the Village Development option outlined in the Plan, including Commercial Land Uses that are integrated into the Village, the incentive of the Capital Investment Strategy will pay a percentage (determined by the City Council) of the cost of the major infrastructure (trunk water and sewer mains and arterial streets) **within** the proposed project.

### **Within Southwest I and Northwest I Allowable Growth Areas - Suburban Residential.**

For new Suburban Residential development that occurs within the Southwest I Allowable Growth Area or Northwest I Allowable Growth Area, an incentive provision of the Capital Investment Strategy will pay the costs associated with over-sizing infrastructure improvements if the improvements are determined necessary to meet future planning objectives within and outside the time frame of the Land Use Policy Plan, and deemed fiscally responsible and appropriate by the City of Ames.

## ATTACHMENT E: FREQUENTLY ASKED QUESTIONS

### QUESTIONS REGARDING ANNEXATION

What will be the zoning of my property after annexation and what does that mean? Will it have to change?

Upon annexation, a property is automatically zoned A-Agriculture. It will remain A-Agriculture until action by the City Council to change the zoning map. According to Ames City Code, the property owner, the Planning and Zoning Commission, or the City Council can initiate a zoning map change.

The property will be subject to all the zoning requirements of the City. For any specific question about how the requirements impact a particular property, please contact the Planning Division. However, a residential property in the A-Agriculture zoning district would be allowed to maintain that use indefinitely. If damaged or destroyed, a residential use could be re-established subject to the zoning requirements regarding setback, height, etc. There may be greater restrictions than the county would have on accessory and out buildings.

Inside the City, there are other restrictions that are often not found in the county. For example, discharging a firearm (except on agricultural land) and the burning of garbage is prohibited.

Am I required to disconnect from Xenia and hook up to water service when it comes near my property? Will there be connection fees? Can I connect to the new water main with my existing service line? What inspections will I need?

There is no requirement to connect to city water upon annexation unless you are subject to a covenant with the City of Ames to connect and pay the costs associated with the buyout of rural water. You may continue to use a well or, if you are already an existing Xenia customer, you may continue to purchase water from Xenia. If you choose to connect to the City of Ames water system, you may have to pay the costs of buying out water service territory from Xenia. New connections to Xenia will not be possible.

If you choose to connect to the public water system, you may be subject to an inspection of your plumbing system to determine whether the system has adequate venting and backflow protection to protect the public water system. You will need to correct any deficiencies found in that inspection prior to connecting to the public water system. It may be possible to use your existing service lines if it can be verified that they are made of approved materials and are in a safe condition. Any connection will need a plumbing permit and an inspection. Unless you are subject to a previous agreement with the City, there is a water connection fee, subject to change, of \$18 per linear foot of frontage.



Am I required to hook up to the sanitary sewer when it comes near my property? Will there be connection fees? What inspections will I need?

A connection to the City sanitary sewer system is required only if the existing system needs to be repaired and it is within 200 feet of a public sanitary sewer. The owner will need to obtain a plumbing permit and the connection is subject to review by the Inspections Division. Unless you are subject to a previous agreement with the City, there is a sewer connection fee, subject to change, of \$18 per linear foot of frontage.

The Story County Environmental Health Department does not determine if the septic system is functioning at the time of annexation, nor does the City. The County does inspect on-site septic systems when a house with a septic system is sold, whether it is in the city or out in the county.

If an on-site septic system is abandoned, the septic tank shall be pumped, the tank lid crushed into the tank, and the tank filled with sand or soil. The Story County Environmental Health Department can provide further information.

How will my taxes change after annexation?

After annexation, your property will be subject to the City of Ames levy, but no longer subject to the Rural Service Basic levy. Other levies, for example school district and county, will remain. The total levy for properties in Ames and in the Ames Community School District (for taxes payable July 1, 2013 through June 30, 2014) is \$32.40069 per \$1,000 of taxable valuation. This compares with \$25.51437 per \$1,000 of taxable valuation for property owners in Washington Township in the Ames Community School District. The new levy will not be applied immediately upon annexation but will appear in your property tax statements about 20 months after the first day of the year that the City assessor revalues the property. The Story County web site has a tool to help you estimate your taxes, based on the city and school district in which your property is located. It can be found at: <http://www.storycountyia.gov/index.aspx?nid=968>.

Can I continue to heat using LP gas? Am I required to connect to natural gas? If so, when will that be brought to my property?

There are no prohibitions on LP tanks in the A-Agriculture zoning district. If you were to seek a change in zoning to some other residential district, there may be restrictions and be subject to the approval of the Ames Fire Department.

The City's natural gas provider is Alliant Energy. Under the terms of the franchise agreement, the provider must provide natural gas to the property line of anyone who requests in writing to Alliant Energy, to be served. If you wish to connect to natural gas, you will need a permit from the City and have the work inspected.

Under what circumstances can I get a burn permit for trees and brush? Are there fees?

The burning of yard waste is prohibited unless you apply for and obtain a burn permit from the Ames Fire Department. When evaluating an application for a burn permit, the Shift Commander will look at a number of factors, such as hydrant location, fire department access, proximity to combustibles, weather conditions, etc. There is no guarantee that a permit will be issued but the department will always do their best to work with you to find a solution. There is no fee for a burn permit.

I have a building under construction. If I am annexed prior to finishing it, will I need permits to complete it?

The County and the City have different permitting requirements and every project is unique. Please coordinate directly with the Ames Inspection Division to determine permitting needs. Also, please contact the Planning Division to determine zoning requirements for your project.

Important Numbers:

Planning Division .....	515-239-5400
Inspections Division .....	515-239-5153
Fire Department.....	515-239-5108
Story County Environmental Health Department.....	515-382-7241

## Staff Report

**DEVELOPMENT AGREEMENT STATUS FOR AMES COMMUNITY DEVELOPMENT PARK IV WITH DAYTON PARK, LLC**

July 28, 2015

**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 4<sup>th</sup> Addition (Attachment A Location Map). This development created 14 lots for industrial development and completed the connection of S. Bell Avenue between E. Lincoln Way and SE 16<sup>th</sup> Street.

**The agreement, among other things, requires the developer to construct a series of speculative buildings with a minimum value of \$350,000, exclusive of land.** The agreement required that 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 12 months of the occupancy of the first (July 23, 2013). Subsequent speculative buildings are required to be 12 months after occupancy of the prior speculative building.

The requirement to build a second speculative building within 12 months was not met by the developer, Dayton Park LLC. **City Council approved an amendment to the agreement on July 22, 2014, to account for the late completion of the second speculative building and to require construction of the next required (third speculative building) by December 31, 2014,** as a consideration for accepting the late completion of the second speculative building.

The developer completed the second speculative building last summer and submitted plans for construction of the third building. **However, the applicant did not start or complete construction prior to December 31, 2014.** The developer outlines in the attached letter (Attachment B) the series of events from last fall that for them delayed completion of the third speculative building.

The developer recognizes that they are currently not in compliance with the development agreement and proposes an amendment to the agreement to change the term for construction of the third speculative building. Accordingly, they have offered a financial consideration to address the noncompliance as they work towards construction of the required third speculative building. The offer described by the developer is:

1. Make a payment in lieu of taxes this year of \$11,340, based upon the minimum building valuation of \$350,000; and

2. Create a minimum assessment agreement of \$350,000 retroactive to January 1, 2015 for property tax payment in September 2016; and
3. Construction of the third speculative building will be complete by December 31, 2015.

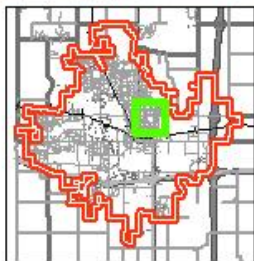
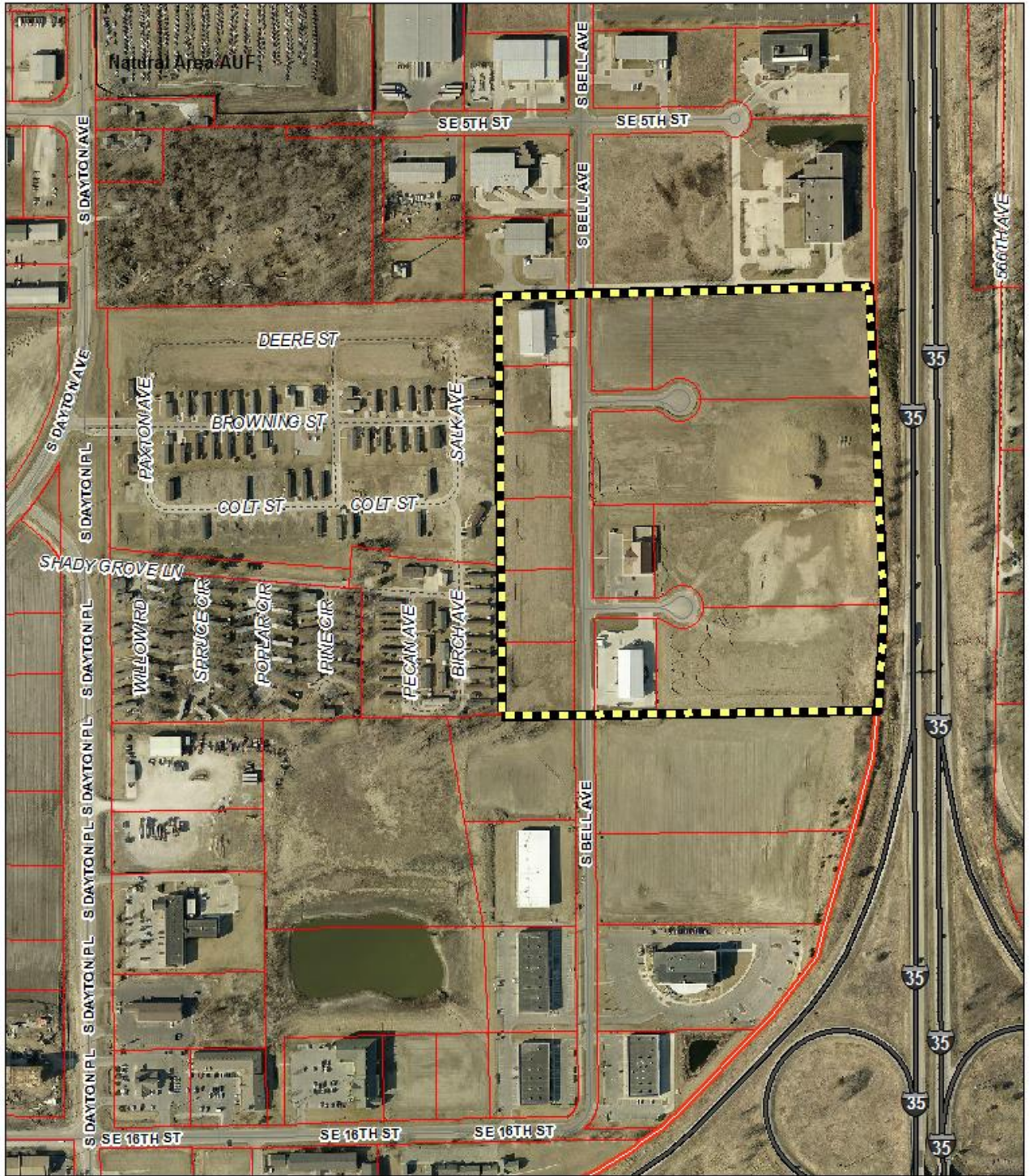
If this amendment to the agreement is accepted, then each subsequent speculative building will continue on the original development agreement schedule of requiring an additional speculative building 12 months after the prior building is no longer considered speculative. There are four lots remaining after construction of the third speculative building to be completed as potential speculative building sites.

### **Options**

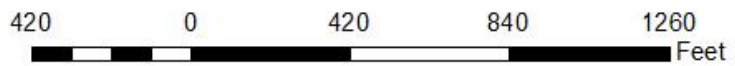
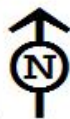
1. The City Council can accept the request to amend the development agreement with the proposed offer of \$11,340 as a payment of taxes in lieu of tax, create a minimum assessment district, complete the third building by December 31, 2015, and direct staff to prepare an amendment to the development agreement to be signed by the developer.
2. The City Council can accept the request to amend the development agreement with the proposed offer in amount greater than proposed in Option 1 as a payment in lieu tax.
3. 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.



Attachment A



Ames Community Development Park IV





## Attachment B-Developer Letter

To: Honorable Mayor and City Council

From: Chuck Winklleblack, Hunziker Companies

RE: TIF District update

Date: June 18, 2015

This letter is a follow up to our discussion last year regarding progress on a spec building in the TIF district on S. Bell. You may remember we came before you to modify our existing agreement to come into compliance with the existing agreement. A number of events occurred last fall that I would like to summarize for you.

We have been working with a company (Climate Corp) that currently is in the TIF district to expand and increase their operations in the district. In fact we scrambled (with the help of city staff and council) to combine two lots (8 and 13) into one in order to accommodate the new building starting out at 32,000 SF with the flexibility to increase in size to 50,000 SF in the near future. We got all of the engineering and architecture done for the building, engineering done for the site plan. We even did the grading on the site so we could start the building. In all our company spent over \$100,000 getting all the things done to start the building. We had a building schedule planned out to finish the new building by July of 2015. The company decided it needed to postpone the project to make sure it was planned out correctly for the future growth it is anticipating.

At the same time we were working on a site plan with city staff for lot one in the district. We decided to hold off on starting construction on lot one and work on lot five because we already have a parking lot on lot 5 that is used for additional parking for the building on lot 6 that would be moving to the new building. That was going to leave us with a parking lot without a building on it so it made sense to put a building there and not leave an abandoned parking lot when the company moves to the new building. The plan was that we would two buildings available in July with the new building on lot five as well as the building they would be vacating on lot six. That would have given us two vacant buildings of over 10,000 SF. The building on lot 6 has an assessed value of \$1,113,300

Additionally we were also working on a site plan and construction of a new building at 1315 S. Bell. I realize that it is just outside the TIF district but it is a 24,000 SF building that we were racing to get started before winter for an existing company in Ames that was growing rapidly. That company has since decided that they are not able to move forward at this time so we set with a vacant 24,000 SF spec building on Bell Ave. The current assessed value for 2015 is \$926,300.

Lastly we were working with a potential customer for the spec building that we have not started but they would not consider going on lot one because they wanted to be further North on Bell (even though none of this is in the flood plain).

Winter started early last fall, it shut down several of our development projects because the weather turned so cold in November that we were not able to finish streets or many other projects planned for late last fall.

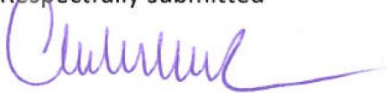
We have ordered a 10,000 SF building that is to be delivered and erected in August of this year for lot 1. I can provide verification from the vendor (Central IA building systems) if needed. We have a site plan that has been approved except for a couple of minor details. Construction on the site will take place

before the building arrives in early August. Staff can verify that we have a site plan that has been through extensive review. The only outstanding issue we have is the requirement for an eight foot tall masonry. We are going to be making a request to change the landscaping requirements for that zone. It was not required lots five and six when those site plans were approved. We plan to start the project regardless but want to modify the code. We don't believe it makes sense to erect an eight foot concrete wall at that property line. Given the topography of the district and the likely uses, this seems like something that is not appropriate.

We propose the following solution to the situation that exists today regarding the developer's agreement. Dayton Park LLC will pay a "fine" or "penalty" equal to the amount of the minimum assessment ( $\$350,000 \times \$0.0340069 = \$11,340$ ) for being in violation of the developer's agreement or we agree to a minimum assessment on lot one in the amount of \$350,000.

It is not now nor has it ever been our intention to be in violation of the developer's agreement. I hope that you will go down to the S. Bell and look at what is happening down there. The development has gone slower than we all hoped it would. The circumstances I have outlined here hopefully will help you understand why we are where we are today. We are currently working with three separate customers for buildings within the district so I don't believe we have lost many opportunities. We continue to advertise and market the district along with our proposed building. I would be happy to meet any of you out there prior to the council meeting to go through the details of my letter.

Respectfully submitted



Chuck Winkleblack, Hunziker Companies

## **COUNCIL ACTION FORM**

**SUBJECT: URBAN DEER MANAGEMENT PROGRAM-BOW HUNTING**

### **BACKGROUND:**

Ames has experienced citizen complaints about deer damage, car-deer collisions, and other issues associated with high concentrations of whitetail deer within the city. In an attempt to address these concerns, a Special Urban Deer Task Force (SUDTF) was convened in 2006. Previous Task Force recommendations to the City Council have included an annual survey of deer populations, a ban on deer feeding, public education efforts, and limited urban bow hunting of deer. Urban deer hunting has been 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, proficiency test, hunt only from tree stands situated at least 85 feet from trails, and limit shots to 75 feet or less.

An aerial count of deer is generally conducted by the DNR under a cost-sharing arrangement with the city. The aerial survey was not conducted this year since appropriate aircraft were not available on days with weather suitable for the count. In the previous count, 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. These higher concentrations have shifted toward west Ames in recent years.

Again last year, hunting was allowed on private property if there were three or more acres available and hunting was supported by adjacent property owners. Because of 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 after meeting the criteria. In the second category, locations that were primarily residential properties would be reviewed by the Police Department and then publicized 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 2014, there were 34 tags purchased and 12 deer were harvested. Additional licensed hunting occurred in the perimeter zone around Ames, but outside the city limits.



The Urban Deer Task Force did not meet this year since there was no aerial deer count to consider. Information regarding collisions and hunter activity was shared by email and Task Force participants were invited to vote on five items continuing the status quo. Comments from Task Force members continue to illustrate 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 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 votes of the task force members are as follows:

1. Continue the city hunt locations (city properties).

Favor (5) Oppose (1) Abstain (0)

2. Continue current city rules (regulating hunting methods and locations).

Favor (5) Oppose (0) Abstain (1)

3. Continue the current private property process distinguishing wooded/agricultural from residential with additional consensus required for hunting in a residential area...

Favor (5) Oppose (1) Abstain (0)

4. Continue to request the buck incentive to encourage hunter participation and harvest.

Favor (5) Oppose (1) Abstain (0)

5. Continue the annual helicopter population survey.

Favor (6) Oppose (0) 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 bow hunting. Comments in opposition to these recommendations included the view that sport hunting, as well as urban hunting are entirely unacceptable.

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 19 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.

## **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 19 to November 8

Weekends: No hunting until November 14

Daily beginning November 9, DNR legal hunting hours (following the anticipated conclusion of the youth sport season)

### **City property north of the landfill in east Ames off Watt Street (does not include water plant construction area):**

DNR legal hunting hours beginning September 19

## **PARK LAND AREAS**

### **South River Valley Park:**

Weekdays: One-half hour before sunrise ending by 4 PM September 21 to October 24 (hours not used by sport leagues)

Weekends: One-half hour before sunrise ending by 8 AM, September 19 to October 25 (hours not used by sport leagues)

Daily beginning October 26 DNR legal hunting hours (following the conclusion of sport leagues)

### **Gateway Park: Restricted to the west timber**

Daily beginning September 19: DNR legal hunting hours

### **Homewood Golf Course:**

Daily following course closure for the season (Anticipated closure is November 2)

### **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.

## **PRIVATE PROPERTY AREAS**

In addition, the Urban Deer Task Force 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 the affected property. Neighbors within 400 yards of the stand must 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 Non-Park/Public Areas, Park Land Areas, and Private Property Areas as detailed in this Council Action Form.
2. Approve bow hunting only in the Non-Park/Public Areas and Park Land Areas specified in this Council Action Form and not allow any Private Property Areas 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, staff members within Parks and Recreation, the Police Department and Animal Control all support the continuation of the Urban Deer Management ordinance and rules.

Therefore, staff recommendation of the City Manager that the City Council approve Alternative #1.

Item #: 46  
Date: 07/28/15

**COUNCIL ACTION FORM**

**SUBJECT: 2015/16 AIRPORT TERMINAL BUILDING AND HANGAR –  
PHASE 1: SITE WORK**

**BACKGROUND:**

The City's FY 2015-2020 Capital Improvements Plan (CIP) includes a project to construct a new terminal building, itinerant hangar, and related site improvements at the Ames Municipal Airport. The total project budget is \$2,410,000, which includes \$867,000 in General Obligation (G.O.) Bonds; \$943,000 in G.O. Bonds abated by future revenues from the management agreement with a Fixed Base Operator (FBO); \$150,000 in a State of Iowa vertical infrastructure grant; and \$450,000 in federal entitlement funds.

On June 23, 2015 the City of Ames received bids for the site work portion of the Airport Terminal Building project. The low bidder was Absolute Concrete Construction with a bid of \$772,299.10. Staff used this bid to file the required grant application paperwork with the Federal Aviation Administration (FAA) for the City's \$450,000 in federal entitlement funds. The FAA central region staff in Kansas City reviewed the application, has provided concurrence of the receipt of bids, and has approved these entitlement funds for this fiscal year.

The bids for this site work came in \$202,000 over the latest project estimate. In addition, the most recent estimate for the terminal construction project reflects a need for \$547,500 more than anticipated. As a result of this new information, the City and University have agreed to each contribute an additional \$250,000, along with a commitment to reduce the size of the terminal to yield the remaining \$250,000 of needed savings to finance the site work and terminal construction. **It should be noted that the City still has until August 16, 2015 to decide on awarding the bid to Absolute Concrete Construction for the site work project. However, approval of the grant and submittal to the FAA is required by July 31, 2015, in order to receive the federal funds in this fiscal year.**

**Approving the grant** will assure that federal funds will be available for the site work, should Council later choose to award this bid. This approval will facilitate the private sector beginning hangar construction this year.

**It is important to emphasize that should the City use these federal grant funds, the FAA would then expect continued progress towards design and construction of a new terminal building where the site work was performed.** The building would need to at least provide space for minimum services including FBO office space, a lobby area, and a line crew facility.

**Rejecting the grant** will result in the funds not being available until next fiscal year. This action will result in a delay in the completion of the site work along with the corresponding construction of the hangar by the private sector by approximately one year.

**ALTERNATIVES:**

1. Approve the FAA grant for Phase 1, the site work only, of the Airport Terminal Building project.

This option should be selected if the City Council is confident that sufficient funds will be available for a new terminal to be constructed where the site work is performed.

2. Reject the grant offer, which will delay the access to the Federal funds until the next fiscal year.

If the City Council believes there is no possibility that sufficient funds will be identified to construct a new terminal where the site work is performed, then the FAA grant should not be approved at this time. Future FAA grant funding might be in jeopardy if the City approves this grant and later chooses not to utilize these funds.

**MANAGER'S RECOMMENDED ACTION:**

By approving the grant, the City will ensure that the Federal funding anticipated for the Airport Terminal Building project is available for this fiscal year. It also would allow the site work to be completed this year (2015), if City Council chooses to award a contract for this site work project. This action will permit construction of the hangar by the private sector to begin this year. In addition, it appears that are sufficient funds available to construct a new terminal even if the size of the building must be reduced to meet the available funding.

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

**COUNCIL ACTION FORM**

**SUBJECT:** 2014/15 DOWNTOWN STREET PAVEMENT IMPROVEMENTS  
(5<sup>TH</sup> STREET – BURNETT AVENUE TO GRAND AVENUE)

**BACKGROUND:**

The annual Downtown Street Pavement Improvements program rehabilitates or reconstructs streets within the downtown area. **The 2014/15 program location is 5<sup>th</sup> Street from Burnett Avenue to Grand Avenue.** The project includes removal and replacement of the existing pavement, storm sewer improvements, water quality improvements, and sanitary sewer improvements, as well as a ribbon of colored sidewalk concrete to match the previously reconstructed areas of downtown.

City staff and the engineering consultant, Bolton & Menk, held a project information meeting with area businesses and the Main Street Cultural District (MSCD). The project will be staged to maintain access to all businesses during construction. The work will be coordinated with recently awarded water quality grants received from the State (IDALS and SRF Sponsored Projects) to incorporate low-impact storm water features on 5th Street and create a more sustainable landscape around City Hall.

Bids were originally received on May 6, 2015. On May 26 City Council formally rejected all bids due to being greater than the available funding. Since that time, City staff and the engineering consultant have reviewed the plans and discussed options to reduce costs for the project. **Cost reductions were achieved through evaluation of existing underground utilities and identifying improvements that could be made through alternative construction practices which would reduce cost but still provide an effective and functioning utility system. The construction schedule was also modified to allow the project to begin this summer or fall and allow for completion next spring prior to the July 4<sup>th</sup> parade and Midnight Madness road race. The contractor would be required to keep the project maintainable and passable for the winter of 2015. Finally, the decorative fencing to be placed around the street trees has been included as a bid alternate, meaning if favorable bids are received this component can be added as a part of this project.** Otherwise this fencing could be added at a later date through a separate bid in coordination with the vegetative restoration on this project.

On July 22, 2015, bids for the project were received as follows:

<i><b>Bidder</b></i>	<i><b>Bid Amount</b></i>
Engineer's estimate	\$1,137,486.00
Con-Struct, Inc.	\$1,206,258.00
Synergy Contracting	\$1,306,212.20

	Available Revenue	Estimated Expenses
<b>5th Street (Burnett to Grand) Pavement Improvements (Base Bid)</b>		<b>\$ 1,182,318</b>
<b>Decorative Fencing (Bid Alternate)</b>		<b>\$ 23,940</b>
General Obligation Bonds (FY14/15 CIP for Street)	\$ 900,000	
Sanitary Sewer Funds (13/14 Sanitary Sewer Rehab Program)	\$ 175,000	
Sanitary Sewer Funds (14/15 Sanitary Sewer Rehab Program)	\$ 64,500	
15/16 Storm Sewer Improvement Program	\$ 70,000	
Unused GO Bonds from 11/12 Asphalt Pavement Improvements project (Ironwood Court)	\$ 75,000	
Unused GO Bonds from 13/14 Downtown Pavement Improvements	\$ 111,671	
<b>Engineering/Administration</b>		<b>\$ 185,000</b>
	\$ 1,396,171	\$ 1,391,258

**ALTERNATIVES:**

- 1 a. Accept the report of bids for the 2014/15 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Burnett Avenue to Grand Avenue).
- b. Approve the final plans and specifications for this project.
- c. Award the 2014/15 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Burnett Avenue to Grand Avenue) base and alternate bid to Con-Struct, Inc., of Ames, Iowa, in the total amount of \$1,206,258.
2. Direct staff to revise the project.

**MANAGER'S RECOMMENDED ACTION:**

This project represents City Council's continuing commitment to reinvest in downtown infrastructure. By approving plans and specifications and setting the letting date, it will be possible to move forward with the reconstruction of 5<sup>th</sup> Street during the summer and fall of 2015. Delay of approval could delay the reconstruction until late in 2016 which may affect annual events in the downtown area.

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

**COUNCIL ACTION FORM**

**SUBJECT: 2014/15 SANITARY SEWER REHABILITATION  
(MANHOLE REHABILITATION – BASINS 1 & 5)**

**BACKGROUND:**

The ability of the sanitary sewer system to convey wastewater well into the future is dependent on the removal of the current large amount of infiltration and inflow (I&I, or I/I) in the system that occurs during wet weather. In order to minimize the need for costly expansions to the City's Water Pollution Control (WPC) facility, as well as to convey flows from new development as the City grows, the City must work to reduce the overall I/I in the system.

In March 2012 the City entered into a Sanitary Sewer System Evaluation agreement with Veenstra & Kimm, Inc. (V&K) from West Des Moines, Iowa. This included a comprehensive and systematic evaluation for identifying the defects that could contribute I/I across the entire, City-wide sanitary sewer system. This evaluation has been underway for several years. With the data collection phase complete, it is evident that there are over \$25 million worth of immediate structural improvements needed in the sanitary sewer system. Current and future CIP projects for the sanitary sewer system are based on the results of this evaluation. Work includes rehabilitation such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains.

These projects were shown in the CIP beginning in 2014/15. Funding comes from the State Revolving Fund (SRF) in the amount of \$3,470,000 for each year with an annual increase of 5% for inflation. Repayment of the SRF loans will be from revenues generated in the Sanitary Sewer Fund.

A SRF Planning and Design Loan for \$375,000 was approved by City Council in March 2014. This loan was secured in order to hire a consultant to help determine the best action plan for implementation of system repairs, as well as for design services for the first two years of projects. At the September 23, 2014 meeting, City Council approved the engineering services agreement with V&K along with WHKS & Company of Mason City, Iowa to assist in the evaluation of the data.

**This is the first project to come out of the study, and was selected to have an immediate impact by removing Inflow & Infiltration (I&I) to regain some capacity in the existing sewer mains.** Items of work in the contract include replacement of existing manhole castings and installation of new external seals, chemical grouting of and cementitious lining of existing manholes. These rehabilitation methods will reduce the amount of clean water that enters the



system will be reduced, thus reducing the amount of water required to be treated at the plant.

On July 22, 2015, bids for the project were received as follows:

<b><i>Bidder</i></b>	<b><i>Bid Amount</i></b>
Engineer's Estimate	\$2,093,440.00
Save Our Sewers	\$1,622,502.06
J&K Contracting	\$1,832,410.00
Hydro-Klean	\$1,918,246.75
Visu-Sewer	\$1,931,183.00
Utility Solutions	\$1,964,590.00
H&W Contracting	\$1,998,590.00

Construction engineering and administration are estimated at \$200,000, bringing the total estimated project cost to \$1,822,502.06. Funding for this project is in the amount of \$3,270,000 from State Revolving Funds as included in the 2014/15 Budget.

**Because this contractor has not done a project with the City before, staff verified references with others who have worked with them in the past. These references revealed that Save Our Sewers work quickly with high quality, positive attitudes, good communication and documentation.**

**ALTERNATIVES:**

- 1 a. Accept the report of bids for the 2014/15 Sanitary Sewer Rehabilitation (Manhole Rehabilitation – Basin 1 & 5).  
  
b. Approve the final plans and specifications for this project.  
  
c. 2014/15 Sanitary Sewer Rehabilitation (Manhole Rehabilitation – Basin 1 & 5) to Save Our Sewers in the amount of \$1,622,502.06.
2. Direct staff to revise the project.

**MANAGER'S RECOMMENDED ACTION:**

This project represents City Council's commitment to improve the sanitary sewer system. This is the first of several large projects which will have an immediate impact by removing Inflow & Infiltration to regain valuable capacity in existing sanitary sewer mains. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT FUEL CONVERSION – CONTROL ROOM  
INSTALLATION GENERAL WORK CONTRACT – REPORT  
OF NO BIDS**

**BACKGROUND:**

In November 2013 the City Council voted to convert the City's Power Plant from coal to natural gas. Implementing this decision requires a significant amount of engineering, installation of equipment, and modification and construction in the Power Plant.

On June 23, 2015, City Council approved preliminary plans and specifications for the Control Room Installation General Work Contract. **This specific phase of the conversion project is to hire a contractor to perform the control room installation work.**

Bid documents for this project were issued to fifty-one companies. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a legal notice was published in the Ames Tribune. The bid was also sent to five plan rooms. The Engineer's estimate of the cost for this phase of the project is \$925,000.

**The bid due date was July 22, 2015, and the City did not receive any bids.**

Staff is in the process of trying to determine why no bids were received. Staff will review the bid requirements along with discussions with the design engineer and plan holders to determine the reason no bids were received. This contract will be rebid at a later date and will likely include changes to the bid document.

**ALTERNATIVES:**

1. A. Accept the report of no bids.  
  
B. Direct staff to rebid at a later date in accordance with recommendations from the design engineer.

**MANAGER'S RECOMMENDED ACTION:**

This work will need to be rebid after discussions have been held with the design engineer to determine a future course of action. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT FUEL CONVERSION – MECHANICAL INSTALLATION  
GENERAL WORK CONTRACT – REPORT OF BIDS**

**BACKGROUND:**

In November 2013 the City Council voted to convert the City’s Power Plant from coal to natural gas. Implementing this decision requires a significant amount of engineering, installation of equipment, and modification and construction in the Power Plant.

On June 23, 2015, City Council approved preliminary plans and specifications for the Mechanical Installation General Work Contract. **This specific phase of the conversion project is to hire a contractor to perform the mechanical installation work.**

Bid documents for this project were issued to fifty-one companies. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a legal notice was published in the Ames Tribune. The bid was also sent to four planrooms. The Engineer’s estimate of the cost for this phase of the project is \$5,115,000.

On July 23, 2015, ten bids were received as shown below.

BIDDER	LUMP SUM PRICE
TEI CONSTRUCTION SERVICES, INC DUNCAN, SC	\$1,572,019.00
RAGAN MECHANICAL, INC DAVENPORT, IA	\$1,821,396.00
CAPITAL CITY BOILER & MACHINE WORKS, INC. DES MOINES, IA	\$1,865,450.00
8760 SERVICE GROUP, LLC SEDALIA, MO	\$1,987,302.68
AZCO INC. APPLETON, WI	\$2,586,800.00
SAULSBURY INDUSTRIES, INC FARMERS BRANCH, TX	\$3,157,319.00
JAMAR COMPANY GREEN BAY, WI	\$3,904,092.00
PROENERGY SERVICES, LLC SEDALIA, MO	\$3,979,344.46
ASSOCIATED MECHANICAL INC. OLATHE, KS	\$4,357,738.00
FRANK LILL AND SON, INC. WEBSTER, NY	\$4,779,978.00

**The specifications and bids are quite complex, and Electric Services staff feels**

**that additional time is needed to evaluate each bid in order to recommend an award that best meets the City's needs.**

These costs will be covered from funding identified in the approved FY 2015/16 Capital Improvements Plan, which includes \$26,000,000 for the Unit 7 and Unit 8 fuel conversion.

**ALTERNATIVES:**

1. Accept the report of bids and delay award for the Mechanical Installation General Work Contract.
2. Award a contract to the apparent low bidder.
3. Reject all bids and direct staff to rebid.

**MANAGER'S RECOMMENDED ACTION:**

Staff needs additional time to fully evaluate the bids before recommending action by the City Council. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**REQUEST: REZONING OF PROPERTY AT 519, 525 AND 601 6<sup>th</sup> STREET FROM RESIDENTIAL MEDIUM DENSITY (RM) WITH SINGLE FAMILY CONSERVATION OVERLAY (O-SFC) TO RESIDENTIAL MEDIUM DENSITY (RM)**

**BACKGROUND:**

In July 2014, the City acquired three properties at 519, 525, and 601 6<sup>th</sup> Street (formerly the Ames Community Pre-school) with Community Development Block Grant funds. The three subject properties total approximately 27,000 square feet and are currently zoned Residential Medium Density with the Single Family Conservation Overlay District (RM with O-FSC) (Attachment A). The site has frontage along 6<sup>th</sup> Street and access from a rear alley. City Council initiated rezoning the property to RM in May of 2015 along with issuing a request for proposals to develop up to 10 affordable housing units on the site.

The O-SFC district was created in response to a disruptive redevelopment pattern of building apartment buildings in place of single-family homes. The purpose of the O-SFC district “is intended to conserve the existing single-family residential character of areas identified as O-SFC adjacent to downtown” and to “protect single family neighborhoods while guiding the transition to higher density and compatibility with the surrounding uses where intensification is permitted”. The O-SFC applies to residential properties generally between Grand and Duff and 6<sup>th</sup> Street and 13<sup>th</sup> Street.

Under the regulations of the O-SFC district, individual lots may not be consolidated to allow for intensification of housing density. For the City’s three properties, the maximum density for each property currently is limited to only one duplex structure per lot for a total of 6 affordable housing units on the three properties. The combined sites maximum density without the O-SFC is 12 apartment dwellings or 10 attached single family dwellings. Attached single family is the Zoning Ordinance term for townhouse or row house buildings on individual lots. Development of the site would still require compliance with parking and other site design standards for the lots. The RM District allows for both Single Family Attached and Apartment style housing as an administrative minor site plan approval. Subdivision of the lots would be required for a true single family attached residential housing type that have units on individual narrow lots.

The LUPP map (Attachment B) designates the properties as Downtown Service Center. The LUPP plan notes this block (from 6<sup>th</sup> to 7<sup>th</sup> Street between Grand and Clark Avenue) specifically as being within the residential area adjacent to downtown and does not identify this as a core part of Downtown. LUPP Goals 5 and 6 and their objectives support providing for additional housing opportunities and for integration of infill

development within existing neighborhoods. In planning for the residential areas surrounding the downtown, the LUPP discusses the desire to conserve the older residential areas but also notes that the zoning in some surrounding residential areas would indicate that “intensification is likely” but that the change should be both “selective and limited.” **Staff has determined that a LUPP Amendment is not necessary to remove the overlay district zoning of the site since the base zone of RM and its allowed uses of residential would not change with removal of the overlay.**

**A request for proposals (RFP) for redevelopment of these three lots includes requirements that the project develop at a maximum intensity of 10 units for the combined site.** The RFP described project is a mix of affordable rental housing units with a minimum of 80% of the units as three bedroom units. The development shall be of townhomes or having the appearance of individual townhomes units with front entries oriented to 6<sup>th</sup> Street, rather than a single apartment building. Proposed projects will also be required to have brick as the primary exterior building material for the front and side facades. Parking will be accessed from the existing alley north of the properties and is expected to be provided at a rate of two spaces per unit. Even though the rezoning request seeks to remove the O-SFC district from the property, staff has included the Single Family Conservation Overlay District design guidelines within the RFP in order to keep the project design cohesive with the surrounding neighborhood that is still within the conservation district.

Staff held an outreach meeting in March with the neighboring property owner to the west and the church to the east. Staff explained the concept of townhome housing and intent for rental affordable housing. The discussion covered topics of the density of development, access to the site, use of the alley and church parking lots, need for housing, and use of the site.

**Planning and Zoning Commission Recommendation:** At its public hearing on July 1, 2015, the Planning and Zoning Commission voted 6-0 to recommend that the City Council rezone the subject properties from Residential Medium Density (RM) with the Single Family Conservation Overlay District (O-SFC) to Residential Medium Density (RM). A resident from the neighborhood spoke in regards to the rezoning petition noting concern for more than 6 units on the three lots and the effect more units will have regarding traffic in the alley. No others comments in favor or opposition to the rezoning were received.

### **ALTERNATIVES:**

1. The City Council can approve the request for rezoning of the properties at 519, 525, and 601 6<sup>th</sup> Street from Residential Medium Density (RM) with a Single Family Conservation Overlay District (O-FSC) to Residential Medium Density (RM), based upon staff’s findings and conclusions as found in the addendum.
2. The City Council can deny the request for rezoning of the properties at 519, 525, and 601 6<sup>th</sup> Street from Residential Medium Density (RM) with a Single Family

Conservation Overlay District (O-FSC) to Residential Medium Density (RM) if it finds that the City's regulations and policies are not met.

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

**CITY MANAGER'S RECOMMENDED ACTION:**

The City has a need for more affordable housing opportunities and the subject site is an opportunity to maximize this opportunity in a context sensitive manner. The subject sites are a great example of a transition area from downtown to other residential neighborhoods to the north as there are residential structures only to the west and north edges of the site. Development of the site with medium density townhomes would be compatible within a transition area that is not part of a substantially residential neighborhood.

Because the rezoning of these properties will facilitate the City Council's goal to increase the availability of affordable housing, it is the recommendation of the City Manager that the City Council accept Alternative # 1 as described above.

## ADDENDUM

### REZONING BACKGROUND:

**Existing Land Use Policy Plan.** The LUPP Map designates the three properties as Downtown Service Center. Based on the LUPP Map this designation applies to the entire area generally lying from the railroad tracks north to 7<sup>th</sup> Street between Grand Avenue and Duff Avenue. The LUPP text identifies the boundaries of the Downtown for planning purposes as “6<sup>th</sup> Street on the north; Duff Avenue on the east; South 3<sup>rd</sup> Street on the south; and Grand Avenue on the west.” It further identifies this block (from 6<sup>th</sup> to 7<sup>th</sup> Streets between Grand and Clark Avenue) specifically within the residential area adjacent to downtown. Therefore, it is believed that maintaining the existing residential base zoning of the property is consistent with the LUPP.

**Existing Zoning.** In line with the text of the LUPP, the current zoning boundary for the Downtown Service Center (DSC) District is 6<sup>th</sup> Street on the north. The Neighborhood Commercial (NC) District encompasses the area between 6<sup>th</sup> and 7<sup>th</sup> Streets from Clark Avenue to Duff Avenue. This is the general area of commercial properties north of 6<sup>th</sup> Street. The use of the block between Grand Avenue and Clark Avenue is still strictly residential uses north of 6<sup>th</sup> Street. Therefore, the intent of this rezoning request is not to change the current base zone of the subject properties. It is the intent of the City to maintain the Residential Medium Density (RM) base zone, but to remove the current Single Family Conservation Overlay District to allow for an increase in the number of units available for affordable housing and also to allow for flexibility in subdivision of the lots on the buffer area between the Commercial and Residential Zoning Districts.

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

<b>Direction from Subject Property</b>	<b>Existing Land Uses</b>
Subject Property	Vacant
North	Owner/Rental Occupied Housing
East	First Community Christian Church and Parking Lot
South	Ames City Hall and Parking Lot
West	Owner Occupied Housing

**Infrastructure.** The site is fully served by City infrastructure. Sanitary sewer and water are available, as is electric services. Additional easements may be needed to accommodate the proposed location of the future residential building(s) which will be determined at the time of Site Plan review.

**Access.** Vehicular access is provided to the site from Grand and 7<sup>th</sup> Street through the existing alley along the north side of the properties. No traffic improvements are anticipated. The church has expressed concern that increased use of the alley may result in people driving the wrong direction through their parking lot as a cut-through to



6<sup>th</sup> street. This issue may be considered at the time of site plan review rather than rezoning.

**Applicant's Statements.** This is a City initiated request for the redevelopment of the site. City Council initiated the rezoning request at its meeting in February of 2015.

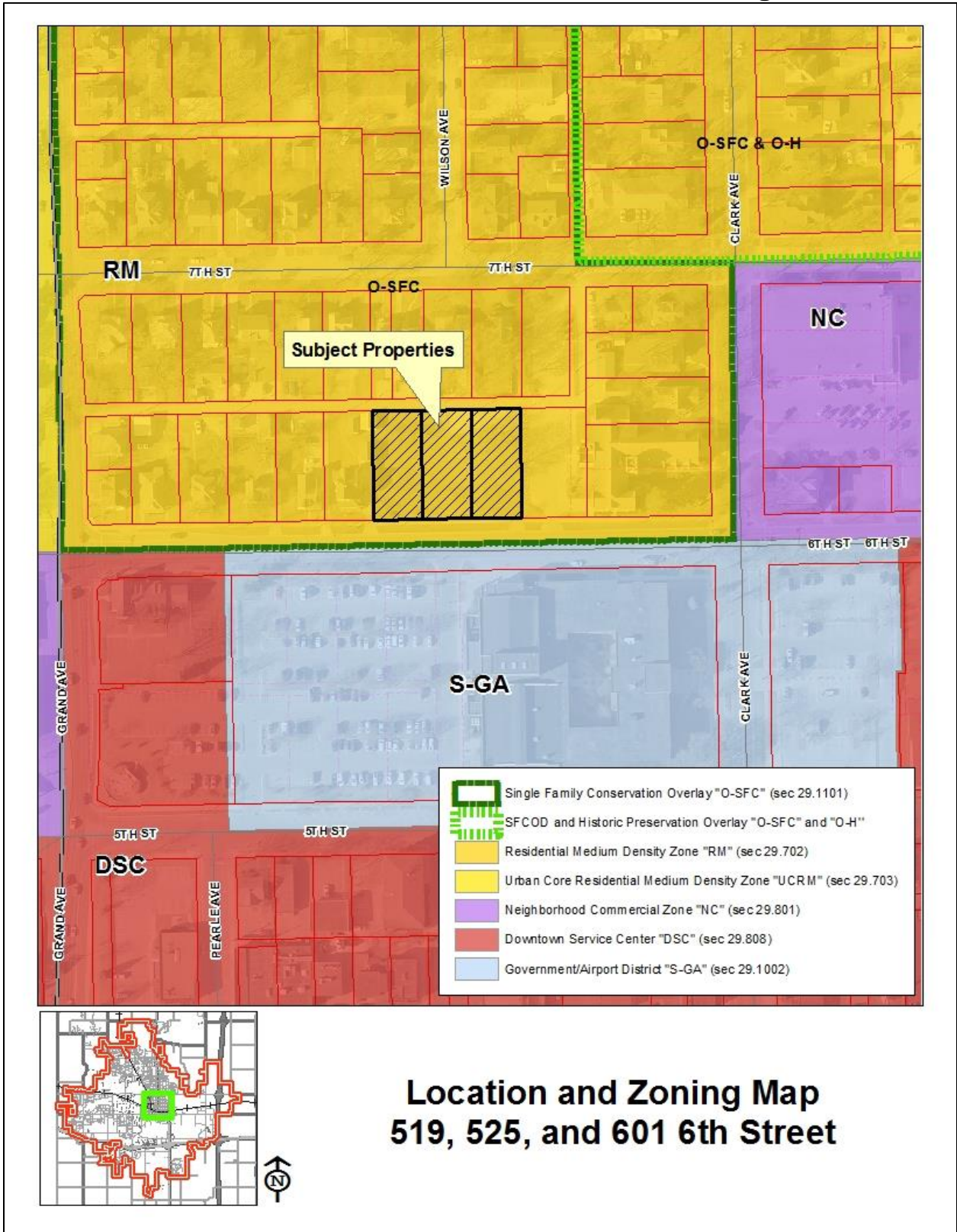
**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

1. *Ames Municipal Code Section 29.1507(1)* allows for City Council to initiate the amendment, supplement, or change the regulations, districts, or Official Zoning Map of the City.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as "Downtown Services Center."
3. The LUPP text identifies the boundaries of the Downtown for planning purposes as "6<sup>th</sup> Street on the north; Duff Avenue on the east; South 3<sup>rd</sup> Street on the south; and Grand Avenue on the west." It further identifies the block encompassing the subject properties (6<sup>th</sup> to 7<sup>th</sup> Streets between Grand and Clark Avenue) specifically as within the residential area adjacent to downtown. Maintaining the RM base zoning district for the subject properties is in line with the goals of the LUPP to maintain residential infill uses surrounding the downtown service center area and allowing for areas of intensification, where appropriate, as a transition to the surrounding neighborhoods.
4. Infrastructure is adequate to serve the site. Necessary easements for service line connections to the site will be determined at the Site Plan review stage.
5. Existing access to this site will remain from the alley north of the properties accessed from Grand and 7<sup>th</sup> Street.

**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.

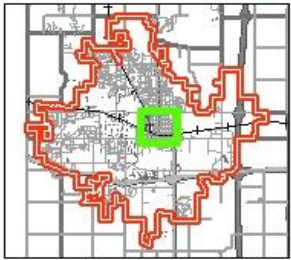
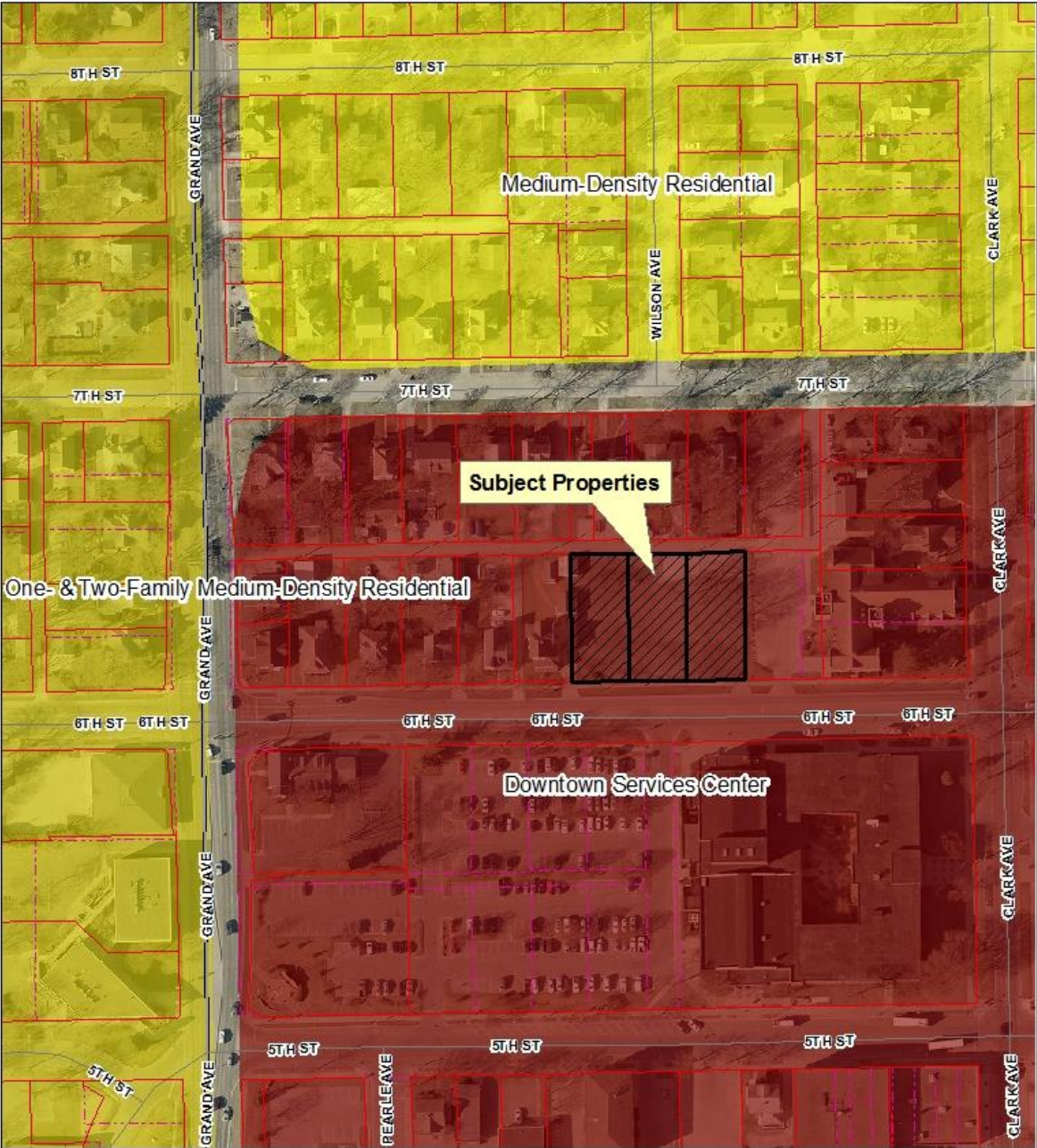
**Conclusions.** Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject property is consistent with the Future Land Use Map, as well as the Goals and Objectives of the City of Ames Land Use Policy Plan.

# Attachment A: Location and Current Zoning





**Attachment B: Land Use Policy Plan Map [Excerpt]**



**Land Use Policy Plan Map  
519, 525, and 601 6th Street**

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DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5146  
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010 Phone: 515-239-5105

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**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 519, 525, and 601 6<sup>th</sup> Street, is rezoned from Residential Medium Density (RM) with Single-Family Conservation Overlay District (O-SFC) to Residential Medium Density (RM).

**Real Estate Description:** Lot 17, Lot 18, and Lot 19, Well's Subdivision of Block 43 in Blair's Third Addition to Ames, Story County, Iowa.

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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor

**COUNCIL ACTION FORM**

**REQUEST: REZONE FROM A (AGRICULTURE) TO FS-RL (SUBURBAN RESIDENTIAL LOW DENSITY) WITH A MASTER PLAN AT 5400 GRANT AVENUE (PROPOSED HAYDEN'S CROSSING SUBDIVISION)**

**BACKGROUND:**

Hunziker Land Development Company owns a 12-acre parcel north along Grant Avenue north of Ada Hayden Heritage Park's west trailhead and 1,500 feet south of 190th Street. (See Attachment A, Location Map.) The owner proposes the development of a residential subdivision to be known as Hayden's Crossing and is requesting a rezoning of 12.0 acres from Agriculture to Suburban Residential Low Density (FS-RL). (See Attachment D, Proposed Zoning) Total development is estimated between 29 and 37 dwelling units.

This land was annexed by the City on December 30, 2013. Before annexation, the Ames Urban Fringe Plan designated this property for Urban Residential land use and Watershed Protection Area, since it is within the watershed of Ada Hayden Lake. Upon annexation, the property was designated as Village/Suburban Residential on the Land Use Policy Plan map. (See Attachment B, Land Use Policy Plan Future Land Use Map) The "FS-RL" zoning district is consistent with this land use designation. Support materials provided by the applicant (Attachment G, Applicant's Narrative) describe how the proposed rezoning and implementation of the proposed development is consistent with all ten goals of the Land Use Policy Plan. **Ultimately, development of the site will require approval of a Conservation Subdivision subsequent to approval of the rezoning request.**

A Master Plan provides a broad view of the development concept by describing the intended uses, building types, access points, and protected areas. The submitted FS-RL Master Plan (Attachment E) illustrates residential development on 7.60 acres of the property and common open space and 3.98 acres of conservation areas. Project details of the Master Plan include:

1. Developable acreage of approximately 7.60 acres. Applicant proposes potential mix of single family attached and detached units. Total development will meet minimum density requirements of 3.75 units per net acre. This is estimated to be a minimum of 29 units, with a maximum of 37 units as described by the applicant. Maximum density under FS-RL would permit approximately 76 dwelling units at 10 dwelling units per net acre.
2. One access point on the west with Grant Avenue. Future street connections to the abutting north property are also likely to occur.

3. A single pedestrian access from Hayden's Crossing into Ada Hayden Heritage Park near the middle of the site along the south property boundary. This will provide a connection to the existing "Upland Trail" within the park. This connection would be at the sole cost of the developer
4. Conservation areas along the west, east and south perimeter of the site as shown on the plan. Including, a minimum 30-ft wide buffer of undevelopable open space between Hayden's Crossing and the City-owned property to the east and south, to be planted with native grasses and forbs during the first phase of the development.

The attached addendum includes a full description of the Master Plan and analysis of the rezoning proposal.

Development of this site is the second project to request approval under the Conservation Subdivision standards of Ames *Municipal Code*. The initial Conservation Subdivision established inside the city is the Quarry Estate development to the north of this site at the southeast corner of the intersection of Grant Avenue and 190<sup>th</sup> Street. The Ames Conservation Subdivision standards are to protect the quality of water in Ada Hayden Lake, protect existing surface drainage systems, promote interconnected greenways, provide commonly-owned open space and conservation areas and protect such areas in perpetuity. The Master Plan shows 33% of the property as conservation areas and open space distributed throughout the development and abutting the residential areas.

Because no significant native plant communities exist on the site, this conservation area will be "naturalized" by establishing native plant communities. Conservation easements will be established for all conservation areas and maintained according to a conservation area management plan that is required during the subdivision process.

Prior to annexation, an agreement was approved by owners of this subject property and other land parcels between Ada Hayden Heritage Park and the railroad right-of-way and south of 190<sup>th</sup> Street, which established the timing and responsibility for extension of all of the urban infrastructure necessary to provide city services to this area as an assessment district (Grant Avenue) and connection districts (sewer and water). Sewer and water main extensions have been constructed and street construction will be completed before the end of 2015. Utilities are available to serve the development. Grant Avenue construction is expected to be completed in the fall of 2015.

**Staff concludes that the Master Plan identifies developable and undeveloped areas, range of uses and residential unit types consistent with the proposed FS-RL zoning district. Staff believes it is consistent with the Objectives and Future Land Use Map of the City of Ames Land Use Policy Plan, with the following conditions:**

- a. Developer is responsible for frontage and intersection access improvements at time of subdivision;

- b. A single pedestrian access be provided from Hayden's Crossing into Ada Hayden Heritage Park at the location shown on the Master Plan; and,
- c. A minimum of a 30-foot wide buffer of undevelopable open space be established between Hayden's Crossing and the city-owned park land to the east and south.

**Planning and Zoning Commission Recommendation.** At its public hearing on July 1, 2015, the Planning and Zoning Commission recommended approval (4-1) of the proposed rezoning from A to FS-RL, including the proposed Master Plan and the conditions recommended by staff. The Commission discussed the type of housing proposed, proximity of housing to the Park, use of the green areas, location of pedestrian connections, locations for storm water detention, and the purpose and maintenance of the buffer strips and access to adjacent properties.

**ALTERNATIVES:**

1. The City Council can approve on first reading the rezoning of the land located at 5400 Grant Avenue from Agriculture (A) to Suburban Residential Low Density (FS-RL), including the attached Master Plan, and require a signed rezoning agreement with the following conditions of the Master Plan prior to third reading of rezoning ordinance:
  - a. Developer is responsible for frontage and intersection access improvements at time of subdivision;
  - b. Single pedestrian access be provided from Hayden's Crossing into Ada Hayden Heritage Park at the location shown on the Master Plan; and,
  - c. A minimum of a 30-foot wide buffer of undevelopable open space be established between Hayden's Crossing and the city-owned park land to the east and south.
2. The City Council can approve on first reading the rezoning of land located at 5400 Grant Avenue from Agriculture (A) to Suburban Residential Low Density (FS-RL), with different conditions.
3. The City Council can deny the request for rezoning from Agriculture (A) to Suburban Residential Low Density (FS-RL), including the attached Master Plan, if the Commission finds that the City's regulations and policies are not met.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information or to require a signed rezoning agreement prior to first reading.

**CITY MANAGER’S RECOMMENDED ACTION:**

As noted in the attached addendum, the proposed rezoning is consistent with the Land Use Policy Plan goals, objectives and policies and land use designations. Adequate infrastructure has been provided for at the time of development. The Master Plan provides for developed areas, conservation areas and open space, housing types and densities that are consistent with the proposed FS-RL zoning district standards and generally consistent with the intent of subsequent Conservation Subdivision standards. The Master Plan also provides adequately for major transportation connections and circulation and for interface with Ada Hayden Heritage Park that are in the best interests of the community, under the proposed conditions. A signed zoning agreement with the Master Plan will be provided prior to the third reading of the rezoning ordinance.

Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is approval of the rezoning on first reading, including the attached Master Plan, and requiring a signed zoning agreement prior to third reading.



## **ADDENDUM**

**Existing Land Use Policy Plan.** The LUPP designation of the entire subject area is Village/Suburban Residential. The proposed change of zone to FS-RL is consistent with that designation as one option for zoning of the site. The applicant has provided support materials (see *Attachment G – Applicant’s Narrative*) regarding how the proposed rezoning is consistent with the Land Use Policy Plan. These materials describe how the proposed rezoning and implementation of the proposed development is consistent with all ten goals of the LUPP.

The LUPP designation of the property to the east and south is Parks and Open Space, with Ada Hayden Lake and its surrounding land designated as Environmentally Sensitive Area. Property to the west is the future Rose Prairie development and designated as Village/Suburban Residential.

The property to the north inside the city limits, and is designated as Village/Suburban Residential. This property is known as the Frame’s properties and is situated between the proposed Hayden’s Crossing and the approved Quarry Estates.

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

<b>Direction from Subject Property</b>	<b>Existing Land Uses</b>
Subject Property	Farm Land, Former Homestead
North	Farm Land, Former Homestead
East	(Ada Hayden Heritage Park)
South	(Ada Hayden Heritage Park, trailhead and future parking lot)
West	Farmland, Former homestead

**Existing Zoning.** The site is zoned Agriculture (A). The property directly to the east and south is Ada Hayden Heritage Park, a city park zoned Government/Airport (S-GA). North of the subject property and west of the park is property recently annexed into the city and zoned Agriculture (A), The property to the west of the subject property across Grant Avenue is also zoned Agriculture (A). The proposed zoning is reflected in *Attachment D – Proposed Zoning*.

**Proposed Floating Suburban Zoning.** The applicant has requested FS zoning as an alternative to Village Residential Zoning. FS zoning is an option that may be selected by an applicant to create a more homogenous development type as compared to the heterogeneous development pattern of Village Residential. With FS zoning there is an option for Residential Low or Residential Medium. The applicant is proposing FS-RL zoning which allows for either single family attached or single family detached housing within the same zoning district. **Development within FS-RL zoning must reach a minimum density of 3.75 units per net acre and not exceed 10 units per net acre.**

**Master Plan.** A Master Plan is intended to provide a general description of the intended development of a property. A Master Plan must address natural areas, buildable areas, building types, range of uses and basic access points, as described in zoning requirements of Section 29.1507(4) (see *Attachment F – Applicable Regulations*).

The entire property has been in agricultural use for many years. An inventory of vegetation and structures required by the Conservation Subdivision standards has been submitted, and will be part of the consideration and approval of the subdivision plat for this property. The submitted Master Plan proposes areas for homes and conservation areas with residential development on 7.60 acres of the property and common open space and conservation areas totaling about 3.98 acres.

The Master Plan proposes a development pattern with both single-family detached and single-family attached home. The applicant describes a minimum of 29 units, with a maximum of 37 units. At the most intense development level of 10 units per net acre, there may be approximately 76 housing units without the restriction of the Master Plan.

The minimum density standard for the area to be rezoned to FS-RL is 3.75 dwelling units per net acre. The Master Plan proposes a minimum net density for the area to be zoned FS-RL of approximately 3.81 dwelling units per acre, including both single-family detached and attached homes. Full review of net acreage will occur with the subsequent preliminary plat subdivision review.

Each attached and detached single-family home must be on its own individual lot. Layout and specific design of the site will be evaluated at the time of preliminary plat review. Attached single-family homes of three or more units also require an administrative site development plan review after subdivision approval.

**Access.** The Master Plan includes one access point with the existing street, Grant Avenue, that borders the west property line of the site. In all likelihood at least one additional local street would be stubbed to the north to help promote development of the Frame properties.

**Ada Hayden Heritage Park.** Among of the attractions of Hayden’s Crossing will be its proximity to Ada Hayden Heritage Park and the view into the park’s naturalized landscape from some of the Hayden’s Crossing lots. The Master Plan seeks to protect the park landscape from the development and the many more people who will be living next door to it. Single-family homes may be as close as 50 feet to the park boundary and 70 to 100 feet from the north loop upland trail. The 30-foot landscape buffer within this separation area provides for a transition from private to public space with native vegetation.

**The only access from Hayden’s Crossing into Ada Hayden Heritage Park will be a pedestrian connection along the southeast facing property line of the subdivision in close proximity to the existing upland trail.** The north loop upland trail within the park follows the southeast edge of this site. The existing trail is rock, as will be the pedestrian connection to Hayden’s Crossing. The material for this connection and its

final location with Hayden's Crossing will be determined during the subdivision process. Any other future connections between Ada Hayden Heritage Park and Hayden's Crossing would require City Council approval.

The Master Plan includes a buffer between the developed lots of Hayden's Crossing and the park. This buffer will consist of 30 feet (minimum) of open space running along the entire shared property boundary, in which development is prohibited. It will be planted with native grasses and forbs. The shared property boundary itself will be identified with permanent markers designed by the city. This entire buffer will be established, installed and maintained by the Hayden's Crossing property owners association as a requirements of the conservation subdivision.

**Landscape Buffers.** Other landscape buffers, with a width of 25-feet, will be established between the proposed single family units and Grant Avenue. The City is planning construction of a parking lot for 20 vehicles just to the south of this site. The Parks and Recreation Department will establish parking lot buffer screening adjacent to the parking lot on park property and Hayden's Crossing will maintain its own conversation area along the park. The use of buffering is consistent with the development expectations identified within FS zoning standards.

**Conservation Subdivision.** The Hayden's Crossing property is within the watershed that drains into Ada Hayden Lake, which the city uses for a back-up water supply. To protect the quality of the water in the lake, the development is required to comply with the Conservation Subdivision standards of Ames *Municipal Code*, Section 23.600.

In addition to protecting water quality, the intent of the Conservation Subdivision Developments is to protect existing surface drainage systems, to promote interconnected greenways, to provide commonly-owned open space and conservation areas and to protect such areas in perpetuity.

The Conservation Subdivision standards address lot arrangement, buffer distances from drainage ways, stormwater management systems and pedestrian and bicycle facilities. Many of these standards will apply only during the subdivision process.

**Open Space and Conservation Areas.** Several Conservation Subdivision standards are evident in the Master Plan. Conservation areas and open space is required to comprise at least 25% of the property and must be distributed throughout the development. The Master Plan identifies approximately 33% of the land area as open space and conservation areas.

Because no significant native plant communities exist on the site, this conservation area and will be "naturalized" by establishing native plant communities. Conservation easements will be established for all conservation areas and maintained according to a conservation area management plan that is required during the subdivision process.

A requirement of the Conservation Subdivision ordinance is that 80% of the residential lots must abut a conservation area or open space. Therefore, the Master Plan layout demonstrates an effort to plan a development pattern of residential areas around central

open spaces or conservation areas. The details of features within the conservation areas will be part of the preliminary plat review. The preliminary plat also will provide the arrangement of these lots and the local streets serving them and final configuration of open space areas.

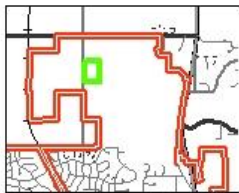
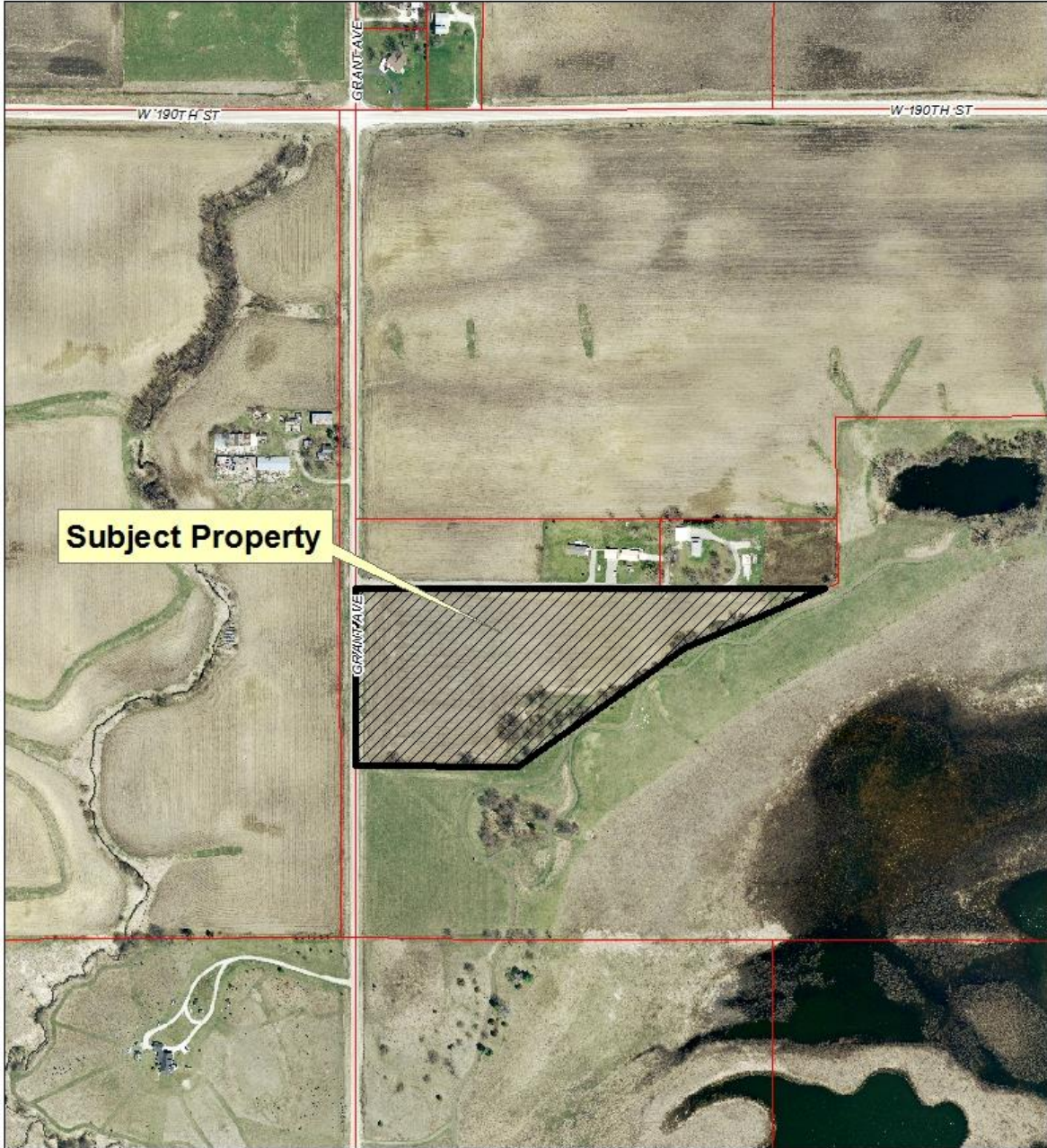
**Water Quality.** In addition to the protection of the water quality in Ada Hayden Lake afforded by the Conservation Subdivision standards, the city also has design standards for new construction to protect surface waters from degradation due to storm water runoff. Ames *Municipal Code*, Chapter 5B “Post Construction Stormwater Management” contains these standards and also references the “Iowa Stormwater Management Manual.”

**Infrastructure.** City and developer have a pre-annexation agreement that, among other commitments, confirms the developers’ contributions to City infrastructure costs. Installation of water and sanitary sewer mains serving the developments along Grant Avenue are underway and paving of Grant Avenue will be completed during the 2015.

**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.

# Attachment A

## Location Map



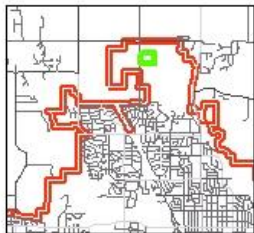
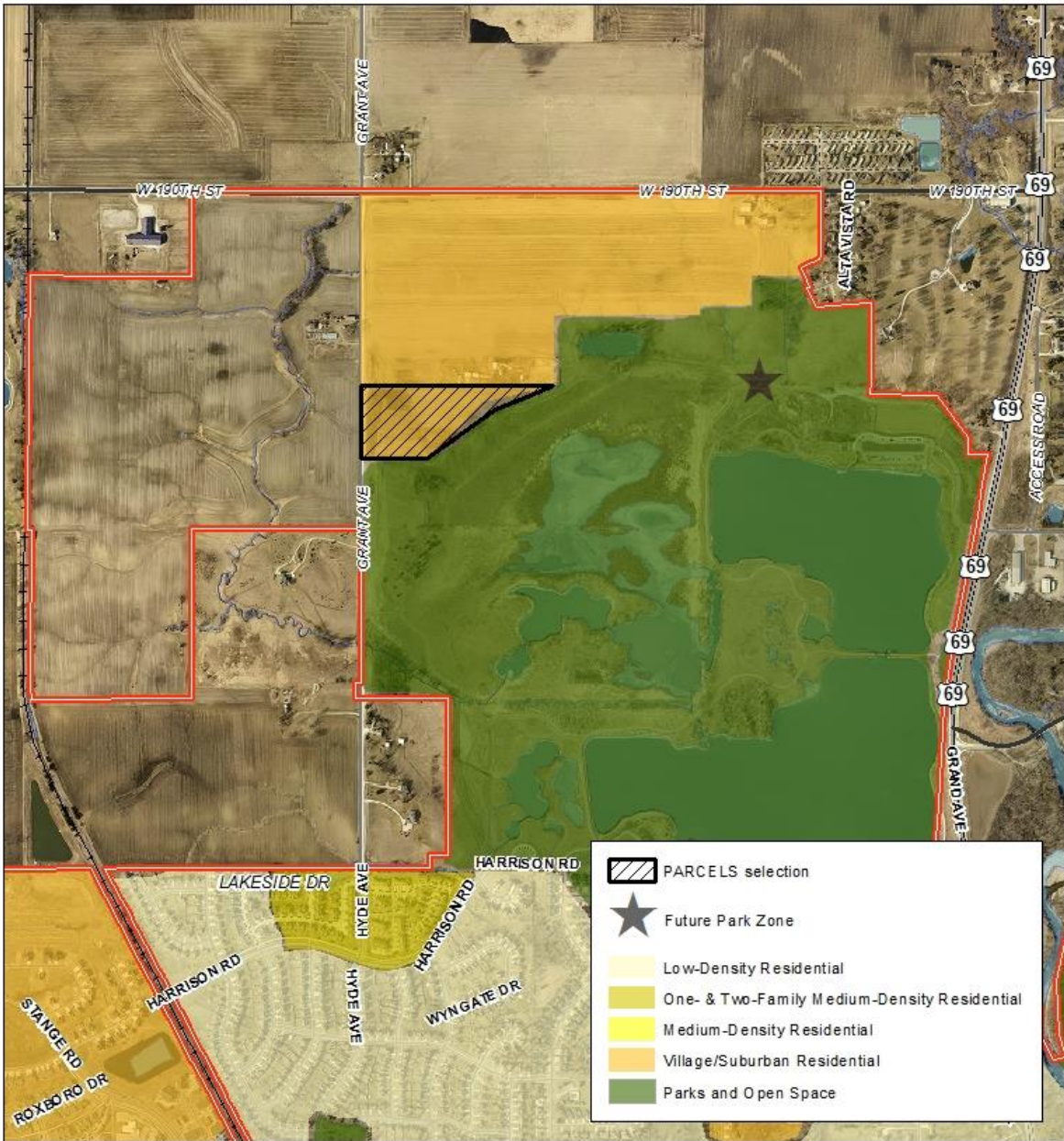
**Location Map**  
**5400 Grant Avenue**





# Attachment B

## Land Use Policy Plan Future Land Use Map

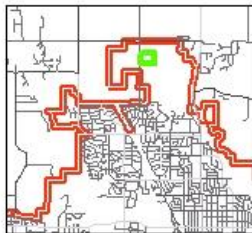
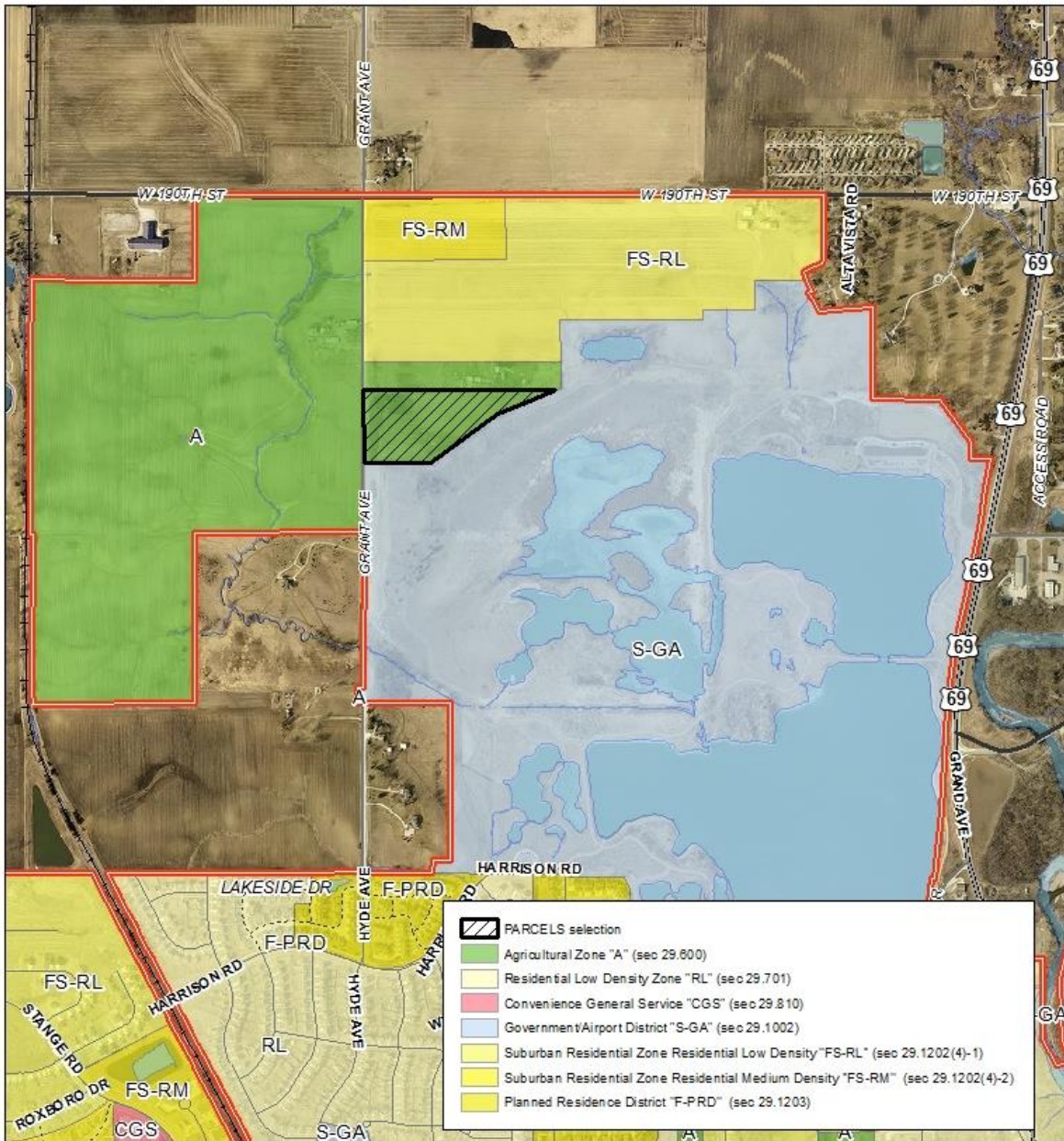


### LUPP Future Land Use Map 5400 Grant Avenue



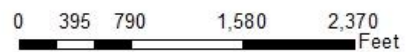
# Attachment C

## Existing Zoning



### Zoning Map

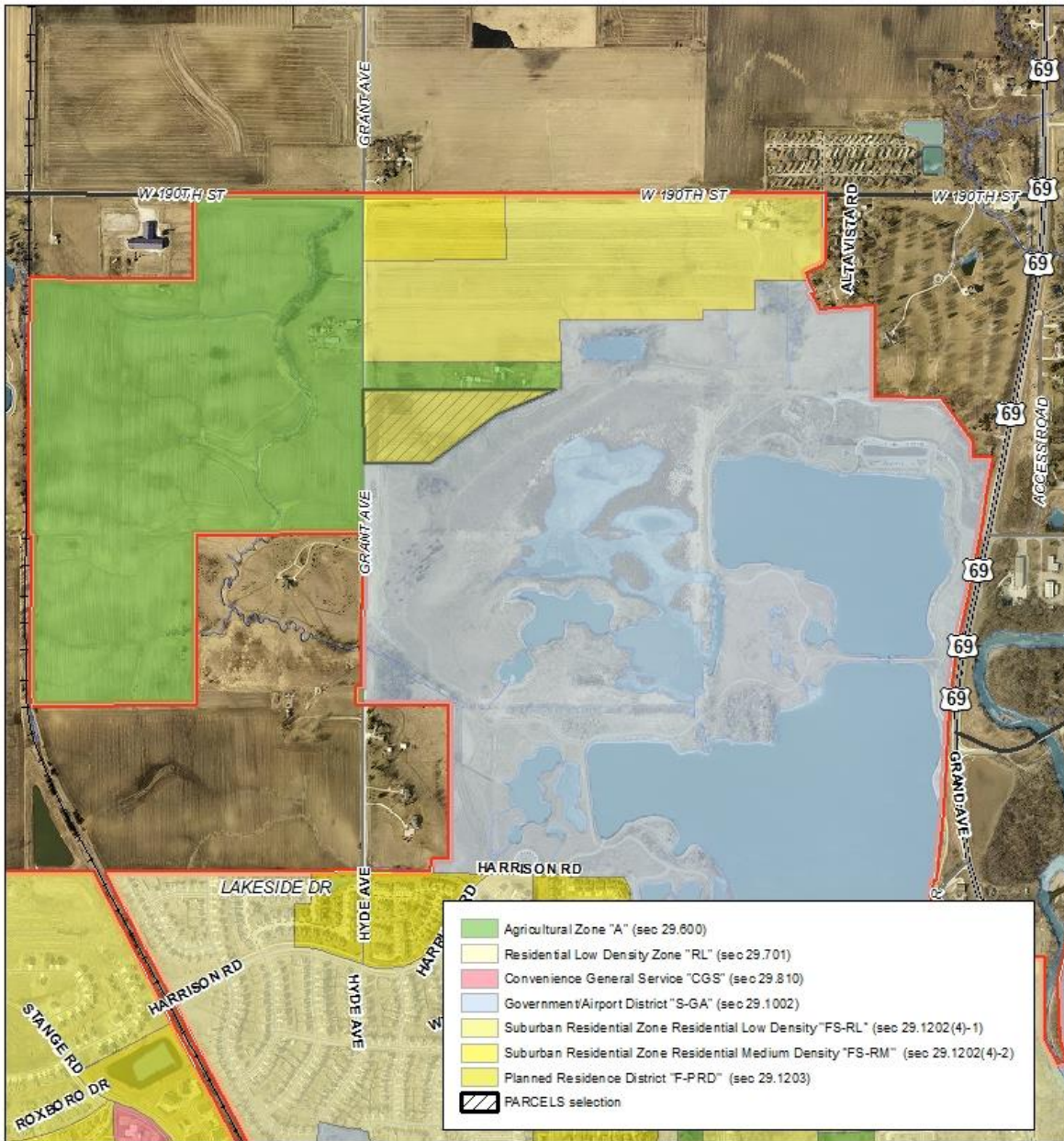
### 5400 Grant Avenue





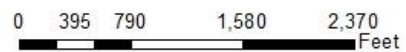
# Attachment D

## Proposed Zoning



### Proposed Zoning Map

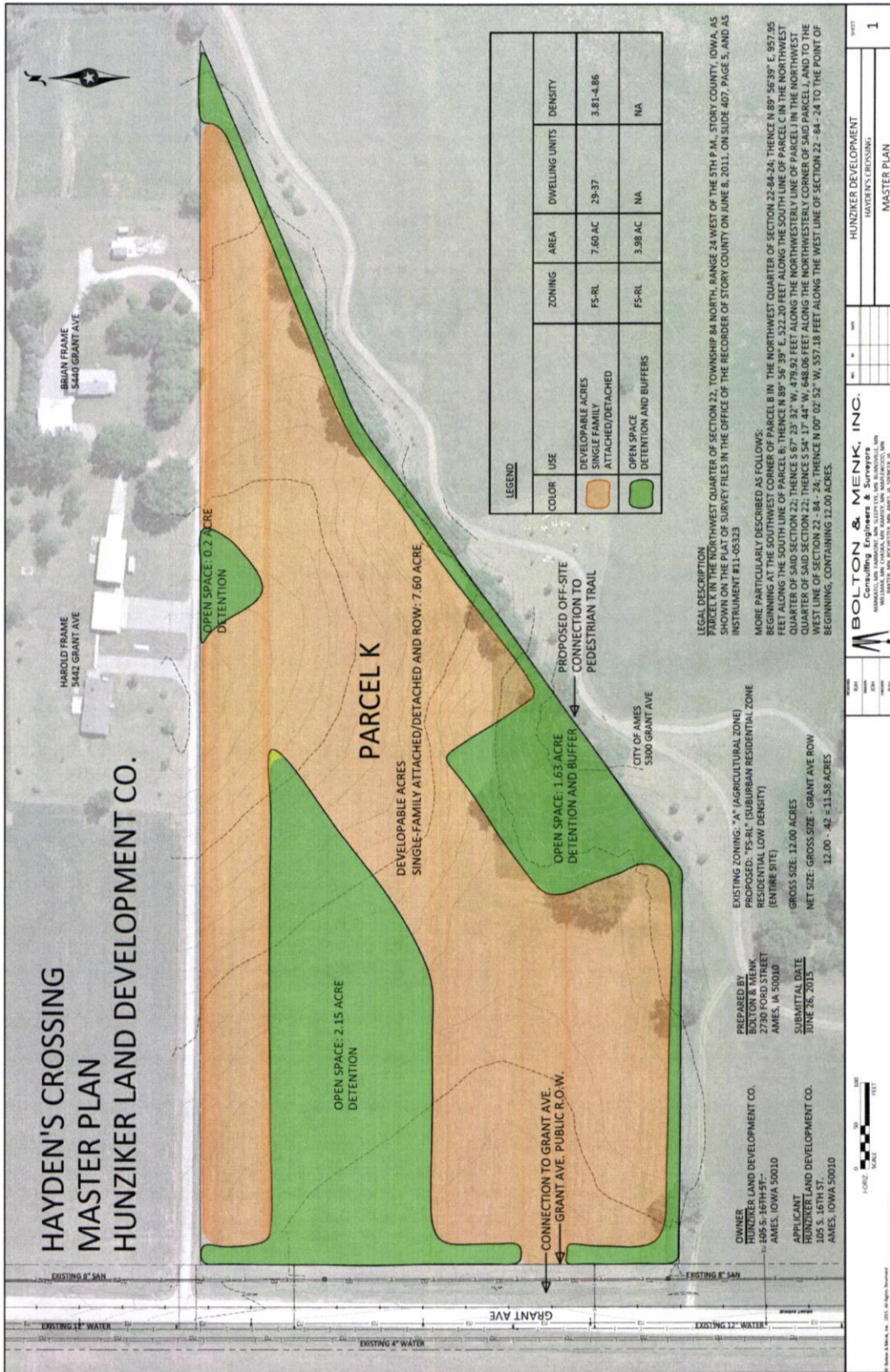
### 5400 Grant Avenue





# Attachment E

## Master Plan Sheet



## **Attachment F**

### ***Applicable Regulations***

- Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

The Land Use Policy Plan (LUPP) Future Land Use Map identifies the land use designations for the property proposed for rezoning.

- Ames *Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments, includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- Ames *Municipal Code* Chapter 29, Section 1200, Floating Zones, includes a list of uses that are permitted in the Village Residential, Suburban Residential and Planned Residential zoning districts and the zone development standards that apply to properties in those zones.

#### **Per Section 29.1507(4): Master Plan Submittal Requirements:**

- a. Name of the applicant and the name of the owner of record.
- b. Legal description of the property.
- c. North arrow, graphic scale, and date.
- d. Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
- e. Proposed zoning boundary lines.
- f. Outline and size in acres of areas to be protected from impacts of development
- g. Outline and size in acres of areas proposed of each separate land use and for each residential unit type
- h. Pattern of arterial streets and trails and off-site transportation connections
- i. For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
- j. For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.



# Attachment G

## *Applicant's Narrative – Page 1*

### Hayden's Crossing Subdivision Rezoning

#### Reasons for Requesting Rezoning

We are requesting the parcel be rezoned from the current Agricultural – A to Suburban Residential – Low Density FS-RL to allow the development of the property as residential.

#### Consistency of this rezoning plan with the Land Use Policy Plan

The parcel requested for rezoning meets the consistency and goals of the Land Use Policy Plan (LUPP), as FS-RL zoning is an acceptable use for residential subdivisions. The LUPP identifies the parcel as part of the North Allowable Growth Area. We feel that this rezoning meets the following goals of the LUPP:

- 1. Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences.** This expansion provides for additional housing to provide for the expanding population. It allows for the utilization of recently upgraded infrastructure to expand the City, making it an ideal location for a residential subdivision. The community also has a preference to locate here, as seen by recent construction.
- 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.** This request fits the character and compatibility of growth of the surrounding area by expanding on the development of existing residential to provide sufficient land resources.
- 3. It is the goal of Ames to assure that it is an "environmentally-friendly" community and that all goals and objectives are integrated with this common goal. In continuing to serve as a concentrated area for human habitat and economic activity, Ames seeks to be compatible with its ecological systems in creating an environmentally sustainable community.** The development planned for this area is to include buffers, natural areas, and storm water management features based on the City's Conservation Subdivision overlay.
- 4. It is the goal of Ames to create a greater sense of place and connectivity, physically and psychologically, in building a neighborhood and overall community identity and spirit. It is the further goal of the community to assure a more healthy, safe, and attractive environment.** The development is intended to add to the connectivity of the community by having a physical connection to Ada Hayden Park which will allow for healthy and safe recreation and attractive views of the environment.
- 5. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.** As noted in item 1, this development will be able to utilize the new infrastructure installed along Grant Avenue for the development for the North Allowable Growth Area.

# Attachment G

## Applicant's Narrative – Page 2

6. **It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.** This development will provide for additional lots for construction which will help with the availability of housing.
7. **It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.** This development will be directly adjacent to a park access and across the street from a future shared use path, which can both provide alternate modes of transportation.
8. **It is the goal of Ames to enhance the role of Downtown as a community focal point.** This project does not propose uses that would duplicate those offered by the downtown. It would increase population which will provide potential shoppers/customers/users of downtown.
9. **It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.** The subdivision provides additional housing for people to allow economic growth.
10. **It is the goal of Ames to maintain and enhance its cultural heritage.** The proposed site does not negatively impact the cultural heritage of Ames.

### **Current Zoning of the subject property**

The property is currently zoned Agricultural – A

### **Proposed Zoning of the subject Property**

The requested zoning is Suburban Residential – Low Density FS-RL

### **Proposed Use of the Property**

The intended use of the property is single family residential housing.

### **Legal Description of the property proposed for rezoning.**

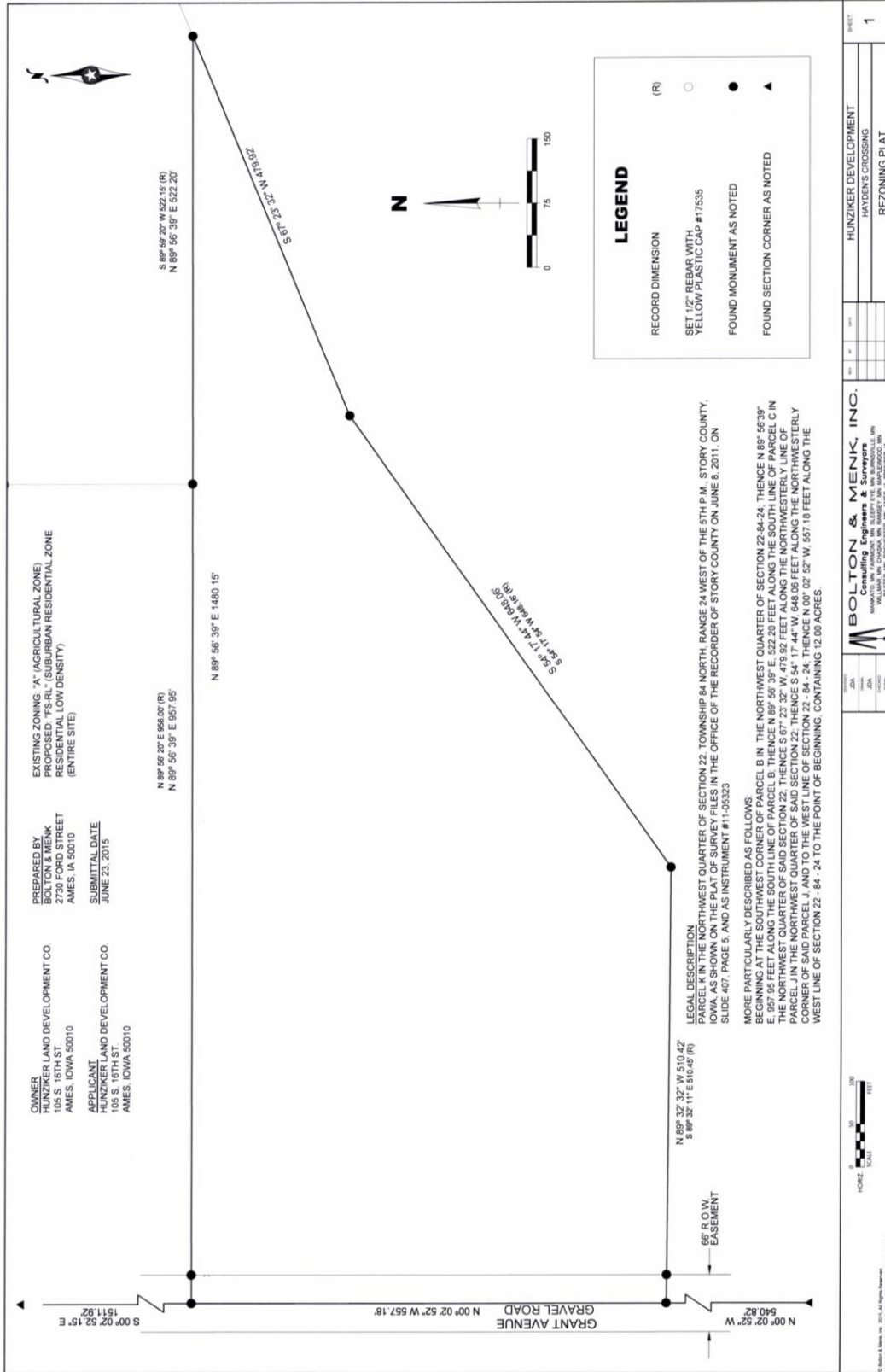
PARCEL K IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., STORY COUNTY, IOWA, AS SHOWN ON THE PLAT OF SURVEY FILES IN THE OFFICE OF THE RECORDER OF STORY COUNTY ON JUNE 8, 2011, ON SLIDE 407, PAGE 5, AND AS INSTRUMENT #11-05323

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL B IN THE NORTHWEST QUARTER OF SECTION 22-84-24; THENCE N 89° 56'39" E, 957.95 FEET ALONG THE SOUTH LINE OF PARCEL B; THENCE N 89° 56' 39" E, 522.20 FEET ALONG THE SOUTH LINE OF PARCEL C IN THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE S 67° 23' 32" W, 479.92 FEET ALONG THE NORTHWESTERLY LINE OF PARCEL J IN THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE S 54° 17' 44" W, 648.06 FEET ALONG THE NORTHWESTERLY CORNER OF SAID PARCEL J, AND TO THE WEST LINE OF SECTION 22 - 84 - 24; THENCE N 00° 02' 52" W, 557.18 FEET ALONG THE WEST LINE OF SECTION 22 - 84 - 24 TO THE POINT OF BEGINNING, CONTAINING 12.00 ACRES.

# Attachment H

## Rezoning Plat





**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 5400 Grant Avenue, is rezoned with a Master Plan from Agricultural (A) to Suburban Residential Low Density (FS-RL).

**Real Estate Description:** Parcel K in the Northwest Quarter of Section 22, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, as shown on the plat of survey files in the office of the Recorder of Story County on June 8, 2011, on Slide 407, Page 5, and as Instrument #11-05323.

More particularly described as follows: Beginning at the Southwest Corner of Parcel B in the Northwest Quarter of Section 22-84-24; thence N89°56'39" E, 957.95 feet along the South line of Parcel B; thence N89°56'39" E, 522.20 feet along the South line of Parcel C in the Northwest Quarter of said Section 22; thence S67°23'32" W, 479.92 feet along the Northwesterly line of Parcel J in the Northwest Quarter of said Section 22; thence S54°17'44" W, 648.06 feet along the Northwesterly Corner of said Parcel J, and to the West line of Section 22-84-24; thence N00°02'52" W, 557.18 feet along the West line of Section 22-84-24 to the point of beginning, containing 12.00 acres.

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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

\_\_\_\_\_  
Ann H. Campbell, Mayor