

COUNCIL ACTION FORM

SUBJECT: AGREEMENT WITH MAIN STREET CULTURAL DISTRICT FOR ROOFTOP LIGHTING

BACKGROUND:

The City Council allocated \$20,000 from the General Fund Contingency in the FY 2016/17 adjusted budget to pay for the extension of the downtown rooftop lighting onto the 400 blocks of Clark, Burnett, and Kellogg Avenues in downtown Ames. At the April 24th City Council meeting, City staff presented an agreement with the Main Street Cultural District (MSCD) outlining the scope of the project.

At that time, City staff and City Council learned that MSCD wished to have greater flexibility in the installation area for the lighting, as there is not confidence that every property owner along the route is willing to provide access for the installation. The City Council directed staff to revise the agreement to provide for greater flexibility.

MSCD has indicated there is a primary area it would like to install the lights on, which consists of the east and west sides of the 400 blocks of Clark, Burnett, and Kellogg Avenues, the credit union at the intersection of Clark and Main, and both sides of the 300 block of Kellogg Avenue. The rooftops of these areas total approximately 930 linear feet. A second priority area has been identified by MSCD, which is the south part of the 100 block of Main Street (approximately 160 linear feet). A third priority area is the north and east sides of the HyVee Drug/United Way of Story County building at the intersection of Clark and Main (approximately 275 linear feet).

In lieu of identifying a variety of options for MSCD to receive its lighting funds, City staff has proposed that MSCD be reimbursed on a cost-per-linear-foot basis. **Because the primary installation area is 930 linear feet, and \$20,000 has been allocated by the City for the project, City staff proposes that MSCD be reimbursed at a rate of \$22 per linear foot of installed lighting ($\$20,000/930 = \sim\$22/\text{foot}$).** MSCD would be allowed to install the lighting in any area within the confines of the downtown area where it is possible, but its total reimbursement could not exceed \$20,000. This resolves the issues with identifying a variety of scenarios that would qualify MSCD for reimbursement. **MSCD will still be required to raise matching funds for the project.**

MSCD has signed copies of the agreement for funding. The scope of services outlined in the agreement is as follows:

The Provider shall procure and install decorative LED lighting along the rooflines of buildings in the Main Street Cultural District in Ames. The lighting shall be consistent in design and function with the lighting installed in 2016-2017 along the north and south sides of Main Street in Ames by the Provider. Because the preferred area of installation is approximately 930 linear feet, the Provider shall be reimbursed by the City at a rate of \$22 per linear foot of installed lighting, not to exceed \$20,000. Receipt of funding under this agreement shall be contingent on the Provider contributing matching funds for the project.

The lights shall be used for holiday and special event decoration, as well as for other decorative purposes as the Provider sees fit. The Provider shall be responsible for any electricity costs, maintenance, repairs, or replacement of the lighting. The Provider shall secure permission of the property owners upon whose properties the lighting will be installed, and shall be responsible for ensuring the installation complies with all applicable codes and requirements.

ALTERNATIVES:

1. Approve an agreement with the Main Street Cultural District with the scope of services as outlined above.
2. Do not approve the agreement, and direct staff to negotiate alternative language.

MANAGER'S RECOMMENDED ACTION:

The City Council has allocated funds for the extension of the downtown rooftop lighting project. The original agreement signed by MSCD did not provide for alternatives for the MSCD to modify the area affected by the project if property owners were unwilling to allow the lights to be installed. The City Council directed that more flexible language be prepared for the agreement. The proposed language provides for MSCD to install the lighting in whatever areas it is able to secure permission and establishes a reimbursement rate per linear foot of installed lighting. MSCD will only need to document how many linear feet of lighting were installed to receive reimbursement, not to exceed the allocated amount of \$20,000.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving and agreement with the Main Street Cultural District with the scope of services as outlined above.