

COUNCIL ACTION FORM

SUBJECT: REQUEST FOR UNMANNED AIRCRAFT SYSTEMS (UAS) USAGE ON PUBLIC PROPERTY

BACKGROUND:

Following the June 9, 2015, City Council meeting, the City of Ames drafted an agreement with Hunziker and Companies to authorize operation of small Unmanned Aircraft Systems (UAS) within the five nautical mile ring of the Ames Municipal Airport until December 31, 2015. This allowed Hunziker and Companies to become the first commercial drone user in the Ames community. Hunziker and Companies operates its commercial UAS under the jurisdiction of the Federal Aviation Administration (FAA), which requires express property owner permission when operating a drone on private or public property. The FAA designates three types of UAS users: model (recreation or hobby), public (government), and commercial.

As part of its marketing efforts promoting Ames as a great place to live, Hunziker and Companies is seeking new UAS video showcasing the community's vibrancy and beauty. Online videos can reach thousands of potential residents with attractive, active, engaging images. Hunziker and Companies is seeking permission to use its UAS over public property as required by FAA for commercial users. (It is important to note that recreational UAS users are not required to obtain permission to fly over public property.)

The City of Ames is in the process of gathering data for development of a UAS policy to apply to commercial users. It is anticipated other commercial operators will be requesting permission to fly over public property and a uniform, consistent policy will provide direction for approving/denying future requests. By working with Hunziker and Companies on this current request, the City has the opportunity to gather empirical data on the quality and detail of UAS video footage at various heights along the public right of way, as well as around parks. Through this "test case" request, Hunziker and Companies has agreed to delete portions of any video content that causes concern. Additionally, Hunziker has offered to share the video with the City of Ames to use in our own educational and promotional pieces.

To take advantage of optimal seasonal color, Hunziker and Companies would like to move forward on obtaining footage by focusing on low usage time periods through Sunday, Nov. 22.

As a commercial UAS operator, Hunziker and Companies must abide by a series of rules including keeping the equipment in visual line of sight of the operator at all times,

only flying during daylight hours, and keeping a log of all UAS activities. The purpose of this request is to obtain video showcasing the community as exciting and inviting, not photographing people. For the City of Ames, having access to this video will provide details helpful in directing future UAS policies.

The Hunziker and Companies request for public property use of a UAS include:

Group 1 (Parks)

- **Ada Hayden Heritage Park** – UAS usage over trails and lake taking care to avoid photographing park users. Focusing on natural beauty, fall colors, and aesthetics of the area.
- **Brookside Park** – UAS usage over trails and amenities taking care to avoid photographing park users. Focusing on natural beauty, fall colors, and aesthetics of the area.
- **Moore Memorial Park** – UAS usage over trails and amenities taking care to avoid photographing park users. Focusing on natural beauty, fall colors, and aesthetics of the area.

Group 2 (Business Districts)

- **Somerset Business District** – UAS usage over the public right of way over the Stange Crescent from Northridge Parkway to Kingston Drive. Camera lens would be directed at a 45-degree angle to capture business district facades, not interiors.
- **Main Street Business District** - UAS usage over Main Street or the public right of way from Duff Avenue to Grand Avenue. Camera lens would be directed at a 45-degree angle to capture business district facades, not interiors.
- **South Duff Business District** - UAS usage over South Duff Avenue or the public right of way from Lincoln Way to S. 16th Street. Camera lens would be directed at a 45-degree angle to capture business district facades, not interiors.
- **Campustown** - UAS usage over Welch Avenue or the public right of way from Lincoln Way to Chamberlain Ave. Camera lens would be directed at a 45-degree angle to capture business district facades, not interiors.

Hunziker and Companies has acquired the recommended liability insurance required by the City's Risk Manager.

ALTERNATIVES:

1. Provide express permission from the City of Ames to Hunziker and Companies to operate its UAS over public property for Group 1 and 2 as required by the FAA for commercial UAS operators. This alternative would limit the authorized time frame to fly over public property from October 28, 2015 until November 22, 2015.
2. Provide express permission from the City of Ames to Hunziker and Companies to operate its UAS over public property for either Group 1 or 2. This alternative would limit the authorized time frame to fly over public property from October 28, 2015 until November 22, 2015.
3. Do not provide permission.

MANAGER'S RECOMMENDED ACTION:

The use of model (recreation or hobby), public (government), and commercial UAS represent a completely new area of municipal policy creation. While model and public drones are not subject to FAA regulation, commercial UAS undergo much more scrutiny. **As the first commercial UAS user seeking permission from the City of Ames to use a UAS over public property for video footage, Hunziker and Companies is offering to collaborate with City staff to gather empirical data to develop our commercial UAS policy. Also, they are willing to share the video footage with the City at no cost.**

It is anticipated the City of Ames will receive more commercial UAS requests to access public property. **By working with Hunziker and Companies, City staff will have a better understanding of the quality of video that can be obtained under different conditions and at different heights. This data will be important when developing the City of Ames Commercial UAS policy to be used to approve or deny future requests.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving provide express permission to Hunziker and Companies to operate its UAS over public property (Group 1 and 2) as required by the FAA for commercial UAS operators. This alternative would limit the authorized time frame to fly over public property from October 28, 2015 until November 22, 2015.