

COUNCIL ACTION FORM

**SUBJECT: POWER PLANT FUEL CONVERSION – MECHANICAL INSTALLATION
GENERAL WORK CONTRACT - CHANGE ORDER NO. 3**

BACKGROUND:

In November of 2013 the City Council decided 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.

On September 22, 2015, City Council awarded a contract to TEI Construction Services, Inc., Duncan, SC for the Mechanical Installation General Work Contract in the amount of \$1,572,019.

The action being requested is to approve Change Order No. 3 to the Mechanical Installation Contract.

Item 1

Description: TEI Construction Services Inc. is to provide and modify platforms, stairs, grating, toe plates, railings, etc. on four levels associated with the installation of natural gas burners and igniters on Unit 8 boiler.

At the time of the original letting of this contract, staff was aware that the exact routing and placement of valves were still being finalized. It was understood that this contract would have to be adjusted once the final plans for this work was completed.

Cost: Lump sum of \$70,194

Item 2

Description: TEI Construction Services Inc. is to provide Unit 7 & 8 Steam turbine front standard installation work including probe removal, worm gear removal, disconnecting linkages, and valve installation.

At the time the original contact was let, staff did not include front standard work in the base bid because it was not yet determined if this work was actually needed.

Cost: Time & Material basis, not-to-exceed \$117,790.

The total cost of both items combined in Change Order No. 3 is \$187,984.

CHANGE ORDER HISTORY:

Two change orders have previously been issued for this project.

Change Order No. 1 for \$8,750 was for TEI to procure Nordstrom valves.

Change Order No. 2 for \$156,131 was for TEI to supply natural gas control and on-off valves.

The total cost of both change orders No. 1 and No. 2 was \$164,881.

PROJECT COST HISTORY:

The Engineer's estimate of the cost for this phase of the project was \$5,115,000. With this change order, the total costs for the Mechanical Installation General Work Contract within the project will be increased to \$1,924,884.

Overall, the total project dollar amount committed to date (inclusive of this Change order No. 3) is \$16,742,076.50. The approved FY 2015/16 Capital Improvements Plan includes \$26,000,000 for the Unit 7 and Unit 8 fuel conversion. However, some of the funding of the conversion project is coming from the sale of Electric Revenue bonds. Considering that the project is coming in much less than the budgeted amount, staff has chosen to reduce the size of the bonds issuance and has reflected the budgeted amount accordingly. The project budget to date is shown on page 3.

ALTERNATIVES:

1. Approve contract Change Order No. 3 with TEI Construction Services, Inc., Duncan, SC for the Power Plant Fuel Conversion - Mechanical Installation General Work Contract in the amount of \$187,984.
2. Reject contract Change Order No. 3.

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 mechanical work necessary to install the natural gas burners into the boilers, provide for the natural gas piping from the burners to the main Alliant pipeline, and accomplish structural modifications and valve trains.

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

PROJECT BUDGET

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

\$17,475,000	FY 2015/16 CIP amount budgeted for project \$26,000,000 less reduced bonds issuance by \$8,525,000
\$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
\$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
\$814,920	Contract cost for TCS equipment Bid 1
\$244,731	TCS Bid 1 Contract Change Order No. 1
\$186,320	Contract Cost for Turbine Steam Seal System - TCS Bid 2
\$24,536	TCS Bid 2 Contract Change Order No. 1
\$898,800	Contract cost for Control Room Installation General Work Contract
\$66,782	Control Room Contract Change Order No. 1
\$1,572,019	Contract cost for Mechanical Installation General Work Contract
\$8,750	Mechanical Contract Change Order No. 1
\$156,131	Mechanical Contract Change Order No. 2
\$187,984	Mechanical Contract Change Order No. 3
\$3,145,149	Contract cost for Electrical Installation General Work Contract

\$98,560	Contract cost for UPS System
(-\$1,010)	UPS System Contract Change Order No. 1
<u>\$166,835.50</u>	Contract cost for Portable Electric Space Heaters
\$16,742,076.50	Costs committed to date for conversion
\$732,923.50	Remaining Project Balance to cover miscellaneous equipment and modifications to the power plant needed for the fuel conversion

COUNCIL ACTION FORM

SUBJECT: CHANGE ORDER NO. 3 WITH INTEGRITY CONSTRUCTION FOR THE LIBRARY RENOVATION AND EXPANSION PROJECT

BACKGROUND:

The City of Ames entered into a professional services contract with Integrity Construction on April 24, 2012, to serve as a construction advisor to the Library Board of Trustees and provide assistance to Library staff for the renovation and expansion project. The original scope of work included assisting with oversight of the project, identifying and preparing an off-site location for operations during construction, assisting with relocation prior to construction, reviewing design development documents, reviewing the bidding documents, assisting with the bidding process, visiting the site during construction, and coordinating furniture, fixtures, and equipment items.

Two change orders for additional hours of service have been processed to date: \$48,400 approved by City Council in May 2013, and \$13,800 approved by the Library in December 2014. The contract summary follows:

Original Contract Sum	\$85,000.00
Net changes authorized by Change Orders #1 and 2	\$62,200.00
Current Contract Sum	\$147,200.00
Contract Sum increase by approval of Change Order #3	\$5,750.00
New Contract Sum including Change Order #3	\$152,950.00

Change Order No. 3 would allow for up to 50 additional hours of service to help with remaining punch list items and issues pertaining to close-out of the project.

The change order would be written as a “not to exceed” amount whereby the Library will only pay for the actual hours of service expended. The Library Board of Trustees considered this request at its meeting on November 19 and recommended approval.

ALTERNATIVES:

1. Approve Change Order No. 3 with Integrity Construction in an amount not to exceed \$5,750 with the caveat that the Library will only pay for the actual hours expended.
2. Deny Change Order No. 3.

MANAGER'S RECOMMENDED ACTION:

The Library Board is seeking additional assistance from Integrity Construction for construction advisory services to ensure successful completion of the Library Renovation and Expansion Project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving Change Order No. 3 with Integrity Construction in an amount not to exceed \$5,750.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF CITY HALL RENOVATION PHASE 2 CHANGE ORDER NO. 4

BACKGROUND:

On September 9, 2014, City Council awarded a contract to HPC, LLC, of Ames, Iowa, for the City Hall Renovation, Phase 2 project in the amount of \$829,900. The contract is to renovate portions of the first floor and the basement of City Hall to address the greatest space needs in the building.

The project has been successful in keeping the cost of change orders low by realizing several large deductive changes early in the project. Change Order No. 1 modified the existing outside air unit for use in the basement in lieu of purchasing a new unit, and changed the basement lighting to LED for a deduct of (-\$3,958). Change Order No. 2 deleted the five-year fire alarm guarantee, revised the subdrain at the elevator, and changed the entrance to the Public Works Engineering area for a deduct of (-\$23,237). Change Order No. 3 revised ceilings, grid, and walls to provide consistency; extended waterproofing in basement areas; removed abandoned electrical conduit and devices in the basement; made several electric product modifications; and added stair treads to a stairwell in the basement for a cost of \$11,573. Change Orders No. 1, 2, and 3 were previously approved administratively.

Change Order No. 4 will remove abandoned plumbing and ductwork in the basement and Police lab, modify the location of several heat pumps, make changes to the corridor near the Police Administration area and ceilings, and add sound proofing to the conference room for a cost of \$18,684.

The construction project is in its final stages of completion. All areas are occupied and open to the public. Items to complete include the installation of a fume hood in the Police area and the completion of all punch list items.

The Engineer's estimate of the cost for the construction was \$894,000. With this change order, the total cost for the City Hall Renovation Phase 2 project is within the construction budget and will be increased to **\$832,962, an overall increase of \$3,062.**

ALTERNATIVES:

1. Approve contract Change Order No. 4 with HPC, LLC, Ames IA for the City Hall Renovation Phase 2 project in the amount of \$18,684.
2. Reject contract Change Order No. 4.

MANAGER'S RECOMMENDED ACTION:

These modifications are needed in order for the completion of the City Hall Renovation project which will provide space for the Finance Department (Information Technology and Print Shop), Public Works Engineering, and the Police Department.

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

COUNCIL ACTION FORM

**SUBJECT: 2013/14 CYRIDE ROUTE PAVEMENT IMPROVEMENTS PROGRAM #2
(GARDEN ROAD, GARNET DRIVE, VIOLA MAE AVENUE)**

BACKGROUND:

This is the annual program for street pavement improvements that are/were bus routes. These streets were originally built for lighter residential traffic. With these streets designated as bus routes, accelerated deterioration of the street pavement occurred. Pavement improvements will improve these street sections to carry the projected traffic volumes. The 2013/14 program locations included Jewel Drive, Emerald Drive, Ken Maril Road, Duluth Street, Garden Road, Garnet Drive and Viola Mae Avenue.

This program was divided into two separate contracts. Program #1 included improvements to Jewel Drive (Kate Mitchell School to Garnet Drive), Emerald Drive (Ken Maril Road to Jewel Drive), Ken Maril Road (South Duff Avenue to east end of road), and Duluth Street. This program was completed with final acceptance by Council on December 16, 2014.

This specific project (Program #2) included improvements to Garden Road (South Duff Avenue to end of road), Garnet Drive (Garden Road to Jewel Drive) and Viola Mae Avenue (Garden Road to Ken Maril Road). This work involved mill and overlay of the existing pavement plus improvements to pedestrian curb ramps.

On November 10, 2014, City Council awarded this project to Manatt's, Inc. of Ames, Iowa in the amount of \$899,833.27. This final action is approving Change Order No. 1, a deduction in the amount of \$143,656.78 and approving final acceptance of the project as completed in the amount of \$756,176.48. Change Order No. 1 is the balancing change order which reflects actual quantities installed in the field.

The 2013/14 CyRide Route Pavement Improvements Program includes funding and expenses shown as follows:

Program Funding Summary	Total Funding	<i>Distribution per Location</i>	
		Program #1	Program #2
2013/14 CyRide Route Pavement Improvements Program			
GO Bonds	\$ 2,000,000.00	\$ 900,000.00	\$ 1,100,000.00
Totals	\$ 2,000,000.00	\$ 900,000.00	\$ 1,100,000.00

Program Expense Summary	Total Expenses		
Engineering & Contract Administration (actual / estimate)	\$ 221,103.63	\$ 107,677.15	\$ 113,426.47
Construction Costs (actual)	\$ 1,474,024.17	\$ 717,847.69	\$ 756,176.48
Totals	\$ 1,695,127.80	\$ 825,524.84	\$ 869,602.95

ALTERNATIVES:

- 1a. Approve Change Order No. 1, a deduction in the amount of \$143,656.78, for the 2013/14 CyRide Route Pavement Improvements Program #2 (Garden Road, Garnet Drive and Viola Mae Avenue).
 - b. Accept the 2013/14 CyRide Route Pavement Improvements Program #2 (Garden Road, Garnet Drive and Viola Mae Avenue) as completed by Manatt’s, Inc. of Ames, Iowa, in the amount of \$756,176.48.
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: 2011/12 ASPHALT PAVEMENT IMPROVEMENT PROGRAM
(IRONWOOD COURT)**

BACKGROUND:

This is the annual program for reconstruction of full-depth asphalt streets, typically located within residential neighborhoods. Streets within residential subdivisions have been installed using full-depth asphalt pavement since mid-1970s. Full-depth replacement of these streets becomes necessary due to structural pavement failure. This program supports the City Council's goal to strengthen our neighborhoods.

The 2011/12 program consisted of roadway reconstruction with seven-inch asphalt paving, repair of damaged curb and gutter, and storm sewer intake replacement. The program was packaged into **four separate contracts** in order to better coordinate with construction activities in the respective areas, which were:

- South Oak Avenue (to be combined with 2011/12 Low Point Drainage Improvements)
- Indian Grass Court/Barr Drive
- Abraham Drive/Todd Circle
- Ironwood Court

The location for this specific project was Ironwood Court. Staff held a project meeting with area residents for input on staging and access and utilized this input to coordinate the work with as little inconvenience as possible.

On January 13, 2015 Council awarded this project to Manatts, Inc. of Ames, Iowa in the amount of \$231,170.71. **Construction has been completed in the amount of \$289,326.25.** A balancing change order has been prepared in the amount of \$58,155.54. The balancing change order reflects actual field quantities placed including a modification of the roadway base rehabilitation method (from cold-in-place recycling to pavement removal with fly ash base stabilization). The rehabilitation method was modified due to a difference in the actual existing field conditions of the existing pavement and sub-base compared to what was anticipated.

The 2011/12 Asphalt Pavement Improvement Program includes expenses as follows:

	Expenses	Revenue
G. O. Bonds		\$2,576,000
Ironwood Court (this project)	\$289,326	
Barr Drive/Indian Grass Court (actual)	\$456,088	
Abraham Drive/Todd Circle (actual)	\$214,993	
South Oak Avenue (actual)	\$506,160	
2014/15 Collector St. Pavement Improvements (West St. & Woodland St.)	\$150,000	
2014/15 Concrete Pavement Improvements Contract #1(Hayward)	\$300,000	
2014/15 CyRide Route Pavement Improvements (24 th St. & Bloomington Rd.)	\$150,000	
2014/15 Concrete Pavement Improvements Contract #2 (Ridgewood/9 th St.)	\$ 80,000	
2014/15 Downtown St. Pavement (5 th St.)	\$100,000	
Engineering/Administration (Estimated)	\$329,433	
	<u>\$2,576,000</u>	<u>\$2,576,000</u>

ALTERNATIVES:

- 1a. Approve Change Order #1 in the amount of \$58,155.54 for the 2011/12 Asphalt Pavement Improvement Program (Ironwood Court).
 - b. Accept the 2011/12 Asphalt Pavement Improvement Program (Ironwood Court) as completed by Manatt's, Inc. of Ames, Iowa, in the amount of \$289,326.
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.



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

November 24, 2015

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

Ladies and Gentlemen:

I hereby certify that the public storm sewer and sanitary sewer installation, required as a condition for approval of the final plat of **Quarry Estates, 1st Addition** have been completed in an acceptable manner by **H&W Contracting of Sioux Falls, South Dakota , and Manatts, Inc of Ames, IA**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to \$1,267,876.80. The remaining work covered by this financial security includes installation of the water main, final asphalt surfacing, pedestrian ramps and walks, final adjustment of utility features, erosion control, and street lighting.

Sincerely,

John C. Joiner, P.E.
 Director

JJ/ec

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

Description	Unit	Quantity
Temporary Traffic Control	LS	1
Excavation and Embankment	CY	30,075
Subgrade Preparation	SY	10,800
Sanitary Sewer Gravity Main, Trenched, 8"	LF	4,752
Sanitary Sewer Service Stub, 4"	EA	53
Footing Drain Collector, Case D, Type 2, 8"	LF	1,404
Footing Drain Cleanout, 8"	EA	5
Sump Service Stub, 1.5"	EA	53
Storm Sewer, Trenched, RCP Class III, 15"	LF	804
Storm Sewer, Trenched, RCP Class III, 18"	LF	623
Storm Sewer, Trenched, RCP Class III, 24"	LF	402
Pipe Apron, RCP, 18"	EA	5
Pipe Apron, RCP, 24"	EA	2
Water Main, Trenched, 8"	LF	4,677
Fitting, M.J. Bend, 8"	EA	6
Fitting, M.J. Tee, 8"	EA	4
Fitting, M.J. Cross, 8"	EA	1
Water Service Stub, 1"	EA	53
Valve, M.J. Tapping, 12"x8"	EA	1
Valve, M.J. Gate, 8"	EA	14
Fire Hydrant Assembly (includes 8"x8"x6" M.J. Tee, 6" M.J. Gate Valve, 6" Pipe, and Hydrant)	EA	12
Temporary Blowoff Hydrant Assembly (includes 8"x6" M.J. Reducer, 6" Pipe, and Hydrant)	EA	5
Water Service Stub, 2"	EA	1
Sanitary Manhole, SW-301, 48"	EA	17
Storm Sewer Manhole, SW-401, 48"	EA	2
Single Grate Intake, SW-501	EA	9
Single Grate Intake, with Manhole SW-503	EA	7
Open-Sided Area Intake, SW-513, 48"x48"	EA	1
Sanitary Manhole Drop Connection	EA	2
PCC Curb and Gutter, 30"	LF	5,554
Trail Pavement, HMA, 6"	SY	600
Pavement, HMA Base, 6"	SY	2,402
Pavement, HMA Base, 7.5"	SY	5,540
Pavement, HMA Surface, 2"	SY	7,942
Pedestrian Ramps, PCC, 6"	SY	93
Detectable Warning Panels	SF	120
Class 'A' Rock Surfacing	TON	100
Manhole Adjustments	EA	11
Watervalue Adjustments	EA	2

Quarry Estates, First Addition

November 24, 2015

Page 3

Sidewalk and Shared-Use Path, PCC, 4"	SY	3,915
Seeding (Type 1), Fertilizing and Mulching	AC	25
Inlet Protection	EA	16
Silt Fence	LF	2,500
Stabilized Construction Entrance	EA	2
Conservation Seeding, Planting, and Landscaping	LS	1

COUNCIL ACTION FORM

**SUBJECT: 2012/13 CONCRETE PAVEMENT IMPROVEMENTS CONTRACT # 3
(LINCOLN WAY FRONTAGE ROAD)**

BACKGROUND:

This annual program is to remove and replace deteriorated concrete street sections. This provides enhanced rideability to the community's residents and visitors. The 2012/13 program locations included Wheeler Street (Grand Ave. to Roy Key Ave.), Southeast 5th Street (east of South Duff Ave.), and the Lincoln Way Frontage Road (Southbend Dr. to Thackeray Ave.). Council final accepted the Wheeler Street project as complete on December 16, 2014 and the Southeast 5th Street project as complete on October 13, 2015.

This specific project was for improvements on the Lincoln Way Frontage Road (Southbend Drive to Thackeray Avenue) in west Ames. The project included full depth patching of the concrete pavement in various locations along the frontage road.

On April 28, 2015, Council awarded this project to Manatt's, Inc. of Ames, Iowa in the amount of \$116,141.91. Change Order No. 1, the balancing change order, was administratively approved by staff in the amount of \$4,491.42, which reflected actual field quantities. Construction was completed in the amount of \$120,633.33.

The 2012/13 Concrete Pavement Improvements Program includes funding and expenses shown as follows:

<i>Program Funding Summary</i>	Total Funding	<i>Distribution per Location</i>		
		Wheeler St	SE 5th St	LW Frontage Rd
2012/13 Concrete Pavement Improvements Program				
GO Bonds	\$ 600,000.00	\$ 108,000.00	\$ 312,000.00	\$ 180,000.00
Road Use Tax funds	\$ 50,000.00	\$ 50,000.00		
2014/15 Water System Improvements Program				
Water Utility Funds	\$ 142,000.00		\$ 142,000.00	
2009/10 Concrete Pavement Improvements Program				
GO Bonds (unobligated)	\$ 225,000.00	\$ 225,000.00		
Totals	\$ 1,017,000.00	\$ 383,000.00	\$ 454,000.00	\$ 180,000.00
<i>Program Expense Summary</i>	Total Expenses			
Engineering & Contract Administration (actual / estimate)	\$ 164,563.62	\$ 66,576.40	\$ 73,860.56	\$ 24,126.67
Construction Costs (actual)	\$ 822,818.12	\$ 332,882.00	\$ 369,302.79	\$ 120,633.33
Totals	\$ 987,381.74	\$ 399,458.40	\$ 443,163.35	\$ 144,760.00

ALTERNATIVES:

1. Accept the 2012/13 Concrete Pavement Improvements Contract #3 (Lincoln Way Frontage Road) as completed by Manatt's, Inc. of Ames, Iowa in the amount of \$120,633.33.
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: 2014/15 COLLECTOR STREET PAVEMENT IMPROVEMENTS
 (WEST STREET & WOODLAND STREET)**

BACKGROUND:

This annual program is for reconstruction or rehabilitation of collector streets to restore structural integrity, serviceability, and rideability. The 2014/15 program locations are West Street (Sheldon Avenue to Hillcrest Avenue) and Woodland Street (West Street to Forest Glen). This project included removal of the existing pavement and replacement with new concrete pavement, storm sewer improvements, water main improvements, sanitary sewer repairs, and installation of ADA compliant pedestrian facilities.

On January 27, 2015, Council awarded this project to Con-Struct, Inc. of Ames, Iowa in the amount of \$1,287,638.25. Change Order No. 1, the balancing change order, was administratively approved by staff in the amount of \$4,817.50, which reflected field quantities. Construction was completed in the amount of \$1,292,455.75.

The 2014/15 Collector Street Pavement Improvements Program includes funding and expenses shown as follows:

<i>Program Funding Summary</i>	Total Funding
2014/15 Collector Street Pavement Improvements Program	
GO Bonds	\$ 1,205,000.00
2014/15 Water System Improvements Program	
Water Utility Funds	\$ 31,000.00
2014/15 Sanitary Sewer Rehabilitation Program	
Sanitary Sewer Utility Fund	\$ 88,000.00
2014/15 Sidewalk Safety Program	\$ 11,000.00
2014/15 Storm Sewer Improvements Program	
Storm Sewer Utility Fund	\$ 42,000.00
2011/12 Asphalt Pavement Improvements Program	
GO Bonds (unobligated)	\$ 150,000.00
2013/14 CyRide Route Pavement Improvements Program	
GO Bonds (unobligated)	\$ 24,000.00
Totals	\$ 1,551,000.00
<i>Program Expense Summary</i>	Total Expenses
Engineering & Contract Administration (actual)	\$ 258,491.15
Construction Costs (actual)	\$ 1,292,455.75
Totals	\$ 1,550,946.90

ALTERNATIVES:

1. Accept the 2014/15 Collector Street Pavement Improvements (West Street and Woodland Street) as completed by Con-Struct, Inc. of Ames, Iowa in the amount of \$1,292,455.75.
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.

ITEM #: 29
DATE: 11-24-15

COUNCIL ACTION FORM

SUBJECT: REZONE PROPERTY LOCATED AT 101, 105, AND 107 SOUTH WILMOTH AVENUE FROM RESIDENTIAL HIGH DENSITY (RH) WITH THE WEST UNIVERSITY IMPACTED DISTRICT OVERLAY TO RESIDENTIAL HIGH DENSITY (RH) AND TO REZONE THE PROPERTY LOCATED AT 205 SOUTH WILMOTH AVENUE FROM RESIDENTIAL LOW DENSITY (RL) TO RESIDENTIAL HIGH DENSITY (RH).

BACKGROUND INFORMATION:

Breckenridge Group Ames Iowa, LLC is requesting rezoning for property located at 101, 105, 107, and 205 S. Wilmoth Avenue. The four lots proposed for rezoning contain 8.91 acres and are currently zoning Residential Low Density (205 S. Wilmoth) and Residential High Density with the University West Impacted District (101, 105, and 107 S. Wilmoth). *(See Attachment A, Location and Current Zoning Map.)* The developer of the sites proposes the development of a mixed residential and commercial development and is requesting a rezoning from RL to RH for 205 Wilmoth and from RH with the West University Impacted District Overlay to the base RH zoning. *(See Attachment C, Proposed Zoning Map)*

The development of the properties will be required to be consistent with the approved settlement agreement from July 28, 2015 between the City of Ames and Breckenridge Group that would allow for future development of a residential use of up to 422 beds and the development of between 15,000 and 40,000 square feet of commercial development as mixed use. The property owner has also agreed to a three-story height limit for development of the combined sites. A contract rezoning agreement (see attached) is included with this request to ensure development will be consistent with these provisions of the settlement agreement.

City Council recently approved a minor Land Use Policy Plan Amendment for the subject properties to allow for such development. *(Attachment B, Existing LUPP Map)* The Amendment placed a commercial designation along Lincoln Way for the purpose of having mixed-use commercial buildings and had high density residential on the remainder of the site to allow for apartment development. The LUPP map shows the general boundaries of land use designation for these two uses and are not meant to be a precise delineation for future development of the sites.

The site abuts low-density zoned development to south, a majority of the land to the west is low density with one commercial site along Lincoln Way, to the north is split zoning of low-density residential and commercial, and properties to the east are mostly low-density residential with RH West University Impacted District zoning along Lincoln Way.

Under the regulations for RH zoning, commercial uses such as office, retail sales, and

restaurants are permitted through approval of a Major Site Development Plan if the area of such use exceeds 5,000 square feet. **In this case, a Major Site Development Plan would be required for development of the site due to the requirement of the settlement agreement and stipulations of the contract rezoning for at least 15,000 square feet of mixed-use commercial development.**

The RH zone for residential uses has a limit of 38.56 units per acre. A wide variety of multiple family housing types are principally allowed with RH zoned areas under the High Density designation. To provide context to the size of the site and the proposed rezoning with the 422 bed limitation agreed upon by the applicant, staff estimates an average of three bedrooms per unit for a total of 141 units split between 3 acres of commercial and 5.5 acres of residential. This would yield approximately 15-30 mixed use apartments above commercial and 110 to 125 stand alone apartment units. The average density for such a configuration would be 17 units per acre with a residential density of approximately 22 units per acre. However, this is only one example of how development could occur under the proposed designations; there are many alternative configurations to this example that are not actually known at this time.

The applicant is also requesting removal of the existing West University Impacted District Overlay zone on the three parcels (.55 acres) fronting on Wilmoth (101, 105, and 107 S. Wilmoth). The overlay does not extend across the remainder of the site. Buildings developed within the Overlay are subject to a 4-story height limit, additional front yard landscaping, architecturally designed front entrances, and a 25% higher parking rate.

The attached addendum includes additional information and analysis of the rezoning proposal.

Neighborhood Submitted Protest:

Representatives of the local neighborhood have submitted a petition protesting the rezoning of the 205 S. Wilmoth property. Section 29.1507 (8) of the Ames Municipal Code states that when more than 20% of the property within 200 feet of the proposed rezoning have protested such rezoning, the City Council shall only approve a zoning amendment with an affirmative vote of 5 of the 6 City Council members. The petition for 205 Wilmoth includes signatures from 22 of the 47 properties representing 43% of the property area within 200 feet of the 205 Wilmoth rezoning. However, the rezoning of 101, 105, and 107 does not have a valid petition for protesting the rezoning of these properties and will be subject to standard majority vote rules.

Planning and Zoning Commission Recommendation:

At a public hearing on October 21, 2015, the Planning and Zoning Commission voted 5-0 to recommend that the City Council rezone the subject properties from Residential Low Density (RL) and Residential High Density (RH) with the West University Impacted District (O-UIW) to Residential High Density (RH).

ALTERNATIVES:

Due to the two separate rezoning amendments and the petition protesting the rezoning of 205 Wilmoth, the Council must take action on two separate ordinances as described below.

Rezoning of 205 S. Wilmoth Avenue:

1. The City Council can approve on first reading the request for rezoning for the property at 205 South Wilmoth Avenue from Residential Low Density (RL) to Residential High Density (RH), based upon the applicant's project description and staff's analysis, as found in the addendum, with the contract rezoning agreement that includes the following conditions of approval:
 - a. Breckenridge develop not more than 422 beds of housing for no more than 422 residents spread across the "Enlarged North Parcel," or 350 beds if not combined;
 - b. Breckenridge develop a mixed use building or buildings with 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 have frontage on Lincoln Way;
 - c. None of the buildings on the lot may exceed three stories in height.
2. The City Council can split zone the site to approximately 3 acres of Highway Oriented Commercial and 6 acres of Residential High Density with a proper legal description prepared prior to adopting the ordinance.
3. The City Council can approve the requested rezoning of property with modified conditions of rezoning.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

Rezone of 101, 105, and 107 S. Wilmoth Avenue:

1. The City Council can approve on the first reading the request for rezoning for the properties at 101, 105, and 107 South Wilmoth Avenue from Residential High Density (RH) with the University West Impacted District Overlay to Residential High Density (RH), based upon the applicant's project description and staff's analysis, as found in the addendum, with the contract rezoning agreement that includes the following conditions of approval of the rezoning request:
 - a. Breckenridge develop not more than 422 beds of housing for no more than 422 residents spread across the "Enlarged North Parcel";
 - b. Breckenridge develop a mixed use building or buildings with 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 have frontage on Lincoln Way;
 - c. None of the buildings on the lot may exceed three stories in height.

2. The City Council can approve the requested rezoning of property with modified conditions of rezoning.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.
4. The City Council can deny the request to rezone 101,105, and 107 Wilmoth Avenue.

CITY MANAGER’S RECOMMENDED ACTION:

The four properties were recently the subject of an LUPP Amendment to provide for mixed use commercial development and apartment development. Review of the RH Checklist indicates the site scored high with the tool due to its proximity to a variety of services and access to transit. The site scores high on the tool because of its proximity to a variety of daily services (commercial, parks, etc.) and employment centers including ISU campus. Although project design details are not available at this time, the limits on intensity of use and height along with tax abatement incentives for design features are an approach to help ensure a compatible and desirable future development of the site. Individual site layout and design issues will have to be considered in more depth when a site plan is available for review.

The designation of the LUPP amendment to HOC for the frontage of the property along Lincoln Way was intended to allow for the future development of a mixed residential and commercial development type on the property either through the recently approved mixed use overlay, or as requested through the use of the commercial opportunities allowed under the RH zone. With the contract rezoning of the site, staff feels the intent of the land use designation for a commercial function on the Lincoln Way frontage is being provided and therefore can be found to conform to the LUPP. It will be important at the site plan stage of the development to confirm that the commercial component does in fact meet commercial development interests and that the site overall includes suitable transitions between the proposed uses on the site as well as with the surrounding commercial and residential uses abutting the property.

Prior to the development of the site, infrastructure adequacy will be verified in connection with the Major Site Development Plan criteria. Sanitary Sewer service will be verified by the Public Works Department based upon a precise project description. Additionally, evaluation of the traffic generated by the project and site access points will be required.

Due to the submitted neighborhood protest for the rezoning request for the property at 205 S. Wilmoth Avenue, Council is required to have two separate motions for the proposed rezoning. **Therefore, in regards to the rezoning request for 205 S. Wilmoth Avenue, the City Manager recommends Alternative #1 for the City Council to approve the rezoning of property at 205 South Wilmoth Avenue from Residential Low Density (RL) to Residential High Density (RH) with the contract rezoning agreement.**

For the rezoning request for 101, 105, and 107 S. Wilmoth Avenue, the City Manager recommends Alternative #1 for the City Council to approve the rezoning

of the properties at 101, 105, and 107 South Wilmoth Avenue from Residential High Density (RH) with the University West Impacted District Overlay to Residential High Density (RH) with the contract rezoning agreement.

ADDENDUM

REZONING BACKGROUND:

Existing Land Use Policy Plan. The LUPP designation of the subject area is Highway Oriented Commercial on the Lincoln Way frontage with High Density Residential on the remaining area of the site. This revision to the LUPP was recently approved by the City Council. An existing LUPP map of the immediate area can be found in Attachment B.

The intent of the Highway Oriented Land Use designation is for commercial uses that are appropriate for strip developments along the frontage of major thoroughfares such as Lincoln Way in this case. While the Highway Oriented Land use designation does not strictly allow for a mixed commercial/residential land use, the commercial uses typical of this type of strip development is compatible with a mixed use development and can be seen to be appropriate for this area of Lincoln Way. With the requirements of the settlement agreement for mixed use development, and the use of a zoning contract to effectuate the terms for commercial uses the proposed request, while even under residential zoning, can be seen to be compatible with the intended land use of the Highway Oriented Commercial designation of the LUPP.

The area of the property not fronting on Lincoln Way has been designated at High Density Residential in the LUPP. The High Density Residential Designation is described in the LUPP as a development density exceeding 11.22 units per acre. The LUPP does not include a stated maximum density, but the corresponding zoning of RH has a limit of 38.56 units per acre. A wide variety of multiple family housing types are principally allowed with RH zoned areas under the High Density Land Use Designation. Due to the size of the site, appropriate transitions appear to be able to be incorporated into the design of the site in a manner that is consistent with other commercial areas to the west of the subject site that will interface with the proposed residential properties.

The applicant has provided support materials (found in Attachment E) regarding the proposed rezoning and its conformance with the Land Use Policy Plan.

Zoning. The subject parcels are currently zoned Residential Low Density (RL) on the 205 Wilmoth parcel (previously the school track property) and High Density Residential (RH) on the three acquired parcels fronting on South Wilmoth Avenue. The three properties zoned RH also are encompassed within the West University Impacted District Overlay zone. The applicant is requesting rezoning for a mixed residential and commercial development in the Residential High Density (RL) zone. The applicant is also requesting removal of the existing West University Impacted District Overlay zone on the three parcel fronting on Wilmoth (101, 105, and 107 S. Wilmoth). The properties to the north and northeast of the subject sites are zoned HOC and RL and properties to the west, south, and east are zoned RL with some RH zoned properties west of the site.

With the required use of the property as a mixed use development, the split in the LUPP designation of the site could allow for both HOC and RH zoning districts to be compatible with the existing LUPP designation. As requested, the RH zone permits commercial uses and can comply with the commercial requirement of the development while also allowing for a range of residential uses. Based on the minimum 15,000 square feet of commercial area required for the development within the settlement, the approval of a Major Site Plan for the entire site will be required prior to development of the properties.

The RH zone does not have any specific site layout or design requirements other than the base zone bulk/density development standards. General parking and landscape requirement will apply. However, the Major Site Plan criteria triggered by the amount of commercial space will allow for site design and layout review including such elements as building scale and placement, drainage, landscaping, vehicular and pedestrian access, parking and circulation as well as safety requirements.

The HOC zone could also be requested to meet the commercial requirements, however, would not permit the residential uses above the commercial space as a base zone. The mixed use overlay would have to be applied to a HOC zoning request to address an allowance for mixed use buildings with residential uses above the first floor commercial space. This designation would require the submittal of a Major Site Plan at the time of the rezoning request to show compliance with the standards and guidelines of the mixed use overlay including such elements and building orientation, parking, access, FAR, minimum commercial area, interior building heights, etc. **Staff believes these Mixed Use guidelines will still be appropriate to be considered and applied to any mixed use development along Lincoln Way, regardless of the base zoning.** Base HOC zoning has other slight differences in its development standards compared to RH. Differences could include landscaping open space percentage of 15%, reduced setbacks, and other minor differences.

The West University Impacted District Overlay area is intended to allow for increased housing diversity and density in and around the University, while regulating uses by addressing such items as location, height, landscaping and fencing, parking, and exterior façade materials. The overlay's most significant regulations compared to RH base zone standards are the 4-story height limit, parking at a rate of 1.25 spaces per bedroom, and enhanced landscaping. The removal of the overlay zone, as requested by the application, does remove such regulations from the affected sites, however, the requirements of the Major Site Plan for the overall project for the commercial uses on the property will be able to address many of the same elements of the site regarding site layout, landscaping and buffering. Additionally, the contract rezoning with a three story height limit and bedroom limitation are more restrictive than the Overlay.

Access. The properties have frontage on both Lincoln Way and S. Wilmoth Avenue. Hilltop Avenue also dead ends along the south property line of the subject property. It is anticipated that commercial access from Lincoln Way will be desired for the commercial component of the project; however, residential access for the remainder of the site should be designed off of the S. Wilmoth frontage.

Staff believes that reviewing localized effects of operations near the site and accessing

the site is the highest priority for understanding the potential traffic impacts of development. A traffic study is usually triggered when at least 100 peak hour trips are added to the transportation network. The scope of evaluation then depends on the specific types of trips, nearby operations, and potential for project specific impacts. The proposed development of the site within the limits of the development agreement would likely exceed that 100 trip threshold and the Public Works Department would request a specific evaluation based on the potential for significant impacts from a particular project. Although we have existing traffic counts and projections for Lincoln Way operations at key intersections, we do not have specific information at Wilmoth. This means dealing with access from Lincoln Way and use of Wilmoth as a concentrated point of access for the apartments will at a minimum necessitate a traffic evaluation at the time of site plan review.

Additionally, it is noted that while there is existing transit service to the area by way of existing routes and stops on Lincoln Way. This site would have immediate access to the system along Lincoln Way. However, currently CyRide is at capacity at many peak travel times during the day.

Infrastructure. Access to existing sewer and water infrastructure is available to the site from both Lincoln Way and S. Wilmoth Avenue. Staff finds that the capacities of sanitary sewer, water, and traffic access are acceptable to plan for the more intense development on this site. Verification of sewer capacity is required in this area as part of a sewer master planning and modeling efforts that are underway. Any specific improvements needed for a particular development type or configuration can be identified and addressed Major site development plan review stage. Easements needed for the site utilities can be addressed through the future consolidation of the lots as part of the Plat or at the time of Site Plan review of the property.

Urban Revitalization. The City Council has a separate issue from the rezoning request that directed establishment of an Urban Revitalization Area with an incentive of tax abatement for a project includes specific features relating to site design. A number of the items related to commercial standards and minimum compatibility features for apartment development, such as brick facades, architectural entrances, roof types, parking, minimum fencing and buffer standards. It should be noted the tax abatement incentives are not mandatory conditions of development unless the property owner seeks the property tax abatement incentive. A list of the draft tax abatement prerequisites is included as Attachment F.

Applicant's Statements. The applicant has provided an explanation of the reasons for the rezoning. See Attachment E.

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

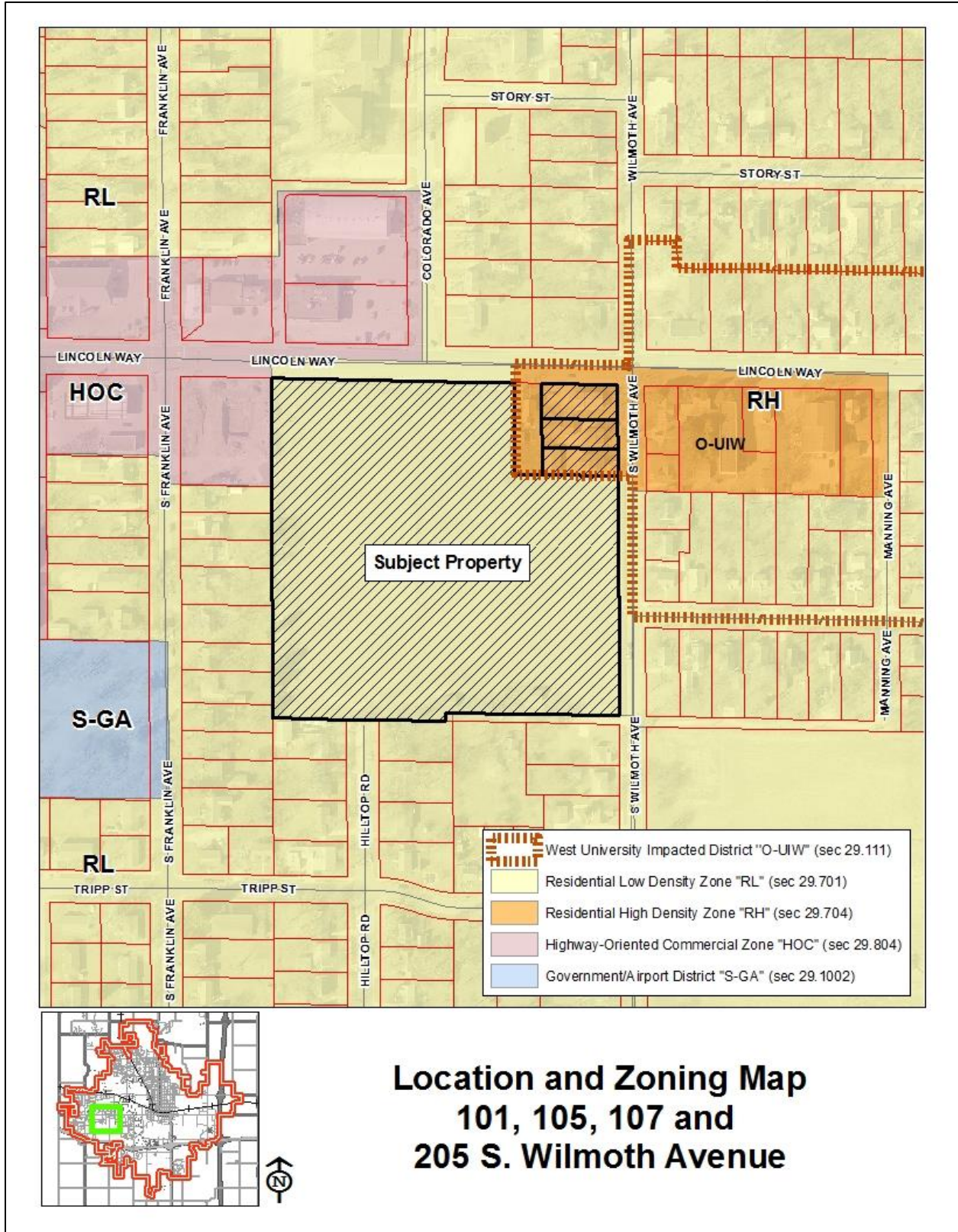
1. *Ames Municipal Code Section 29.1507(2)* allows owners of fifty percent (50%) or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property.

2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “Highway Oriented Commercial” and “Residential High Density”.
3. The “Residential High Density” and the “Highway Oriented Commercial” land use designation of the LUPP can be determined to support the “RH” (Residential High Density) zoning designation. Multiple-family residential uses as well as commercial land uses can be developed in the RH, provided a contract obligates the zone to a minimum area of commercial space, the RH zoning request can be determined to meet the goals of the Highway Oriented Land Use designation.
4. Infrastructure is generally available for development of the properties. Verification of capacity for a specific project will occur prior to project approval. Necessary easements for service line connections will be determined at the Site Plan review stage.
5. Access to this site is from Lincoln Way and South Wilmoth Avenue, both being public street rights-of-way.

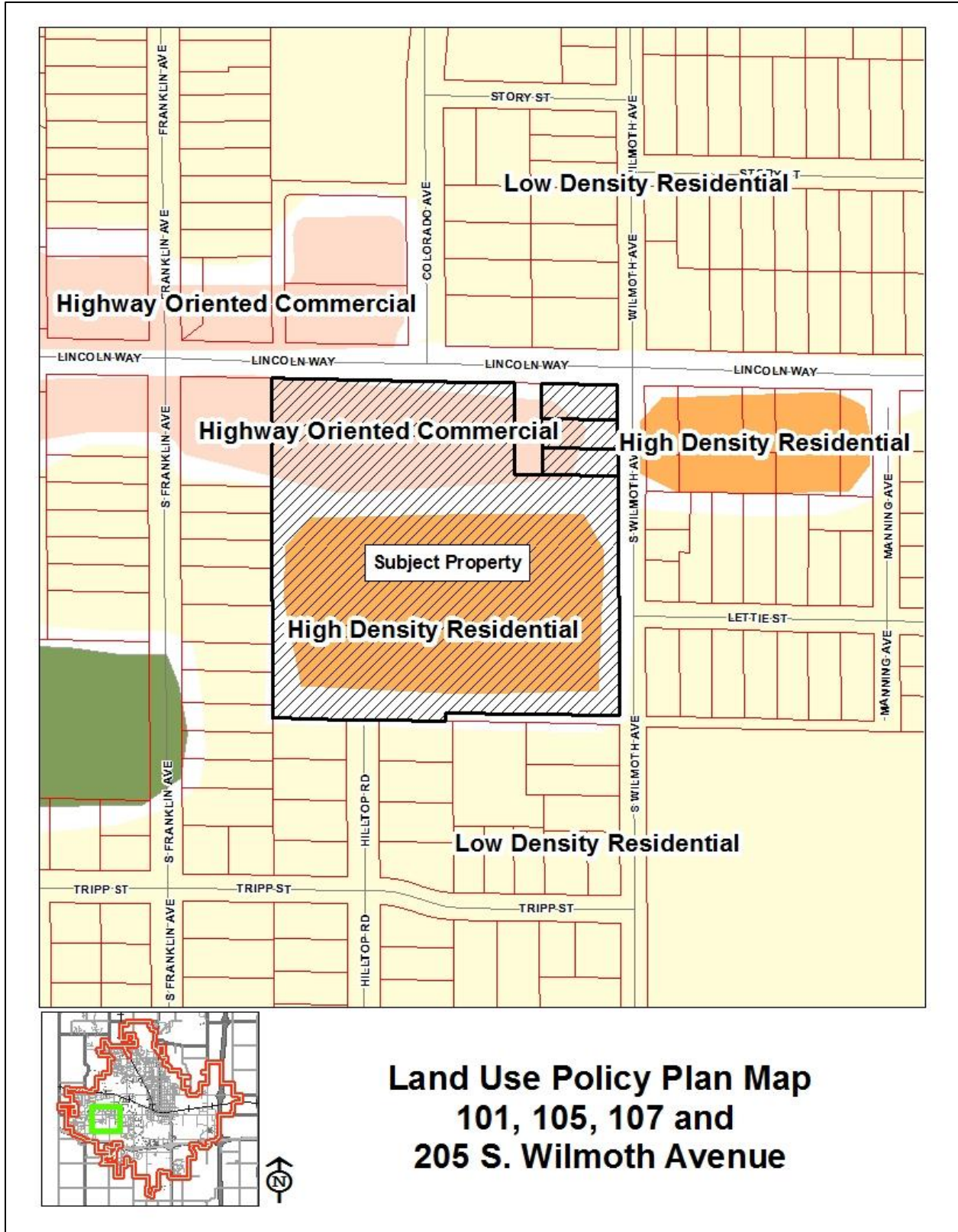
Public Notice. Notice was mailed to property owners within 200 feet of the subject sites and a sign was posted on the subject property.

Representatives of the local neighborhood have submitted a petition with 23% of the owners within 200 feet of site protesting the rezoning of the site. This means that at the time of a City Council consideration of the request, it would require an affirmative vote by 5 of the 6 City Council members for the rezoning to be approved.

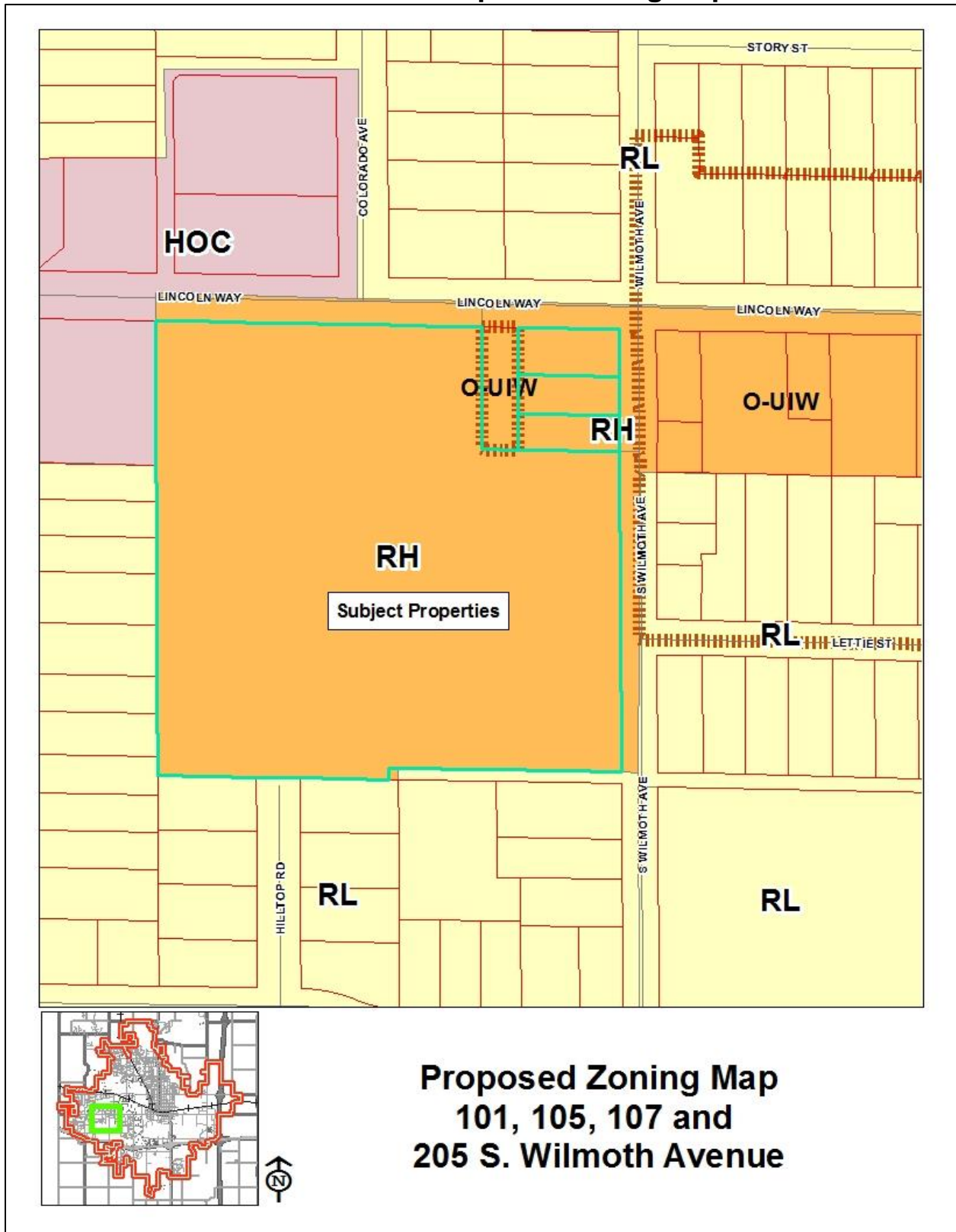
Attachment A: Location and Current Zoning



Attachment B: Land Use Policy Plan Map [Excerpt]



Attachment C: Proposed Zoning Map



**Proposed Zoning Map
101, 105, 107 and
205 S. Wilmoth Avenue**

Attachment D: 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.

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

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

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

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

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

- 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, provisions for public protest of a rezoning.
- Ames *Municipal Code* Chapter 29, Section 704, Residential High Density, includes a list of uses that are permitted in the RH zoning district and the zone development standards that apply to properties in that zone.

Attachment E: Applicant Statement

Aspen Heights Development Rezoning Application

Applicant Statement

1. A written explanation of the reasons for the requested rezoning.

The subject property is currently made up of two different zonings as described below in item 3. It is the intent of the applicant to rezoning the property, as described in item 4, to allow for a mixed use development made up primarily of apartment style housing with a limited amount of commercial area along Lincoln Way.

2. A written explanation of the consistency of this rezoning with the Land Use Policy Plan (LUPP).

The requested rezoning is consistent with the goals described in Chapter One, "Planning Base" of the LUPP in the following ways:

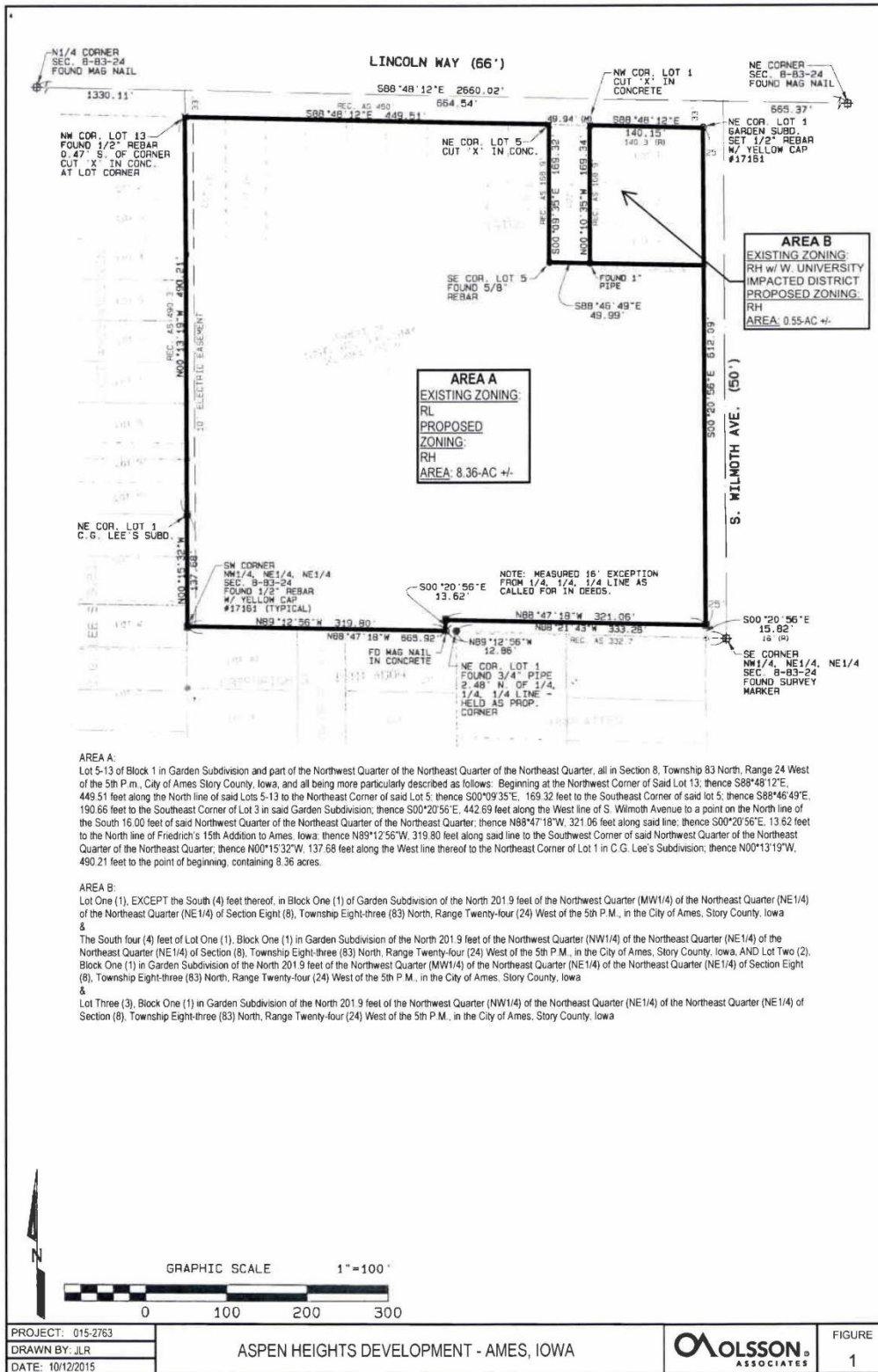
- a. Planning and management of growth
Additional land is needed to allow for residential growth. Rezoning this property would help the Ames community in achieve their goals.
- b. Developable area provisions
This rezoning will convert the property to a use conforming to the City's long range plan and goals, while also conserving land resources at the peripheral of Ames for future grow and development.
- c. Environmental-friendliness
As the property exists today, the community is seeing little to no benefit to the natural and visual environment. As a grass field void of existing trees and landscaping, the property is not inviting from a visual or habitat prospective. As required by the development criteria of Ames, development of this property will includes trees, landscaping, and water quality features, that will enhance not only the visual appearance of the property and a sense of place for those living there, but also provide additional animal habitat within the urban core of the community.
- d. Sense of place and connectivity
As proposed, this rezoning will create a mixed use development. Mixing uses of residential and commercial/retail will develop a sense of place where residents may be able to live and shop without leaving the overall development. Reducing the need for residents to travel on the existing transportation system.
- e. Cost-effectiveness and efficient growth pattern
By rezoning a property within the urban core, this development will be able to use existing utilities and other City infrastructure systems already in place. This inherently reduces the cost of development, along with immediate and long term costs to the City.

Attachment E: Applicant Statement, Cont.

- f. **Housing opportunities expansion**
The major use as proposed by this zoning is residential. Goal No. 6 states, "It is the goal of Ames to increase the Supply of housing..." By rezoning this property from Low Density to High Density, the rezoning will do just that. Additional housing will be added to the community providing for more choice among the Ames residents.
 - g. **Mobility and alternative transportation**
When planning and locating multi-family developments, it is important that they are located on or in close proximity to major transportation thoroughfares. The property is located along Lincoln Way, a major corridor through the City of Ames.
 - h. **Downtown as a central place**
This zoning does not propose any activities that would duplicate those offered by Downtown, or in anyway, diminish the role of Downtown as a community focal point.
 - i. **Economic expansion and diversification**
With the inclusion of a commercial/retail uses within the development as a whole, this will provide the opportunity for small business growth with a defined consumer base within walking distance.
 - j. **Cultural heritage preservation**
The limits of the property included in the rezoning does not impact any known historical or architecturally significant structures or areas.
3. Current Zoning of the subject property.
Refer to attached Figure 1:
Area A: Residential Low Density "RL"
Area B: Residential High Density "RH" w/ W. University Impacted District
 4. Proposed Zoning of the subject property.
Refer to attached Figure 1:
Area A: Residential High Density "RH"
Area B: Residential High Density "RH"
 5. Proposed use of the property in sufficient detail to determine code compliance.

The development, as currently proposed, is to re-develop the property from an institutional use to and multi-family apartment style complex along with a small amount of retail/commercial space to be located along Lincoln Way. The development shall be designed to meet current City codes, for not only building construction, but landscaping and buffering, parking, stormwater management, and traffic distribution.

Attachment E: Applicant Statement, Cont.



Attachment F: URA DRAFT Qualifying Criteria

1. All buildings shall use clay brick as the principal building material for 80% of the front facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50% of the façade materials.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20% of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.
6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.
12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.
13. No balconies shall face the perimeter of the site.

RH Site Evaluation Matrix

RH Site Evaluation Matrix	Project Consistency		
	High	Average	Low
Location/Surroundings			
Integrates into an existing neighborhood with appropriate interfaces and transitions High=part of a neighborhood, no significant physical barriers, includes transitions; Average=adjacent to neighborhood, some physical barriers, minor transitions; Low=separated from an residential existing area, physical barriers, no transitions available		X	
Located near daily services and amenities (school, park ,variety of commercial) High=Walk 10 minutes to range of service; Average=10 to 20 minutes to range of service; Low= Walk in excess of 20 minutes to range of service. *Parks and Recreation has specific service objectives for park proximity to residential	X		
Creates new neighborhood, not an isolated project (If not part of neighborhood, Does it create a critical mass or identifiable place, support to provide more services?)		X	
Located near employment centers or ISU Campus (High=10 minute bike/walk or 5 minute drive; Average is 20 minute walk or 15 minute drive; Low= exceeds 15 minute drive or no walkability)	X		
Site			
Contains no substantial natural features on the site (woodlands, wetlands, waterways)	X		
Located outside of the Floodway Fringe	X		
Separated adequately from adjacent noise, business operations, air quality (trains, highways, industrial uses, airport approach)		X	
Ability to preserve or sustain natural features		X	
Housing Types and Design			
Needed housing or building type or variety of housing types		X	
Architectural interest and character		X	
Site design for landscape buffering		X	
Includes affordable housing (Low and Moderate Income)			X
Continued next page...			
Transportation			

Adjacent to CyRide line to employment/campus High=majority of site is 1/8 miles walk from bus stop; Average= majority of site 1/4 mile walk from bus stop; Low= majority of site exceeds 1/4 miles walk from bus stop.	X		
CyRide service has adequate schedule and capacity High=seating capacity at peak times with schedule for full service Average=seating capacity at peak times with limited schedule Low=either no capacity for peak trips or schedule does not provide reliable service		X	
Pedestrian and Bike path or lanes with connectivity to neighborhood or commute	X		
Roadway capacity and intersection operations (existing and planned at LOS C)		X	
Site access and safety		X	
Public Utilities/Services			
Adequate storm, water, sewer capacity for intensification High=infrastructure in place with high capacity Average=infrastructure located nearby, developer obligation to extend and serve Low=system capacity is low, major extension needed or requires unplanned city participation in cost.		X	
Consistent with emergency response goals High=Fire average response time less than 3 minutes Average=Fire average response time within 3-5 minutes Low=Fire average response time exceeds 5 minutes, or projected substantial increase in service calls		X	
Investment/Catalyst			
Support prior City sponsored neighborhood/district investments or sub-area planning			X
Creates character/identity/sense of place			X
Encourages economic development or diversification of retail commercial (Mixed Use Development)		X	

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 205 South Wilmoth Avenue, is rezoned from Residential Low Density (RL) to Residential High Density (RH).

Real Estate Description:
(205 S. Wilmoth Avenue)

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

feet along said line to the Southwest Corner of said Northwest Quarter of the Northeast Quarter of the Northeast Quarter; thence N00°15'32"W, 137.68 feet along the West line thereof to the Northeast Corner of Lot 1 in C.G. Lee's Subdivision; thence N00°13'19"W, 490.21 feet to the point of beginning, containing 8.36 acres.

Section 2: The real estate, as rezoned to RH, is subject to the limitations described with the Contract Rezoning Agreement as provided for in Iowa Code Section 414.5.

Section 3: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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

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 101, 105, and 107 South Wilmoth Avenue, is rezoned from Residential High Density (RH) with the University West Impact Overlay to Residential High Density (RH).

Real Estate Description:
(101, 105, and 107 S. Wilmoth Avenue)

Lot One (1), EXCEPT the South (4) feet thereof, in Block One (1) of Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Eight (8), Township Eight-Three (83) North, Range Twenty-Four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa;

and,

The South four (4) feet of Lot One (1), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section (8), Township Eight-Three (83) North, Range Twenty-Four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa, AND Lot Two (2), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the

Northeast Quarter (NE1/4) of Section Eight (8), Township Eight-Three (83) North, Range Twenty-Four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa;
and,

Lot Three (3), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section (8), Township Eight-Three (83) North, Range Twenty-Four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa.

Section 2: The real estate, as rezoned to RH, is subject to the limitations described with the Contract Rezoning Agreement as provided for in Iowa Code Section 414.5.

Section 3: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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

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

Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Ave., Ames, IA 50010; 515-239-5146

Return to: Ames City Clerk, Ames City Hall, P.O. Box 811, Ames, IA 50010

**CONTRACT REZONING AGREEMENT BETWEEN BRECKENRIDGE GROUP
AMES IOWA LLC AND THE CITY OF AMES**

THIS AGREEMENT (“Agreement”) made and entered into this ____ day of _____, 2015, by and between the City of Ames, Iowa (hereinafter called “City”) and Breckenridge Group Ames Iowa LLC (hereinafter called “Developer”) (the City and the Developer are sometimes hereinafter collectively referred to as the “Parties” or individually as a “Party”), their successors and assigns.

RECITALS:

WHEREAS, Developer has applied to the City for rezoning of the parcel at 205 South Wilmoth Avenue (the “North Parcel”) from its present zoning designation of RL (Residential Low Density) to RH (Residential High Density) as legally described on Attachment A and depicted on Attachment B; and

WHEREAS, Developer has applied to the City for rezoning of 101, 105 and 107 South Wilmoth Avenue (collectively, the “Adjacent Parcels”) (the North Parcel and the Adjacent Parcels are hereinafter collectively referred to as the “Enlarged North Parcel”) from their present zoning designation as RH (Residential High Density) with a West University Impacted District overlay (the “Overlay”), to a base RH (Residential High Density) zoning designation without the Overlay as legally described on Attachment A and depicted on Attachment B; and

WHEREAS, Developer and the City desire to enter into this Agreement related to the development of the North Parcel and optionally by the Developer as the Enlarged North Parcel to incorporate provisions of the Settlement Agreement between Breckenridge and the City of Ames dated on or about August 3, 2015, that affect the North Parcel and/or the Enlarged North Parcel, as provided for under Iowa Code Section 414.5.

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

I.
INTENT AND PURPOSE

- A. It is the intent of this Agreement to:
1. Recognize that the Developer is the owner of multiple properties that are being rezoned (i.e. the North Parcel and the Adjacent Parcels) and has expressly agreed to the imposition of additional conditions as authorized pursuant to Iowa Code Section 414.5.
 2. Restate and confirm the terms of the Settlement Agreement with respect to the intensity of development on the North Parcel.
 3. Restate and confirm the terms of the Settlement Agreement with respect to the ability of the Developer to consolidate the North Parcel and the Adjacent Parcels into the Enlarged North Parcel.
 4. Restate and confirm the terms of the Settlement Agreement with respect to the requirement of a mixed-use development on the North Parcel with a certain minimum (i.e 15,000 sf) and maximum (i.e. 40,000 sf) amount of commercial space.
 5. Restate and confirm the terms of the Settlement Agreement with respect to specific height limitations for the structures to be built on the North Parcel or on the Enlarged North Parcel.
 6. To support rezoning of the Adjacent Properties to RH without the Overlay and to establish a 3-story height limit to ensure compatible development of the properties.

II.
INTENSITY OF DEVELOPMENT OF PARCEL(S)

Upon the consolidation of the North Parcel and the Adjacent Parcels into the Enlarged North Parcel, the maximum number of beds of housing that can be developed is four hundred twenty-two (422) for no more than four hundred twenty-two (422) residents. In the event the North Parcel is not consolidated into the Enlarged North Parcel, then the development on the North Parcel shall be limited to no more than three hundred fifty (350) beds of housing and 350 residents.

III.
OTHER SETTLEMENT TERMS

- A. Commercial Space Requirements. The Developer shall develop on the North or the Enlarged North Parcel a minimum of fifteen thousand (15,000) square feet of

commercial space, up to a maximum of forty thousand (40,000) square feet of commercial space on the first floor of a mixed use building or mixed use buildings that may have frontage on Lincoln Way. (Discussed on phone with BTOR, by listing only buildings it will force all structure on Lincoln to be mixed use, which is not Breckenridge's intent)

- B. Height of Buildings. None of the buildings on the North Parcel, Adjacent Parcels, or Enlarged North Parcel may exceed three (3) stories in height. (discussed on the phone with BTOR)

IV. GENERAL PROVISIONS

A. Non-Inclusion of Other Improvement Obligations. The Parties acknowledge and agree that it is not possible to anticipate all the infrastructure requirements that the Developer may be required to complete to properly develop the North Parcel, Enlarged North Parcel, or Adjacent Properties. Therefore, the Parties agree that all work done by and on behalf of the Developer with respect to, but not limited to, water, sanitary sewer, transportation, electric service, and storm water, shall be made in compliance with Iowa Code, Iowa Statewide Urban Design and Specifications (SUDAS), and all other federal, state, and local laws and policies of general application, including but not limited to the Ordinances (as defined in Article IV(E) herein), whether or not such requirements are specifically stated in this Agreement. (per phone call with BTOR that first sentence not needed)

B. Modification; Consistency with Settlement Agreement. The Parties agree that this Agreement may be modified, amended or supplemented only by written agreement of the Parties and only as necessary to carry out terms of the Settlement Agreement.

C. General Applicability of Other Laws and Ordinances. The Developer understands and agrees that all work done by or on behalf of the Developer with respect to, but not limited to, transportation improvements (both on-site and off-site), building design and construction, site improvements, and utilities (both on-site and off-site) shall be made in compliance with Iowa Code, the Ames Municipal Code, Iowa Statewide Urban Design and Specifications(SUDAS) and all other federal, state and local laws of general application, whether or not such requirements are specifically stated in this Agreement. All ordinances, regulations and policies of the City now existing, or as may hereafter be enacted, shall apply to activity or uses on the North Parcel, Enlarged North Parcel, or Adjacent Parcels.

D. Incorporation of Recitals and Exhibits/Attachments. The Recitals, together with any and all exhibits and other attachments hereto, are confirmed by the Parties as true and incorporated herein by reference as if fully set forth verbatim. The Recitals and exhibits are a substantive contractual part of this Agreement.

E. Reservation of Rights. Notwithstanding anything in this Agreement to the contrary, including, but not limited to, language herein concerning the requirement of the

Developer to comply with ordinances, regulations and policies (collectively, the “Ordinances”) of the City related to the development of the North Parcel, Enlarged North Parcel, or Adjacent Parcels, the Developer hereby reserves the right to dispute, challenge, seek a waiver of and/or variance for or otherwise contest any and all of such Ordinances and the City and the Developer hereby understand, acknowledge and agree that the execution of this Agreement shall not, in any manner, be deemed a waiver of any right of the Developer with respect to the applicability of or compliance with the Ordinances.

**V.
COVENANTS RUN WITH THE LAND**

Except as expressly provided herein, this Agreement shall run with the North Parcel and Adjacent Parcels and shall be binding upon the Developer, its successors, subsequent purchasers and assigns. Each Party hereto agrees to cooperate with the other in executing a Memorandum of Agreement that may be recorded in place of this document.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed effective as of the date first above written.

Signatures on Following Page

CITY OF AMES, IOWA

By _____
Ann H. Campbell, Mayor

Attest _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

On this _____ day of _____, 2015, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 2015, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

BRECKENRIDGE GROUP AMES IOWA LLC

By _____
Greg Henry, Manager

STATE OF TEXAS, COUNTY OF TRAVIS, ss:

This instrument was acknowledged before me on _____, 2015, by Greg Henry, Manager of Breckenridge Groups Ames Iowa LLC.

Notary Public in and for the State of Texas

COUNCIL ACTION FORM

SUBJECT: PUBLIC HEARING FOR DESIGNATION OF THE SOUTH WILMOTH AVENUE URBAN REVITALIZATION AREA

BACKGROUND:

Breckenridge Group Ames, LLC, (commonly referred to as Breckenridge) is requesting the designation of 101, 105, 107, and 205 S. Wilmoth Avenue as an Urban Revitalization Area. The proposed Urban Revitalization Area comprises the former north middle school parcel (205 S Wilmoth Avenue) as well as three additional parcels (101, 105, and 107 S. Wilmoth Avenue) acquired by Breckenridge. The property addressed as 205 S Wilmoth is a vacant parcel of land while the three other parcels have vacant residential structures on them. A location map is found in Attachment 1.

The settlement agreement with Breckenridge Group, approved on July 28, 2015, allows Breckenridge to construct an apartment complex of up to 422 beds. The project will also must have between 15,000 and 40,000 square feet of commercial space along the Lincoln Way frontage as mixed use development.

The City Council approved an amendment to the Land Use Policy Plan future land use map on September 22. Breckenridge is also seeking to rezone the land encompassed by the proposed Urban Revitalization Area to RH (High Density Residential) and to remove the O-UIW (West University Impacted Overlay) from the three small parcels on the northeast corner of the site.

URBAN REVITALIZATION PLAN:

The draft South Wilmoth Avenue Urban Revitalization Plan is attached to the Council Action Form. The Plan includes all of the materials required under Iowa Code and includes the qualifying criteria selected by the City at their October 13 meeting.

As part of the final plan, staff has included minor changes to address administration of the URA and clarify the intent.

A) Iowa Code requires the Plan to state a timeframe in which the Plan may expire. The Plan includes an expiration date of December 31, 2021 and that any improvement requesting abatement must be complete by that deadline. If a project has already been determined to be eligible for abatement, then it would continue to receive abatement consistent with the chosen schedule and requirements of state law.

B) Under Applicability, the Plan now states in addition to complying with a site development plan approval, the buildings must have received building certificates of occupancy. **This does not mean building must be occupied by people or businesses, but that the construction of the buildings complies with Ames**

Municipal Code requirements for occupancy of a building. This was added based upon experience with previous URAs clarifying that that the City did not support abatement of unfinished buildings.

C) Council's qualifying criteria were modified for #1 and #8 as shown in strike through and underline sections. To avoid confusion of the word front, staff inserted the term street facing as was previously used in the Multi-Family Criteria rather than the use of the term front that is used in Campustown. The intent is still the same, which is that any façade oriented towards a street, Lincoln Way or Wilmoth, would be required to have 80% brick rather than 50% brick. In the event of a site being a corner or through lot, the zoning code considers a site to have two fronts which could trigger two facades being street facing.

Staff notes that Breckenridge (See attached Email) believes that the meaning of this section should be that only buildings literally fronting upon a street must meet the 80% brick enhancement standard and that in the event that a building is located behind another building that the second building would only be subject to the 50% brick requirement. Staff has not made this requested clarification as it would be up to Council to make this determination and direct staff to insert a clarifying sentence to Criteria #1. **Council could insert language, if it so desired, as follows: "Buildings substantially obstructed by other street facing buildings must only have one façade that meets the 80% brick requirement."**

The changes to #8 are to add meaning to the phrase "architectural enhanced." When administering this standard in the West Impact Overlay, there is a wide range of covered overhangs that are proposed to meet the standard that do not fully accomplish the goal of the standard and Staff wanted to clarify the intent.

These criteria are found in Attachment 3 of the Urban Revitalization Plan and are listed below.

1. All buildings shall use clay brick as the principal building material for 80% of a front street facing façade area, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50% of the façade materials.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20% of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses;

Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.

6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings visual interest and identifying the entrance.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.
12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.
13. There shall be no balconies facing the south, west or east on the perimeter of the project.

Breckenridge provided a letter prior to the October 13 City Council meeting which states that they feel the criteria go beyond the expectations of the settlement agreement. In response to that letter Council deleted the commercial leasing requirement. The College Creek/Old Ames Middle School neighborhood provided additional proposed criteria prior to that October 13 meeting that were not specifically incorporated into the draft plan. To date, no additional comments have been presented to staff other than Breckenridge's request for clarification of the 80% brick standard for street facing facades discussed above.

ALTERNATIVES:

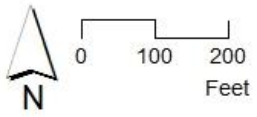
1. The City Council can approve the first reading of an ordinance establishing the South Wilmoth Avenue Urban Revitalization Area and by resolution approve the South Wilmoth Avenue Urban Revitalization Plan.
2. The City Council can modify or change the South Wilmoth Avenue Urban Revitalization Area or Plan and then approve the ordinance and resolution.

MANAGER'S RECOMMENDED ACTION:

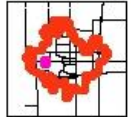
The settlement agreement identified a number of steps necessary for Breckenridge and the City to undertake. In summary, Breckenridge has transferred the south parcel (601 State Avenue) to Iowa State University, the City is conducting due diligence on the middle parcel (321 State Avenue), and the City has amended the Land Use Policy Plan future land use map. Remaining to be completed are the rezoning, the establishment of the Urban Revitalization Area, the Breckenridge's optional consolidations of parcels by means of a plat of survey.

The City Council gave initial direction regarding the qualifying criteria included in the Urban Revitalization Plan at the meeting on August 11 and subsequently amended them at the meeting on October 13. The Urban Revitalization Plan accompanying this Council Action Form reflects the direction of the City Council with staff suggested clarifications. **Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby adopting the South Wilmoth Urban Revitalization Plan and approving the first reading of the Tax Abatement ordinance for the properties at 101, 105, 107, and 205 South Wilmoth Avenue.**

ATTACHMENT 1: LOCATION MAP



Legend
 Proposed URA



Front Façade - Clarification (Breckenridge)

Torresi, Brian D. to Kelly Diekmann, Judy K Parks

cc: "MDugl, JadeC", Charlie Vatterdt, Jared Rasmussen

Kelly and Judy – as we have discussed, there appears to be some confusion and/or ambiguity with respect to what “front façade” means in criterion #1 of the urban revitalization requirements for the Breckenridge development. To be clear, we knew there would be increased front façade requirements, so we are not objecting to the requirement. The issue, though, is what “front” means. As you know, the development will likely consist of a mixed-use building along Lincoln Way, a clubhouse in the area where 101, 105, and 107 S. Wilmoth currently sit, and two buildings behind those structures (one with frontage along S. Wilmoth and the other in the rear of the lot behind the two other residential buildings). Thus, we assume front façade would be the north face of the Lincoln Way building (facing the street) and the east face of the building along S. Wilmoth, and NOT any face of the buildings that are behind/obstructed by those other buildings and/or set back from the street(s). We propose that we adjust criterion #1, for clarity, to read as follows:

“All buildings shall use clay brick as the principal building material for 80% of the **street facing** facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50% of the façade materials. **In the event that a building is substantially blocked from view by an intervening building or set back greater than 200 feet from a street, then only one facade of the obscured or set back building must meet the 80% street facing facade requirement.**”

This language is more in-line with our expectations, and clarifies the term “front” as used in the revitalization criterion. Clearly “front” façade, which is meant to improve aesthetics from street views, was not meant to mean obscured buildings or buildings set back a certain distance from the street. And, to that point, you have not produced any evidence that this interpretation has been consistently applied to other projects across the city, so there may nonetheless be a reasonableness/good faith issue.

Please pass this along to appropriate channels so that this matter can be clarified prior to approval of the urban revitalization plan.

Feel free to call with questions.

Respectfully,

Brian D. Torresi | Attorney (also admitted in New York) | 515-246-7860 |
www.DavisBrownLaw.com
2605 Northridge Parkway, Suite 101 | Ames, Iowa 50010 | Fax: 515-471-7860

The Davis Brown Law Firm is committed to providing **Exceptional Client Service**. For a review of the supporting principles, go to www.davisbrownlaw.com/exceptional.

This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply E-mail and destroy all copies of the original message.

HEALTHCARE PRIVACY STATEMENT: This message may contain protected health information that is strictly confidential. If you have received this email, you are required to maintain the security and confidentiality of the information and may not disclose it without written consent from the patient or as otherwise permitted by law. Unauthorized disclosure may be subject to federal and state penalties.

ORDINANCE NO. _____

**AN ORDINANCE TO DESIGNATE THE URBAN REVITALIZATION AREA
FOR SOUTH WILMOTH AVENUE**

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

Section 1: The land described as:

205 S. Wilmoth Avenue:

Parcel M of Garden Subdivision Lots 5-13 and a part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa as recorded on Slide 483, Page 4 as Instrument No. 2014-00003844 in the Office of the Story County Recorder

101 S. Wilmoth Avenue:

Lot One (1), except the South four (4) feet thereof, in Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa

105 S. Wilmoth Avenue:

The South four (4) feet of Lot One (1), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa and Lot Two (2), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa

107 S. Wilmoth Avenue:

Lot Three (3), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., in the City of Ames, Story County, Iowa

is hereby designated, pursuant to Chapter 404, *Code of Iowa*, as the South Wilmoth Avenue Urban Revitalization Area.

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.

Section 4: This ordinance will sunset on December 31, 2021.

ADOPTED THIS _____ day of _____, 2015.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

South Wilmoth Avenue Urban Revitalization Plan

In accordance with Chapter 404, Code of Iowa

Legal Description (see Attachment 1: Location Map for Map Numbers)

Map #	Parcel ID	Address	Legal Description
1	09-08-225-020	205 S Wilmoth Ave.	Parcel M of Garden Subdivision Lots 5-13 and a part of the Northeast Quarter (NE ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5 th P.M., in the City of Ames, Story County, Iowa as recorded on Slide 483, Page 4 as Instrument No. 2014-00003844 in the Office of the Story County Recorder
2	09-08-225-040	101 S Wilmoth Ave.	Lot One (1), except the South four (4) feet thereof, in Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5 th P.M., in the City of Ames, Story County, Iowa
3	09-08-225-050	105 S Wilmoth Ave.	The South four (4) feet of Lot One (1), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5 th P.M., in the City of Ames, Story County, Iowa and Lot Two (2), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5 th P.M., in the City of Ames, Story County, Iowa

4	09-08-225-060	107 S Wilmoth Ave.	Lot Three (3), Block One (1) in Garden Subdivision of the North 201.9 feet of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5 th P.M., in the City of Ames, Story County, Iowa
---	---------------	--------------------	---

Assessed Valuations

Map #	Land Value	Building Value	Total Value
1	\$350,000	\$0	\$350,000
2	\$76,300	\$73,700	\$150,000
3	\$31,100	\$71,900	\$103,000
4	\$30,000	\$62,500	\$92,500

Owners and Addresses

Map#	Owner Name	Owner Address
1	Breckenridge Group Ames Iowa LLC	1301 S Capital of Texas Highway, Ste. B201, Austin TX 78746
2	Breckenridge Group Ames Iowa LLC	1301 S Capital of Texas Highway, Ste. B201, Austin TX 78746
3	Breckenridge Group Ames Iowa LLC	1301 S Capital of Texas Highway, Ste. B201, Austin TX 78746
4	Breckenridge Group Ames Iowa LLC	1301 S Capital of Texas Highway, Ste. B201, Austin TX 78746

Zoning and Land Uses (See Attachment 2: Zoning of Proposed URA)

Map #	Existing		Proposed	
	Zoning	Land Use	Zoning	Land Use
1	RL	Vacant	RH or Commercial	Commercial and High Density
2	RH, O-UIW	Apartments	RH	High Density Residential
3	RH, O-UIW	Apartments	RH	High Density Residential
4	RH, O-UIW	Apartments	RH	High Density Residential

RL=Low Density Residential
RM=Medium Density Residential
O-UIW=West University Impacted Overlay

Proposed Expansion of Services

The proposed urban revitalization area will continue to receive all services from the City of Ames. There is no proposed extension or increase in the level of service.

Applicability

Revitalization is applicable only to new construction and only in conformance with the approved site development plan and that the principal buildings have received building certificates of occupancy. Revitalization is available to all allowed uses on the site that meet the qualifying criteria found in Attachment 3 of this Plan.

Relocation Plan

There are no occupied residential structures in the proposed area. No relocations are anticipated, in the event relocation is necessary it is at the sole expense of the property owner.

Tax Exemption Schedule

The property owner may choose one of the following options:

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.

Required Increase in Valuation

The project shall require an increased in assessed valuation of at least fifteen percent.

Federal, State or Private Funding

No federal, state, or private funding (other than the developer's financing) is anticipated for this project.

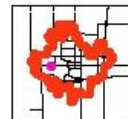
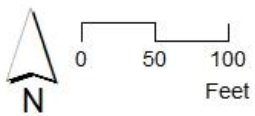
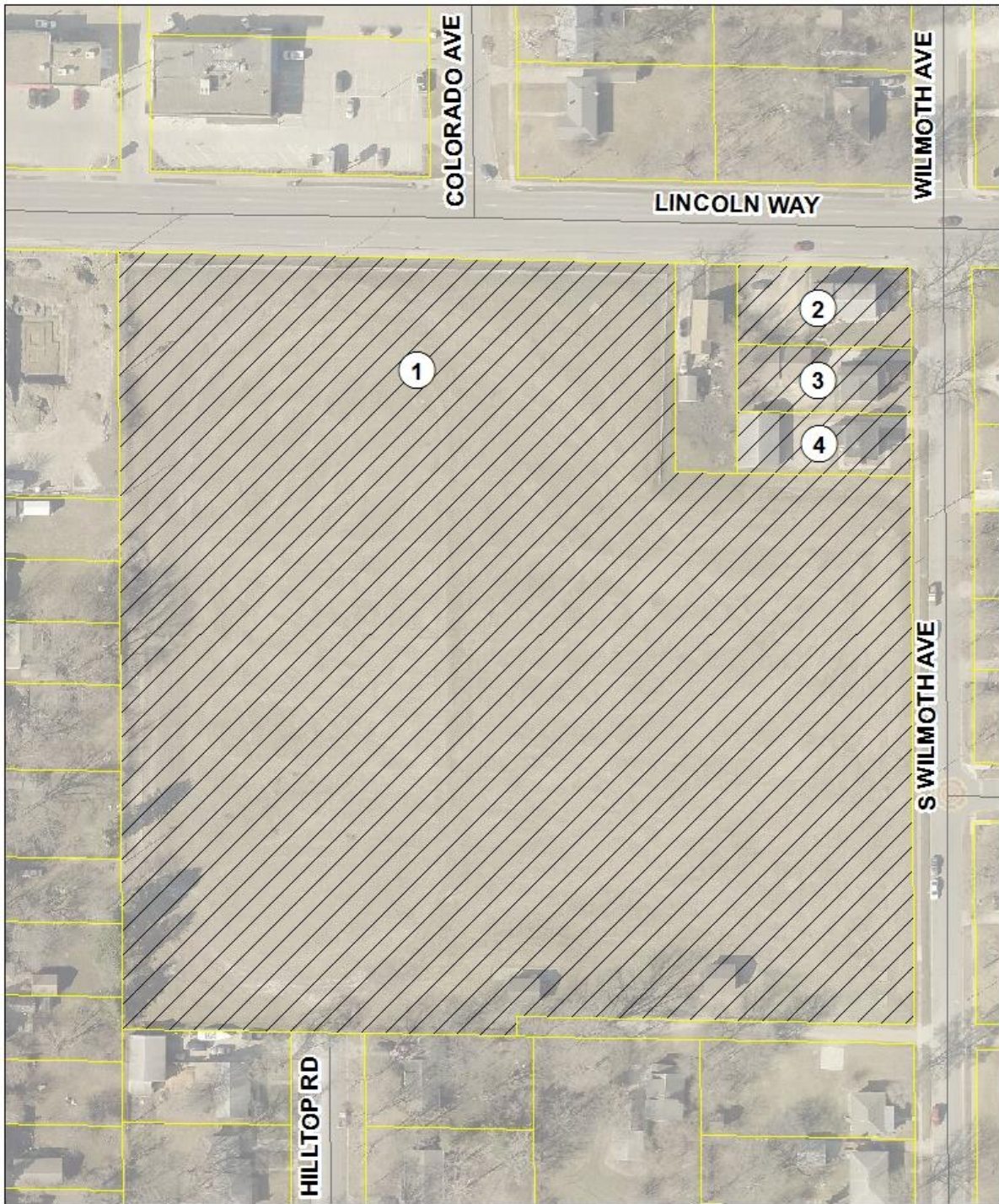
Duration

The Urban Revitalization Area shall expire on December 31, 2021. All projects seeking tax abatement must have been completed prior to expiration. Projects already determined to be eligible for tax abatement shall continue to receive tax abatement consistent with the chosen schedule for abatement and in accordance with state law.

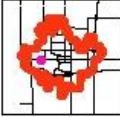
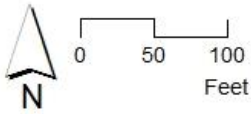
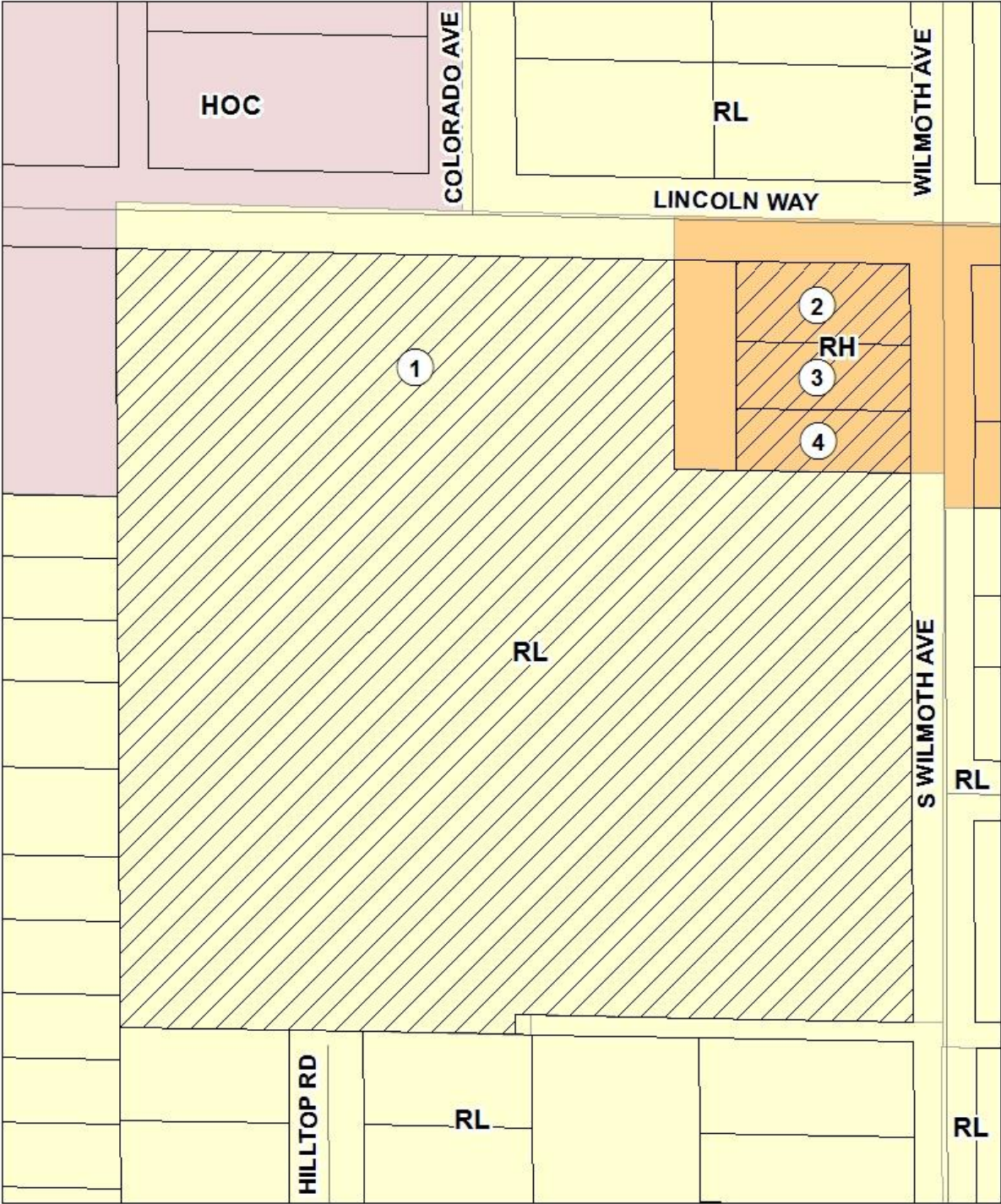
Additional Criteria

In order to be eligible for tax abatement, a project must be consistent with City ordinance and the a project also meeting the criteria in Attachment 3.

ATTACHMENT 1: LOCATION OF PROPOSED URBAN REVITALIZATION AREA



ATTACHMENT 2: ZONING OF PROPOSED URBAN REVITALIZATION AREA



ATTACHMENT 3: ADDITIONAL QUALIFYING CRITERIA

1. All buildings shall use clay brick as the principal building material for 80% of the street facing facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50% of the façade materials.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20% of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.
6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings visual interest and identifying the entrance.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.
12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.
13. There shall be no balconies facing the south, west or east on the perimeter of the project.

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY STREET REPAIRS

BACKGROUND:

The Water Pollution Control Facility (WPCF) was originally graded and paved with asphalt in 1988 as a part of the original plant construction. Since the time of placement, the pavement has seen repeated heavy loads and many freeze and thaw cycles that have deteriorated the pavement and caused failure. The major pavement failures include fatigue cracking along with rutting and raveling. These issues with the pavement are a result of poor surface water drainage, along with the original design thickness of the asphalt not being able to meet traffic demands it must serve.

This project will consist of removing and replacing the existing failed pavement with both asphalt and concrete. Concrete will be placed in areas of heavy loading to prevent any asphalt rutting in the future. To reduce material cost for the project, the millings from the existing pavement will be used to repair areas of poor sub-base and also resurfacing the granular roads at the facility. Along with removing and replacing the pavement, minor grading to the facility will be included to help improve the drainage of the site.

On October 13, 2015, Council issued a notice to bidders. Staff opened bids on November 12, 2015. The bids are summarized below.

Bidder	Base Bid	Concrete Option	Asphalt Option	Add Alternate	Total
Manatt's, Inc.	\$171,965.48	No Bid	\$183,768.00	\$51,168.00	\$406,901.48
Absolute Concrete	\$164,528.00	\$199,849.60	No Bid	\$46,945.00	\$411,322.60
Engineer's Estimate					\$425,000.00
Con-Struct, Inc.	\$161,267.90	\$231,404.80	No Bid	\$39,160.00	\$431,832.70

This project was bid with the option of asphalt or concrete construction and an add alternate to replace curb, gutter, and sidewalks associated with the Administration Building. The total amount, including the "add alternate," came in under the estimated project cost.

The work was jointly designed in-house by the Water & Pollution Control and Public Works Departments at a charge to the project account of \$613. The total project cost

including engineering fees is \$407,514.48. This project was included in the 2013/14 Capital Improvements Plan for the amount of \$450,000.

ALTERNATIVES:

1. Award a contract for the WPCF street repairs project to Manatt's, Inc., of Ames, Iowa, in the amount of \$406,901.48.
2. Do not award a contract at this time.

MANAGER'S RECOMMENDED ACTION:

The existing pavement at the WPCF has exceeded the original design life and has started to fail in the past several years. These failures are due to poor drainage and heavy loads that the facility sees on a regular basis. The low bid, including a bid alternate for select curb, gutter, and sidewalk repairs, is below the engineer's estimate. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

REQUEST: CONTRACT REZONE OF PROPERTY LOCATED AT 516 S. 17TH STREET FROM “HOC” (HIGHWAY-ORIENTED COMMERCIAL) TO “RH” (RESIDENTIAL HIGH DENSITY).

BACKGROUND:

On October 13, 2015, the City Council held a public hearing for the rezoning of approximately 12 acres of property at 516 S. 17th Street (see *Attachment A – Location/Zoning Map*). Council directed staff to proceed with rezoning of the site with a contract rezoning agreement. The full October 13 Council Action Form can be found at this [link](#).

The City Council directed staff to return with a signed contract rezoning reflecting the following conditions, prior to the first reading of the ordinance for the proposed rezoning:

- A. The developer is responsible for the installation and cost of construction of traffic improvements, at the intersection of S. 16th Street and Golden Aspen Drive for either an additional lane or traffic signal based upon warrant analysis. The timing for construction and the extent of such traffic improvements will be at the direction of the City.
- B. Create a deed restricted no-build area approved by the Public Works Director in the southwest corner of the site for future South Grand extension.
- C. Reservation of future street right-of-way for the future extension of S. 17th Street to the west property line.
- D. Leasing terms to lease by the unit and timing of leasing.
- E. Development intensity limited to 209 units and 525 bedrooms, pending acceptance of traffic mitigation by the Public Works Director.

The Development Agreement as prepared by the City Attorney’s Office, in coordination with the Planning and Housing Department, addresses the items listed above (see *Attachment B – Contract Rezoning Agreement*). Provisions of the Agreement are generally described as follows:

- Public Works has accepted the traffic mitigation as proposed for Golden Aspen and Kellogg. These off-site traffic improvements, include the installation of a left-turn lane at the intersection of S. 16th Street and Golden Aspen Drive, and the striping of a left turn lane at Kellogg Avenue and S. 16th Street. The estimated current cost of the improvements is \$20,000.
- The Agreement specifies that the Developer shall reserve street area across the site for the eventual extension of South Grand Avenue to Airport Road, as shown in the Ames Area MPO Long Range Transportation Plan. In addition, the Developer agrees to create a deed-restricted no-build area on the site within the

defined South Grand Extension area. The final delineation of the area would be prior to approval of subdivision or minor site development plan.

- Future street right-of-way, at a width of 80 feet, is to be reserved for the extension of S. 17th Street from the east property line of the site to the west property line. This extension will facilitate a connection of S. 17th Street to S. Grand Avenue once the segment between S. 16th Street and U.S. Highway 30 is constructed. The exact alignment of the street will be determined prior to approval of the preliminary plat, or prior to a minor site development plan approval, if there is no further subdivision of the property.
- The Developer agrees to provide lease terms that are not solely structured upon an August 1 to July 31 lease cycle.
- The Agreement limits the intensity of development by requiring that the Developer provide a mix of studio, one-, two- and three-bedroom units, and a maximum of 525 bedrooms in the development. **This is a slight change from the original terms that limited both units and bedrooms.** The intent of this provision in the Agreement is that the City is more interested in seeing smaller units overall rather than larger units. The basis for the unit limitation was the transportation impacts associated with 209 units of development. Staff has since translated the 209 units to bedrooms (a rate of 2.5 beds per unit) to more effectively promote housing unit diversity and also provide for traffic mitigation. As part of this change, the developer also agreed to limit units to a maximum of three bedrooms, rather than a Zoning Code allowance for four or five bedroom units.

The Developer, Scott Randall, has reviewed the Agreement, as prepared by staff, and has agreed to the conditions specified in the Agreement and provided the signed contract for Council approval by November 24.

ALTERNATIVES:

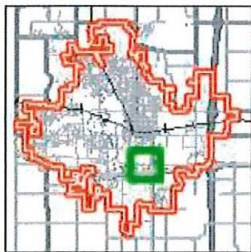
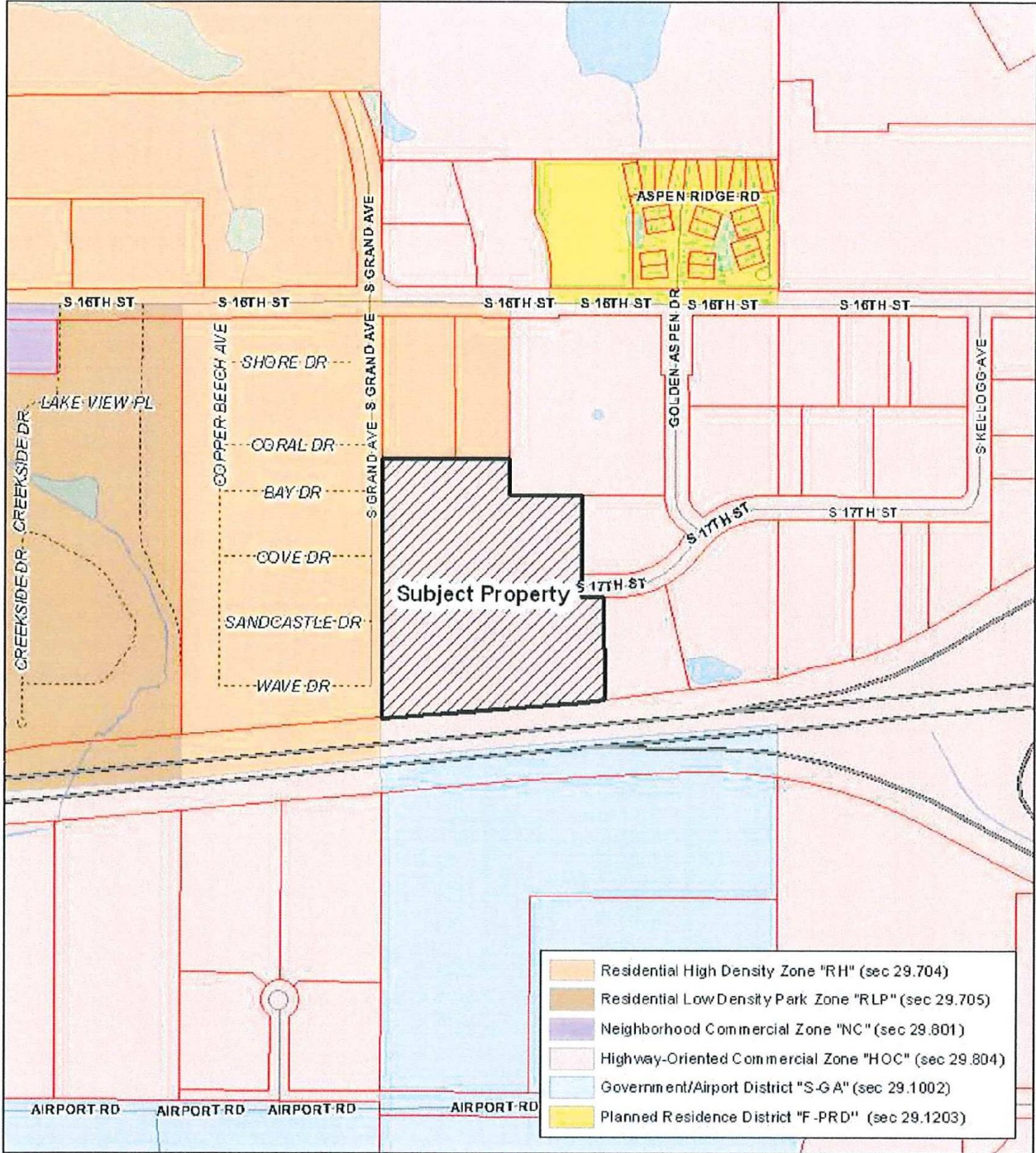
1. The City Council can approve on first reading an ordinance to rezone property at 516 S. 17th Street from "HOC" (Highway-Oriented Commercial) to "RH" (Residential High Density), based upon the findings and analysis of the October 13, 2015, Council Action Form, with the signed contract rezoning agreement.
2. The City Council can keep the public hearing open and refer this item back to staff and/or the applicant for further information or for revisions to the contract and direct staff to put the item on the December 8, 2015, City Council agenda for final consideration.
3. The City Council can deny the request to rezone property at 516 S. 17th Street from "HOC" (Highway-Oriented Commercial) to "RH" (Residential High Density) if the Council finds the request is not consistent with the City's policies and regulations.

MANAGER’S RECOMMENDED ACTION:

The applicant has worked with staff for several months on the issues and concerns involved with the rezoning of the property at 516 S. 17th Street. With Council’s direction from October 13th to proceed with finalizing a contract rezoning in support of the request to RH, staff believes the proposed contract meets the interests of the City for the rezoning of the site to RH.

Therefore, the City Manager recommends Alternative #1, that the City Council approve on first reading an ordinance to rezone property at 516 S. 17th Street from “HOC” (Highway-Oriented Commercial) to “RH” (Residential High Density), based upon the findings and analysis of the October 13, 2015, Council Action Form, with the signed contract rezoning agreement.

Attachment A – Location/Zoning Map



Location/ Zoning Map
516 S. 17th Street

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

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 516 South 17th Street, is rezoned from Highway-Oriented Commercial (HOC) to Residential High Density (RH).

Real Estate Description: Outlot B, Aspen Business Park, First Addition, Ames, Story County, Iowa.

Section 2: The real estate, as rezoned to RH, is subject to the limitations described with the Contract Rezoning Agreement as provided for in Iowa Code Section 414.5.

Section 3: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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

Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Ave., Ames, IA 50010; 515-239-5146
Return to: Ames City Clerk, 515 Clark Ave., P.O. Box 811, Ames, IA 50010

**CONTRACT REZONING AGREEMENT BETWEEN
THE CITY OF AMES AND SCOTT E. RANDALL AND JANE S. RANDALL
CONCERNING PROPERTY LOCATED AT 516 SOUTH 17TH STREET**

THIS AGREEMENT, made and entered into this ____ day of _____, 2015, by and between the CITY OF AMES, IOWA (hereinafter called “City”) and SCOTT E. RANDALL AND JANE S. RANDALL (hereinafter called “Developer”), their successors and assigns,

WITNESSETH THAT:

WHEREAS, the Developer owns land located at 516 South 17th Street legally described as:

Outlot B, Aspen Business Park First Addition;

and

WHEREAS, Developer has applied to the City for rezoning the parcel from its present designation as HOC (Highway Oriented Commercial) to RH (Residential High Density), consistent with the Land Use Policy plan; and

WHEREAS, it has been the intention and representation of the Developer to undertake a project of construction of residential high density housing upon that tract; and

WHEREAS, the Developer’s tract is located in an area of the community which is characterized by high density residential and highway oriented commercial zones; and

WHEREAS, the Parties hereto desire to allow development of this parcel in a manner that will protect, preserve and respect the existing community, which they believe can best be accomplished with a Contract Rezoning under Iowa Code Chapter 414.5, followed by conventional zoning approvals to accomplish the development of this parcel.

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

**I.
INTENT AND PURPOSE**

A. It is the intent of this Agreement to:

1. Recognize that the Developer is the owner of the parcel located at 516 South 17th Street which is being rezoned to Residential High Density, but expressly agrees to the imposition of additional conditions as authorized pursuant to Iowa Code section 414.5.
2. Provide for cost sharing of off-site traffic improvements required for the development which is contemplated to occur on the parcel.
3. Provide space reservation for the future extension of South Grand through the parcel to the south.
4. Provide space reservation for the extension of South 17th Street to the east to the future extension of South Grand.
5. Provide assurances from the Developer as to providing a diverse opportunity for housing through construction of a mix of unit types and bedroom configurations, and with leasing terms not based on an August 1 to July 31 rental term.

**II.
OFF-SITE TRAFFIC IMPROVEMENT COSTS**

A. Off-Site Traffic Improvement Costs. With regard to off-site improvements, the Developer agrees to pay for improvements to the intersection of South 16th Street and Golden Aspen Drive, specifically to include an additional traffic lane and striping improvements on Kellogg Avenue, as needed to safely absorb the additional pedestrian and vehicular traffic generated by the development contemplated on the parcel.

The Developer's share shall be financially secured to the City in a cost amount to be determined by the City's Public Works Department, with that Department furnishing an annual update of the estimated cost. The improvements currently are estimated at a cost of \$20,000.

The Developer may construct the required improvements at their own discretion prior to direction from the City to install the required improvements. The City may require construction of the improvements by the Developer at any time and allow for the developer to complete the improvements within 12 months of written notice to construct the improvements. In the event the improvement is not complete and

accepted by the City, financial security shall be provided to the City prior to final plat approval or Minor Site Plan approval, whichever occurs first.

III. SOUTH GRAND EXTENSION

- A. Space reservation for South Grand Extension. Developer shall reserve street right-of-way across its lot for the eventual extension of South Grand Avenue, which is in the Ames Area Metropolitan Planning Organization Long Range Transportation Plan. Under this plan, South Grand Avenue shall extend onto the Developer's parcel to allow a perpendicular approach to extend the road under Hwy. 30. Exhibit A to this agreement illustrates the intended general area for reservation for an 80-foot right-of-way road. However, recognizing that the exact route is yet to be determined, the specific route location and reservation area shall be determined no later than the time of final plat approval or Minor Site Development Plan approval, whichever occurs first.

- B. Deed Restricted No-Build Zone. Developer agrees to create a deed-restricted no-build area on the site within the defined South Grand Extension area. The Developer shall not build any structures or place required development improvements necessary for use of the site on top of such land.

IV. INTENSITY AND LEASING

Developer shall provide a mix of studio, one-, two- and three-bedroom units. Development intensity shall be limited to no more than a total of 525 bedrooms. The Developer agrees to provide lease terms that are not solely structured upon an August 1 to July 31 lease cycle.

V. S. 17th STREET EXTENSION

Developer shall reserve future street right-of-way, at a width of 80 feet, for the extension of S. 17th Street to the west property line as generally represented in Exhibit A. The exact alignment of the street must be determined prior to preliminary plat approval, or prior to Minor Site Development Plan approval if there is no further subdivision of the property. The extension and final alignment of S. 17th Street shall be subject to the specifications of the City.

VI. GENERAL PROVISIONS

- A. Modification. The parties agree that this Agreement may be modified, amended or supplemented only by written agreement of the parties.

- B. General Applicability of Other Laws and Ordinances. The Developer understands and agrees that all work done by or on behalf of the Developer with respect to streets, sidewalks, shared use paths, building design and construction, and utilities (both on-site and off-site) shall be made in compliance with the Iowa Code, the Ames Municipal Code, Iowa Statewide Urban Design and Specifications and all other federal, state and local laws of general application, whether or not such requirements are specifically stated in this Agreement. All ordinances, regulations and policies of the City now existing, or as may hereafter be enacted, shall apply to activity or uses on the site.
- C. Non-Inclusion of Other Improvement Obligations. The parties acknowledge and agree that this Agreement is being executed in contemplation of a conceptual plan for development, without further review or approval of subsequent specific plans for development of the parcel. The parties acknowledge and agree that it is not possible to anticipate all the infrastructure requirements that the Developer may be required to complete to properly develop the parcel. Therefore, the parties agree that all work done by and on behalf of the Developer with respect to, but not limited to, landscaping, sidewalks, bike paths, building design, building construction and utilities, both on-site and off-site, shall be made in compliance with Iowa Code, SUDAS and all other federal, state and local laws and policies of general application, including but not limited to the Ordinances (as defined in Article VI(B) herein), whether or not such requirements are specifically stated in this Agreement.
- D. Incorporation of Recitals, and Exhibits. The recitals, together with any and all exhibits attached hereto, are confirmed by the parties as true and incorporated herein by reference as if fully set forth verbatim. The recitals and exhibits are a substantive contractual part of this Agreement.
- E. Reservation of Rights. Notwithstanding anything in this Agreement to the contrary, including, but not limited to, language in Articles II, III, IV and V herein concerning the requirement of the Developer to comply with ordinances, regulations and policies (collectively, the "Ordinances") of the City related to the development of the parcels, the Developer hereby reserves the right to dispute, challenge, seek a waiver of and/or variance for or otherwise contest any and all of such Ordinances, and the City and the Developer hereby understand, acknowledge and agree that the execution of this Agreement shall not, in any manner, be deemed a waiver of any right of the Developer with respect to the applicability of or compliance with the Ordinances.
- F. Covenant Running With the Land. This Agreement shall run with the land and shall be binding upon Developer, and on successors, assigns, heirs and any and all future titleholders of record of the land or portions thereof.
- G. Cause of Action. This Agreement does not create or vest in any person or organization, other than the City, any rights or cause of action with respect to any performance, obligation, plan, schedule or undertaking stated in this Agreement with respect to the Developer.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective as of the date first above written.

CITY OF AMES, IOWA

Scott E. Randall

By _____
Ann H. Campbell, Mayor

Jane S. Randall

Attest _____
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on _____, 2015, by Scott E. Randall and Jane S. Randall.

On this ____ day of _____, 2015, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known and who, by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. _____ adopted by the City Council on the _____ day of _____, 2015, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

Notary Public in and for the State of Iowa

Exhibit A Street Reservations

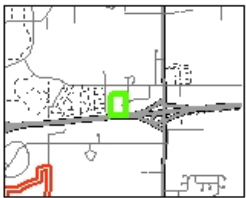


Exhibit A No Build Easement



Staff Report

Campustown Façade Program

November 24, 2015

BACKGROUND:

The Campustown Façade Program is being developed to enhance the appearance of Campustown commercial buildings. Council accepted the approach of finalizing a Façade Program based upon the Idea Book and pilot projects. Upon completion of the pilot projects, staff promised to provide an assessment of the process and have Council give direction on proceeding with formalizing the Façade Program for continued use. The City hired Haila Architecture-Structure-Planning as consultant to assist in all phases of development the program.

City Council approved design concepts for façade enhancements in November of 2014, as embodied the [Campustown Façade Idea Book](#). The Idea Book focuses on five concepts. As presented in the Idea Book, the concepts are not prioritized and considered of equal importance. The concepts are as follows:

Transparent Campustown. Visual transparency invites pedestrians to patronize the businesses inside. Physical access promotes cohesiveness within the district. Promoting more glass and larger physical openings show the commercial offerings in the district and encourage people to spend more time there.

Social Campustown. Well designed outdoor gathering areas create a positive social atmosphere. Small, unused, visible spaces can be transformed to expand commercial opportunities. It is not the intent of the program to fund sidewalk dining or other uses of the public right-of-way, although improvements to the building that are part of any outdoor gathering area project would be eligible.

Diverse Campustown. The variety of building types and design styles contribute to the vibrancy, funkiness, visual interest, and diversity of businesses. Façades are encouraged to be distinct from their neighbors and unique in the district.

Identifiable Campustown. High quality signs, graphics, and other design features that express the unique identity of local businesses can be part of a distinctive design for façade improvements.

Historic Campustown. Some buildings in Campustown have potential to illustrate the historic development of Campustown over 100 years.

Projects can include removing cover-up materials, restoring original storefronts/entrances, and restoring masonry.

In the City's 2014-2015 Budget, the City Council included funding for a Campustown Façade Program, specifically to develop design guidelines for city façade grants and to carry out two pilot improvement projects. City Council budgeted \$32,000 for two pilot projects in the 2014/2015 fiscal year. In April 2015, Council approved two grant requests for two pilot improvement projects, West Street Deli and the Cranford Building, based on the concepts within the Idea Book.

Pilot Projects:

2812 West Street is the home of West Street Deli. The façade of this one-story building, which included wood siding, two large windows and a recessed raised entry, was changed while retaining and emphasizing the two different planes in the façade surface. The project was approved to be consistent with the *transparent* design concept through the use of the new front façade windows and removal of the window vinyl. It was also found to be consistent with the *diverse* design concept, due to the appearance being distinctly different from the darker wood siding on other buildings in the same block. Additionally, the project met the *identifiable* design concept with the option for a well lit business sign on the recessed surface of the façade, a new blade sign facing pedestrians on the walk, and potential graphics at the recessed entrance expressing the brand identity of the business. Consistent with the *social* design concept, this business will continue to offer sidewalk dining.

Cranford Building is a corner property addressed as 103 Stanton. The building contains Jeff's Pizza and The Singer Station along its Lincoln Way frontage. This building has historical interest because it was designed and constructed in 1922 by the first woman to receive an engineering degree from Iowa State and because it was funded by women faculty and graduate students as their residence. The street level retail façade was covered up by wood panels and had windows and doors of a variety of sizes. While it was intended that the original brick would be restored on the building, it was determined during the demolition phase that the wood panel was coated and could not be removed, therefore a new brick façade was installed over the existing materials to mimic the approved design of the project. The doors and windows have been replaced in a regular size and pattern consistent with the original design (there was some revision from the original approval concerning these openings). Wood trim, columns, kick plate panels and other wood elements were repaired where possible, or replaced if needed. By increasing the total area of openings, the façade project was consistent with the *transparent* design concept. Restoration of materials and replicating original fenestration patterns made the project consistent with the *historic* design concept.

Haila has provided a Final Report on the evaluation and results of the two pilot projects, including before and after pictures. The report includes a recap of the process to date, an evaluation of the Idea Book based on the final construction of the pilot projects, and offers opportunities for improvement on the Idea Book, the application review process,

and consideration of project modifications during construction of a grant project. The Final Report is included as a separate document.

Staff believes both projects have successfully embodied distinct concepts of the Idea Book. The most significant critique was the number of changes that went into the Cranford after its initial presentation to Council. Additionally, the Cranford is not quite done and has had a timeframe that has taken much longer than anticipated. The longer projects or projects with delays do become time intensive on staff to keep trying to move property owners along to be consistent with their grant agreements. The West Street building looks fresh and inviting with its rehabilitation and there were no issues once it started construction. We will want to monitor the long term success of the materials choices as the character of the clear coated cedar is the most significant feature of the façade ages.

As discussed in more detail by Haila, having design investigation with the Cranford may have resulted in a smoother project and it was critical to have Haila help guide the West Street project since it did not include a design professional in its proposal. Overall the two projects are successful and show the range of what could happen under the Idea Book.

Finalize Campustown Façade Program:

Presuming Council is satisfied with the results of the pilot projects, the next step is to consider policies necessary to establish a final program. Council has budgeted \$50,000 in the FY15-16 budget for the Façade Program. After the City Council provides direction regarding the issues mentioned below, staff will return with the final program in December with the intent to allow for a new round of façade applications this winter.

The purpose of a proposed Campustown Façade Program is “to improve the Campustown mixed use district by providing financial incentives to enhance the appearance of existing and proposed new buildings with commercial uses.” The goal of the program is “to encourage and maintain the diverse culture and uniqueness of Campustown, to create a vibrant and walkable Campustown, and to increase safety, security, and investment by property and business owners and to add to the vitality of Campustown”. Based on the Idea Book, the program should support enriching the individual detail and character of each building within the context of a pedestrian oriented commercial district.

In many ways the format and process of a Campustown Façade Grant program will follow the existing Downtown program administration techniques; however, in Campustown the goals of the project are broader with less specific guidance. Downtown has a more precise purpose of restoring facades to a more traditional and historic look that lends itself to clearer expectations of performance. **The Campustown Façade Program has a broad range of concepts for unique design, social spaces and transparency that could create unique issues and opportunities in its administration. While each façade will still need to be consistent with underlying zoning standards for design and materials, the Façade Program will not**

specifically look for a consistent design theme as the Downtown Façade Program does with Historic restoration.

Considering how the pilot projects worked and the broad goals of the Campustown Façade Program, staff has outlined a few issues that should be addressed regarding eligibility criteria, requirements for awarding grants, and administration of the program that Council should consider before establishing a formal Campustown Façade Grant Program.

Program Eligibility:

1) Building Use or Ownership

Eligibility for the program should include owners and/or tenants of buildings located inside the boundaries of Façade Program area (see attached Campustown Façade Program Map), which contain Office Uses or Trade Uses as defined by the Zoning Code. This is the same use eligibility as downtown. Ineligible participants for the grant program would include owners and/or tenants of residential structures and buildings owned by the government, churches, and other religious institutions. Under the proposed guidelines, grant funds could also be allowed for new building projects and additions.

2) Second Floor Facades

With the desire for the Campustown Facade Program to promote a social and walkable design aesthetic within a mixed use environment, Council will need to determine if grant funds should be applied to improvement costs associated with residential facades above the first floor when in combination with first floor commercial facades.

Within the Downtown Façade Program, façade grant funds would not apply to any improvement costs for second floor residential façade areas. Second floor façade grant funds have been applied toward areas of the second floor when the use of the second floor facade is a compliant commercial use (office or retail). Typically commercial tenant spaces in a mixed use building have applied for funds for a first floor commercial renovation only, such as the case with the Cranford renovation. **However, if it is believed that the design features of a building above the first floor contribute to the overall character of an area as an identifiable Campustown, even as a residential facade, then upper floors could be an eligible cost. The counterpoint to this argument is that façade areas above the second floor do not contribute to a pedestrian scale design and increasing transparency as are the main goals of the program.** Therefore it may not be in the City's interest to allow for grant funding for façade improvement costs above the second floor of any building independent of use.

Program Eligibility Areas:

As previously approved in November of 2014, City Council identified the designated Campustown Service Center (CSC) zoning district and neighborhood commercial (NC) area within the West University Impacted District overlay zoning (O-UIW) as the

program eligible areas. See Attachment A. Council should confirm the intended area of eligibility.

Grant Award/Process:

1) Application Timing

Similar to the Downtown Façade Grant program, it is anticipated the program would be funded to an amount as determined by City Council during the budget cycle and awarded in early spring for construction in the summer. Grants would be awarded after a set application period and evaluated based on a scoring system to determine which project(s) would be eligible for award. **Applications would only be solicited once a year with unspent funds planned to be rolled over to the following year.** This differs from Downtown which plans for an optional second cycle of funding for leftover funds. **The reason for the difference is that there are less eligible properties to use the funds and it would ease administration burdens on staff as it has been a challenge to consistently administer a second round of funding for Downtown.**

2) Scoring

All applications will be scored by staff with the applications and results presented to Council for award. Without direction otherwise, a project will be scored equally against all Idea Book Concepts rather than prioritizing scoring for a particular concept. Generally the scoring system would incorporate an evaluation of the façade project based on how many design concepts from the Idea Book are addressed within the project and how clearly the proposed project design incorporates those concepts, the degree of visual impact the project (size and appearance), and the financial impact of the project (leveraging additional investment). The project should identify compliance with one or more of the five Design Concepts from the Idea Book, however, it is not intended that the project meet all five of the design concepts.

3) Grant Awards

It is anticipated that grant awards would be limited to up to \$15,000 per award with an equal match of improvement cost by the applicant. An additional \$1,000 of funds could be granted for professional design services. These dollars figures fit the idea of the City being invested in roughly 35% to 50% of a typical renovation cost of standard storefront. These terms are in line with the existing Downtown program. However, Council could increase the incentive for professional design assistance by raising the \$1,000 to \$2,000 to help with initial investigations and designing details.

The City Council must decide whether or not to give multiple grants for one project per year. The primary issues with the number of grants awarded, is the balance of spreading investment out to multiple parties versus concentrating incentives in one project. Staff's review of typical storefronts in Campustown is between 15 and 30 feet, in some cases large stores may exceed 40 linear feet. With typical commercial storefronts averaging between 15 to 30 feet in width along Lincoln Way between Sheldon and Welch, the impact of such façade improvement for a small single frontage, depending

on design, seems to warrant only one grant award (\$15,000). Additionally, there is the consideration of corner buildings having multiple facades. These larger building frontages could do a lot more with design, which could then have a more significant impact on the aesthetic of the district and could potentially warrant a larger grant award.

Staff is recommending that a maximum of \$30,000 (two facades) with matching improvement costs from the applicant be allowed for any one building in any one year. This ensures that at least two applications could be funded each year.

Façade Improvements:

1. Scope of Work

The program should be intended to award grant funding for projects where an improvement is made to the design aesthetic of the building, not just maintenance of the façade, such as painting, brick tuck pointing, or simple window replacement. The program should also not be allowed for grant funding for just signage or non-permanent improvements. It should also be noted that grant money will not be eligible for facade projects where the existing façades of the building are already compliant with the guidelines. Signage may be part of the matching cost through the program when in combination with a façade improvement project.

2. Applying the Concepts

As the design concepts are defined in the Idea Book, there is a possibility that a project to meet more than one of the concepts and therefore, it is also possible that in meeting one of the concepts the project could be in conflict of another concept.

For example, a project that may meet the intent of the Diverse Campustown Design Concept with a unique front façade design, while aesthetically compatible for the district, may be inconsistent with a Transparent Campustown Design Concept by covering or reducing a majority of the front storefront glass. In staff's view, this example would be viewed as ineligible for grant funding due to violation of one or more of the design concepts.

If Council members disagrees with the above approach, you could set direction on prioritizing or weighting concepts regardless of their effect on other concepts. Staff believes that based on the five concepts in the Idea Book, that the transparent and social design concepts are regarded as more desirable for a project when determining compatibility with goals for Campustown. This would lower the importance of unique identity or promoting an eclectic façade look.

3. Improvements Beyond Facades

With the intent of the façade program to promote a mixed use Campustown pedestrian character with social enhancement, it is anticipated that façade improvement project may extend beyond just the physical walls of the buildings, while still on private property. It is foreseeable that projects may include streetscape elements that would

also enhance the design of the buildings, such as permanent planters, patios or outdoor dining/seating areas (not furniture), signage, and other pedestrian scaled permanent design features. This does not include any temporary or movable streetscape elements.

Typically these types of features would not be considered a façade element; however in the context and goals of the proposed Campustown grant program, if incorporated into a façade improvement project, a design benefit could be attributed to one or more of the design concepts from the Idea Book. If Council agrees, secondary design features could be considered as matching grant funding on a project if they were permanent design features that add to the context of the overall building design. These types of features would not be eligible for funding independent of a building façade project or as part of a façade project not along a street frontage.

4. Street Facing/ Side/ Rear Facades

One of the goals is to create usable space and activity in Campustown. In some situations entrances or patio areas could be on a side or rear of a façade. This is a similar condition to Downtown. The Downtown program only supports front façade work or a secondary façade along a public space, e.g. a plaza. **Staff recommends that it be clear in the Façade Program that same standards are applied to Campustown.**

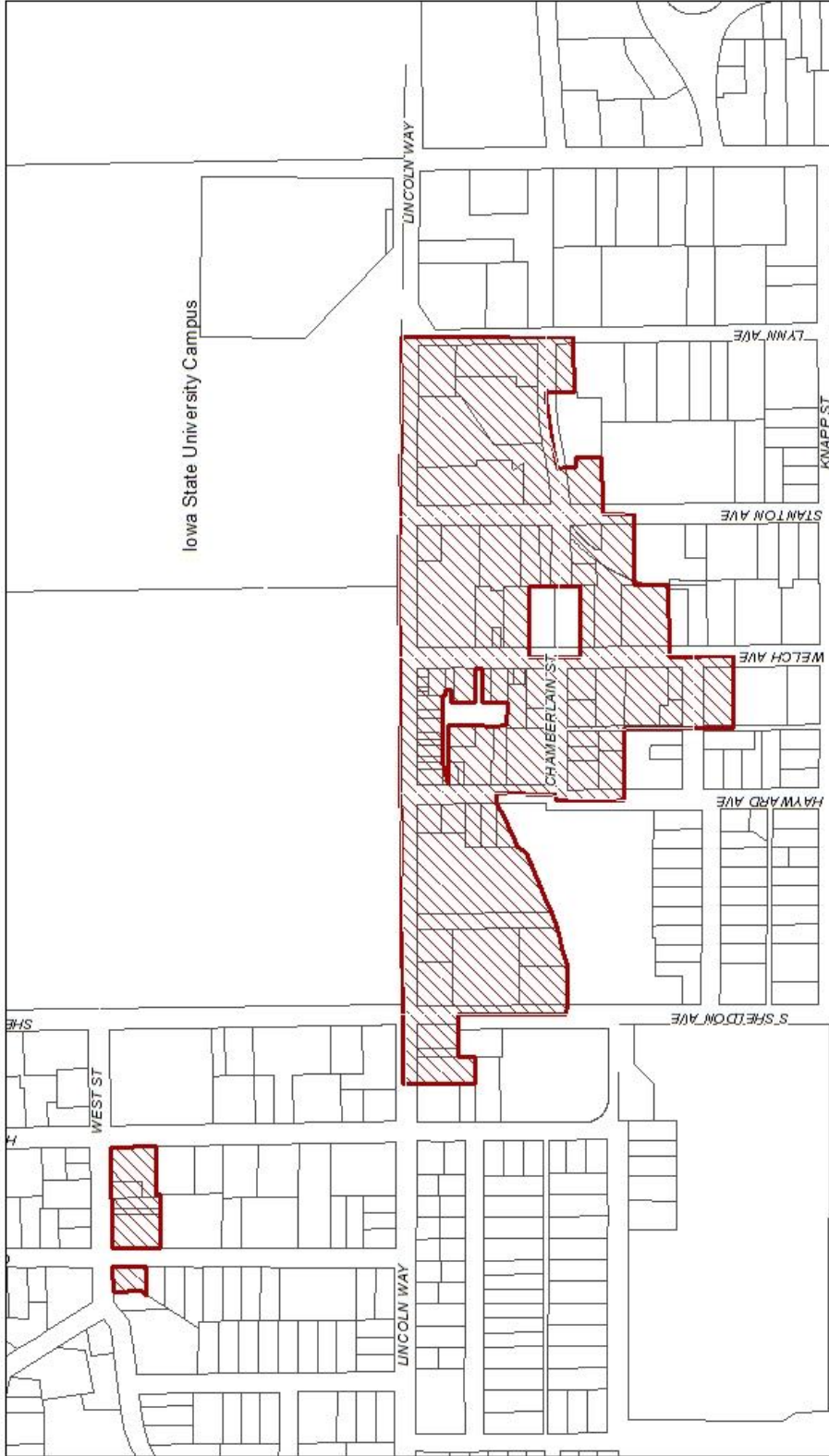
STAFF COMMENTS:

The City Council has an established goal to support Campustown and an objective to create a Campustown Façade Program. The proposed Idea Book incorporates design concepts tailored to the Campustown area. Staff believes that the proposed principles and the “Idea Book” approach reflect the characteristics of Campustown, will encourage the creativity that those characteristics call for, and can form the basis for a manageable façade grant program.

It’s likely that staff will need to work with potential future applicants to prepare design proposals that are consistent with Council’s expectations and priorities for the program. Supporting the use of design professional to help take the concepts from the Idea Book to reality is probably an important part of the program since staff will not be equipped to spend significant amounts of time within individual projects.

With the issues described above, there only needs to be general direction given on most issues for staff to formulate a final plan. With direction to proceed we will return in December to provide final program rules and guidelines to administer the program in anticipation of the first round of Campustown Grant funding starting in the next few months.

Campustown Facade Improvement Program



 Campustown Facade Grant Eligibility Area



November 20, 2015
Map prepared by Ames Planning and Housing



CITY OF
Ames™

Campustown Facade Grant Program

Pilot Year Final Report

November 2015

HAILA Architecture | Structure | Planning Ltd.



Pilot Year Final Report

Campustown Facade Grant Program

Summary

This report is a brief account of the pilot year of the Campustown Facade Grant Program, a grant program sponsored by the City of Ames. The program is intended to enhance the appearance of Campustown commercial buildings, fulfilling the objective outlined by the City Council and by Iowa State University in their mutual goal of supporting Campustown. The program is also intended to increase the vitality of the area and encourage more economic development through private investment.

In three (3) phases over the past year, the City of Ames contracted with HAILA Architecture | Structure | Planning Ltd. of Ames, Iowa, to:

1. Develop design guidelines that embody the intent of the program
2. Assist the City in reviewing applications as well as provide feedback to pilot project applicants for adherence to program design guidelines.
3. Review the pilot projects at the end of construction for adherence with program design guidelines as well as provide a report to the City; giving a brief account of the pilot year as well as suggestions for program improvement in future years.

Phase 1: Design Guideline Development

The design guidelines of the Campustown Facade Improvement were born out of several meetings with a variety of stakeholders, including Campustown tenants, property owners, Iowa State University officials, students, and residents of the South Campus Area Neighborhood. With the goal of maintaining the unique aspects of Campustown and enhancing the appearance of the district, five primary concepts were agreed on as guiding principles of the program; **Transparent, Social, Diverse, Identifiable, & Historical**

Ultimately, the intent of these guiding principles was communicated through an "Idea Book," a compilation of national and international projects that demonstrate one or more of the five primary concepts of the program. Each entry was illustrated with graphics, photos, and text to describe how the project was exemplary for its design approach as related to the five primary concepts of the Campustown Facade Improvement Program.

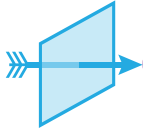
The Idea Book was completed in the late Fall 2014 and distributed to interested applicants as well as posted as a PDF of the City website.

Opportunities for Improvement: The Idea Book was a positive first step in developing non-rigid guidelines for businesses and property owners to understand the intent of the program. However, in contrast to the Downtown Facade Improvement Program where a specific historical time-period and/or style is desired, the Campustown Facade Improvement Program is much more amorphous. As such, some flexibility should be afforded in how the intent of the program is communicated through regular updates to the Idea Book. Recommendations for improvement include:

- Periodic review and replacement of Project Profile Sheets to reflect contemporary trends in architecture and design principles.
- Include an additional section of completed Campustown Facade Improvement Projects as a direct illustration and documentation of program intent and history.
- Make the Idea Book a "live document" in that it has the ability to be ever changing and updated, either through multiple authors on a collaborative platform (i.e. Google Doc, Dropbox, Evernote, etc) or through social media outlets such as Pinterest, Houzz, or Porch.com.

On a related note, future changes to City Ordinances (i.e. signage, lighting, building materials, codes, etc) should be noted and reflected in the Design Guidelines.

Primary Concepts



Transparent Campustown
Ground level transparency
Blend public / private space
Flexible design



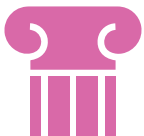
Social Campustown
Public space improvement
Park-like gathering spaces
Well lit public areas



Diverse Campustown
Eclectic environment
Vibrant & interesting
Integrated public art



Identifiable Campustown
Well articulated signage
Exterior communication



Historic Campustown
Historically oriented when
necessary or applicable

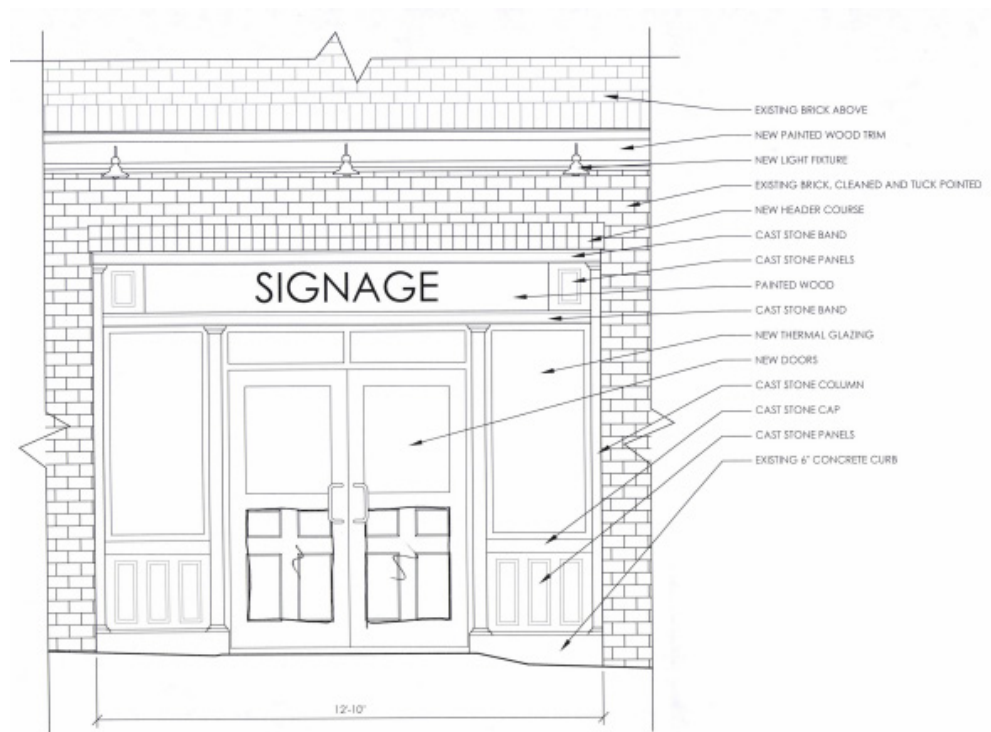
Phase 2: Application Review & Feedback

The second phase of the pilot year of the Campustown Facade Grant program focused on reviewing applications for the grant as well as providing feedback to the applicants on how to make their grant applications stronger and better aligned with the program intent.

The two properties that applied for the grant program were:

1. The Cranford Building - First Level Front Facade Renovation, 2402-2408 Lincoln Way
2. West Street Deli - Front Facade Renovation, 2810 West Street

Representatives from the City, Campustown, and HAILA Architecture met with each property owner separately after their initial application to discuss ways to make their grant application stronger and better aligned with the program intent. For example, the West Street Deli initial application sketch did little to enhance the appearance of the building as it proposed to reduce the facade to single plane of stucco with a cedar plank wainscot. In the second iteration, the variation of planes and three-dimensional geometry of the existing building were maintained, and pedestrian oriented signage, as well as new lighting were indicated, greatly improving the strength of the grant application.



PROPOSED MATERIALS

SCALE: 1/2" = 1'-0"

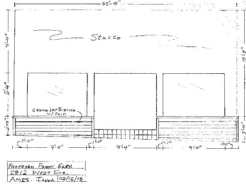
Cranford Building Initial Application & Feedback

The new doors were changed from a panelized door to a full glass door to provide greater transparency. Also, the cast stone wall elements below the glazing were clarified to explain that the design intent was to emulate the historic character of the original building.

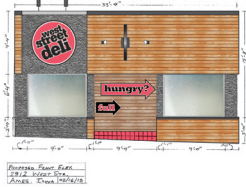


Phase 2: Application Review & Feedback (cont.)

Opportunities for Improvement: The application review and feedback process was critical to the success of the pilot year of the Campustown Facade Grant Program. It gave the City of Ames the opportunity to communicate the intent of the program. Both property owners were very receptive and responsive to the feedback which made their final application submissions much stronger.



With only two applications being received for the pilot projects, we can only speculate as to how the City will administer the grant in the future if there is greater competition for funding. Considering the rather open ended and conceptual criteria for the grant, selecting applications objectively could be challenging in the future, especially if there are many more applications than there is funding available. One idea would be to turn the application and selection process into a “Design Competition,” where City Staff, a Design Review Board, or the General Public could vote on their favorite design.



Another issue that arose was the lack of architectural and engineering investigation prior to the application process that led to changes and/or missed opportunities during the construction phases, which is outlined further in the next section of this report. The lack of investigation was due primarily to the relatively narrow window of time between the grant program’s advertisement and the grant application deadline, which should remedy itself in the future as potential applicants will be able to plan further in advance to the application deadline. However, measures can and should be taken to ensure that there are few “surprises” during construction that necessitate major scope and/or material changes to construction.

West Street Deli Second Application Iteration

In the second iteration, the variation of planes and three-dimensional geometry of the existing building were maintained, and pedestrian oriented signage, as well as new lighting were indicated, greatly improving the strength of the grant application.

One idea would be to require a licensed architect and/or engineer to sign an “Intent to Comply with Program Guidelines” form at each phase of the design and construction. A responsible architect or engineer would not likely sign off on a conceptual design if they haven’t performed some level of investigation of existing conditions.

Another measure that could be taken to help owners think through their facade renovation are prompts or checklists, either in the Idea Book or the Grant Application itself to remind applicants to inquire with an architect, engineer, and/or contractor regarding critical issues (i.e. structural considerations, moisture and water infiltration, historical considerations, constructibility, etc.).

Phase 3: Final Constructions

The third and final phase of the pilot year of the Campustown Facade Grant program is nearly complete as both pilot projects are done/nearly done with construction and a second year of projects will be under consideration in the coming months. The new facades certainly meet the intentions of the program in that they greatly enhance the appearance of their respective buildings and contribute to increased vitality and economic development through private investment of the area.

The only issue that arose during the construction phase of the program was at the Cranford Building where assumptions regarding the material condition of the existing masonry were found to be incorrect during demolition and material changes were made to the project; an additional wythe of new masonry was added in lieu of cleaning/tuck-pointing original masonry and cast stone details were changed to painted wood.



Cranford Building Final Construction

The final construction of the Cranford Building is a great improvement from the former deteriorating stucco facade along Lincoln Way. The large storefront windows contribute to greater transparency between pedestrians and the interior commercial spaces, the painted wood details provide pedestrian scale visual interest at the street level, and the new lighting will contribute to a friendly walking pedestrian experience at night.

Phase 3: Final Constructions (cont.)



West Street Deli Final Construction

The final construction of the West Street Deli Facade is very similar to the application submission. The variations in material/plane were maintained from the previous facade, the new stucco and cedar siding are very handsome additions to the streetscape, and the new signage and lighting contribute to a pedestrian oriented and friendly building front.

Opportunities for Improvement: The material changes of the Cranford Building highlight an important reality of construction; that scope and material changes are common to renovation projects. How project changes are handled in the future should be carefully considered to maintain the integrity of the Grant Program's intent. One suggestion would be to require applicants to amend their original application with changes to project scope and/or materiality, so that City Staff can be made aware of and have the opportunity to discuss any changes before they are constructed.

COUNCIL ACTION FORM

SUBJECT: MAJOR FINAL PLAT FOR IOWA STATE UNIVERSITY RESEARCH PARK, PHASE III, FIRST ADDITION

BACKGROUND:

On July 14, 2015, the City Council approved the Preliminary Plat for the Iowa State University Research Park, Phase III. There are two land owners, each of which owns a portion of the 187.93 acres included in the proposed subdivision. Iowa State University Research Park is the owner of proposed Lots 1, 2, 3, 4, a portion of Lots 5 and 6, Lot 7, a portion of Lot A, Lot B, Lot C, Outlot A, and Outlot Y. Erben Hunziker and Margaret Hunziker Apartments, L.L.C., is the owner of a portion of proposed Lots 5 and 6, a portion of Lot A, and all of Outlot Z. The Final Plat includes seven (7) lots for industrial development in the "RI" (Research Park Innovation District). Lot A (Collaboration Place and University Boulevard/S. 530th Avenue), Lot B (Plaza Loop) and Lot C (S. Riverside Drive) are to be dedicated to the City as public street right-of-way. Outlot A is planned for use as a location for stormwater management, open space as a park, and future development, and Outlot Z is planned for future development.

After reviewing the proposed Final Plat, staff believes it complies with the approved the Preliminary Plat, adopted plans, and all other relevant design and improvement standards required by the Municipal Code with a Council determination that adequate security has been provided for required improvements.

The proposed Final Plat is unique in that the City is responsible for all of the public street and utility improvements as part of the Development Agreement with the ISU Research Park for the Tax Increment Financing (TIF) District. Therefore, no financial security is required from the developer of this subdivision, for those improvements we are responsible to complete in the development agreement. **However, the developer is responsible for the cost and installation of sidewalks in the First Addition, along the three public streets, part of University Boulevard, Collaboration Place, and Plaza Loop. Additionally, the developer is responsible for the cost of the maintenance of stormwater improvements for a period of four years after they have been accepted by the City as complete.**

Regarding sidewalks, the City recently established a 3 year horizon for the completion of all sidewalks within a final plat and to require security for their installation. Council may approve a deferral of sidewalk installation as specified in Chapter 23. The Research Park has requested Council deferral and signed an "Agreement for Sidewalks," that states sidewalks will be installed not later than occupancy of a building on a lot or within three years of the final plat approval, whichever occurs first.

To meet the financial security requirement for completion of sidewalks within three years, the Research Park requests that Council accept the combination of the commitments of the current development agreement and the financial backing of Iowa State University as security in lieu of the typical letter of credit or bond.

Warren Madden, Senior Vice President for Business and Finance at Iowa State University, has provided a letter, dated November 18, 2015, and on file in the City Clerk's Office, affirming the intent of Iowa State University to guarantee sidewalk installation and maintenance of the shared stormwater improvements anticipated for the Final Plat. This guarantee may be invoked by the City if the Research Park for any reason fails to construct the sidewalks within 3 years of the date of the guarantee, or if the Research Park for any reason fails to maintain the stormwater improvements. Sidewalk security is to cover the estimated cost of the improvements, which is \$77,625.

The same letter also includes a provision for the Stormwater maintenance security at \$7,500 per year for 4 years, for a total of \$30,000.

ALTERNATIVES:

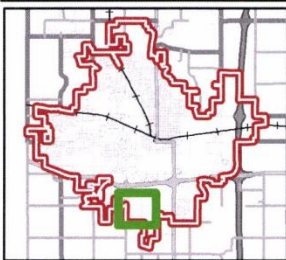
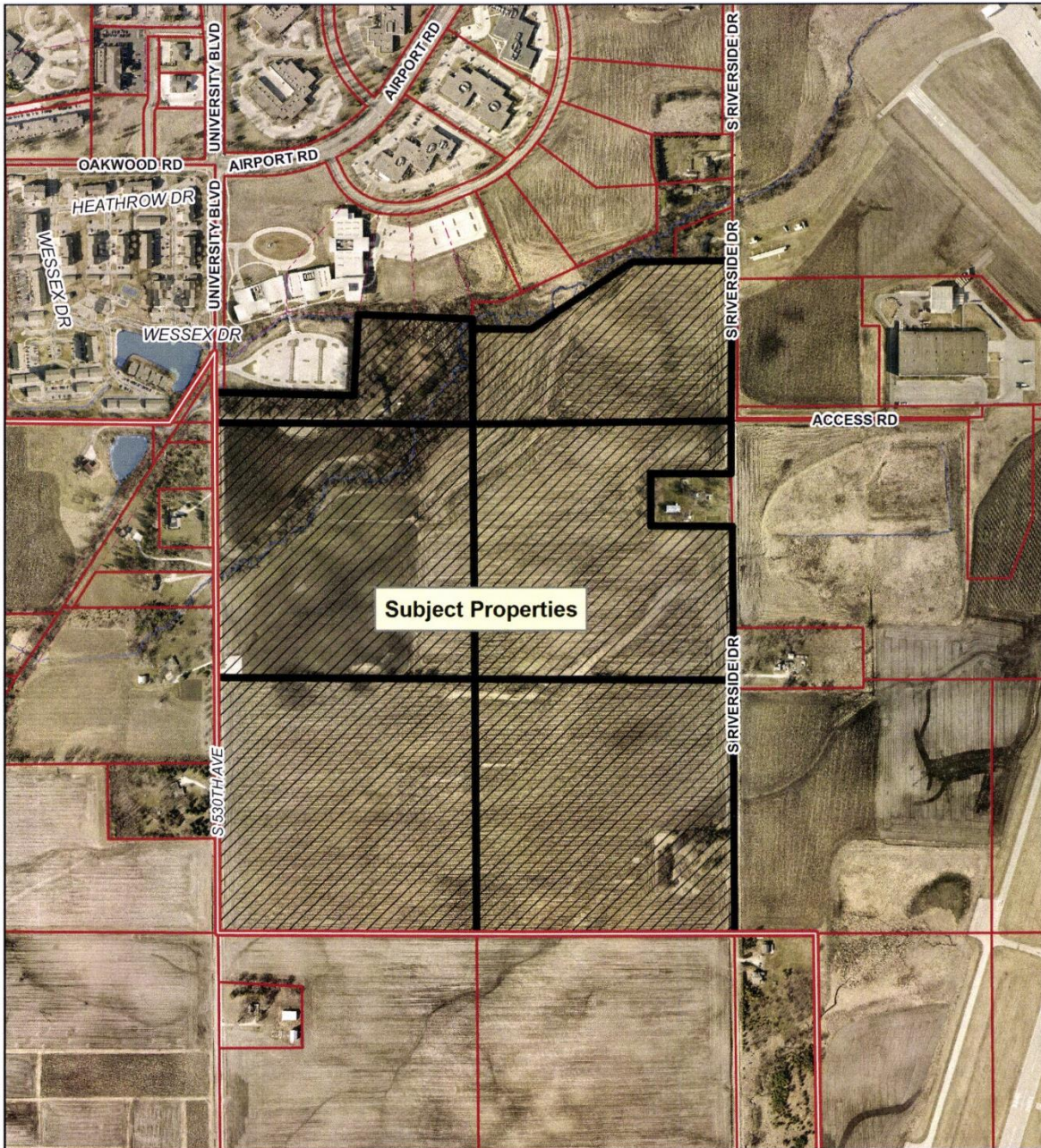
1. The City Council can approve the Major Final Plat for the Iowa State University Research Park, Phase III, First Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans and also approve the sidewalk installation agreement and accept the commitment from ISU to financially secure the completion of sidewalk improvements and maintenance of stormwater facilities.
2. The City Council can approve the Major Final Plat for the Iowa State University Research Park, Phase III, First Addition, based upon findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans and also approve the sidewalk installation agreement, but require the developer to provide to the City either a letter of credit or bond to financially secure the completion of sidewalk improvements and maintenance of stormwater facilities.
3. The City Council can deny the Major Final Plat for the Iowa State University Research Park, Phase III, First Addition, if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed, or has not met the improvements requirement of the Subdivision Code.
4. The City Council can refer this request back to staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The Major Final Plat request is unique with no formal financial security in place with the City prior to this approval due to the unique partnership between ISU, the Research Park, and the City. Staff has evaluated the proposed final subdivision plat and

determined that the proposal is consistent with the Preliminary Plat approved by the City Council and that the plat conforms to the adopted ordinances and policies of the City of Ames as required by Code with approval of the proposed sidewalk agreement and ISU letter for financial security. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as described above.**

Attachment A – Location Map



**Location Map
ISU Research Park**

Attachment C

Applicable Laws and Policies Pertaining to Final Plat Approval

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

Code of Iowa, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames Municipal Code Section 23.302

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

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

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.

(c) The City Council may:

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

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

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

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

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

COUNCIL ACTION FORM

SUBJECT: 118/120 HAYWARD DEVELOPMENT OVER EXISTING STORM SEWER

BACKGROUND:

On September 21, 2015, Dean Jensen, owner of the parcels at 118 and 120 Hayward submitted to Planning & Housing a Sketch Plan Pre-application Conference request. The developers propose to redevelop these parcels into the Campus Plaza Subdivision. The redevelopment would create a mixed-use structure, which would have two levels of parking at the commercial level and 4 (+/-) levels of student residential apartments on the upper floors. This would be similar to the adjacent structure at 2519 Chamberlain Street. Construction is anticipated to commence in early 2016 for fall 2017 occupancy.

The existing building at 118 Hayward Avenue was constructed over the in-place 8'x7' box culvert. This culvert conveys College Creek under the site as well as beneath the buildings at 2522 and 2518 Lincoln Way. Ultimately, College Creek flows towards Lake LaVerne on the Iowa State University Campus. A map of the area is in Attachment A.

Prior to the meeting, staff consulted with City Legal Department for guidance about how to proceed with the development discussion since city staff had not located a land record of any official easement covering the existing box culvert. The Legal Department's determination is that, since no written easement document exists, the City nonetheless has an easement by prescription for this structure and has the rights typically attendant to any other utility that runs through a private site.

On October 9, 2015, staff met with the developer and the developer's engineer as part of the DRC sketch plan process. Existence of the box culvert and Legal's original determination was discussed during this meeting. Staff stated its desire to not place a new building over the existing box culvert. Options were discussed including re-routing the culvert or exploring how to provide off-site improvements to modify the amount of flow through the area which could reduce the size of the relocated pipe. **Historically, if a utility is in conflict with a development, the developer is responsible for all costs associated with relocation of the utility to a location that is not in conflict with the proposed development.**

On November 10, 2015, City Council referred a letter from Dean and Luke Jensen requesting that staff evaluate the possibility of leaving the culvert in place and building over it or relocating the culvert at the City's expense.

The official abstract was presented to the staff on November 19, 2015. Staff found that the abstract has an entry dated April 5, 1934, which references a contemplated storm

sewer by the City in this location. It is known that the building over the storm sewer was built in 1936. This information supports the conclusion that the culvert was constructed in 1935. **This abstract entry is important for another reason. It notes that the then owners of this land executed a waiver of any claims for damages now or hereafter sustained by the construction, reconstruction, perpetuation, repair, maintenance or overflow of the proposed storm sewer, and further waived any claims for damages sustained from any flood water caused by the inability of the storm sewer to receive same. This waiver was made expressly and was also made binding on their heirs and assigns.** This waiver was granted by those land owners in consideration of the benefits that were going to be derived from having it in existence. This kind of waiver exceeds the benefits and rights the City presently receives when it is granted a storm sewer easement.

Redevelopment of this site would still require the developer to meet all of the Post Construction Stormwater Management Ordinance requirements set forth in Municipal Code Section 5B, along with other DRC-related requirements.

ALTERNATIVES:

1) Leave the culvert in place pursuant to the existing prescriptive easement and liability waivers contained in the abstract

Staff has concerns about the structural integrity of the existing box culvert to withstand the impacts of the construction process as well as impacts of a building load over the structure. This information has been confirmed with a structural engineer familiar with the existing condition of the box culvert. The long term impact of having an active storm water structure located under a newly constructed building severely inhibits the ability to repair or maintain the majority of the existing box culvert from the outside. Some structural repairs can be made from within the box culvert.

If this option is preferred by the City Council, an existing conditions assessment of the existing box culvert should be performed, in-situ condition of the existing box culvert for load/vibration impacts must be monitored during construction, and a post-construction assessment of the existing box culvert must be completed, all at the developer's expense. Finally, the developer must certify that no additional load will be placed on the existing box culvert.

It should be emphasized that this alternative places the most significant risk on the developer because of the liability waiver contained the abstract.

2) Leave the culvert in place and allow the developer to perform an analysis to determine if an upstream flow reduction project would allow for the abandonment of the box culvert

This option would include the same requirements of the developer as noted in Alternative #1 with the additional provision that the developer can pay for an optional

study to determine if it is possible to abandon the existing box culvert through the addition of up stream flow reduction projects. If a viable solution is identified up stream within the College Creek Watershed, the City Council could then determine 1) whether or not to proceed with such a project and 2) whether to pay for the total cost of the project through the Storm Water Utility revenues or assess the cost to the benefitted property owners. A map of the College Creek Watershed is shown on Attachment B.

3) Relocate culvert (around this building only) at Developer's expense

This option removes the box culvert from being impacted by the footprint of the proposed structure. This would provide the opportunity to maintain the box culvert from outside the structure. Furthermore, this alternative would be consistent with past precedent of the relocation of utilities in conflict with a development being relocated at the developer's expense. This position is supported by the abstract language. A potential relocation alignment is shown in Attachment C.

It should be noted that this alternative is not a long term solution as it does not address the remaining portion of the box culvert that exists under buildings at 2522 and 2518 Lincoln Way as well as the undeveloped property at 110 Hayward.

4) Relocate culvert (around this building only) at City's expense

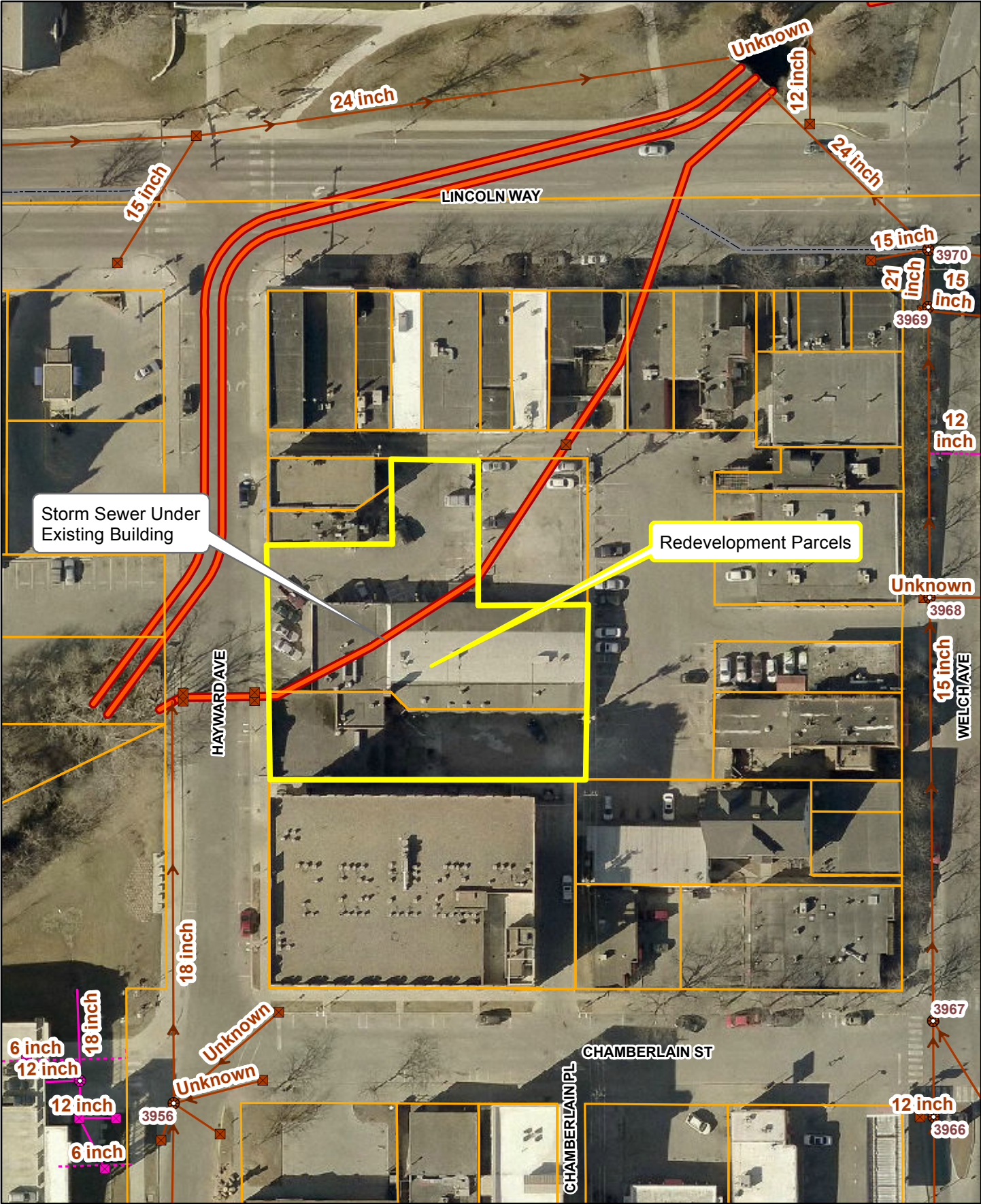
In this option the box culvert would no longer be impacted by the footprint of the proposed structure. This would provide the opportunity to maintain the box culvert from outside the structure. However, the ability for the City to bear the cost of the relocation is in question as this is not currently programmed in the Capital Improvements Plan and funding would need to be determined. **It should also be noted that, as stated above, historically the relocation of utilities in conflict with a development are relocated at the developer's expense.** A potential relocation alignment is shown in Attachment C.

It should be noted that this alternative is not a long term solution as it does not address the remaining portion of the box culvert that exists under buildings at 2522 and 2518 Lincoln Way as well as the undeveloped property at 110 Hayward.

MANAGER'S RECOMMENDED ACTION:

Assuming that that the City Council would prefer to facilitate further redevelopment of Campustown, retain the City's current rights and protection as it relates to the existing box culvert, and allow the developer to mitigate their risk associated with building over the City's storm sewer, it is the recommendation of the City Manager that the City Council approve Alternative #2. It is suggested that all of the recommended requirements of the developer mentioned above be incorporated into a developer agreement at the time the site plan is approved for the project.

Attachment A



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the User.



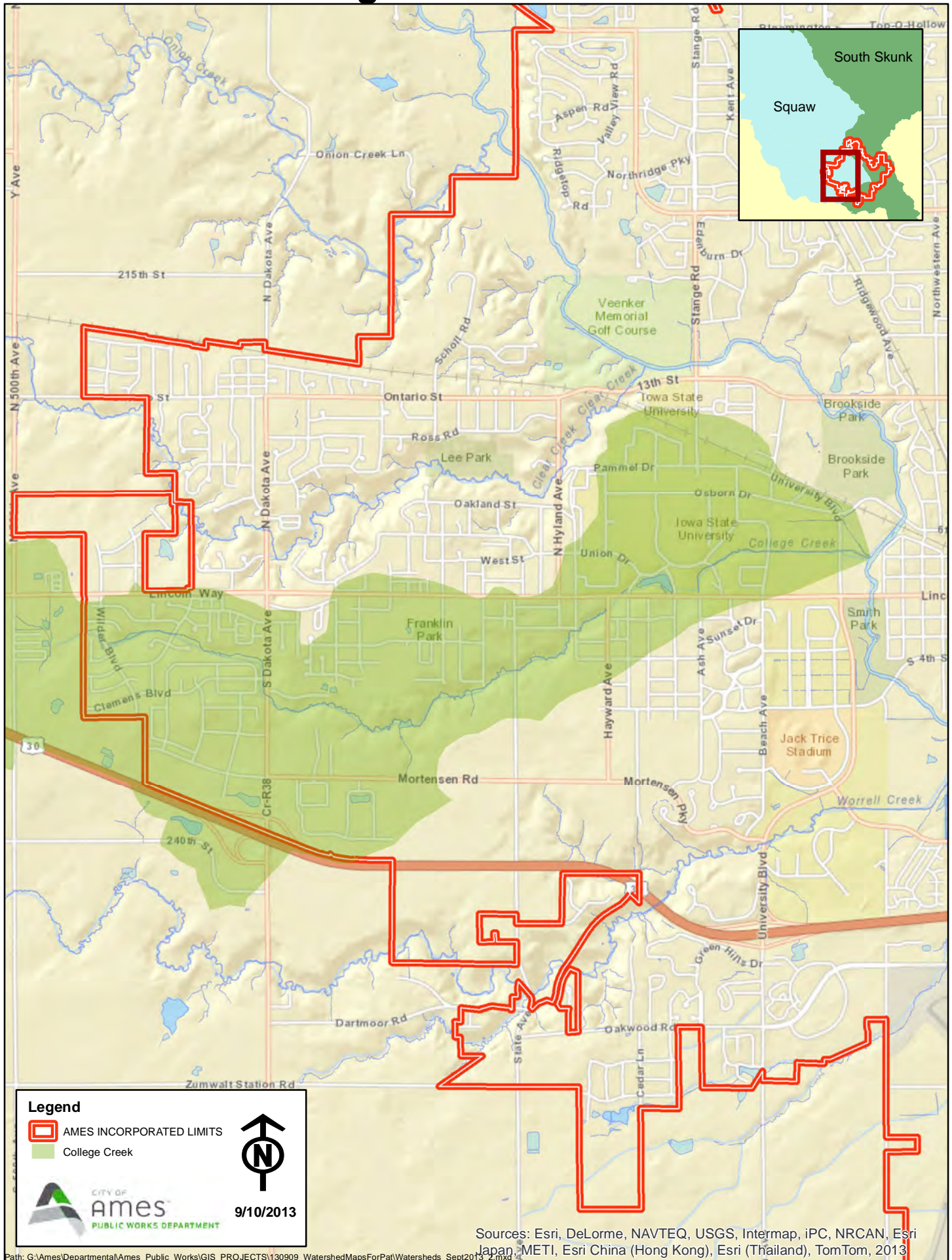
118/120 Hayward
Development Over Existing Storm Sewer



Scale: 1 in = 75 ft
Date: 11/18/2015

College Creek Watershed

Attachment B



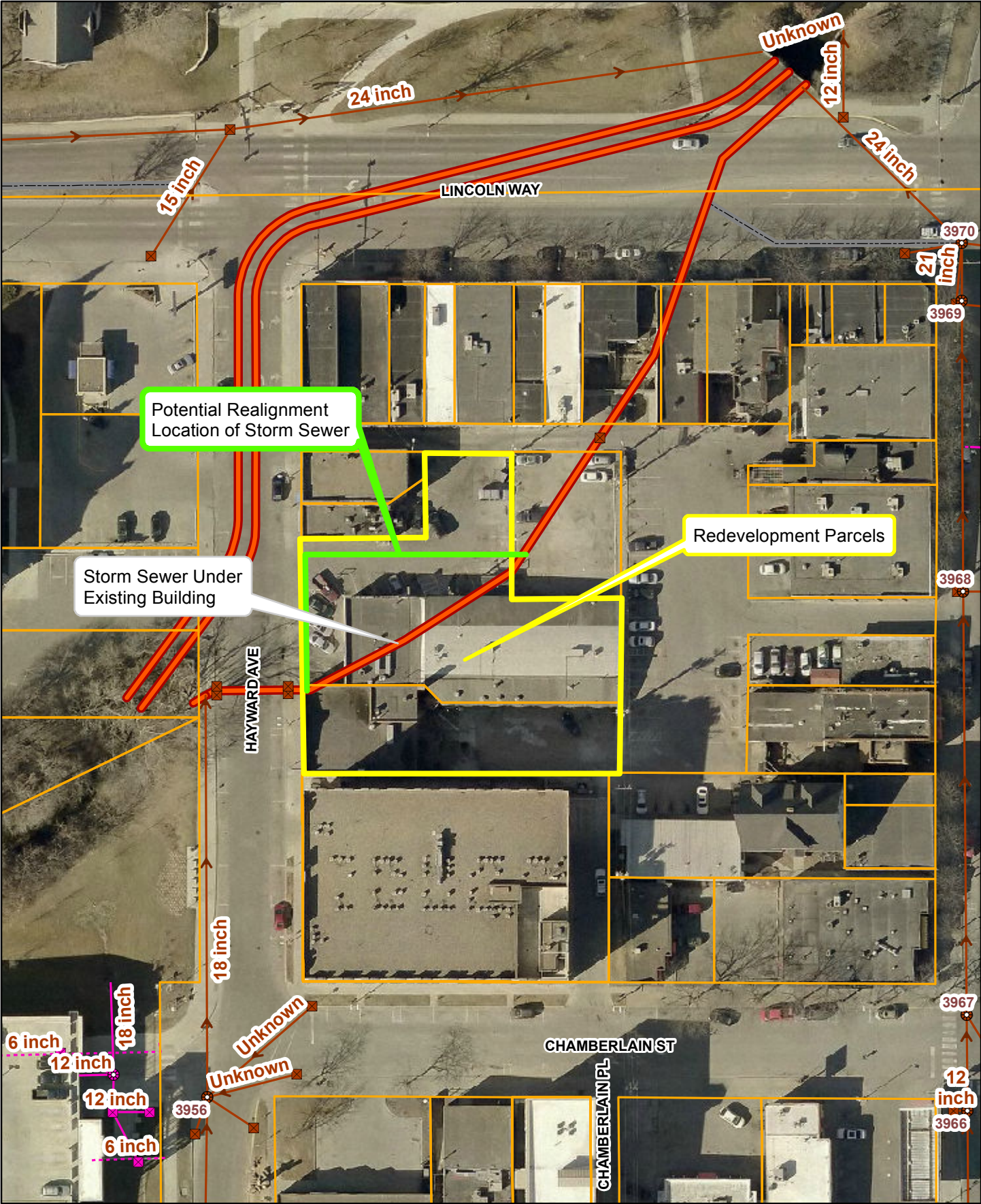
Legend

- AMES INCORPORATED LIMITS
- College Creek

9/10/2013

CITY OF Ames
PUBLIC WORKS DEPARTMENT

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, merchantability and fitness for or the appropriateness for use rests solely on the User.



118/120 Hayward
Development Over Existing Storm Sewer



Scale: 1 in = 75 ft
Date: 11/18/2015

COUNCIL ACTION FORM

SUBJECT: EMERGENCY REPAIR TO EXPANSION JOINTS FOR UNIT 8

BACKGROUND:

Power Plant staff were in the process of accessing and securing the siding (lagging, skin) on the ductwork on Unit 8 between the electrostatic precipitator (ESP) and the air heater. When staff obtained access (via scaffolding), it was discovered the expansion joints were in bad shape. At least one is virtually non-existent.

By early to mid-January 2016, staff is planning on test-firing Unit 8 on natural gas. In order to tune the unit and to perform the tests necessary for warranty and performance guarantees, the unit must perform well. With the current condition of the expansion joints, unwanted outside air will be pulled through the failed leaking joints passing through the air heater and fan, negatively effecting overall plant performance and fan capacity. Calculations have indicated this fan has enough capacity to handle the conversion, but the capacity margin is thin.

Under the *Iowa Code*, Chapter 384.103 (2) states that “when an emergency repair of a public improvement is necessary and the delay of advertising and a public letting might cause serious loss or injury to the city, the governing body shall, by resolution, make a finding of necessity to institute emergency proceedings under this section”. Further, “the governing body shall procure a certificate from a competent licensed professional engineer or registered architect, not in the regular employ of the city, certifying that emergency repairs are necessary”. It further states the “governing body may contract for emergency repairs without holding a public hearing and advertising for bids, and the provisions of Chapter 26 do not apply.” Black & Veatch Corporation has certified that emergency proceedings are necessary to avoid the risk of serious loss to the City. (See attached letter)

Electric Services staff contacted two companies, Babcock & Wilcox, the OEM and Frenzelit a well know global supplier of utility expansion joints to obtain pricing, scheduling and availability. The cost comparison between the two companies were within 10% of each other. However, Babcock and Wilcox cannot meet our January testing schedule.

Staff is requesting that the City Council waive the City’s purchasing policies requiring competitive bids, and award this contract to Frenzelit, Lexington, NC, in the amount of \$680,328. This vendor is not licensed to collect Iowa sales tax. City of Ames will pay applicable sales tax directly to the state of Iowa.

The Power Plant will be carrying forward \$1,500,300 of unspent maintenance funding from the approved FY14/15 operating budget into the FY15/16 Adjusted budget from

which this contract will be funded. It should be noted that the City Council does not approve the FY15/16 Adjusted budget until March 2016. Approval of this award of contract is predicated on the approval of the FY 2015/16 Adjusted budget for the Power Plant.

ALTERNATIVES:

1. a. Institute emergency proceedings and authorize staff to obtain informal bids and enter into a contract for repair of Unit 8 expansion joints.
 - b. Waive the purchasing policy requirement for competitive bidding for the repair of Unit 8 expansion joints and award a contract to Frenzelit, Lexington, NC, in the amount of \$680,328 plus applicable sales taxes to be paid directly by the City of Ames to the State of Iowa.
2. a. Deny request to institute emergency proceedings and direct staff to solicit bids in accordance with Chapter 26. It is estimated that this process would result in a contract award in April 2016.
 - b. Deny request to waive the purchasing policy requirement for competitive bidding.

MANAGER'S RECOMMENDED ACTION:

There is significant damage to the Unit 8 expansion joints at the Power Plant. With conversion project in progress, it is critical to replace these expansion joints as soon as possible to avoid the risks of losing the City's rights to any performance warranty claims on the gas conversion burner and controls installations. There is a strong possibility Unit 8 would be load limited after gas conversion if the joints are not replaced.

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



BLACK & VEATCH
Building a world of difference.

MONTY HINTZ, P.E.
Senior Civil/Structural Engineer
11401 LAMAR AVE.
OVERLAND PARK, KS 66211 USA
+1 913-458-2464 | HINTZME@BV.COM

November 13, 2015

B&V Project 190419.0040

Mr. Donald Kom
Director – Electric Services
Ames Municipal Electric System
502 Carroll Avenue
Ames, IA 50010

Gentlemen:

On November 3, 2015, I completed an inspection of the existing metallic expansion joints in the exhaust ductwork between the precipitators and the airheater on Unit 8. City of Ames utility personnel had noted significant corrosion in the metallic expansion joints located throughout this ductwork and requested an inspection and an informed opinion of the current state of the joints.

A total of ten Babcock & Wilcox (B&W) “traditional style” steel rectangular expansion joints, five per exhaust leg, exist in the ductwork. The expansion joints are original equipment from the initial plant construction in 1982. All ten joints were examined during the inspection. The exhaust ductwork is upstream of the induced draft (ID) fans and the ductwork thus operates under a vacuum during plant operation. The expansion joints are required to allow ductwork expansion and contraction under temperature changes while maintaining an airtight gas path to the chimney.

Severe corrosion and metal delamination were noted in several locations on each of the joints. The worst of the corrosion was normally found on the east side, and to a lesser extent, the north and south sides of the joints. In the topmost joint in the south leg of the ductwork, portions of the joint flutes on the exterior edge of the east side had corroded entirely through, leaving an opening one flute thickness by 18 to 24 inches long in the joint (Photo 1 attached). In the same joint, a smaller hole was located in the flute just below. Similar smaller holes through the entire joint wall thickness were found in other joints (Photo 2 attached). Delamination from corrosion was readily evident in several locations on each of the joints, some so severe that very little of the original joint wall thickness remained (Photo 3 attached). The delamination in some areas came off in rather large sections, exposing the remaining material beneath to further corrosion. The remaining metal in the flutes of the joint was badly corroded, with a brittle and crumbling surface. The physical integrity of the joint in these locations, as well as its ability to withstand further flexure under changing temperatures, is very much in doubt. The larger holes were obviously allowing in-leakage of air to the exhaust stream with the free edges of the remaining joint around the hole vibrating significantly.



BLACK & VEATCH
Building a world of difference.

MONTY HINTZ, P.E.
Senior Civil/Structural Engineer
11401 LAMAR AVE.
OVERLAND PARK, KS 66211 USA
+1 913-458-2464 | HINTZME@BV.COM

All of the existing expansion joints inspected have deteriorated beyond the point of reasonable repair and must be replaced. In several locations the joints have failed, leaving holes that allow in-leakage of outside air into the exhaust stream. In-leakage adds to the exhaust flow and increases load on the ID fans. Unless significant margin exists in the fan capacity, it would be impossible to reach plant full load operating capacity if in-leakage is significant. The City of Ames is currently converting Unit 8 from coal operation to gas operation. The failed expansion joints will make it extremely difficult to test and commission the converted boiler if they are not replaced prior to startup of the converted boiler. This would likely prevent the converted boiler from operating at full load due to ID fan limitations.

It is our understanding that under the Code of Iowa, Chapter 384.103 2, it is possible to initiate emergency proceedings to allow for the immediate replacement of the expansion joints. Emergency proceedings are warranted to prevent further catastrophic deterioration of the corroded expansion joints in the immediate future, as well as allow completion of the replacement to support the boiler conversion work currently ongoing. The boiler conversion work must be commissioned and in service prior to an EPA-mandated date of April 16, 2016. Proceeding with the replacement of the expansion joints on an emergency basis would allow that installation to be completed in time to support startup and commissioning of the converted boiler by the required date.

As a licensed professional engineer in the State of Iowa (License No. 10052, Expiration Date 12/31/16), I concur with recommendations of the utility staff that it would be in the best interest of the City of Ames to initiate immediate replacement of the metallic expansion joints in the exhaust ductwork of Unit 8.

Very truly yours,

BLACK & VEATCH

Monty E. Hintz, P.E.
Senior Civil/Structural Engineer

Enclosures: 1) Ames Photo 1
2) Ames Photo 2
3) Ames Photo 3

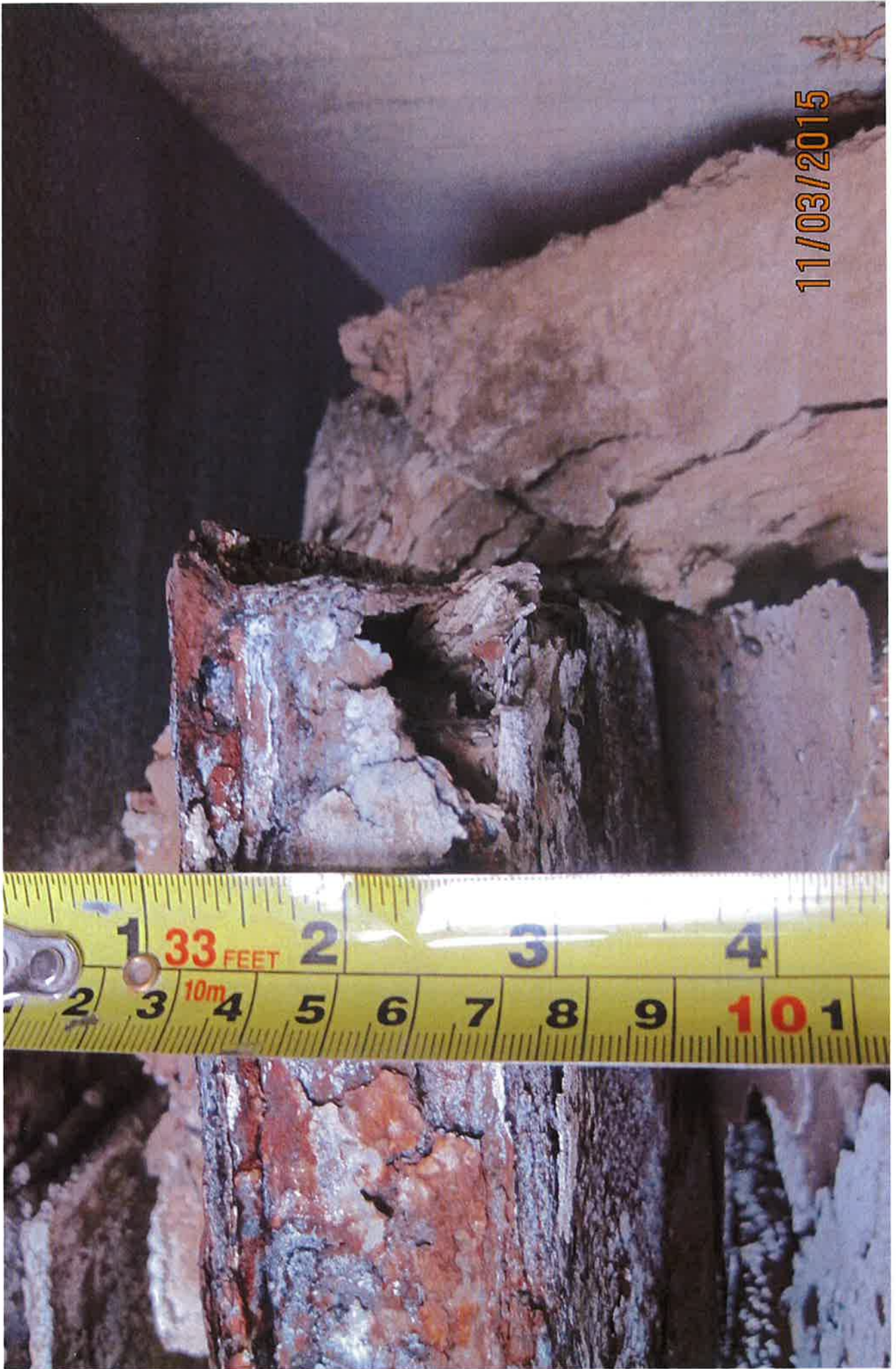


BLACK & VEATCH
Building a **world** of difference.®

MONTY HINTZ, P.E.
Senior Civil/Structural Engineer
11401 LAMAR AVE.
OVERLAND PARK, KS 66211 USA
+1 913-458-2464 | HINTZME@BV.COM

cc: Dell Brown, City of Ames
Brian Trower, City of Ames
John E. Johnson, B&V
Robert Slettehaugh, B&V

11/03/2015



11/03/2015





FISCAL YEAR 2016/2017 CITY COUNCIL BUDGET ISSUES

Near the beginning of each year's budget preparation cycle, the City Manager and Finance staff present City Council with a budget overview. This presentation has four main purposes:

1. Present the "big picture" of the coming year's budget, including factors that may impact Council's later decisions on the budget
2. Share budget-related input and requests that have been received from local citizens and organizations
3. Seek Council direction on select components of the budget (e.g., overall funding levels for human services and arts)
4. Receive whatever general funding or service level direction Council wishes to give for incorporation into the budget

OVERALL ECONOMIC CONDITION OF THE CITY

The City's overall financial situation continues to remain strong. For FY 16/17, we expect continued improvement in retail sales and overall property valuation to have a positive financial impact on the City budget. Some of this positive impact will be offset by higher increases in health care costs and the ongoing impact of property tax reform.

Overall, we expect modest increases in assessed property valuations along with a slight decrease in the rollback rate. This will result in increased taxable valuation for residential property. Commercial and industrial property will continue to be taxed at 90% of value with state replacement tax frozen at the FY 15/16 level. A new property classification will be implemented in FY 16/17 – multi-residential property formerly taxed at 90% of value will begin the first step of rollback to the residential rate and will be taxed at 86.25% of value with no state replacement tax. Road use tax from fuel sales is expected to exceed the budgeted revenues for the current year due to the increase in the Road Use Tax rate. The increased revenue will continue in future years.

Interest revenues for the City will likely show some improvement in FY 16/17, as the Federal Reserve appears to be in the process of increasing short-term interest rates in the near future. Though this action will provide some additional revenue, rates for G.O. Bonds are likely to increase from the current very favorable levels.

GENERAL FUND

The General Fund ended FY 14/15 better than budgeted, with a balance at 37.4% of expenditures instead of the 23.3% anticipated in the adopted budget. Around \$2.3 million of the approximately \$3.7 million in added fund balance is due to uncompleted projects which are being carried forward into the FY 15/16 adjusted budget. Major projects carried over in the General Fund include improvements to the City Hall roof and parking lot, the completion of Phase 2 of the City Hall basement renovation project, brand marketing, the update to the Land Use Policy Plan, and the emerald ash borer program.

Of the remainder, large increases in two revenue sources account for approximately two thirds of the net \$1.4 million increase in the General Fund balance. These are building permit revenue (\$610,216) and Hotel/Motel tax revenue (\$344,535). The remaining portion was the result of savings distributed across various programs funded through the General Fund.

The City Council could decide to use some amount of this additional balance to subsidize operating costs, thereby lowering property tax rates in FY 16/17. This strategy, however, would only lead to a larger increase in the following year when this one-time balance would need to be replaced with a more permanent revenue source. **As in the past, staff is strongly recommending that Council utilize this larger than anticipated fund balance for one-time expenditures as part of the FY 15/16 adjusted budget.** Staff will develop a list of such recommended one-time uses as part of the recommended budget. **This is also an opportunity for Council to identify one-time expenditures that could be included in the budget.**

FIRE AND POLICE RETIREMENT AND IPERS

Improved investment returns and changes in funding plans for the Municipal Fire and Police Retirement System of Iowa (MFPRSI) have resulted in a decrease in the City's pension contribution rate from 27.77% of covered wages to 25.92% for FY 16/17. The rate remains well above the City's minimum contribution rate of 17% and is expected to remain so in the foreseeable future. We expect the City contribution rate to fall slowly in the future. The table below provides a summary of the contribution rates:

MFPRSI Contribution Rates

Effective Date	July 1, 2015	July 1, 2016
Employee Rate	9.40%	9.40%
Employer Rate	27.77%	25.92%
Combined Rate	37.17%	35.32%
% Of Contribution		
Employee	25.29%	26.61%
Employer	74.71%	73.39%

The IPERS rate will remain unchanged for the upcoming year. The City will contribute 8.93% of covered wages and the employees 5.95%, with the fixed 60/40 cost sharing of the pension cost.

HEALTH INSURANCE

For several years, the City of Ames experienced health insurance increases of around 5% per year due to favorable claims experience and implementation of health insurance program changes recommended by an ad hoc employee Health Insurance Team. More recently, less favorable claims experience and additional costs related to the Patient Protection and Affordable Care Act (PPACA) necessitated a 9% increase in health rates for the FY 15/16 budget. Based on recent claims experience, we are building in a 7% increase in health insurance rates for the FY 16/17 recommended budget. Even with the 7% rate increase and projected expenses, we expect a small draw down in the fund balance, but the balance will still be above the requirements to maintain a self-insured plan and provide an adequate balance to fund possible claims fluctuations. We will review the status of the plan again after the end of December and evaluate the need for a larger increase.

ROLLBACK AND VALUATION

Attached is a special budget report from the Iowa League of Cities entitled “Assessment Limitation Order – Rollback and Major Changes to Iowa’s Property Tax System” (Attachment A).

While the property tax rollback system remains in place, several major changes were made during the 2013 legislative session. For each assessment year beginning in 2013, residential and agricultural property value growth is now capped at 3%, or whichever is lowest between the two classes (the coupling provision remains).

Commercial, industrial and railway property now have their own rollback, which began at 95% for valuations established during the 2013 assessment year (affecting FY 2015) and 90% for the 2014 assessment year and thereafter. The rollback percentage for these properties will remain fixed at 90% regardless of how fast or slow valuations grow.

The legislature created a standing appropriation, beginning in FY 2015, to reimburse local governments for the property tax reductions resulting from the new rollback for commercial and industrial property (railroad not included). The “backfill” was funded at 100% by the legislature for FY 2015 and FY 2016, and cities receive the funds in a similar manner as property tax revenue. Future backfill appropriations will be capped at the FY 2017 level.

A new property class was established for multi-residential property, which first takes effect in FY 2017 and will likely have long-term impacts for many cities around the state. For buildings that are not otherwise classified as residential property, the definition of multi-residential property is broad and includes:

- Mobile home parks
- Manufactured home communities
- Land-leased communities
- Assisted living facilities
- Property primarily used or intended for human habitation containing three or more separate living quarters

The following rollback percentages will be phased in over eight years, beginning in budget year FY 16/17. **There is no backfill provision for this class and estimated valuation in Ames is \$124.7 million, or a reduction of property tax dollars of approximately \$49,700 in FY 16/17**, with continuing reductions of property tax dollars of approximately \$50,000 each year thereafter until FY 22/23. That equates to an annual loss of approximately \$450,000 in property taxes by the end of that period.

Multi-Residential Property Rollback Schedule	
January 1, 2015	86.25%
January 1, 2016	82.5%
January 1, 2017	78.75%
January 1, 2018	75%
January 1, 2019	71.25%
January 1, 2020	67.5%
January 1, 2021	63.75%
January 1, 2022 and thereafter	same as residential

Rollback Percentage Rates

Property Class	FY 2014	FY 2015	FY 2016	FY 2017
Residential	52.8166	54.4002	55.7335	55.6259
Com. & Ind.	100.0000	95.0000	90.0000	90.0000

ROAD CONDITIONS / ROAD USE TAX FUND

In our annual Resident Satisfaction Survey's ranking of capital improvement priorities, the reconstruction of existing streets continues to be the top priority of our citizens. This represents a challenge, since the lane-miles of streets continue to expand, existing streets continue to age, and recent winters have been particularly hard on our roadways.

The Road Use Tax Fund (RUTF) is accumulated through the City's share of state-wide motor vehicle registration fees, motor vehicle fuel taxes, an excise tax imposed on the rental of automobiles and a use tax on trailers. The General Assembly approved a gas tax increase supported by the Iowa League of Cities in 2015 that will bring additional funding to the system for critical road infrastructure needs. The per gallon tax increase of 10 cents is estimated to add a little over \$1 million annually to this fund beginning in the current Fiscal Year.

It is the staff's intent to utilize these additional funds to help accomplish the capital improvement projects identified in the recently approved Long Range Transportation Plan (LRTP). However, it is staff's recommendation that not all of these additional funds be earmarked strictly to the Capital Improvements Plan. Over the years, the number of City streets has increased dramatically. Therefore, some of this added revenue should be directed to the operating budget for additional equipment and personnel to assure that proper maintenance and operation of our transportation infrastructure is accomplished.

IMPLEMENTATION OF LONG RANGE TRANSPORTATION PLAN

The recently approved Long Range Transportation Plan prioritizes both roadway and bicycle/pedestrian related projects according to the following categories:

- **Committed** (those projects which were reflected in the 2015-2020 CIP)
- **Short-term** (2020 - 2025)
- **Mid-term** (2026 – 2032)
- **Long-term** (2033 – 2040)
- **Illustrative** (those projects that have merit and benefits but do not have the funding or are prioritized as high as the other projects in the LRTP).

As staff begins preparation of the 2016-2021 CIP, it is our intent to implement the LRTP by including the previously committed projects in the Plan as well as new Short-term projects based on existing engineering data such as pavement condition, safety, and Levels of Service (i.e. delays). Other important factors are responses from the Resident Satisfaction Survey and citizen input during LRTP development.

Certain bicycle/pedestrian projects that have been categorized in the LRTP beyond the short-term period could still be included in the Recommended CIP. These projects might be accelerated to accomplish network connectivity or coordination with previously programmed roadway projects.

REQUEST FROM THE CITY COUNCIL REGARDING SPECIFIC LONG RANGE TRANSPORTATION PROJECTS

At the September 22, 2015 City Council meeting, Council referred a request for information regarding the following projects, especially in the context of timelines relative to the Long Range Transportation Plan:

1. Ontario improvements
2. Three intersection improvement categories
3. Two single block categories
4. Worrel Creek Trail project

Following clarification from Council, it was found that Items 1, 2, and 4 referenced projects shown in the 2040 Long Range Transportation Plan (LRTP). Item 3 referenced one block

extensions of existing shared use paths in two different locations. Staff has researched background information on these four requested categories. All estimates shown below are in 2015 dollars, and include engineering.

Ontario Improvements

L RTP Project ON1 – Ontario On-street Bike Treatment from North Dakota Avenue to Hyland Avenue (Mid-term: \$226,800). The estimate is for creation of bike lanes. This would require removal of parking on one side of Ontario and potentially eliminate the future creation of a two-way left turn lane. Removal of all on-street parking would be required to accommodate a two-way left turn lane along with on-street bike lanes. The public input process will be very important in consideration of this project.

Three Intersection Improvement Categories

L RTP Project CR6 - Lincoln Way/Clark Avenue (Mid-term: \$120,000). The Implementation Comments note that this project should be completed with Roadway Project 19A (Mid-term: \$85,000), which is the three lane conversion of Lincoln Way from Gilcrest Avenue to Duff Avenue. This project is not recommended for evaluation until completion of the Grand Avenue Extension.

L RTP Project CR11 - Lincoln Way/Welch Avenue (Illustrative: \$175,000). This project consists mainly of pedestrian crossing improvements. The Lincoln Way Corridor Study, which will be getting underway early in 2016, will likely impact the treatments planned with this project. The timing of the project would likely need to be coordinated with other improvements identified by the study in that section of the corridor.

L RTP Project CR12 – Hyland Avenue/Ontario Street (Mid-term: \$175,000). The Implementation Comments note that this project should be completed with ON1 (noted above).

Two Single Block Categories

It was found that this refers to extending the shared use paths for one block on Grand Avenue (Murray Drive to 16th Street) and 13th Street (Ridgewood Avenue to Northwestern Avenue). An approximate estimate for these locations is \$30,000 per project (\$60,000 total). Potential complicating factors are that Grand Avenue is Iowa DOT right-of-way and 13th Street will require a railroad crossing.

These two shared use path extensions do not specifically appear in the L RTP but are part of larger corridor projects identified for the future. These are, respectively, Grand Avenue from 6th St to Murray Drive (OFF20; Mid-term: \$450,000) and 13th Street from Ridgewood Ave to Meadowlane Avenue (ON6; Illustrative).

Worrel Creek Trail Project

City Council was actually discussing L RTP Project OFF14 (Illustrative: \$1,310,000), which is paving the existing rock surfaced trail from S. 4th Street to Airport Road. This is commonly referred to as the Vet Med Trail. It should also be noted that during public meetings for L RTP development and for the Grand Avenue Extension,

support was voiced for keeping the rock surface of this trail. The public input process will be very important in consideration of this project.

GRAND AVENUE EXTENSION PROJECT

It appears from recent City Council feedback that there is a desire to have this project completed as soon as possible. The staff has estimated that the fastest this project can be completed is in FY 2018/19, which is one year sooner than is reflected on page 93 of the current CIP.

The following is a realistic schedule given the number of tasks needed to complete this project:

- Complete the conceptual planning and environmental assessment to satisfy the National Environmental Policy Act (NEPA). Approval of this work element is projected for November of 2016 in FY 2016/17. Our consulting firm began this work in August 2014.
- Acquire necessary right-of-way. This task is estimated to begin by January 2017 and completed by the summer of 2017 (FY 2016/17).
- Engineering/design of the project could also begin in January 2017 and be completed by the summer of 2017 (FY 2016/17).
- Construction could begin in summer/fall of 2017 and be completed by the summer of 2019 (FY 2017/18 & FY 2018/19).

EAST INDUSTRIAL AREA UTILITY EXTENSION

Water and sewer rates were raised in FY 2014/15 to generate revenue to pay for extending a water line (\$800,000) and a sanitary sewer line (\$4,000,000) along Lincoln Way eastward all the way to 590th Street to facilitate additional industrial development. Lacking any specific project to justify the total project, the City Council included a \$2,000,000 project in the CIP to extend a sanitary sewer line just east of Interstate 35. With that section in place, it was believed the City could respond more quickly to any proposed development to the east.

During the past year, the staff has been engaged in negotiations with the Central Iowa Water Association to "buy out" their service territory. It is hoped that an agreement can be reached in the next few months. In addition, the Ames Economic Development Commission has been contacting property owners in the eastern industrial growth area to gauge their support for annexation of their properties. It is hoped that there will be sufficient support to justify a "80/20" voluntary annexation of the area that would be served by the extended utilities.

The City Council has received a letter from the Ames Economic Development Commission requesting that the City Council include in the upcoming CIP the total project which includes the extension of both water and sewer lines to 590th Street. A decision by the City Council regarding this request will help the staff in preparation of the CIP.

STORM WATER UTILITY FEES

Beginning in early 2013, the City of Ames began billing for storm water using a system which divides customers into tiers based on the amount of hard surface or impervious area (in square feet) on their property. The goal of the simplified tier structure was to provide an understandable storm water fee that generates adequate revenue to fund the storm water system serving Ames residents. Customers with larger impervious areas generally pay more than those with less impervious areas. The table below shows the four identified tiers, and each tier has a corresponding charge per account:

TIER	Impervious Area/Account Range (Sq. Ft.)	Monthly Charge Per Account
1 (25,552 accounts)	150-10,000	\$3.45
2 (593 accounts)	10,000.01-30,000	\$6.90
3 (311 accounts)	30,000.01-90,000	\$10.35
4 (79 accounts)	90,000.01-Max	\$31.05

As developed areas within the City continue to expand, City staff has received an increasing number of requests to deal with storm water issues. The importance of this topic is substantiated in the recent Resident Satisfaction Survey, where storm sewer projects were ranked the third highest category for prioritizing capital improvements. Last year staff informed the City Council that two \$.25/month fee increases would be needed over the next five years to finance the Storm Water utility. **In identifying the storm water projects for the upcoming CIP, it is now apparent that the two projected fee increases will not be sufficient to cover our operating and capital improvement costs in this utility over the next five years.**

The following four strategies have been identified for dealing with this projected shortfall:

- Increase the monthly charge on all four tiers
- Increase the monthly charge on only the first tier
- Rather than increase the monthly utility fee, issue General Obligation Bond (tax supported) debt to finance the desired storm water projects
- Reduce the number of storm water projects that have been identified to match the available revenue generated from the current monthly charge

In the past we have issued debt to pay for many of these projects. This strategy influenced an increase in property taxes reflected in the Debt Service Levy. **Since this monthly fee has not been increased since 2013 and no other utility rate increase is scheduled for FY 2016/17, this might be an appropriate time to consider an increase in the storm water utility monthly fee, perhaps by as much as an additional \$1.00 per month for the Tier 1 properties.**

LOCAL OPTION SALES TAX

Estimated Revenue

For the current year, local option sales tax receipts are expected to be \$7,831,295, up \$346,690 or 4.6% from the adopted budget. These numbers indicate that the recovery in retail sales has continued. All of the increased local option revenue for the current year is due to the adjustment payment received earlier this month. The adjustment payment reflects an underestimate of local option sales tax revenue by the Iowa Department of Revenue and Finance for FY 14/15. The staff forecast for local option sales tax revenue for FY 16/17 is a 4.2% increase from the FY 15/16 adopted budget, or \$7,800,000. A summary of the Local Option Sales Tax Fund with some illustrative options for the FY 16/17 budget is included as an attachment (Attachment B) to this document, and is by no means a recommendation for the upcoming budget. **Staff is requesting Council direction on overall funding levels for ASSET, COTA and other outside organizations so that recommendations can be developed for each service, agency and organization.**

ASSET Human Services Funding

The City Council adopted the following priorities for human services program funding in FY 16/17:

1. Meet basic needs, with emphasis on low to moderate income:

- Housing cost offset programs, including utility assistance
- Sheltering
- Quality childcare cost offset programs, including daycare and State of Iowa licensed in home facilities
- Food cost offset programs, to assist in providing nutritious perishables and staples
- Transportation cost offset programs for the elderly and families
- Legal assistance
- Disaster response

2. Meet mental health and chemical dependency needs

- Provide outpatient emergency access to services
- Provide crisis intervention services
- Provide access to non-emergency services
- Ensure substance abuse prevention and treatment is available in the community

3. Youth development services and activities

- Provide services for social development

The table below summarizes each year's ASSET allocations by funder.

	Story County	CICS	United Way	ISU Student Gov't.	City Budgeted Amount	City % Increase	Total
2010/11	\$ 983,591	--	\$ 803,707	\$ 139,781	\$ 1,079,065	9.3%	\$ 3,006,144
2011/12	995,618	--	814,333	149,960	1,111,437	3.0%	3,071,348
2012/13	1,029,339	--	819,607	136,755	1,150,278	3.5%	3,135,979
2013/14	1,193,438	--	883,256	138,178	1,184,786	3.0%	3,299,850
2014/15	1,082,602	--	955,145	152,605	1,139,226	-3.8%	3,329,578
2015/16	879,857	349,856	1,002,833	167,339	1,212,375	6.4%	3,612,260

Context is important when evaluating the chart above. The large decrease in funds in FY 14/15 coincided with the withdrawal of Orchard Place from ASSET and the decrease in the use of City funds for mental health services.

The prior year budget is not the only way to evaluate the amount to budget for the next fiscal year. The amount budgeted each year at this time can vary slightly if the volunteers do not recommend allocating the entire amount. The amount contracted with agencies is often not entirely drawn down. In FY 14/15, \$10,593 (1%) of the City allocation was not drawn down by agencies.

Ames Requested FY 14/15	Ames Budget FY 14/15	Ames Contracted FY 14/15	Ames Request FY 15/16	Ames Budget FY 15/16	Ames Contract FY 15/16	Ames Request FY 16/17
\$1,275,268	\$1,139,227	\$1,133,061	\$1,295,872	\$1,212,375	\$1,212,375	\$1,359,822

FY 16/17 Program and Service Requests

For FY 16/17, City ASSET funds requested by agencies totals \$1,359,822, up \$147,447 or 12.2% over the current FY 15/16 contracted services of \$1,212,375. One new agency has been accepted into the ASSET process this year, Friendship Ark Homes. That agency, however, has not requested City funds.

Below is a summary of the requests of the City by ASSET panel:

Panel 1 – Health Services (mental health and substance abuse services)

Requests for services in this panel total \$276,024, which is a 25.2% increase from the FY 15/16 contracted total. This is the largest percentage increase of the four panels. This increase is primarily attributable to two services:

- MICA has requested an increase in dental clinic funding from \$27,750 to \$52,608. Increases were requested by MICA from all of its ASSET funders for this service.

- Eyerly Ball has requested \$55,000 for mental health crisis services, an increase from the current contract amount of \$18,022. This proposal doubles the units of service provided by offering mental health crisis services during afternoons and evenings, when the Police mental health liaison is unavailable. Further discussions are necessary between the Police Department and Eyerly Ball to determine how this service would function.

Panel 2 – Basic Needs Services (shelter, food, disaster services, transportation, and bill payer programs)

Requests for services in this panel total \$529,372, which is a 10.9% increase from the FY 15/16 contracted total. These increases are spread across a variety of services. This is the City’s #1 priority area.

Panel 3 – Children’s Services

Requests for services in this panel total \$357,128, which is an 8% increase from the FY 15/16 contracted total. Child care services have increased approximately \$10,000 over the current contracted amount, or 6%. Youth and Shelter Services has requested City funds in its AMP program and its summer enrichment program, neither of which received City funds in FY 15/16.

Panel 4 – Prevention/Support Services

Requests for services in this panel total \$197,298, which is a 7.3% increase from the FY 15/16 contracted total. Youth and Shelter Services has requested \$2,000 in City funds in two programs that did not receive funds in FY 15/16: Adolescent Pregnancy Prevention and Public Education – Human Trafficking.

The table below indicates allocation options based on the percentage increases from the FY 15/16 contracted amount of \$1,212,375. In addition to the amount authorized for these programs, the City will also budget its share of the ASSET administrative expenses. These expenses include services provided by the ASSET Administrative Assistant and printing costs. The City’s estimated share for these expenses in FY 16/17 is \$3,026.

Increase From Current	Dollar Increase	Total City Funding Authorized
2%	\$24,248	\$1,236,623
4%	\$48,495	\$1,260,870
5%	\$60,618	\$1,272,993
6%	\$72,743	\$1,285,118
8%	\$96,990	\$1,309,365
12.2% (request)	\$147,447	\$1,359,822
+		
ASSET Admin. Share	\$3,026	<i>In addition to services</i>

The attached spreadsheet (Attachment C) indicates the services requested from the City compared to the current year, as well as the total amount requested from ASSET funders for each of these services. It does not include funding requested from other funders for services that the City does not participate in.

COTA – Performing Arts Funding

The Commission on the Arts (COTA) allocation for FY 15/16 is **\$148,733**, which was 3% higher than the \$144,401 allocated for FY 14/15. For FY 16/17 COTA organizations have requested funding in the amount of **\$183,571** (excluding special Spring and Fall Grants). This is a 23% (\$34,838) increase over the FY 15/16 appropriation.

No new organizations have applied for COTA funds for FY 16/17. As always, a range of options is available for establishing an authorized allocation for FY 16/17.

Increase From Current	Amount Authorized
1%	\$150,220
2%	\$151,708
3%	\$153,195
4%	\$154,682
5%	\$156,170
23%	\$182,941

FUNDING REQUESTS FROM OUTSIDE ORGANIZATIONS

City staff accepts applications from outside organizations wishing to receive Local Option Sales Tax funds for their organizations' operations. This process is known as the Ames Fall Grant Program. The City Council has exempted the Ames Economic Development Commission's business development partnership, the Ames/ISU Sustainability Coordinator and the Ames Human Relations Commission from this process, since those activities are conducted in an official capacity on behalf of the City government.

The total amount allocated for FY 15/16 was \$130,680. The total FY 16/17 request is \$165,300, which is a 26.5% increase over the 2015/16 total.

Organization/Program	15/16 Funding	16/17 Request	% Change
Ames Historical Society	\$ 35,000	\$ 37,000	5.7%
Ames Int'l Partner City Association	5,000	5,000	0.0%
Campustown Action Association	27,000	27,000	0.0%
ISU Homecoming	1,000	--	--
Hunziker Youth Sports Complex	26,680	28,300	6.1%
Main Street Cultural District	36,000	68,000	88.9%
TOTAL	\$ 130,680	\$ 165,300	26.5%

ISU Homecoming did not submit a request this year. Staff should note that Main Street Cultural District has included in its application a one-time request of \$20,000 for replacement of the downtown holiday lighting. The remainder of the MSCD request is for operational expenses and activities.

Staff has not assumed that the City Council will approve these requests. The past practice has been to include the amount approved for the prior fiscal year in the recommended budget. **Earlier this year, the City Council indicated that it wished to establish a fixed amount of funds that could be allocated under this process, similar to the process for ASSET and COTA requests. Therefore, City Staff is seeking direction from the City Council regarding a total allocated amount for the coming year. As with the similar funding processes, a variety of options is available to the City Council:**

Increase From Current	Amount Authorized
1%	\$131,987
2%	\$133,294
3%	\$134,600
4%	\$135,907
5%	\$137,214
11.2%	\$145,300
26.5%	\$165,300

We have not assumed that the City Council will approve the individual requests for these groups. The past practice has been to include the requests and amount approved for the prior fiscal year in the recommended budget. **Therefore, the 2015/16 funded total will appear in the 2016/17 recommended budget (\$130,680).**

Town Budget Meeting

On October 6, 2015, the annual Town Budget Meeting was held. Minutes from the meeting are included as an attachment (Attachment D) to this document.

City Council’s Input

Given the information provided, Council’s input is requested.

Service Level Increases

Service Level Decreases

Other Issues



Iowa League of Cities

Special Report

Budget Special Report for Fiscal Years (FY) 2016-17

Reminder: All city budgets must be completed using the file provided by the Iowa Department of Management (IDOM) and submitted electronically as prescribed by IDOM. The budget form must also be filed with the county auditor. Forms can be found at www.dom.state.ia.us/local/city/index.html.

500 SW 7th Street, Suite 101
Des Moines, IA 50309
Phone (515) 244-7282
Fax (978) 367-9733
www.iowaleague.org



Significant changes to Iowa's property tax system along with other economic factors will continue to impact the ability of city governments across the state to provide needed services while maintaining a responsible budget.

Information in this special report details the key issues needed to prepare your city budget and serves as a starting point for the upcoming budget process. It is also important to note that several topics covered in this report are not only important to this city budget process, but are also likely to be major issues in the future.

Many of the figures included in this report are projections only and may be subject to change based on actions by the legislature and the Governor. If the League becomes aware of changes to the numbers in this report the information will be posted at www.iowaleague.org.

Table of Contents

Revenues	2
• City revenues continue to be affected by recent changes to the property tax system, including the implementation of the new Multi-Residential property class.	
Expenditures	7
• The FY 2017 IPERS contribution rates for regular members will remain the same with a 5.95 percent contribution rate for employees and 8.93 percent contribution rate for the employer. The contribution rate for protection class members will also remained unchanged.	
• The cost of many raw materials, goods and services has been stagnant over the last year as the Consumer Price Index for All Urban Consumers (CPI-U) was unchanged from September 2014 to September 2015.	
Legislation	10
• A review of legislation passed in 2015 that may affect city budgets.	
Other Budget Issues	11
Budget Calendar	15
Web Resources	16

Revenues

Assessment Limitation Order – Rollback and Major Changes to Iowa’s Property Tax System

The January 1, 2015 property valuation serves as the basis for calculating property taxes in fiscal year (FY) 2017.

Rollback Figures				
Property Class	FY 2017	FY 2016	FY 2015	FY 2014
Agricultural	46.1068%	44.7021%	43.3997%	59.9334%
Commercial	90%	90%	95%	100%
Industrial	90%	90%	95%	100%
Railroad	90%	90%	95%	100%
Residential	55.6259%	55.7335%	54.4002%	52.8166%
Multi-Residential	86.25%	*Begins FY 2017		

Since 1978, residential and agricultural property has been subject to an assessment limitation order, or “rollback”, that limits annual growth of property values (all other classes of property were eventually added). Prior to the 2013 overhaul of the property tax system, property value growth was limited to 4 percent per year for agricultural, commercial, industrial and residential properties. If property values grew by more than 4 percent, the taxable value was rolled back to comply with the assessment limitation system.

In addition, the rollback included a formula that tied the growth of residential property to that of agricultural property. This connection is commonly referred to as “coupling” and limited the valuation of either property class to the smaller of the two. Since the law’s inception, residential property has always been subject to significant rollbacks while the other property classes did not grow as much and were usually taxed at or near their full assessed value.

While the property tax rollback system remains in place, several major changes were made during the 2013 legislative session. For each assessment year beginning in 2013, residential and agricultural property value growth is now capped at 3 percent, or whichever is lowest between the two classes (the coupling provision remains).

Commercial, industrial and railway property now have their own rollback, which began at 95 percent for valuations established during the 2013 assessment year (affecting FY 2015) and 90 percent for the 2014 assessment year and thereafter. The rollback percentage for these properties will remain fixed at 90 percent regardless of how fast or slow valuations grow.

The legislature created a standing appropriation, beginning in FY 2015, to reimburse local governments for the property tax reductions resulting from the new rollback for commercial and industrial property (railroad not included). The “backfill” was funded at 100 percent by the legislature for FY 2015 and FY 2016 and cities receive the funds in a similar manner as property tax revenue. Future backfill appropriations will be capped at the FY 2017 level. These funds should be recorded as intergovernmental revenue from the state. For those using the standard Chart of Accounts the account number will be 4464: Commercial/Industrial Replacement Claim Payments.

A new property class was established for multi-residential property, which first takes effect in FY 2017 and will likely have long-term impacts for many cities around the state. The definition of multi-residential property is broad and includes:

- Mobile home parks
- Manufactured home communities
- Land-leased communities
- Assisted living facilities
- Property primarily used or intended for human habitation containing three or more separate living quarters

- For buildings that are not otherwise classified as residential property, that portion of a building that is used or intended for human habitation can be classified as a multi-residential property, even if human habitation is not the primary use of the building and regardless of the number of dwelling units located in the building

Multi-Residential Property Rollback Schedule	
FY 2017	86.25%
FY 2018	82.50%
FY 2019	78.75%
FY 2020	75%
FY 2021	71.25%
FY 2022	67.50%
FY 2023	63.75%
FY 2024 (and beyond)	Equal to residential

Excluded properties include, hotels, motels and other buildings where rooms or dwelling units are typically rented for less than one month. Multi-residential properties will be subject to a separate rollback schedule for eight years, as shown in the table to the left, before reaching the residential rollback percentage. Unlike the rollback for commercial and industrial properties, there will be no backfill funding to offset revenue reductions for the multi-residential property rollback.

A new exemption for telecommunications companies was created that is based on “the actual value that is used by the companies in the transaction of telegraph and telephone business.”

The actual value for telecommunication companies focuses primarily on the lines used to operate telegraph and telephone services. Once the properties have been assessed, they will receive partial property tax exemptions based on their total value as detailed below:

- 40 percent of the actual value of the property that exceeds \$0 but does not exceed \$20 million.
- 35 percent of the actual value of the property that exceeds \$20 million but does not exceed \$55 million.
- 25 percent of the actual value of the property that exceeds \$55 million but does not exceed \$500 million.
- 20 percent of the actual value of the property that exceeds \$500 million.

With the sweeping changes to the property tax system, it may be difficult for cities to accurately forecast how their budget will be affected. The League will continue to study the impact of these changes and provide additional resources for cities to use, including the Property Tax Model which allows cities to enter in their own property tax valuations and see how their budget is affected. Please visit www.iowaleague.org to use the model and view other property tax resources.

Property Tax Levies

Cities may levy up to \$8.10 per \$1,000 of taxable value on residential, commercial and industrial property and up to \$3.00375 per \$1,000 on the taxable value of agricultural property for their general fund (*Code of Iowa* Section 384.1). If a city is unable to meet the essential costs for services within the \$8.10/\$1,000 levy limit, there are several other levies available.

- A city may levy for the city’s contribution under the Federal Insurance Contributions Act (FICA), the Iowa Public Employees’ Retirement System (IPERS), the Municipal Fire and Police Retirement System of Iowa (MFPRSI) and certain other employee benefits. On the state budget forms, these are shown in the special revenues fund column of the Revenues Detail (Form 631B). The expense would be shown on the Expenditures Schedule (Form 631A) under the appropriate activity in the special revenues fund (column D). Alternatively, the city may need to transfer the benefits into the general fund where the expenses are recorded.
- Insurance premiums, including workers’ compensation, necessary for the operation of the city and the costs of self-insurance or risk pools may also be levied outside the \$8.10/\$1,000 limit. The levy rate is the actual cost of the premiums divided by the total property tax base.

Insurance costs on projects or improvements covered by revenue bonds and insurance on proprietary fund activities may not be levied, as these activities should fund themselves. These revenues are typically credited to the general fund even though they are restricted.

- An emergency levy rate of up to \$0.27/\$1,000 of taxable valuation that can be used for any governmental purpose (Section 384.8). This is a special revenue that must be transferred to the general fund for expenditure prior to the end of the fiscal year.
- A city may levy to cover principal and interest payments on general obligation bonds under debt service. Provided proper procedures were followed on lease-purchase or loan agreements, the annual principal and interest payments may also be levied under debt service. The debt service levy is the dollars needed to cover the annual debt obligations divided by the total property tax base.

Section 384.12 lists several other levies available to a city for specific purposes, some requiring a referendum. Non-voted levy activities include funding for the operation and maintenance of a publicly owned transit system; liability, property and self-insurance costs; a joint county-city building lease and rent; support of a local Emergency Management Commission; and operation and maintenance of a city-owned civic center. Activities requiring a voted levy include funding for instrumental or vocal music groups, memorial buildings, symphony orchestras, cultural and scientific facilities, aid to public transportation companies, library services and emergency medical districts.

Employee Benefits Levy

Cities may levy for the city's contribution to certain employee benefits. The definition of employee benefits includes:

- Retiree hospital/medical/prescription benefits pursuant to *Code* Section 364.25
- Workers' compensation cost or insurance premiums
- Employer's share of employee benefit plan costs for employees and their dependents which would include only:
 - Hospital/medical/prescription benefits
 - Dental benefits
 - Disability insurance benefits
 - Life insurance benefits
 - Long-term care insurance benefits
 - Vision benefits
- Deferred compensation programs for city managers, fire chiefs and police chiefs who do not participate in either IPERS or MFPRSI
- Employee wellness programs that are a part of or included in a document approved by the city council
- Employee assistance programs providing free counseling for employees and their dependents
- Occupational Safety and Health Administration (OSHA) required tests
- Regularly-scheduled, city-required post-employment physicals for employees, police reserves and volunteer firefighters

Utility Replacement Tax

The Utility Replacement Excise Tax is collected on the generation, distribution and delivery of electricity and natural gas. This tax replaced the taxation on utility property in 1999. Cities are required to calculate their property tax revenues with and without utility property valuations. The difference that is calculated is necessary to establish the General Property Tax Equivalents, the basis for determining the distribution of the excise tax. The Iowa Department of Revenue calculates the amount of revenue that a city will receive and includes this information with the budget packet cities receive from the Iowa Department of Management.

Franchise Fee Legislation

In 2009, the state legislature passed a bill that legalized the collection of gas and electric franchise fees not to exceed five percent of the franchisee’s gross revenues “without regard to the city’s cost of inspecting, supervising, and otherwise regulating the franchise.” Revenue from franchise fees can only be used for certain purposes outlined in the bill, but does include such items as public improvements, property tax relief, public safety, energy conservation and economic development activities. A bill approved during the 2015 legislative session requires cities to hold public hearings prior to increasing or amending a franchise fee.

■ For more information, please read the League’s special report on franchise fees at www.iowaleague.org.

IDOT RUTF Per Capita Forecast	
Fiscal Year	Current IDOT Per Capita Forecast
FY 2016	\$120.50
FY 2017	\$121.00
FY 2018	\$121.00
FY 2019	\$122.00
FY 2020	\$123.00

**includes gas tax increase*

Road Use Tax Fund

The Road Use Tax Fund (RUTF) is accumulated through motor vehicle registration fees, motor vehicle fuel taxes, an excise tax imposed on the rental of automobiles and a use tax on trailers. The state legislature approved a League-supported gas tax increase in 2015 that will bring additional funding to the system for critical road infrastructure needs. The per gallon tax increase of 10 cents is estimated to add \$215 million annually to the fund, from which cities receive per capita distributions to pay for the construction, repair and maintenance of road infrastructure.

Cities are reminded that economic instability and fluctuating fuel consumption and costs can result in immediate changes in the fund. The Iowa Department of Transportation (IDOT) issues per capita forecasts only and cities are only entitled to receive their share of the amount actually collected. The estimates are subject to dramatic changes and cities should consider using a conservative estimate.

Also, the estimates are based on current law regarding specific revenue to and disbursement from the RUTF. Any change in the law could change the per capita amount to be distributed to cities.

Transfer of Road Jurisdiction: Cities Under 500

In 2004, counties in Iowa assumed responsibility for maintenance of Farm-to-Market (FM) roads in cities with a population less than 500. A transfer of RUTF money based on the total length of the FM roads in each of these cities was also transferred to the respective county. Many cities have entered into 28E agreements with the county to return a portion or all of the responsibility for the road back to the city, along with a corresponding amount of RUTF funds. The State Auditor's Office has stated that funds transferred back to the city from the county are still restricted in the same manner as all Road Use Tax revenue, because road use tax funds are restricted to be spent for roads by Article VII (8), Iowa Constitution. As such, the revenue received under the 28E agreement should be recorded in the city's Special Revenue Fund as:

- Intergovernmental
- Local grants and Reimbursements

This revenue should not be recorded as road use tax revenue by the city since it is already recorded as road use tax revenue when received by the county. The money must also be spent in accordance with the *Code of Iowa* Chapter 312 and any terms and conditions of the 28E agreement.

■ *FY 2016 farm-to-market RUTF estimates are available online at www.iowaleague.org.*

Local Option Sales Tax

Cities in Iowa are allowed to establish a Local Option Sales Tax (LOST) upon approval by its citizens. Rates are limited to one percent and cities must specify on the ballot the purposes of the revenue, including any that will be used for property tax relief.

The Iowa Department of Revenue (IDR) is required to send an estimate of the monthly tax revenues each city will receive for the year by August 15 of each fiscal year. Ninety-five percent of estimated tax receipts are paid to the city monthly. A final payment of any remaining tax due to a city for the fiscal year will be made before the due date of the first payment of the next fiscal year. If an overpayment to a city exists for a previous fiscal year, the first and/or second payment of the subsequent fiscal year will be adjusted to deduct the overpayment.

The FY 2016 statewide LOST estimate is \$313,905,492, an increase from the FY 2015 estimate of \$298,538,961. The IDR has several helpful files regarding LOST, including a history of revenues for each city, monthly estimates, and a tool that shows how distributions would be impacted by a city approving or rescinding a LOST. Those files can be accessed at tax.iowa.gov/local-option-tax-information-local-government.

■ *More detailed information may be obtained by contacting the IDR at (800) 367-3388 or tax.iowa.gov.*

Hotel/Motel Tax

A city may impose a hotel/motel tax at a rate not to exceed 7 percent after successful approval of a simple majority vote within the city. State law requires that 50 percent of such revenues are used for acquiring, improving, operating or improving recreational, cultural or entertainment facilities. The remaining revenues may be spent on any other lawful purpose.

■ *The IDR has additional information, including files showing rates and quarterly payment distributions, at tax.iowa.gov/iowa-hotel-motel-tax.*

Enrich Iowa Funds for Libraries

The Enrich Iowa Program includes Direct State Aid, Open Access and Interlibrary Loan.

- Direct State Aid is a direct payment to public libraries and is intended to be used to improve and enhance library services.
- Open Access provides a partial reimbursement to participating libraries to make it possible for patrons to check out materials at other participating libraries.
- Interlibrary Loan provides partial reimbursement for interlibrary loans among all types of libraries.

■ *Additional information on these programs is available at the State Library of Iowa Web site, www.statelibraryofiowa.org/ld/e/enrich-ia.*

Fuel Tax Refunds

Cities are eligible for refunds from both federal and state governments for taxes paid on gasoline. In most cases, cities must pay the fuel taxes at the pump and then file for a refund with the state and federal governments. Cities on a modified accrual accounting basis should not consider payment of the tax as an expenditure nor should they consider the refund as revenue. However, cities on a cash accounting basis should charge the tax as an expense and receipt the refund as revenue. In order to receive a refund from the state, the city must:

- 1) Have a refund number
- 2) Keep a record of gallons purchased (cities are not required to send the actual invoices with the refund request)
- 3) Apply for the refund within one year of purchase

Cities may apply for a refund number and obtain forms necessary for filing the refund by contacting the Iowa Department of Revenue at (800) 367-3388 or download the forms by visiting tax.iowa.gov/other-iowa-motor-fuel-tax-information. Cities may also file for a refund by telephone and request direct deposit of their refunds.

If your city is entitled to a federal refund of \$750 or more per quarter for tax paid on gasoline purchases, you may file quarterly for a refund. If the refund is less than \$750 per quarter, you must file annually. To receive the refund on the gas tax, a refund request must be filed on Internal Revenue Service (IRS) Form 8849. See IRS Publication 510 Fuel Tax Credits and Refunds for further information.

■ *You may request IRS forms by calling (877) 829-4933 or download the forms at www.irs.gov/Forms-&Pubs.*

Expenditures

U.S. Consumer Price Index

The U.S. Consumer Price Index (CPI) is a measure of the changes in retail prices of a fixed market grouping of consumer goods and services. The CPI for all urban consumers (not seasonally adjusted) for September 2015 is unchanged from September 2014. The CPI-U is based on the major expenditure categories of food and beverages, housing, clothing, transportation and energy, medical care, recreation, education and communication as well as other goods and services.

Closer to home the Midwest Region CPI decreased .8 percent from September 2014 to September 2015, largely attributable to declines in fuel prices.

■ *The most recent CPI figures and more information can be obtained by visiting www.bls.gov/cpi/.*

FICA Deductions

The city (employer) and the employee each contribute 7.65 percent of wages for Social Security and Medicare. The maximum taxable earnings subject to the Social Security portion (6.2 percent) of the Federal Insurance Contributions Act (FICA) is currently \$118,500 and is projected to remain the same in 2016. There is no limit on the salary covered for the Medicare portion (1.45 percent) of FICA. Please note that rates may change during the fiscal year. Questions on FICA may be directed to the Des Moines office of the Social Security Administration (SSA) at (800) 772-1213.

■ You can also visit the SSA Web site at www.ssa.gov for questions, publications and other information.

IPERS Contribution Rates Regular Class Members			
Regular Class Members	July 1, 2014	July 1, 2015	July 1, 2016
Employee Rate	5.95%	5.95%	5.95%
Employer Rate	8.93%	8.93%	8.93%
Combined Rate	14.88%	14.88%	14.88%

IPERS Contribution Rates Protection Class Members			
Protection Class Members	July, 2014	July 1, 2015	July 1, 2016
Employee Rate	6.76%	6.56%	6.56%
Employer Rate	10.14%	9.84%	9.84%
Combined Rate	16.90%	16.40%	16.40%

Iowa Public Employees’ Retirement System (IPERS)

IPERS contribution rates have held steady the past couple of years after significant increases were previously necessary to keep the system fully funded due to market instability leading to investment losses several years ago. In addition, important changes for current and newly vested members were made in 2010 to help protect and grow the fund in the future. City officials are also encouraged to consult with an IPERS representative should they have any questions about their retirement account.

Employer and employee contribution rates are posted to the IPERS Web site at www.ipers.org/about-us/contribution-rates.

Important Note: All part-time elected officials must be covered by IPERS unless they specifically opt out of coverage. All employers will be audited on a regular cycle, based on the number of employees.

■ Questions may be directed to the IPERS office at (800) 622-3849 or visit their Web site at www.ipers.org for more information.

MFPRSI Contribution Rates			
MFPRSI City Contribution Rates	July 1, 2014	July 1, 2015	July 1, 2016
Employee Rate	9.40%	9.40%	9.40%
Employer Rate	30.41%	27.77%	25.92%
Combined Rate	39.81%	37.17%	35.32%

Municipal Fire and Police Retirement System of Iowa (MFPRSI)

The MFPRSI contribution rate formula is established in *Code of Iowa* Chapter 411 and currently sets the employee rate at a fixed 9.40 percent. Each year, the MFPRSI Board of Trustees sets the employer rate after the completion of an annual actuarial valuation.

The city’s contribution rate, effective July 1, 2016, will be 25.92 percent, a slight decrease from the current rate. Recent actuarial projections show that future employer contribution rates could continue to decline slightly.

Mileage

Cities may reimburse city officials and employees using their own vehicles up to the amount allowable under Internal Revenue Service (IRS) rules. While cities are not required to use the IRS rate, any changes made in the city reimbursement rate should be done by resolution. The current IRS rate of 57.5 cents per mile is valid until December 31, 2015. Rates for 2016 have not yet been determined and will be available at www.irs.gov in December.

Minimum Wage Rate

Both the state and federal minimum wage have remained the same for several years. The state hourly wage is \$7.25 and the hourly wage for youth employees working less than 90 days is \$6.35 (the lower rate only applies to employees under the age of 20). The federal minimum wage is also \$7.25 per hour. As a reminder, if there is a disparity between the federal and state minimum wage rate, employers are required to pay the higher of the two.

Unemployment Compensation

Most cities are reimbursable for unemployment compensation upon application, unless they elect to be contributory by completing an additional form stating such. Cities must reimburse the state for actual unemployment benefits paid out by Iowa Workforce Development (IWD) within 30 days following the billing for any quarter in which the state has made payments to the city's former employees. If a city anticipates the possibility of layoffs during a fiscal year, they may want to budget for the expense of reimbursing unemployment benefits.

Contributory tax rates are based on the extent that tax payments made by the city are in excess of benefits paid out by IWD, and this reserve balance is then divided by the average taxable payroll. The tax due is found by taking the percentage calculated for the city multiplied by the first \$27,300 of each employee's gross salary. IWD will mail tax rate notices giving the percentage for each city in November. The city has 30 days from the Rate Notice Date on the form to appeal their contribution rate.

All cities have the option to change their status to contributory or reimbursable. Cities can change their status by December 1 for the next calendar year by contacting IWD for the appropriate forms in advance of the deadline. However, if a city opts to switch from contributory to reimbursable, it is required to pay to IWD any deficit that may be due to claims against its current account in excess of contributions.

■ *Information regarding IWD can be found at www.iowaworkforcedevelopment.gov.*

Workers' Compensation Insurance

Premium for workers' compensation coverage can be estimated using the audited payroll from the previous year with adjustments for cost of living and other increases, taking into consideration anticipated changes in personnel and/or operations. Once payroll has been adjusted for each class code, apply the rate for each code per \$100 of payroll. The city should check with its agent to see if any rate changes will go into effect prior to its renewal.

General Liability and Property Insurance

Liability coverage contribution is based on several factors such as number of employees, number and types of automobiles and expenditures. However, the easiest way to project cost of liability coverage is to apply the current inflation factor. Premium for liability coverage is based on the number of employees and a five percent increase to the entity's total budget. Rating for property and auto physical damage coverage is based solely on the total insured value (TIV) of the schedule. A simple way to project cost is to calculate the TIV of the previous year, divide it into last year's contribution and apply the factor to this year's TIV.

Legislation

When re-estimating revenues and expenditures for FY 2016 and budgeting for FY 2017, cities should keep in mind recent legislative actions that may have a significant fiscal impact on the city. Full coverage of the laws passed by the 2015 General Assembly is included in the New Laws of Interest to Iowa Cities report, which can be found on the League Web site at www.iowaleague.org.

HF 616 – Primary Use Related to Multi-Use Properties

Strikes the “primary use” language from *Code of Iowa* Section 441.21 that was put in place by the property tax reform law, SF295, in the 2013 legislative session. Creates dual classification for properties that have three or more units of habitation, instead of determining the primary use before the tax assessment for the building. Amends Sections 426C, 441.21 and 441.26.

HF 626 – Property Assessment Appeal Board

Extends the future repeal of the Property Assessment Appeal Board to 2021, and provides for the future repeal of the State Board of Tax Review no later than July 1, 2016. Amends Section 441.28.

HF 660 – Public Hearing for Franchise Fee

Requires a city hold a public hearing before adopting or amending an ordinance imposing a franchise fee or increase to the rate of the fee. Also, requires that notice of the hearing be published at least once, not less than four nor more than 20 days before the date of the hearing, and that the publication must be in a newspaper published at least once weekly and having general circulation in the city. Does not impact the ability for a city to have a franchise fee or to increase the fee. Amends Section 364.2.

SF 257 – Gas Tax Increase

Increases the state gas tax by 10 cents per gallon. This is estimated to provide \$215 million additional revenue to the Road Use Tax Fund (RUTF), from which cities receive per capita distributions to pay for the construction, repair and maintenance of road infrastructure. Amends Section 452A.3.

HF 507 – Delinquent Sewer Accounts

Allows wastewater providers, who do not also provide water services, to contract with water providers to allow the water provider to discontinue service to a customer who has a delinquent sewer account. Allows cutoff only for new customers, not existing customers that have already entered into a contract. Amends Section 384.84.

SF 499 – Iowa Economic Development Authority Omnibus Bill – Abandoned Nuisance Properties

Includes language that helps cities address abandoned nuisance properties – properties that the owner no longer wants and are expensive to clean up. Division VI of the bill creates a loan program under IEDA for cities to access low-interest capital to address these properties, provides additional due process and enhanced notification to the property owner, and also extends the current process under Section 657A.10A to purely commercial properties, such as abandoned gas stations and warehouses. Amends Section 657A.10A.

HF 650 – Rebuild Iowa Infrastructure Fund

- Appropriates \$5 million to the Community Attraction and Tourism (CAT) Grants fund. The CAT fund is one of three funds that comprise the Vision Iowa Program. The CAT fund was created to assist projects that will provide recreational, cultural, entertainment and educational attractions.
- Appropriates \$1 million to the Iowa Great Places Fund. The Iowa Great Places Fund seeks to have a transformative impact on community vitality and quality of life for Iowans.

SF 510 – Standing Appropriations

- Appropriates \$416,702 for FY 2015-2016 for operational support grants and community cultural grants under Section 99F.11.
- Appropriates \$208,351 for FY 2016-2017 for operational support grants and community cultural grants under Section 99F.11.
- Workforce Housing Tax Incentives Program – Amends certain provisions of the program that was created along with the High Quality Jobs Program, and creates a 10 percent buffer if there is an overage on costs per unit. This will assist developers as they work to revitalize core neighborhoods.

Other Budget Issues

City Budget Form Changes

The Iowa Department of Management (IDOM) has updated the city budget form that is filed with the state. The Long Term Debt Schedule has been revised to include information that will better assist the County Auditor in tracking the debt service of each city. A column has been added for denoting if the debt is a General Obligation (GO) or a Non-General Obligation (Non-GO) of the city. Another column has been added which will require the reporting of the resolution number of the resolution that approved the debt. The FY 2017 city budget form was also revised to include a space at the top of the Adoption of Budget and Certification of City Taxes form for the resolution number of the resolution which approved the city budget.

The budget amendment form has also been updated to include a Transfer In line under the revenue section and a calculator that shows the timeframe for publishing the public hearing notice. Also of note, the IDOM will pre-fill actual year data from each city's Annual Financial Report into the city budget form. As a reminder, the budget form must be filed with IDOM and the county auditor by March 15.

Affordable Care Act

Cities are reminded to be in compliance with applicable provisions of the Affordable Care Act (ACA) or they could be subject to penalties for employers and individuals. With that in mind, cities need to know how the ACA affects them and their employees and prepare for any coming changes. The various aspects of the ACA could impact cities in many different ways and cities are encouraged to consult with their health care advisors to determine the best course of action.

■ *Additional information is available at www.iowaleague.org.*

Annual Urban Renewal Report

Legislation approved in 2012 requires all cities that have an urban renewal area to submit the Annual Urban Renewal Report. Cities must provide a variety of information for each of their urban renewal areas, including urban renewal plans, maps, tax increment financing ordinances, debt and financing data, and urban renewal projects.

The report is due December 1 of each year and must be completed and filed using the IDOM online reporting system (www.dom.state.ia.us/local/tif/index.html). The system requires users to upload associated documents in PDF format. City councils must approve the form prior to submittal. Failure to file the report by the deadline will result in the city being unable to certify their budget and being placed on a list sent to the legislature.

■ *The League and IDOM recorded training webinars on how to complete the report. Those webinars and other helpful information can be found at www.iowaleague.org and www.dom.state.ia.us.*

Certification of TIF Debt

Cities must certify debt payable with Tax Increment Financing (TIF) funds on or before December 1. *Code of Iowa* Section 403.19 requires cities to certify to the county auditor the amount of any “loans, advances, indebtedness, or bonds” that qualify for payment from TIF revenue from a TIF district. This certification of TIF debt is only required once. However, due to the unique nature of many TIF financing programs, some cities may need to file on an annual basis.

The auditor is responsible for collecting and distributing the funds available from the increment in subsequent years until the entire certified amount is paid into the city’s tax increment fund. However, if additional debt is incurred, that amount must be certified by the following December 1 in order for the county auditor to make the proper distribution in the next fiscal year. Failure to certify the debt before December 1 will delay payments to the city by one year. IDOM and the State Auditor’s Office have developed a TIF Debt Certification form that cities may use when certifying their debt to the county auditor.

■ *The League and IDOM recorded training webinars on how to complete the report. Those webinars and other helpful information can be found at www.iowaleague.org and www.dom.state.ia.us.*

Bid and Quote Thresholds for Iowa Cities

The bid and quote thresholds for qualifying public improvement projects as defined in Chapter 26 of the Code of Iowa can be seen in the following tables.

■ For a detailed explanation of construction bidding and quotation procedures please visit the Member Resources section at www.iowaleague.org.

Current Bid/Quote Thresholds		
<i>Horizontal Infrastructure – Roads, streets, bridges, culverts</i>		
	Cities Less Than or Equal to 50,000	Cities Greater Than 50,000
Competitive Bid Required	\$50,000	\$72,000
Competitive Quote Required	N/A	N/A

Current Bid/Quote Thresholds		
<i>Vertical Infrastructure – Buildings, parking facilities, utilities, trails</i>		
	Cities Less Than or Equal to 50,000	Cities Greater Than 50,000
Competitive Bid Required	\$135,000	\$135,000
Competitive Quote Required	\$55,000	\$75,000

W-2 and 1099 Forms

Cities are reminded that W-2 and 1099 forms are due to employees and vendors, respectively, by January 31 of each year. Completed paper forms must be filed with the state and federal governments by February 29, 2016 while electronic forms have a deadline of March 31, 2016. For employees that claim exemption from federal income taxes, they must file a new form W-4 with the city by February 15.

The Affordable Care Act requires employers to report the cost of coverage under an employer-sponsored group health plan on an employee’s Form W-2 in Box 12 using Code DD. For cities filing fewer than 250 W-2 forms this requirement is optional, although the IRS may lower this threshold in the future. Additional information on this requirement can be found at www.irs.gov/Affordable-Care-Act/Form-W-2-Reporting-of-Employer-Sponsored-Health-Coverage.

GASB 45

Governmental Accounting Standards Board Statement 45 (GASB 45) requires many public entities to reflect the value of post-employment benefits (health, life, dental, etc.) that are provided to retired employees in your future audited financial statements. Your auditor has likely informed you when (and if) your city will meet the requirements for compliance with this accounting standard.

GASB 54

Governmental Accounting Standards Board Statement Number 54 (GASB 54) provides guidance for fund balance categories and classifications and governmental fund type definitions. In Iowa, the Annual Financial Report, sent to the State Auditor’s office by December 1 of each year, has been changed due to GASB 54. This means all cities in Iowa are impacted.

GASB 54 changed the way we look at cash balances, specifically reporting what cash balances, by major governmental fund type, are or are not available for public purposes. Additional information can be found at www.iowaleague.org/members/Pages/GASB54FundBalanceClassifications.aspx.

GASB 68

Governmental Accounting Standards Board Statement Number 68 (GASB 68) requires state and local government to make significant changes to how they account and report finances related to pension plans. This includes new requirements for reporting pension-related liabilities and obligations. The State Auditor's Office has created a variety of resources to help cities prepare for the new requirements, which can be found at www.auditor.iowa.gov/pension/index.html.

GASB 77

Governmental Accounting Standards Board Statement 77 (GASB 77) issues new requirements for cities to disclose information regarding tax abatement programs. Cities must report the purpose of any tax abatement program, tax being abated, dollar amount of taxes abated, provisions for recapturing abated taxes and other commitments made in a tax abatement agreement, such as to build infrastructure assets. The new disclosures also require information about tax abatements entered into by other governments that reduce the reporting government's tax revenues, including the name of the government entering into the tax abatement, the tax being abated and the dollar amount of the reporting government's taxes abated.

Red Flag Rules

The Fair and Accurate Credit Transactions (FACT) Act of 2003 requires utilities and government entities to implement identity theft prevention programs. These provisions are known more commonly as the Red Flags Rule. Municipal utilities, local governments and any entity that can broadly be classified as a creditor should develop and implement a written identity theft prevention program. More information regarding this policy is available at www.business.ftc.gov/privacy-and-security/red-flags-rule.

Proposed Rule Change for Exempt Employees under Fair Labor Standards Act

The U.S. Department of Labor issued a proposed rule change for exempt employees as defined by the Fair Labor Standards Act (FLSA). Currently, exempt employees are subject to a salary basis test which requires a minimum salary of at least \$455/week or \$23,660/year in order to qualify as exempt. The proposed rule change increases the annual salary to \$47,892 beginning in 2016 (please keep in mind there are other standards an employee must meet under the FLSA in order to be classified as exempt). At the time of this writing this is only a proposed rule. If approved, it is expected to take effect in early 2016.

Training Costs

The League and others offer several training events directed at city officials throughout the year. Be sure to check www.iowaleague.org throughout the year to get information about these events and the associated registration fees.

Consumer Confidence Report

Cities are required to complete a Consumer Confidence Report, which is designed to inform consumers of their local water quality. A copy of the report must be mailed or otherwise directly delivered to each customer annually by July 1. A city with a population less than 10,000 with no violations during the past year may use a mailing waiver. If these cities choose to use the mailing waiver:

- For a city with a population less than 500, the mailing waiver must provide notice at least once per year to their customers by mail, door-to-door delivery or posting that the report is available upon request.
- For a city between 500 and 10,000 in population, the mailing waiver must inform customers that the report will not be mailed. The cities must publish the report in the newspaper and make the report available upon request.

Single Audit Act

Cities that expend a total of \$750,000 or more in federal assistance in a fiscal year must comply with the Single Audit Act, which requires a single or program-specific audit of city financial records.

Budget Calendar

The following schedule is an example for cities to follow during the budgeting process. The following information assumes the city has a Thursday newspaper with a Tuesday deadline and the council meets on the first and third Monday. Cities should adopt a calendar that meets their specific circumstances. **Dates noted by an asterisk are statutory deadlines or requirements.*

Typical Budget Timeline

- City elected officials and staff members meet to hold preliminary budget discussions and schedule formal work sessions and budget adoption dates..... November and December
- City department heads give budget and proposals to city finance officer..... January 4
- Budget work session(s) with staff members and city council January 18 (and February 1)
- Council receives and adopts final proposed budget and orders notice of hearing..... February 15
- Notice of hearing on adoption of final budget published February 25

Notice Requirement: Notice of the budget hearing must be given not more than 20* days nor less than 10* days before the date of the hearing.

Detailed Budget: The detailed budget must be available for public inspection at least 10* days before the final budget hearing and 20* days before final date for certification, and is to be available at the clerk’s and mayor’s offices and the public library, or posted at three places designated by ordinance if there is no library.

** Cities might find that they need to exceed the general fund levy limit set by statute (\$8.10 per \$1,000 of taxable property value). If so, a city may appeal to the IDOM/ City Finance Committee and use a unique schedule and set of guidelines. Please contact the League for assistance with such schedules.*

- Budget hearing.....March 7
- Adoption of final budget.....March 7
- Certified budget to county auditorMarch 15*
- Persons affected by the budget have 10 days after the date of certification to file a written protest.....March 25*
- IDOM certifies taxes back to county auditor June 15*
- Budget takes effect.....July 1*

One-Stop Web References

Iowa League of Cities - www.iowaleague.org

The League's Web site has numerous reports on budget matters

Snapshot of Tax Increment Finance

www.iowaleague.org/members/Publications/TIF%20Report_2015.pdf

Requires login to League's Members Only section

Franchise Fees Special Report

www.iowaleague.org/members/Publications/FranchiseFees2015.pdf

Requires login to League's Members Only section

Law Enforcement Special Report (including sample Training Reimbursement contract)

www.iowaleague.org/members/Publications/law%20enforcement%20special%20report_2014_UPDATE.pdf

Requires login to League's Members Only section

Index of Iowa Laws - www.iowaleague.org/members/Pages/IndexofIowaLaws.aspx

Requires login to League's Members Only section

Code of Iowa - www.legis.iowa.gov

Requires Entry of Chapter and Section numbers

Iowa Department of Revenue Fuel Tax Refund Forms

tax.iowa.gov/other-iowa-motor-fuel-tax-information

Iowa Public Employees' Retirement System - www.ipers.org

Iowa Workforce Development - www.iowaworkforcedevelopment.gov

Internal Revenue Service - www.irs.gov

Local Option Sales Tax Information - tax.iowa.gov/local-option-tax-information-local-government

Minimum Wage

The Iowa Division of Labor | www.iowaworkforce.org/labor

The U.S Department of Labor | www.dol.gov

Municipal Fire & Police Retirement System of Iowa - www.mfprsi.org

Publication Rates - www.inanews.com

Social Security Administration - www.ssa.gov

State Library of Iowa Enrich Iowa Funds - www.statelibraryofiowa.org/ld/e/enrich-ia

U.S. Department of Labor - www.dol.gov

U.S. Department of Labor Consumer Price Index information - www.bls.gov/cpi

LOCAL OPTION SALES TAX FUND SUMMARY

	FY 15/16 Adopted	FY 15/16 Adjusted	5% Increase COTA/ASSET FY 16/17 Estimated	
Revenues				
Local Option Sales Tax	\$ 7,484,605	\$ 7,831,295	\$ 7,800,000	
Transfer from Hotel/Motel	101,429	114,285	116,571	
Grants	-	-	-	
Other Revenue	-	-	-	
Total Revenues	<u>7,586,034</u>	<u>7,945,580</u>	<u>7,916,571</u>	
Transfers				
Ice Arena	20,000	20,000	20,000	
Park Development	-	100,000	100,000	
60% Property Tax Relief	4,490,763	4,698,777	4,680,000	
Total Transfers	<u>4,510,763</u>	<u>4,818,777</u>	<u>4,800,000</u>	
Expenses				
Human Service Agencies	1,212,375	1,212,375	1,272,994	(1)
Commission on the Arts	148,733	148,733	156,170	(2)
City Council Spec. Alloc.	135,180	137,980	137,980	(3)
Human Services Admin	21,134	20,982	21,611	
Public Art	41,000	77,840	41,000	(4)
Municipal Band	30,185	30,669	27,170	
	-	-	-	
Total Expenses	<u>1,588,607</u>	<u>1,628,579</u>	<u>1,656,925</u>	
Net Increase/(Decrease)	1,486,664	1,498,224	1,459,646	
Beginning Balance	<u>3,373,191</u>	<u>5,723,214</u>	<u>3,368,258</u>	
Available for CIP	4,859,855	7,221,438	4,827,904	
CIP Projects	<u>1,489,175</u>	<u>3,853,180</u>	<u>1,825,335</u>	(5)
Ending Balance	3,370,680	3,368,258	3,002,569	
Reserve For Park Dev.	666,329	-	-	(6)
Avail Un-Resv Fund Bal.	<u>\$ 2,704,351</u>	<u>\$ 3,368,258</u>	<u>\$ 3,002,569</u>	(7)

(1) FY 15/16 Adopted Plus 5% As Example

(2) FY 15/16 Adopted Plus 5% As Example

(3) FY 15/16 Funding Level as Example

(4) City Council will receive request for Public Art funding in January 2016

(5) Estimated CIP From Prior Plan, Still Reviewing Projects

(6) Park Development Fund Moved to Separate Fund beginning FY 15/16

(7) Does not include any reserve of Fund Balance for fluctuations in revenue

ATTACHMENT C

City of Ames						ASSET Total		
Agency	Service	Index	Contracted 15/16	Request 16/17	% Change Contract to Request	Contracted 15/16	Request 16/17	% Change Contract to Request
ACCESS	Battering Shelter	2.1h	\$ 47,514	\$ 48,464	2.00%	\$ 98,581	\$ 100,553	2.00%
ACCESS	Battering Crisis Intervention	2.1b	\$ 2,650	\$ 2,703	2.00%	\$ 8,407	\$ 8,575	2.00%
ACCESS	Battering Counseling and Support	2.1b	\$ 25,000	\$ 25,250	1.00%	\$ 64,240	\$ 64,882	1.00%
ACCESS	Rape Relief Crisis Intervention	2.1c	\$ 1,800	\$ 1,872	4.00%	\$ 10,600	\$ 11,184	5.51%
ACCESS	Rape Relief Counseling and Support	2.1c	\$ 4,200	\$ 4,326	3.00%	\$ 17,323	\$ 18,518	6.90%
ACCESS	Battering Courtwatch	2.1b	\$ 5,000	\$ 5,100	2.00%	\$ 13,513	\$ 14,360	6.27%
ACCESS	Public Education and Awareness	4.3a	\$ 3,000	\$ 3,578	19.27%	\$ 16,635	\$ 17,726	6.56%
			\$ 89,164	\$ 91,293	2.39%	\$ 229,299	\$ 235,798	2.83%
Ames Comm. Preschool Center	Day Care - Infant	3.1a	\$ 5,052	\$ 5,254	4.00%	\$ 13,297	\$ 13,829	4.00%
Ames Comm. Preschool Center	Day Care - Children	3.1b	\$ 54,004	\$ 56,164	4.00%	\$ 92,684	\$ 96,390	4.00%
Ames Comm. Preschool Center	Day Care - School Age	3.1c	\$ 25,104	\$ 26,108	4.00%	\$ 30,090	\$ 31,294	4.00%
			\$ 84,160	\$ 87,526	4.00%	\$ 136,071	\$ 141,513	4.00%
The Arc of Story County	Special Recreation - Active Lifestyles	1.3b	\$ 1,667	\$ 2,200	31.97%	\$ 34,187	\$ 36,900	7.94%
The Arc of Story County	Respite Care	2.3f	\$ 3,500	\$ 4,000	14.29%	\$ 13,500	\$ 15,000	11.11%
The Arc of Story County	Service Coordination	4.2c	\$ 1,043	\$ 1,000	-4.12%	\$ 3,924	\$ 3,000	-23.55%
			\$ 6,210	\$ 7,200	15.94%	\$ 51,611	\$ 54,900	6.37%
Boys and Girls Club	Youth Development and Social Adjustment - Daily Program	3.2a	\$ 98,700	\$ 105,700	7.09%	\$ 193,566	\$ 209,700	8.34%
			\$ 98,700	\$ 105,700	7.09%	\$ 193,566	\$ 209,700	8.34%
Campfire	Day Care- School Age	3.1c	\$ 2,385	\$ 2,510	5.24%	\$ 16,290	\$ 20,602	26.47%
Campfire	Day Care - School Age - Scholarships	3.1c	\$ 4,255	\$ 4,462	4.86%	\$ 7,362	\$ 7,909	7.43%
			\$ 6,640	\$ 6,972	5.00%	\$ 23,652	\$ 28,511	20.54%
Center for Creative Justice	Correctional Services - Probation Supervision	2.2a	\$ 54,007	\$ 56,437	4.50%	\$ 99,769	\$ 104,257	4.50%
			\$ 54,007	\$ 56,437	4.50%	\$ 99,769	\$ 104,257	4.50%
ChildServe	Day Care - Infant	3.1a	\$ 4,500	\$ 16,000	255.56%	\$ 12,540	\$ 26,000	107.34%
ChildServe	Day Care - Children	3.1b	\$ 15,290	\$ 5,000	-67.30%	\$ 24,030	\$ 14,000	-41.74%
			\$ 19,790	\$ 21,000	6.11%	\$ 36,570	\$ 40,000	9.38%
Eyerly Ball	Primary Treatment/ Health Maintenance - Crisis	1.2b	\$ 18,022	\$ 55,000	205.18%	\$ 18,022	\$ 55,000	205.18%
			\$ 18,022	\$ 55,000	205.18%	\$ 18,022	\$ 55,000	205.18%
Emergency Residence Project	Emergency Assistance for Basic Material Needs	2.1h	\$ 68,500	\$ 75,000	9.49%	\$ 155,699	\$ 179,000	14.97%
Emergency Residence Project	Transitional Housing	2.1a	\$ 4,500	\$ 3,000	-33.33%	\$ 13,216	\$ 12,000	-9.20%
			\$ 73,000	\$ 78,000	6.85%	\$ 168,915	\$ 191,000	13.07%
Good Neighbor	Emergency Assistance for Basic Material Needs	2.1a	\$ 13,427	\$ 13,736	2.30%	\$ 19,234	\$ 19,643	2.13%
Good Neighbor	Healthy Food Vouchers	2.1a	\$ 3,178	\$ 3,284	3.34%	\$ 7,074	\$ 7,323	3.52%
			\$ 16,605	\$ 17,020	2.50%	\$ 26,308	\$ 26,966	2.50%
HIRTA	Transportation - City	2.3d	\$ 40,000	\$ 38,133	-4.67%	\$ 46,683	\$ 58,816	25.99%
HIRTA	Transportation - Iowa City	2.3d	\$ 2,000	\$ 2,000	0.00%	\$ 6,000	\$ 6,000	0.00%

City of Ames						ASSET Total		
Agency	Service	Index	Contracted 15/16	Request 16/17	% Change Contract to Request	Contracted 15/16	Request 16/17	% Change Contract to Request
			\$ 42,000	\$ 40,133	-4.45%	\$ 52,683	\$ 64,816	23.03%
Heartland Senior Services	Day Care - Adults , Adult Day Center	1.4a	\$ 49,375	\$ 51,844	5.00%	\$ 71,294	\$ 75,093	5.33%
Heartland Senior Services	Congregate Meals	1.4e	\$ 27,045	\$ 28,397	5.00%	\$ 46,597	\$ 49,128	5.43%
Heartland Senior Services	Senior Food Program	2.1a	\$ 4,177	\$ 4,177	0.00%	\$ 10,842	\$ 11,093	2.32%
Heartland Senior Services	Service Coordination - Outreach	4.2c	\$ 37,000	\$ 41,655	12.58%	\$ 97,686	\$ 11,806	-87.91%
Heartland Senior Services	Service Coordination - Friendly Visitor	4.2c	\$ 2,671	\$ -	-100.00%	\$ 8,140	\$ -	-100.00%
Heartland Senior Services	Activity and Resource Center	4.2d	\$ 33,481	\$ 34,000	1.55%	\$ 37,019	\$ 39,000	5.35%
			\$ 153,749	\$ 160,073	4.11%	\$ 271,578	\$ 186,120	-31.47%
Mary Greeley Home Health Services	Community Clinics and Health Education	1.1a	\$ 15,025	\$ -	-100.00%	\$ 115,745	\$ -	-100.00%
Mary Greeley Home Health Services	In-Home Health Assistance	1.4c	\$ 12,000	\$ 13,000	8.33%	\$ 136,410	\$ 142,200	4.24%
Mary Greeley Home Health Services	Home Delivered Meals Meals on Wheels	1.4d	\$ 13,000	\$ 13,500	3.85%	\$ 42,520	\$ 44,200	3.95%
			\$ 40,025	\$ 26,500	-33.79%	\$ 294,675	\$ 186,400	-36.74%
Legal Aid	Legal Aid - Society , Legal Aid - Civil	2.2c	\$ 85,000	\$ 105,000	23.53%	\$ 186,890	\$ 243,000	30.02%
			\$ 85,000	\$ 105,000	23.53%	\$ 186,890	\$ 243,000	30.02%
Lutheran Services in Iowa	Crisis Intervention , Crisis Child Care	2.1e	\$ 4,500	\$ 5,635	25.22%	\$ 18,850	\$ 26,416	40.14%
			\$ 4,500	\$ 5,635	25.22%	\$ 18,850	\$ 26,416	40.14%
MICA	Community Clinics - Child Dental	1.1a	\$ 1,650	\$ 1,650	0.00%	\$ 7,500	\$ 7,500	0.00%
MICA	Dental Clinics	1.1a	\$ 27,750	\$ 52,608	89.58%	\$ 54,338	\$ 100,000	84.03%
MICA	Community Clinics - Flouride Varnish	1.1a	\$ 825	\$ 825	0.00%	\$ 2,400	\$ 2,400	0.00%
MICA	Food Pantry	2.1a	\$ 16,555	\$ 16,555	0.00%	\$ 24,318	\$ 24,318	0.00%
MICA	Family Development/ Education	4.1a	\$ 7,279	\$ 7,279	0.00%	\$ 22,462	\$ 22,462	0.00%
			\$ 54,059	\$ 78,917	45.98%	\$ 111,018	\$ 156,680	41.13%
NAMI	Public Education and Awareness	4.3a	\$ 500	\$ 500	0.00%	\$ 5,247	\$ 17,985	242.77%
NAMI	Wellness Center	4.3b	\$ 5,000	\$ 5,500	10.00%	\$ 36,512	\$ 38,080	4.29%
			\$ 5,500	\$ 6,000	9.09%	\$ 41,759	\$ 56,065	34.26%
Raising Readers	Thrive by Five	4.1a	\$ 8,000	\$ 9,000	12.50%	\$ 13,000	\$ 17,000	30.77%
Raising Readers	Out-of-School Time Learning	4.1a	\$ 6,000	\$ 8,000	33.33%	\$ 6,000	\$ 8,000	33.33%
			\$ 14,000	\$ 17,000	21.43%	\$ 19,000	\$ 25,000	31.58%
Red Cross	Disaster Services Program	2.3c	\$ 9,000	\$ 9,000	0.00%	\$ 24,966	\$ 30,000	20.16%
			\$ 9,000	\$ 9,000	0.00%	\$ 24,966	\$ 30,000	20.16%
RSVP	Disaster Services - Volunteer Management for Emergencies	2.3c	\$ 6,300	\$ 6,500	3.17%	\$ 7,150	\$ 7,450	4.20%
RSVP	Transportation	2.3d	\$ 600	\$ 1,200	100.00%	\$ 6,326	\$ 17,000	168.73%
RSVP	Volunteer Management	4.2b	\$ 21,600	\$ 21,900	1.39%	\$ 61,400	\$ 62,300	1.47%
			\$ 28,500	\$ 29,600	3.86%	\$ 74,876	\$ 86,750	15.86%
The Salvation Army	Food Pantry	2.1a	\$ 5,250	\$ 7,500	42.86%	\$ 11,410	\$ 18,000	57.76%
The Salvation Army	Rent and Utility Assistance	2.1a	\$ 17,750	\$ 22,000	23.94%	\$ 28,950	\$ 37,000	27.81%

City of Ames						ASSET Total		
Agency	Service	Index	Contracted 15/16	Request 16/17	% Change Contract to Request	Contracted 15/16	Request 16/17	% Change Contract to Request
The Salvation Army	Disaster Services	2.3c	\$ -	\$ 1,000			\$ 3,000	
The Salvation Army	Representative Payee Services	2.3e	\$ 10,000	\$ 15,000	50.00%	\$ 13,500	\$ 33,000	144.44%
The Salvation Army	Bill Payer	2.3e	\$ 1,000	\$ 5,000	400.00%	\$ 8,860	\$ 8,500	-4.06%
			\$ 34,000	\$ 50,500	48.53%	\$ 62,720	\$ 99,500	58.64%
University Community Childcare	Child Care - Infant	3.1a	\$ 23,504	\$ 25,854	10.00%	\$ 66,376	\$ 73,013	10.00%
University Community Childcare	Child Care - Children	3.1b	\$ 28,287	\$ 31,116	10.00%	\$ 73,234	\$ 80,558	10.00%
University Community Childcare	Comfort Zone	3.1h	\$ 960	\$ 960	0.00%	\$ 4,436	\$ 4,436	0.00%
			\$ 52,751	\$ 57,930	9.82%	\$ 144,046	\$ 158,007	9.69%
Visiting Nurse Services	Foster Grandparent Program	4.2b	\$ 5,386	\$ 5,386	0.00%	\$ 17,867	\$ 17,867	0.00%
			\$ 5,386	\$ 5,386	0.00%	\$ 17,867	\$ 17,867	0.00%
Volunteer Center of Story County	Volunteer Management	4.2b	\$ 6,775	\$ 7,500	10.70%	\$ 67,576	\$ 78,800	16.61%
Volunteer Center of Story County	Service Learning , Youth Volunteering	4.3b	\$ 700	\$ 1,000	42.86%	\$ 8,888	\$ 10,500	18.14%
			\$ 7,475	\$ 8,500	13.71%	\$ 76,464	\$ 89,300	16.79%
Youth and Shelter Services	Substance Abuse Treatment - Outpatient	1.1e	\$ 6,830	\$ 8,000	17.13%	\$ 10,630	\$ 12,500	17.59%
Youth and Shelter Services	Primary Treatment /Health Maintenance Family Counseling	1.2b	\$ 47,250	\$ 49,000	3.70%	\$ 66,250	\$ 69,000	4.15%
Youth and Shelter Services	Transitional Living / Homeless	2.1a	\$ -	\$ 2,500			\$ 7,500	
Youth and Shelter Services	Emergency Shelter - Rosedale	2.1h	\$ 36,000	\$ 38,000	5.56%	\$ 55,977	\$ 59,000	5.40%
Youth and Shelter Services	Storks Nest	2.3a	\$ 6,000	\$ 7,000	16.67%	\$ 9,318	\$ 12,850	37.91%
Youth and Shelter Services	GRIP Mentoring Program	3.2a	\$ 22,000	\$ 24,000	9.09%	\$ 56,752	\$ 64,500	13.65%
Youth and Shelter Services	Youth Development and Social Adjustment - Nevada	3.2a	\$ 27,714	\$ 28,500	2.84%	\$ 48,988	\$ 80,840	65.02%
Youth and Shelter Services	Foster Care Youth Council - AMP	3.2a	\$ -	\$ 500			\$ 1,300	
Youth and Shelter Services	Employment Assistance for Youth - Skills	3.2c	\$ 19,000	\$ 20,000	5.26%	\$ 26,375	\$ 32,620	23.68%
Youth and Shelter Services	Summer Enrichment	3.2d	\$ -	\$ 5,000			\$ 45,000	
Youth and Shelter Services	Family Development/Eduation - Pathways, FADSS	4.1a	\$ 9,000	\$ 9,000	0.00%	\$ 18,063	\$ 20,000	10.72%
Youth and Shelter Services	Public Education/ Awareness - Substanace Abuse Prevention	4.3a	\$ 27,500	\$ 30,000	9.09%	\$ 38,888	\$ 92,940	138.99%
Youth and Shelter Services	Public Education/ Awareness - Child Abuse	4.3a	\$ 8,838	\$ 10,000	13.15%	\$ 25,203	\$ 30,500	21.02%
Youth and Shelter Services	Adolescent Pregnancy Prevention	4.3a	\$ -	\$ 500			\$ 1,400	
Youth and Shelter Services	Pub ed/Aware Human Trafficking	4.3a	\$ -	\$ 1,500			\$ 6,000	
			\$ 210,132	\$ 233,500	11.12%	\$ 356,444	\$ 535,950	50.36%
	TOTAL		\$ 1,212,375	\$ 1,359,822	12.16%	\$ 2,737,619	\$ 3,049,516	11.39%

**TOWN BUDGET MEETING
OCTOBER 6, 2015**

Present:

Bronwyn Beatty-Hansen, 919 Grand Avenue, Ames
Sarah Cady, 2812 Arbor, Ames
Dan DeGeest, 4212 Phoenix Street, Ames
Holly Fuchs, 806 Brookridge Avenue, Ames
Tim Gartin, 2948 Eisenhower Circle, Ames
Sharon Guber, 2931 Northwestern Avenue, Ames
Devita Harden, 418 West 3rd, #114, Nevada
Rebecca Hoepfner, 3803 Ontario Street, Ames
Drew Kamp, 304 Main Street, Ames
Dinah Kerksieck, 621 Garden Road, Ames
Erv Klaas, 1405 Grand Avenue, Ames
Dilys Morris, 535 Forest Glen, Ames
Jeri Neal, 916 Ridgewood, Ames
Erica Peterson, 210 South 5th Street, Ames
Susie Petra, 2011 Duff Avenue, Ames
Merlin Pfannkuch, 1424 Kellogg Avenue, Ames
Joanne Pfeiffer, 3318 Morningside Street, Ames
Frank Randall, 496 W. Riverside, Ames
Catherine Scott, 1610 Roosevelt, Ames
Gloria Symons, 3430 Oakland Street, Ames
Trevin Ward, 2610 Northridge Parkway, Ames
Carol Williams, 628-8th Street, Ames

City Manager Steve Schainker welcomed the audience and explained the process of developing the FY 2016-17 City Budget. Mr. Schainker referenced the Resident Satisfaction Survey, which is mailed to a random sampling of residents to get their opinions on where they would like more or less spending. He explained that residents will be asked tonight to explain where they would like to see more expenditure or less expenditure. Viewers on television were encouraged to call in using the telephone number 515-239-5214. In addition, residents can contact members of the City Council to express their interests.

Mr. Schainker introduced the City staff members present. He then explained the budget calendar. The first step in the budget process is the Resident Satisfaction Survey. City Departments have already started gathering information on their capital improvements and operating budgets. Mr. Schainker emphasized that the purpose of this Town Budget Meeting is to gather input from the community. At its meeting to be held on November 24, the Council will be provided guidance on its budget priorities. Staff will put together the Operating Budget in November and December. On January 19, 2016, the recommended Capital Improvements Plan will be presented. On January 26, public comments on the Capital Improvement Plan will be accepted. On January 29 and February 2, 3, and 4, Budget Overview and Department Budget Hearings will be held. Budget Wrap-Up will be on February 9. The final budget hearing and adoption of the FY 2016/17 Budget will be held on March 1.

Budget Officer Nancy Masteller provided an overview of the budget. She explained that the City of Ames makes up only 1/3 of a typical resident's property tax bill. The School District comprises 44.06%; the County, 20.87%; and Des Moines Area Community College, 2.10%. Growth (increased valuation) in the City helps reduce the property tax rate. Ms. Masteller explained that the City collects a Local Option Sales Tax for property tax reduction and community betterment projects. The current property tax rate is \$10.63 per \$1,000 of property value. About 37.2% of the City's budget is for charges for services.

Ms. Masteller explained that the City's property tax is comprised of multiple levies. The General Levy is \$5.77/\$1,000. The state limit is \$8.10 and most cities levy that. Ms. Masteller commented that the City had been very good about not using all of the available levy. A Trust and Agency Levy covers certain fringe benefits, the Transit Levy is the City's contribution to CyRide, and there is a Debt Service Levy. She compared the property tax rate in Ames to the other large cities in Iowa. Almost every other large city in Iowa is at the \$8.10 limit. Ames is 12th out of the group of 13 large cities in the ranking of total levy. Ms. Masteller noted that the total cost of services per resident per \$100,000 valuation was \$592 in 2015/16; that pays for Streets/Traffic, Police Protection, Fire Protection, Library, Parks and Recreation, Transit, General Support Services, Planning, Storm Sewer, Resource Recovery, Animal Control, Building and Grounds/Cemetery, and Inspections.

City Manager Schanker advised that Commercial and Industrial valuations will be rolled back for the first time to 90%.

The public was invited to provide public input on suggestions for the 2016/17 Operating Budget and Capital Improvements Plan.

Public Input:

Erv Klaas commented that climate change is the No. 1 problem facing the City, state of Iowa, and the world. He suggested that a solution would be to open the City up to solar power. Mr. Klaas applauded the City for converting from a coal-powered Power Plant to natural gas. He also suggested that the City adopt ordinances to require better energy efficiency in buildings, especially commercial ones. Mr. Klaas referenced the 28E Agreement entered into by the City to be part of the new Watershed Management Authority that includes four counties. He believes the measures to be taken will ultimately reduce flooding and improve water quality. Lastly, Mr. Klaas recommended that the City have a full-time employee in the Parks and Recreation Department to work on natural area management, not just at Ada Hayden, but other areas as well.

Susie Petra said that she had already made the City Manager aware of her desire for a solar field. She raised the issue of the City granting several tax abatements to large profitable businesses within the past couple of years. She would like to see less tax abatement granted to profitable companies.

Dinah Kerksieck suggested that the City encourage developers to install geo-thermal systems as neighborhoods are being developed. She also stated that there are continuous drainage problems

past the south side of the Kate Mitchell School. Ms. Kerksieck gave the history of that drainage pond since 1986; the culvert underneath is now almost entirely filled with silt. She asked if there was any possibility of the City working with the land owner to open that up again.

Drew Kamp stated that he was representing the Ames Chamber of Commerce. He encouraged the City to extend sanitary sewer to 590th Street for industrial development. Economic development there will ultimately bring more jobs to Ames and add to the industrial tax base.

Joanne Pfeiffer pointed out that, with all the new housing around the Middle School, now is the perfect opportunity to incorporate energy-efficiency measures. She offered a suggestion given to her by her daughter, that more plant species be included in the South Parcel. City Manager Schainker noted that the South Parcel is owned by Iowa State University; it is not under the auspices of the City Council. He said that the City could approach Iowa State with that suggestion.

Sharon Guber asked where the City was regarding a new indoor community pool. Mr. Schainker advised that it is not in this budget, but studies are being conducted as to whether the City and School should partner on the project. The School has specifics on what it wants and needs, and citizens have suggestions on what would be best for the community. The location has not yet been decided. A new indoor community pool will not be included in a budget until a bond issue passes. The operating expenses of the facility would come up in a future budget. The only expense related to a new indoor pool included in the current budget is a small consulting fee. Susie Petra encouraged the City to not partner with the School District; she prefers a community pool and that it not be constructed on the current site.

Dilys Morris stated that she would like the number of trees required to be planted in parking lots increased and for the City to require that they be kept alive. She also would like to see trees planted between the lanes on streets, instead of the installation of cement.

Frank Randall, representing the Main Street Cultural District, requested that the City partner with the MSCD to replace the holiday lights on buildings along Main Street from the 100 Block to the 400 Block. According to Mr. Randall, it would be an approximate \$80,000 project; the MSCD is requesting \$40,000 from the City. The MSCD is fund-raising and had already raised \$18,100 in about a week. They will continue to fund-raise and might ultimately need less than \$40,000 from the City. City Manager Schainker advised that there is an application process for outside groups seeking City funding. The form is on the City's Web site. Applications are to be submitted to Brian Phillips by November 15, 2015.

Holly Fuchs, 806 Brookridge Avenue, Ames, said she wants more trees planted similar to the trees planted on 9th Street. She also encouraged the City to be more attentive to residents and wants more attention given to the quality of the work on projects, in general.

Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, wants the City to look at its Hotel/Motel Tax and how it is being used. At this time, he sees that the funds appear to be able to be used for just about anything. He would like to start at "Square One" and conduct a review.

Erica Petersen, representing the Boys and Girls Club of Story County, 210 South 5th Street, Ames, said she would like to see more incentives to create affordable housing in the City of Ames. She would also like to see an increase in ASSET funding for human services on an annual basis for human services and also that the City consider capital funding for human services agencies in Ames.

Trevin Ward, 2610 Northridge, #201, Ames, representing the Ames Bicycle Coalition (ABC), asked the City to make two large investments: capital improvements in bicycle and pedestrian infrastructure and the hiring of a Complete Streets Bicycle/Pedestrian Coordinator within the City staff.

Speaking as the President of the Campustown Action Association, Trevin Ward said that the CAA would like continued investment in the façade grant program and for development incentives to be given for developments that support local businesses, but don't give up the character of neighborhoods.

Jeri Neal, 916 Ridgewood Avenue, Ames, commented that the bike community would like the City to think about how transportation services program priorities should be reordered. She gave statistics of how many people walk (10.1%) and how many people bike (2.7%) as a primary way to get to work. She suggested that the City look at reprioritizing the amount of spending based on those statistics.

Liz Beck, 205 South Walnut, Ames, wants the City to start to think about what it means to have a growing senior population in this community. According to Ms. Beck, the senior population will equal or exceed the population of younger residents in Ames. She would like the City to be proactive, rather than reactive, in addressing the needs of the senior population.

Unknown Name, representing the Hunziker Youth Complex, would like the City to continue to support the programs of the Hunziker Sports Complex. He asked that the City consider helping to fund capital improvements to repair the entry road that was built in 2010.

Sarah Cady brought up the possibility of the revitalization of parks in older neighborhoods. She specifically named Franklin Park as being in need of some revitalization. Ms. Cady believes that there are other parks in older neighborhoods that are in need of revitalization and amenities.

The meeting concluded at 8:18 p.m.

Scribe: Diane Voss, City Clerk

COUNCIL ACTION FORM

SUBJECT: SUBDIVISION CODE TEXT AMENDMENTS REFERENCING BIKEWAYS

BACKGROUND:

The City of Ames utilizes the Subdivision Code in Chapter 23 of the Ames Municipal Code to define the development requirements for both subdividing of land and standards for public infrastructure improvements. The Subdivision Code specifies what types of improvements are required to conform to City standards and it has references to the specifications for improvements. The City also relies on the standards included in Chapter 23 for implementation of its missing infrastructure requirements for site plan review that were recently adopted in Chapter 22 Streets and Sidewalks.

The City's bicycle facility standards are included as requirements for Bikeways referenced under the street improvement requirements of Section 23.403 (15). These Chapter 23 requirements need to be updated to reflect the most current bicycle facility improvement planning for the City. City Council initiated a text amendment to update bicycle facility references on October 13, 2015.

The Subdivision Code includes a broad definition of bicycle facilities under the term Bikeway. Bikeways include any bike path separated from highway, street, or alley for bicycle use and any bike lane that is part of a highway, street, alley or any other public way reserved and marked for bicycle use. Section 23.403 (15) specifies when Bikeways are to be required of project:

Bikeways: A bicycle path shall be constructed in an area to be subdivided in order to conform with the Bicycle Route Master Plan adopted by the City Council. The dimensions and construction specifications of any such bicycle path shall be determined by the number and type of users and location and purpose of the bicycle path.

The primary need for this text amendment is to update the reference for bicycle planning in addition to Route Master Plans. The City now uses the Ames Area Metropolitan Organization (MPO) Long Range Transportation Plan to identify many of its transportation infrastructure needs, including pedestrian and bicycle improvements. The Plan is a federally mandated plan for the planning and programming of transportation funding for infrastructure improvements within the MPO planning area, which includes Ames, Gilbert, and immediately surrounding county areas. The Plan includes an assessment of existing conditions, public input on needs, and uses reasonable growth projections based on the input of the City of Ames Planning Division to formulate an analysis of the corresponding transportation needs.

Federal rules require an update of the Transportation Plan every five years. The Ames Mobility 2040 plan was recently adopted and went into effect on October 12, 2015. The complete plan can be viewed at this [link](#). For reference, staff has included relevant

Figures (maps) from pages 207 and 208 of the Ames Area MPO Mobility 2040 Long Range Transportation Plan for reference. As the Long Range Transportation Plan is updated in the future, such changes will be automatically incorporated by reference into the Subdivision Code without future text amendments to specific diagrams or maps of the plan.

To update our coordination of transportation planning with infrastructure requirements, staff is proposing a text amendment to revise the references in Section 23.201 and 23.403 as follows:

(4) Bikeway: A public way designed to be used for bicycling. "Bikeway" shall include: any Bicycle Path Facility, including a path or shared use path, which is a public way separated from any highway, street or alley and designed for the use of bicycles; and any Bike Lane, which is a portion of a highway, street, alley or other public way reserved and marked for the exclusive use of bicycles.

(15) Bikeways: A bicycle ~~path~~ facility shall be constructed in an area to be subdivided in order to conform to existing facilities adjacent to the site, with ~~the a~~ Bicycle Route Master Plan adopted by the City Council or for a bicycle facility shown in the Ames Area MPO's most current transportation plan maps for On-Street and for Off-Street facilities. The reservation of area, dimensions, and construction specifications of any such bicycle facility shall be determined by the number and type of users and location, context, and purpose of the bicycle facility.

The Planning and Zoning Commission voted 7-0 on November 4, 2015 in support of the text amendment.

ALTERNATIVES:

1. The City Council can adopt on first reading the ordinance amending bicycle plan and bikeway references described above.
2. The City Council can direct staff to make changes to the language and return to Council with a draft ordinance.
3. The City Council can decline to adopt the proposed amendments.

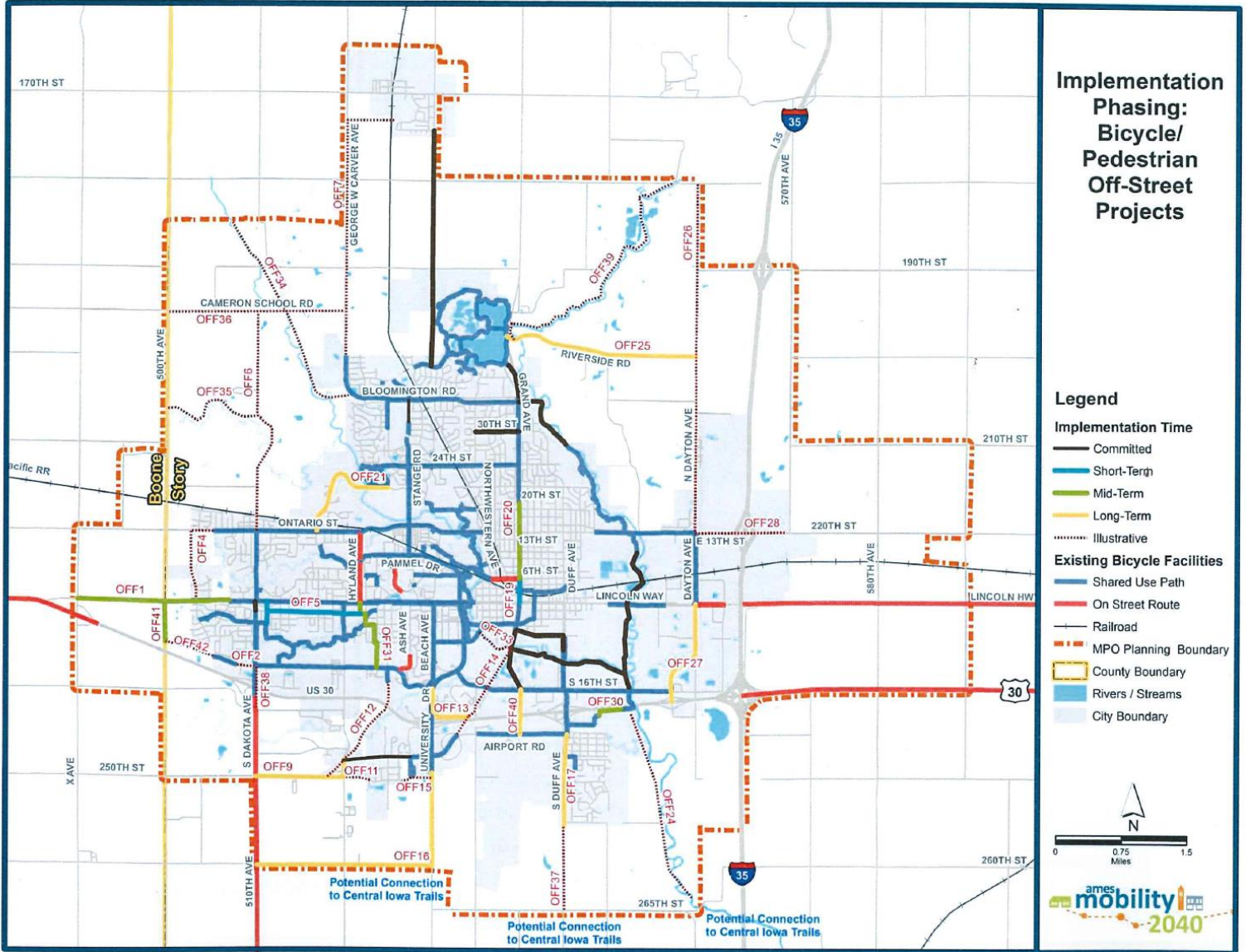
MANAGER'S RECOMMENDED ACTION:

The proposed amendments update the City's references to its planned on-street and off-street bicycle infrastructure. This is necessary to keep the Subdivision Code infrastructure requirements clear and up to date with the most current planned facilities that are reflected in the Ames Area MPO Long Range Transportation Plan.

Therefore, it is the recommendation of the City Manger that the City Council act in accordance with Alternative #1.

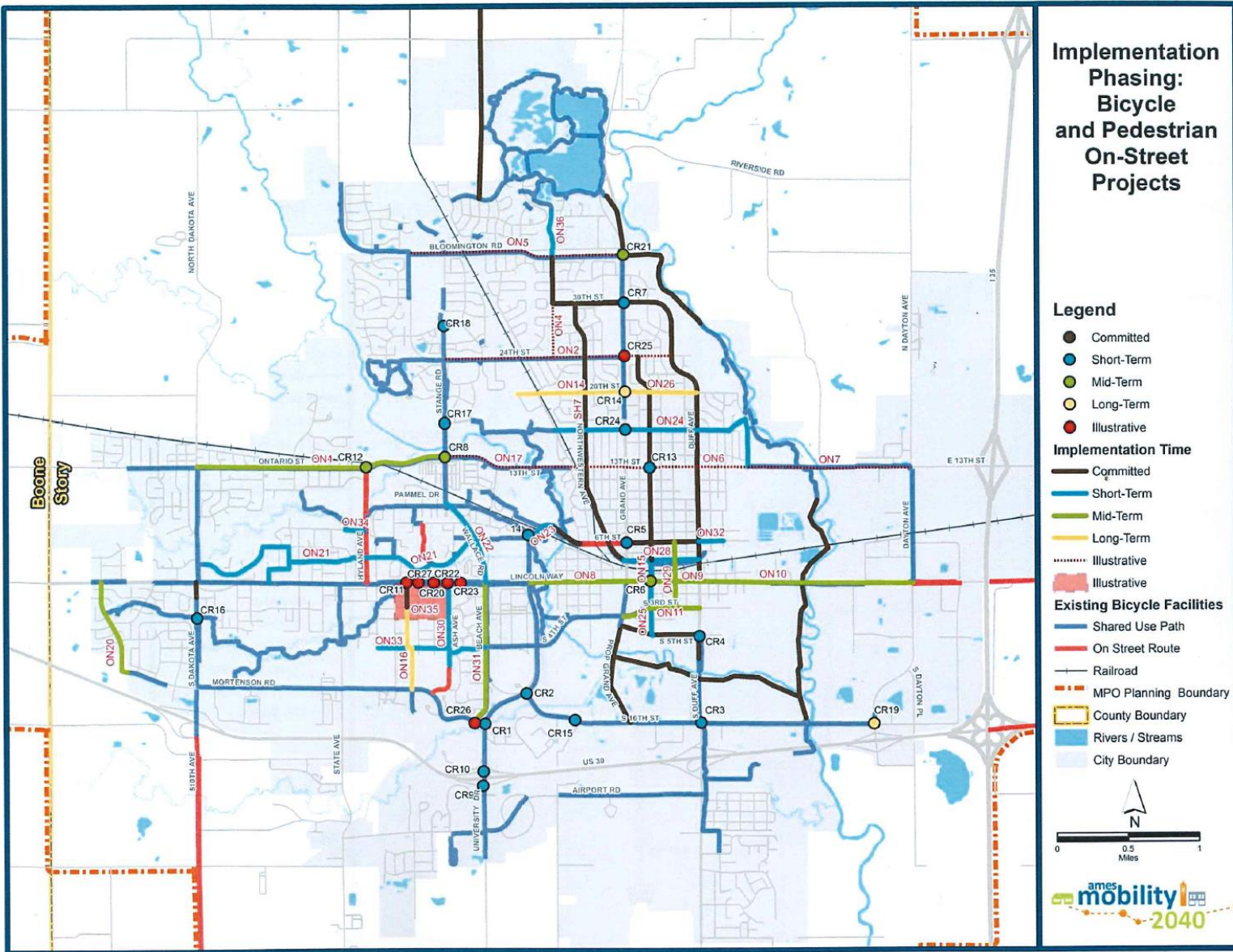
ATTACHMENT A TRANSPORTATION PLAN PAGES 207 TO 208

Figure 62. Planned Off-Street Bicycle and Pedestrian Projects



AMES MOBILITY 2040: AMES AREA MPO LONG RANGE TRANSPORTATION PLAN

Figure 61. Planned On-Street Bicycle Route Projects



ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTIONS 23.201(4) AND 23.403(15) AND ENACTING NEW SECTIONS 23.201(4) AND 23.403(15) THEREOF, FOR THE PURPOSE OF ADDING A BICYCLE MASTER PLAN REFERENCE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 23.201(4) and 23.403(15) and enacting new Sections 23.201(4) and 23.403(15) as follows:

“Sec. 23.201. DEFINITIONS.

(4) Bikeway: A public way designed to be used for bicycling. "Bikeway" shall include: any Bicycle Facility, including a path or shared use path, which is a public way separated from any highway, street or alley and designed for the use of bicycles; and any Bike Lane, which is a portion of a highway, street, alley or other public way reserved and marked for the exclusive use of bicycles.

...

Sec. 23.403. STREETS.

(15) Bikeways: A bicycle facility shall be constructed in an area to be subdivided in order to conform to existing facilities adjacent to the site, with a Bicycle Route Master Plan adopted by the City Council or for a bicycle facility shown in the Ames Area MPO's most current transportation plan maps for On-Street and for Off-Street facilities. The reservation of area, dimensions, and construction specifications of any such bicycle facility shall be determined by the number and type of users and location, context, and purpose of the bicycle facility.”

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

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor



Fw: Text Amendment - Waive of 2nd and 3rd Readings

Charles Kuester to: Diane R Voss

11/18/2015 07:45 AM

Diane,
Scott Blum, representing MGMC, is requesting that the City Council suspend the rules and approve the zoning text amendment regarding side setbacks in the S-HM zoning district at the November 24.

-Charlie



Charlie Kuester CFM

Planner

515.239.5400 *main* | 515.239.5445 *direct* | 515.239.5404 *fax*
ckuester@cityofames.org | City Hall, 515 Clark Avenue | Ames, IA 50010
www.CityofAmes.org | ~ Caring People ~ Quality Programs ~ Exceptional Service ~

----- Forwarded by Charles Kuester/COA on 11/18/2015 07:43 AM -----

From: Scott Blum <scott@accordarch.com>
To: "ckuester@city.ames.ia.us" <ckuester@city.ames.ia.us>
Cc: "Whisler, Lynn (whisler@MGMC.COM)" <whisler@MGMC.COM>, "Retz, Mike (Retz@MGMC.COM)" <Retz@MGMC.COM>, "Rodilloso, John" <rodilloso@MGMC.COM>
Date: 11/17/2015 03:16 PM
Subject: RE: Text Amendment - Waive of 2nd and 3rd Readings

Charlie,

The reason we would like strong consideration given to waiving these readings is that our design schedule and more importantly, our bidding schedule, have been greatly affected by the discovery that we were unable to construct the new vestibule addition up to the zero lot line. Prior to the text amendment request, we were progressing along with the intent of bidding in the early part of 2016 when contractors are lining up their work for the coming spring season. This typically results in reduced construction cost given the competitive nature of the bidding environment at that time. As we have waited for this process to occur, we stopped all design work because of the uncertainty of the approval of this text amendment. If we are able to get a faster response to our text amendment request, we are better able to hit the best bidding period to save the hospital cost on this project.

Thank you,
Scott

From: Scott Blum

Sent: Tuesday, November 17, 2015 3:03 PM

To: ckuester@city.ames.ia.us

Cc: Whisler, Lynn (whisler@MGMC.COM); Retz, Mike (Retz@MGMC.COM); 'Rodillosso, John'

Subject: Text Amendment - Waive of 2nd and 3rd Readings

RE: Zoning Text Amendment for Side Yard Setback in Hospital-Medical District (S-HM)

Case File #: ZTA-15-05

Charlie,

Please place on the agenda for the next City Council meeting a request to waive the 2nd and 3rd readings of the text amendment as well as provide approval of that text amendment ?

Thank you,

Scott

Scott T. Blum, AIA, LEED AP

President

Accord Architecture.

1601 Golden Aspen Drive, Suite 103

Ames, Iowa 50010

T: 515.663.9643

E: scott@accordarch.com

Visit our website: www.accordarchitecturecompany.com