

**AMENDED\***  
**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**APRIL 24, 2018**

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

**CALL TO ORDER: 6:00 PM**

**PROCLAMATIONS:**

1. Proclamation for "Month of the Young Child," April 2018
2. Proclamation for "Arbor Day," April 27, 2018
3. Proclamation for "Bike Month and Bike to Work Week 2018," May 14-20, 2018
4. Proclamation for "Historic Preservation Month," May 2018

**PRESENTATIONS:**

5. Presentation of "The Home for Everyone" Award by Ames Human Relations Commission
6. Presentation of Main Street Iowa Award by Main Street Cultural District

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

7. Motion approving payment of claims
8. Motion approving Minutes of Regular Meeting of April 10, 2018
9. Motion approving Report of Contract Change Orders for April 1-15, 2018
10. Motion approving new Class C Liquor License for Safari Cuisine, 217 S. Duff Avenue
11. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor, Catering, & Outdoor Service – Cyclone Experience Network, Hilton Coliseum
  - b. Class C Liquor, Catering, & Outdoor Service – Perfect Games, 1320 Dickinson Avenue
  - c. Special Class C Liquor & B Native Wine – Szechuan House, 3605 Lincoln Way
  - d. Class C Liquor & Outdoor Service – Provisions Lot F, 2400 N. Loop Drive
  - e. Class C Beer – Swift Stop #2, 3406 Lincoln Way
  - f. Special Class C Liquor – Great Plains Sauce & Dough, 129 Main Street
12. Motion approving application for participation in Department of Justice Office of Justice Programs Bulletproof Vest Partnership Program
13. Requests from Ames Patriotic Council for Memorial Day Parade on Monday, May 28:
  - a. Motion approving blanket Temporary Obstruction Permit for closed area
  - b. Resolution approving closure of Pearle Avenue and 5<sup>th</sup> Street from east of Pearle Avenue through Clark Avenue intersection from 9:00 a.m. to 11:00 a.m. for parade line-up
  - c. Resolution approving temporary closure of Clark Avenue from 5<sup>th</sup> Street to 9<sup>th</sup> Street from 10:30 a.m. to 11:00 a.m. for movement of parade
  - d. Resolution approving temporary closure of 9<sup>th</sup> Street between Clark Avenue and Maxwell Avenue from 10:45 a.m. to 11:00 a.m. for movement of the parade

- e. Resolution approving temporary closure of 6<sup>th</sup> Street at Clark Avenue and Duff Avenue at 9<sup>th</sup> Street, as parade moves through those intersections
14. Requests from ISU Homecoming Central Committee for ISU Homecoming Parade on Sunday, October 21:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for event activities
  - b. Resolution approving closure and suspension of parking regulations on portions of Pearl Avenue, Fifth Street, Main Street, Clark Avenue, Burnett Avenue, Kellogg Avenue, Douglas Avenue, Depot Lot TT, City Hall Parking Lot M, and City Hall Parking Lot MM from 12:00 p.m. and 4:00 p.m.
  - c. Resolution approving usage and waiver of electrical fees and waiver of fee for blanket Vending License for event
15. Resolution approving Quarterly Investment Report for period ending March 31, 2018
16. Resolution confirming appointment of Jacob Schrader and Juan Bibiloni to serve as Iowa State University Student Government representatives to Ames Transit Agency Board of Trustees
17. Resolution approving Intergovernmental Agreement for Combined Law Enforcement Investigations of Controlled Substances
18. Resolution approving Intergovernmental Agreement for Combined Law Enforcement Operations
19. Resolution approving Professional Services Agreement with HDR Engineering, Inc., of Omaha, Nebraska, in the amount of \$261,411 to perform Water Pollution Control Facility Nutrient Reduction Feasibility Study
20. Resolution approving renewal of health insurance Administrative Services Agreement with Wellmark
21. Resolution approving renewal of Administrative Services Agreement with Delta Dental of Iowa
22. Resolution approving Encroachment Permit for sidewalk café patio at 502 Burnett Avenue
23. Resolution approving Encroachment Permit for monitoring wells 903 N. 2<sup>nd</sup> Street
24. Resolution approving borrowing \$5,000 from the City-wide Affordable Housing Fund for the purchase of 3305 Morningside Street in connection with 2017/18 CDBG Program
25. Resolution approving preliminary plans and specifications for Structural Repairs Project Phase II at the Water Pollution Control Facility; setting May 23, 2018, as the bid due date and June 12, 2018, as date of public hearing
26. Resolution approving change in bid due date for Continuous Emissions Monitoring System from April 26, 2018, to May 3, 2018
27. Resolution waiving Purchasing Policies and Procedures and awarding a contract to Keltec, Inc., for the purchase of Panasonic Toughbook CF33s in-car computers for the Police Department in the amount of \$67,646.55
28. Resolution awarding contract for purchase of one tractor with loader, box blade, and accessories for Parks and Recreation Department
29. Resolution renewing contract for FY 2018/19 purchase of Pebble Lime for Water Treatment Plant with Graymont Western Lime, Inc., of West Bend, Wisconsin, in the amount of \$160 per ton
30. Resolution renewing contract for 2018/19 Concrete Crushing with Reilly Construction Company of Ossian, Iowa, in the amount of \$51,000
31. Resolution approving contract and bond for 2017/18 Asphalt Street Pavement Improvements Program
32. Resolution approving contract and bond for Electrical Materials for Top-O-Hollow Substation (Bid Nos. 1, 2, and 3)
33. Resolution approving contract and bond for 2017/18 Arterial Street Pavement Improvements (13<sup>th</sup> Street - Ridgewood Avenue to Harding Avenue)
34. Resolution approving contract and bond for Power Plant Window Replacement
35. Resolution approving contract and bond for North River Valley Park Low Head Dam

- Improvements
36. Resolution approving contract and bond for 2017/18 CDBG Public Facilities Neighborhood Infrastructure Improvements Program (Tripp Street Extension - South Wilmoth Avenue to State Avenue)
  37. Resolution approving contract and bond for Water and Pollution Control Lime and Ash Pond Fencing
  38. Resolution approving contract and bond for CyRide Bus Lifts Replacement Project  
\***Additional Item:** Resolution approving Change Order No. 2 with TEI Construction Services, Inc., of Duncan, South Carolina, for Boiler Maintenance Services in the amount of \$125,000
  39. Resolution approving Plat of Survey for 202 and 212 Lincoln Way and 111 South Sherman Avenue

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

**PLANNING & HOUSING:**

40. Downtown/Gateway Zoning District:
  - a. Explanation of non-conforming and pre-existing
  - b. Review of inventory of non-conforming properties in proposed Downtown/Gateway Zoning District
  - c. Discussion of Downtown/Gateway Zoning District boundary options
41. Rental Concentration Cap:
  - a. First passage of ordinance
42. Staff Report regarding Ames Comprehensive Plan Request for Proposals

**PARKS & RECREATION:**

43. Brookside Park Path Lighting Project:
  - a. Staff Report on effects of lighting on wildlife
  - b. Resolution awarding contract for Brookside Park Path Lighting Project to VanMaanen Electric of Newton, Iowa, in the amount of \$128,700

**ADMINISTRATION:**

44. Requests from MSCD for RAGBRAI on Main on Tuesday, July 24:
  - a. Motion approving blanket Temporary Obstruction Permit for closed area
  - b. Motion approving 5-day (July 23- 27) Special Class C Liquor License with Outdoor Service for MSCD for closed area
  - c. Resolution approving closure of Main Street from Pearle Avenue to Douglas Avenue and portions of Clark Avenue, Burnett Avenue, Kellogg Avenue, Depot Lot V, and Tom Evans Plaza from 6:00 a.m. Tuesday, July 24, until 9:00 a.m. Wednesday, July 25
  - d. Resolution approving closure of 203 metered parking spaces, suspension of parking regulations and waiver of fees within closed area from 6:00 a.m. Tuesday, July 24, until 9:00 a.m. Wednesday, July 25
  - e. Resolution approving usage and waiver of electrical fees for event
  - f. Resolution approving suspension of existing sidewalk café licenses in closed area from 4:00 p.m. Tuesday, July 24, until 2:00 a.m. Wednesday, July 25
  - g. Resolution approving waiver of enforcement of Section 17.16 of *Municipal Code* related to minors prohibited on certain premises with respect only to proposed downtown

- entertainment area for event
- h. Resolution approving waiver of enforcement of Section 17.17 of *Municipal Code* related to alcohol consumption in parks with respect only to Tom Evans Plaza for event

**PUBLIC WORKS:**

45. Progress Report on Complete Streets Plan development

**ORDINANCES:**

46. Second passage of ordinance regarding building height and architectural design guidelines for accessory structures in Research Park Innovation District
47. Second passage of ordinance relating to RAGBRAI events on July 23 - 25, 2018
48. Second passage of ordinance increasing water rates by 3.5% and sewer rates by 3% effective for bills on or after July 1, 2018
49. Second passage of ordinance establishing parking regulations on Crane Avenue
50. Rental Housing Code:
  - a. Third reading and adoption of ORDINANCE NO. 4343 revising Chapter 13, Rental Housing Code, regarding occupancy
  - b. Resolution setting boundaries of the “Near Campus Neighborhoods”
51. Third reading and adoption of ORDINANCE NO. 4344 revising Chapter 28 to exempt, from individual metering requirement, those projects that had submitted site development plan to Planning and Housing Department prior to January 1, 2019
52. Third reading and adoption of ORDINANCE NO. 4345 to remove property located at 398 S. 500<sup>th</sup> and 5508 Lincoln Way (commonly known as Trinitas) from Ward 3, Precinct 4
53. Third reading and adoption of ORDINANCE NO. 4346 regarding portable sidewalk signs in Campustown
54. Third reading and adoption of ORDINANCE NO. 4347 renaming Old Airport Road to Green Hills Drive
55. Third reading and adoption of ORDINANCE NO. 4348 to vacate Apple Place and Peach Lane rights-of-way

**HEARINGS:**

56. Hearing on 2018/19 Pavement Restoration - Slurry Seal Program:
  - a. Resolution approving final plans and specifications and awarding contract to Midwest Coatings Company, Inc., of Modale, Iowa, in the amount of \$254,677.60
57. Hearing on conveyance of vacated Apple Place and Peach Lane rights-of-way:
  - a. Resolution conveying by Quit Claim Deed to Grand Center, LP, contingent upon receiving Permanent Ingress, Egress, and Utility Easement from property owner
58. Hearing on amendment of Major Site Development Plan for 3305 (Lot 6) and 3315 (Lot 7) Aurora Avenue:
  - a. Motion to continue hearing to May 8

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:**

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

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



## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

APRIL 10, 2018

The Regular Meeting of the Ames City Council was called to order by Mayor Pro Tem Bronwyn Beatty-Hansen at 6:00 p.m. on April 10, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Tim Gartin, David Martin, Amber Corrieri and Chris Nelson. *Ex officio* Member Rob Bingham was also present. Mayor John Haila was absent.

**PROCLAMATION FOR “WAYNE AND EDNA CLINTON MAKING DEMOCRACY WORK DAY,” APRIL 14, 2018:** Mayor Pro Tem Beatty-Hansen proclaimed April 14, 2018, as “Wayne and Edna Clinton Making Democracy Work Day.” Accepting the Proclamation were Wayne and Edna Clinton. Mr. Clinton expressed his gratitude to the League of Women Voters of Story County for selecting them for the “Making Democracy Work” award. Mrs. Clinton stated that it is her dream that Ames will be the beacon that the state will follow in all areas of civil and social justice.

**PROCLAMATION FOR “ECO FAIR DAY,” APRIL 21, 2018:** Mayor Pro Tem Beatty-Hansen proclaimed April 21, 2018, as “Eco Fair Day.” Accepting the Proclamation were Director of Electric Services Donald Kom and Municipal Engineer Tracy Warner. Ms. Beatty-Hansen informed the public that the Eco Fair will be held in City Hall and will begin at 9 a.m. and concludes at 1 p.m on Saturday, April 21, 2018. Ms. Warner noted that there will be several new events to include several electric cars and a gently used school supply swap.

**CONSENT AGENDA:** Council Member Betcher requested to pull Item No. 9 (temporary outdoor service for Tip Top Lounge) and Council Member Gartin requested to pull Item No. 11 (Ames Velo for Ames Grand Prix) from the Consent Agenda for further discussion.

Moved by Corrieri, seconded by Gartin, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Regular Meeting of March 27, 2018, and Special Meeting of March 29, 2018
3. Motion approving Report of Contract Change Orders for March 16-31, 2018
4. Motion approving 6-month Class B Beer Permit & Outdoor Service for Ames Jaycees “Ames on the Half Shell” in Bandshell Park, 6<sup>th</sup> Street and Duff Avenue
5. Motion approving new Special Class C Liquor License for Mongolian Buffet, 1620 S. Kellogg Avenue, Ste. 103
6. Motion approving temporary Outdoor Service (April 15 - Sept. 15) for Whiskey River, 132 - 134 Main Street
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor – Sips/Paddy’s Irish pub, 124 Welch Avenue
  - b. Class E Liquor, C Beer, & B Wine – Wal-Mart Store #749, 3105 Grand Avenue
  - c. Class C Liquor & Catering Privilege – Los Altos Mexican Restaurant, 823 Wheeler Street, Ste. 5
  - d. Class B Liquor – Radisson Ames, 2609 University Boulevard (Previously named Holiday

Inn Ames)

- e. Class C Liquor – Dangerous Curves, 111 5<sup>th</sup> Street
- f. Class C Liquor & Outdoor Service – Brick City Grill, 2704 Stange Road
- g. Special Class C Liquor – Smokin Oak Wood-fired Pizza, 2420 Lincoln Way, Ste. 101
8. Requests from Early Times Chapter of P.O.C.I. for Flathead Reunion Pontiac Car Show on Saturday, September 8:
  - a. Motion approving blanket Temporary Obstruction Permit for closed area
  - b. RESOLUTION NO. 18-163 approving closure of 400 block of Douglas Avenue from 7:30 a.m. to 3:15 p.m.
  - c. RESOLUTION NO. 18-164 approving closure of 18 metered parking spaces and suspension of parking regulations within closed area from 7:30 a.m. to 3:15 p.m.
9. RESOLUTION NO. 18-165 approving and adopting Supplement No. 2018-2 to *Municipal Code*
10. RESOLUTION NO. 18-166 approving 2018-2021 Intergovernmental Agreement with Metro Waste Authority for Household Hazardous Materials Collection
11. RESOLUTION NO. 18-167 approving renewal of contract with Waste Management of Ames for Hauling and Related Services from Resource Recovery Plant to Boone County Landfill
12. RESOLUTION NO. 18-168 approving recommendation of Public Art Commission to purchase “Balance” sculpture for Neighborhood Art Program
13. RESOLUTION NO. 18-169 authorizing increase of .25 FTE for Utility Customer Service Clerk
14. RESOLUTION NO. 18-170 approving preliminary plans and specifications for Top-O-Hollow Substation Expansion; setting April 25, 2018, as bid due date and May 8, 2018, as date of public hearing
15. RESOLUTION NO. 18-171 approving preliminary plans and specifications for Electrical Maintenance Services for Power Plant; setting May 9, 2018, as bid due date and May 22, 2018, as date of public hearing
16. RESOLUTION NO. 18-172 approving preliminary plans and specifications for Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant; setting May 9, 2018, as bid due date and May 22, 2018, as date of public hearing
17. RESOLUTION NO. 18-173 approving preliminary plans and specifications for Motor Repair for Power Plant; setting May 10, 2018, as bid due date and May 22, 2018, as date of public hearing
18. RESOLUTION NO. 18-174 awarding contract to O’Halloran’s of Altoona, Iowa, for purchase of International truck chassis to be used by Public Works Utility Maintenance Division
19. RESOLUTION NO. 18-175 awarding contract to Sys-Kool of Omaha, Nebraska, for purchase of two City Hall Cooling Tower Replacement in the amount of \$195,210
20. RESOLUTION NO. 18-176 approving contract and bond for 2017/18 Clear Water Diversion Program
21. RESOLUTION NO. 18-177 approving contract and bond for 2017/18 Water System Improvements Program #2
22. RESOLUTION NO. 18-178 approving contract and bond for Furnishing Electrical Materials for Top-O-Hollow Substation - Bid No. 4 Steel Structures
23. RESOLUTION NO. 18-179 accepting completion of 2015/16 & 2016/17 Seal Coat Street Pavement Improvements
24. RESOLUTION NO. 18-180 accepting completion of 2016/17 Water System Improvements Program #1 - Water Service Transfer
25. RESOLUTION NO. 18-181 approving Plat of Survey for 1404 Boston Avenue and 2230

Philadelphia Street

26. RESOLUTION NO. 18-182 approving Plat of Survey for 415 Stanton Avenue

27. RESOLUTION NO. 18-183 approving Plat of Survey for 2812 and 2826 Hyatt Circle

28. RESOLUTION NO. 18-184 accepting partial completion of public improvements and reducing security for Aspen Business Park, 3<sup>rd</sup> Addition, Subdivision (The Quarters)

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

**OUTDOOR SERVICE FOR TIP TOP LOUNGE:** Council Member Betcher said that she had requested to pull Consent Item No. 9 for further discussion because some of the dates include RAGBRAI dates. Ms. Betcher stated that she felt there should be a discussion on this topic and that it should be discussed after Item No. 49 (first passage of ordinance relating to RAGBRAI events on July 23-25, 2018). Mayor Pro Tem Beatty-Hansen moved Consent Item No. 9 to wait until after Item No. 49 has been discussed.

**AMES VELO FOR AMES GRAND PRIX:** Council Member Gartin commented that he had requested to pull Consent Item No. 11 for further discussion so that the organizers from Ames Velo for Ames Grand Prix could inform the Council and public about the event. Public Relations person Jason Quinn and Race Director Scott Wall gave details of the race that will be held on Main Street on June 16 and on June 17 will at the Research Park. Mr. Quinn stated that this will be a closed loop race in the evening. It is expected that 300-400 racers will attend. There will also be a kid's race. This is being promoted to school age kids as an alternative activity to them. All proceeds will go to the Tim Foundation. Mr. Wall added that the support given from the City last year was tremendous.

Moved by Gartin, seconded by Corrieri, to approve a blanket Temporary Obstruction Permit and a blanket Vending License for the closed area at Ames Main Street Cultural District Criterium on Saturday, June 16.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-158 approving the closure of Main Street from Clark Avenue to Douglas Avenue, Douglas Avenue from Main Street to Sixth Street, Sixth Street from Douglas Avenue to Burnett Avenue, Burnett Avenue from Sixth Street to Fifth Street, Fifth from Douglas Avenue to Clark Avenue, Kellogg Avenue from Main Street to Sixth Street, and Clark Avenue from Fifth Street to Main Street from 4:00 p.m. to 11:00 p.m.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-159 approving closure of 187 metered parking spaces and suspension of parking regulations within the closed area from 2:30 p.m. to 11:00 p.m.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-160 approving the waiver of the fee for a blanket Vending License.

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

Moved by Gartin, seconded by Corrieri, to approve a blanket Temporary Obstruction Permit and a blanket Vending License for closed area at ISU Research Park Circuit Race on Sunday, June 17, 2018. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-161 approving closure of Airport Road from University Boulevard to North Loop Drive, North Loop Drive, South Loop Drive, University Boulevard from Airport Road to Collaboration Place, and Collaboration Place from 8:00 a.m. to 5:00 p.m. on June 17, 2018.

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

**PUBLIC FORUM:** Mayor Pro Tem Beatty-Hansen opened Public Forum. There being no one wishing to speak, she closed Public Forum.

**RENTAL HOUSING ORDINANCE HARDSHIP OPTION:** Moved by Gartin, seconded by Nelson, to discuss the hardship options prior to the rental concentration.

Vote on Motion: 6-0. Motion declared unanimous.

Planning and Housing Director Kelly Diekmann reminded Council of the request for staff to look into other communities that have adopted a rental concentration cap and see how temporary and permanent exemptions to the cap had been used. Council directed staff that any cap that is to be written would allow for a one-year temporary rental license available to anyone.

Mr. Diekmann stated that five communities were looked at for comparison, none of which had permanent exemptions. If the intent of the cap was to promote home ownership opportunities in those areas, then the allowances for when that would not be the policy priority of the community would have to be a high bar for someone to have a circumstance that could be evaluated to grant the permanent hardship exemption. If there is not a special standard written then the temporary license allowance would be followed. Council will need to decide if there should be a second year for the temporary rental license to exist. In the case of a permanent exemption, Council will need to give direction in terms of the materials to be included in the application, any prerequisites, and the criteria needed to be approved. Staff outlined a combination of prerequisites and applications standards. A prerequisite was that the applicant must have an existing rental property on three sides, not to include across the street. Applying this rule would only affect 15 properties in total. Staff recommended if a permanent exemption is desired, the bar needs to be high with several prerequisites that come down to an expectation of an economic hardship that was not self-created.

Council Member Nelson inquired if a hardship could be a permanent option, the sale of the property removes the hardship. Director Diekmann explained that was addressed by requiring ownership of the property or occupant for at least five years. Council Member Martin clarified that to be eligible for a permanent exemption, it would require an owner to have acquired the property prior to the

moratorium. If the property was acquired after the moratorium was in place, then the long-term exemption would no longer be extended to them. Council Member Nelson agreed with the requirement of ownership for five years prior to applying for the exemption. His concern is the high-concentrated rental neighborhoods. Mr. Diekmann added that the alternative to exemptions is to more narrowly add a cap.

Council Member Betcher pointed out the reason for the cap is because of the proliferation of rentals. It has to be decided if Council is committed to the idea of the percentage cap for those neighborhoods and trying to bring that percentage down over time. If the value is to have balance in the neighborhoods, then allowing more rentals defeats the goal. An alternative to be looked at is providing incentives for people to buy as owner-occupiers. Ms. Betcher believes that the City has CDBG money that could go toward first-time homebuyers assistance or down-payment assistance to incentivize the purchase of those properties as owner-occupied.

Council Member Corrieri stated that she agreed with Council Member Nelson that some of the exceptions are too harsh for certain areas that are already well above the rental cap that would be passed by Council. Her added concern is about people in very difficult financial situations that could be increased due to not being able to see their property.

Council Member Betcher expressed her concern about establishing an overlay, but still allowing some people to convert their home to a rental and increase the percentage. She suggested that individual cases could be looked at as they come up after a temporary Letter of Compliance (LOC) is put in place and determine what the hardship is and not say it is a permanent exemption. Council Member Martin commented that the 25% cap is arbitrary. The fluctuation of the rental percentage a little one way or the other is not upsetting. Council Member Betcher stated that each owner could claim a hardship because of thinking they would not be able to sell the property at the value that the owner thought. She believes there will be cases of one owner being able to sell their property as a rental versus another owner not being able to sell as a rental. People living in the less rental concentrated areas will feel they are taking an economic hit also. Council Member Nelson noted that the magnitude of the hardship is greater to an owner in a higher rental concentrated area.

Council Member Betcher stated that public input has been that the nuisance issues could be dealt with through enforcement. The enforcement would make it so that it doesn't matter if living next to a rental. That doesn't take away from the fact that a person would not be able to make money off their property as a rental with the rental cap. The discussions have been about how undesirable it is to live next to a rental, but yet Council has stated that it is not about things that can be addressed through enforcement. Hardships would not need to be discussed if there is nothing wrong with living next to rentals; living next to a rental must be a hardship if Council is seeing a problem.

Council Member Martin responded that Council is discussing this because people have contacted the Council fearing their property value will go down as a result of living next to a rental. Neighborhoods that are adjacent to the Campus-impacted neighborhoods that are not currently under discussion worry that will change the character of their neighborhood. Letters from real-estate

professionals have stated that a cap will have negative consequences on neighborhoods outside the cap. Council Member Corrieri noted that her point has always been against a cap or have something in place to help those who have hardships. Council Member Betcher stated that she wants to make sure Council is sending a clear message about the intent with the overlays; setting a permanent exemption in place is assuming that it would never come back.

Council Member Martin stated that Item 4 discusses two consecutive years of temporary allowance. As written now, the first year is basically just by asking and the second year is dependent upon an employment-related condition. Mr. Martin suggested making the temporary allowance a bit more flexible by stating either year is contingent upon an employment condition. Council Member Betcher added that it should be even more flexible because there are many different circumstances that occur that are not employment-related.

Tom Budd, 1014 Lincoln Way, Ames, stated that he appreciates the attempt to bring more homeowners into the neighborhood. Mr. Budd noted that he is surrounded by rentals. He has purchased land and is thinking about selling his property. His concern is that he may look for a homeowner to purchase his property, but if not able to find the person that wants to live in that area, it may cost him thousands of dollars. The exemptions may help alleviate the problem for homeowners and being careful about where the overlays are. This property is under the Oak to Riverside Overlay. The reality is that the properties around are never going back to single-family homes, because they are not single-family homes.

Chad Gourley, 2335 Baker Street, Ames, stated his home is also surrounded by rentals. He added that he has not had any issues with the student renters. Mr. Gourley commented that a neighbor recently sold his home; that person did not have one interested home buyer. This could severely impact him if he needed to move.

Sarah Conroy, 2318 Baker Street, Ames, stated that the five-year stipulation is a bit arbitrary considering she has lived there for four and a half years. The thought of flipping it for an investment was there, but now that would not be an option. Ms. Conroy commented on the three sides needing to be on each side and behind the home. Some people have more interaction with the properties across the street due to fences. Two years is a long time to ask a young family to wait to sell their house; that is a considerable financial hardship.

Mark Graeve, 3119 Story Street, Ames, stated that he has only owned his home for two years. He bought this house specifically because he could walk to work at Iowa State University, but also with the intent to bring it up to Rental Code to use as an investment. The property is in the West neighborhood where it is 59% rental occupied. He also noted that he has more contact with the neighbors across the street than behind him. Mr. Graeve suggested that if the purchase of a home was prior to the moratorium, the buyer would have the right to sell the home as desired.

John Pleasants, 516 Lynn Avenue, Ames, agreed that it is important to consider hardship cases, but it is also important to balance between those wishing to sell and the property owners who are

wishing for a stable neighborhood. The homeowners are experiencing a hardship by having exemptions that would cause a domino effect into even more rentals. Mr. Pleasants liked the idea of the City providing incentives for those wishing to purchase a home. He stated that some thoughts are to throw the high rental concentrated neighborhoods under the bus and save the adjoining neighborhoods from similar fate.

Sandra McJimsey, 2236 Storm, Ames, stated that market hardships do deserve consideration; the bar should be high for those cases. Ms. McJimsey encouraged staff to keep a high bar and use incentives to keep a property owner-occupied. She suggested the use of CDBG monies to supplement, help a prospective buyer buy-down the mortgage, help with a down payment, create a deferred loan or have a tax abatement for the new owner.

Wesley Wierson, 3109 Story Street, Ames, suggested that hardships be looked at on a street by street basis.

Nancy Marion, 2714 Aspen Avenue, Ames, stated that an abundance of discussion should occur regarding hardship cases.

Council Member Gartin asked Building Official Sara VanMeeteren about the demands that would be placed on staff to complete the second year of part four. Ms. VanMeeteren stated that year two will have to be documented. The LOC is given the first year, the second year will be triggered by the reinspection that is set a year out. The documentation will be asked for before the second year inspection. This will increase the work load on staff.

Moved by Martin, seconded by Nelson, to direct staff to prepare an Ordinance to allow for a one-year transitional license as currently done and can have multiple of them separated by 12 months and each owner of the property would be eligible for one occurrence of a two-year period of transitional license.

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

**RENTAL HOUSING ORDINANCE ON RENTAL CONCENTRATION:** Director Diekmann stated staff provided notice to all mailing addresses of property owners in the eight specified neighborhoods and information into the neighborhood newsletter concerning the meeting tonight and the adoption of an Ordinance on April 24. Council is considering a 25% threshold cap, which means if a neighborhood had single-family zoned properties, the number of registered rental dwellings can not exceed 25%. No new registrations allowed if over 25% rental in the neighborhood. If the neighborhood has under 25% rental, any property on a first-come first-serve basis may register the property as a rental. If part of a duplex, the second half can still be registered even if that would take the neighborhood over 25%. Mr. Diekmann showed the boundaries for what staff considers the Near-Campus Neighborhoods.

Kris Miles Jergens, 822 Ash Avenue, Ames, stated she feels the concern is transient renters not the renters who take care of the property and invest themselves in Ames. There needs to be a solution

on how to get more homeowners to the neighborhoods. She is in favor of the rental cap.

Sarah Conroy, 2318 Baker Street, Ames, shared negative interactions, but stated those are very few in comparison to the amount of good interactions with renters. Ms. Conroy strongly disagrees with the cap. The cap hurts property owners who don't intend to stay. This Ordinance will give no choice but to sell the property to a home buyer because the neighborhood is already at the 25% cap. This will devalue properties immediately. This will also have negative impacts on renters. Landlords in these neighborhoods will know that they will have no new competition and now there will be no incentive to maintain their properties. The neighborhood is changing with rapid expansion and there must be a release valve that doesn't hurt property owners. The preference of some property owners to not live by students should not outweigh others' opportunity to have a hardship in that area.

Carole Horowitz, 2014 County Club Boulevard., Ames, stated that in addition to her thoughts will also be reading part of a letter from Leslie Kawaler of 221 Hughes Street, Ames. A post on *FaceBook* was about an owner-occupied house that had been completely surrounded by family homes. The owner of this property knew rentals were closing in. The owner was offered much over the asking price and sold it in two days to an investor for a rental property. The person felt bad, but couldn't pass up the offer. Investors are driving up prices and effectively removing housing stock from potential owner-occupiers. Maximum financial return on investment and lack of concern for the neighbors and neighborhood contribute to the problem. The Iowa City Mayor set an example by putting in place a rental cap on the Near-Campus Neighborhoods to help keep them healthy and safe for all residents. Ms. Horowitz concluded by asking Council to include SCAN among the neighborhoods upon which a rental cap may be imposed.

Stephen and Constance Ringlee, 2325 Storm Street, Ames, stated their support for the rental cap. Mr. Ringlee stressed the importance of diversity in all of Ames neighborhoods. He noted that diversity can be in the form of age, socio-economic status or owner or renter. It yields vibrance, which yields thriving retail into a thriving Campustown and into a thriving Ames. The SCAN area is losing its diversity because of the focus on an all-rental, student-centered neighborhood. Mrs. Ringlee stated there is a need for more affordable homes in Ames. There is a possibility that real estate agents, banks, and other financial funding sources will develop some sort of process for affordability to first-time home-buyers and others to purchase older homes, refurbish them, and live in them. Mrs. Ringlee believes that this can provide diversity back in the neighborhood.

Ken Platt, 3620 Woodland Street, Ames, stated that he lives in a predominately single-family neighborhood that has turned into mostly rentals. He would like to see the 25% rental cap be established all over the City. Mr. Platt conveyed empathy for those who will have a financial hardship when going to sell if not to turn it into a rental. He asked Council also needs to remember the homeowner next to the rental is a hardship also. There is not a solution to everyone's issue. He encouraged Council to consider ways to eliminate the possible financial loss to those who would have a hardship that could occur, such as a tax abatement.

Grant Wierson, 3109 Story Street, Ames, stated it would be best to let the free market work. Limiting



the ability for people to rent their homes in the Near-Campus Neighborhoods pushes students farther out. Students need a place to live where they can be close to Campus and be a part of the community that Iowa State University has to offer. The neighborhoods are very diverse as a whole. Some people may not be ready for change, but it is coming and there is not a fair way to stop it. Mr. Wierson does not feel that Ames can be compared to other university towns, such as Iowa City and East Lansing. He urges Council to slow down before making a decision.

Mike Frisk, 2425 Kingston Drive, Ames, stated reasons that the Ames Rental Association opposed the rental cap: Property value will decrease for sellers of non-rentals in the affected neighborhoods and affordable housing will be negatively affected. Time is needed for the full impact of the possible changes.

Mark Graeve, 3119 Story Street, Ames, stated that the Ordinance needs to be looked at neighborhood by neighborhood. The neighborhoods that are already predominately rental gives those homes its value. People make investment decisions based on the possibility of having rental property. The five-year stipulation will handcuff people from being able to sell for a rental.

Wesley Wierson, 3109 Story Street, Ames, informed Council that he purchased his house while in school and had thought the house could be an investment. He is now concerned about the passing of this Ordinance and his investment being lost. Mr. Wierson put together a petition and visited 17 owner-occupied properties in the Westside Neighborhood. The results of this are that two people agree with the rental cap and ten people disagree. He feels that, due to grandfathering properties, the rental concentration of 59% will not decrease to 25%. He encourages Council to look at the cap street by street.

Jay Adams, 103 S. Hyland, Ames, stated that his properties are his livelihood and retirement. He opposes the 25% rental cap proposal and feels an attempt to bring down the rental concentration is absurd. The impacted areas will not hold their value if a cap is implemented. If a cap is implemented, it should be City-wide. Mr. Adams encouraged Council to use the Planning and Zoning Commission that have been creating Land Use Policies for decades within the City. He suggested the zoning be changed and add more residential medium housing. This proposal needs to be looked at street by street. He opposes the Ordinance.

Patricia Brown, 3212 West Street, Ames, watched real estate professionals and investors buy up single-family homes before the properties could reach the market. She believes that the Council needs to look at balance. Families and kids are needed for the School District and balance in neighborhoods. People are having trouble finding affordable housing. When policies are in place owner-occupied and rentals will be able to live side by side. There needs to be balance and out-of-balanced neighborhoods come community volunteers and community involvement.

K'lynn Lynn, 811 Idaho Avenue, Ames, read a letter from the Central Iowa Board of Realtors that was signed by 170 members. She stated that the result of their experience in residential real estate concludes that the cap in the proposed Near-Campus Neighborhoods will result in negative

consequences to property owners within the boundaries and negative unintended consequences for property owners outside those boundaries. Property values may likely decrease for sellers of non-rental properties in many portions of the Near-Campus Neighborhoods.

Jason Miller, 1923 Paulson Drive, Ames, continued reading the letter by the Central Iowa Board of Realtors. He stated that rental caps on LOC will impose something very similar to deed restrictions, effectively prohibiting conversions from owner-occupied dwellings to a rental. Creating a cap would be creating a long-term moratorium. Mr. Miller requested the rejection of the proposed overlay and cap on the percentage of rental dwellings in any neighborhood.

Sara Laaser-Webb, 4111 Ballentine Drive, Ames, stated that the cap seems to be a new discussion that was not well publicized. Ms. Laaser-Webb also spoke on behalf of her parents who live in the SCAN neighborhood. She stated that they chose to live in the neighborhood for the energy, to be a part of Iowa State, the events, and the students. They oppose the cap.

Nancy Marion, 2714 Aspen Road, Ames, read a letter from her father, Bill Marion that suggested a timeline to evaluate the many rental housing ordinance changes. He would like the City to monitor those changes for effectiveness before discussing overlays. He opposes the rental cap and overlay. Ms. Marion stated that the moratorium has caused confusion on who a person can sell a property to. The effect of the cap will only lower values.

Misty Metschke, 522 Smiley Avenue, Ames, presented data that was prepared by a citizen that showed a decrease in nuisance issues between 30 and 35%, while Iowa State University enrollment has increased. Ms. Metschke stated that Ames has a very diverse population among students, faculty, retirees, and families. Sixty percent of the people in Ames are renters. Stereotypes should not override the right of people to live in a neighborhood they wish to live in. There should not be restrictions for people to live in a desired community because of their student status or occupation. This will only increase the burden on transportation, roads, and the City support facilities. Ms. Metschke believes that the problem is behavior, not who the person is. The policy should support all Ames residents and promote fairness.

Ralph Ring, 1606 South Duff, Ames, expressed concern about the way renters are conveyed in the discussion. He believes that the free market will handle this. Mr. Ring opposed the Ordinance.

Sara Samms, 2010 Philadelphia Street, Ste. 3, Ames, stated that in her research of nuisance complaints, it was about even between complaints on renters and complaints on home owners. The way people choose to live in a property does not change human behavior. Putting a rental cap on certain areas by looking at nuisance data is an extreme move. Ms. Samms encouraged the City to utilize resources that include Inspections, Police Department, Safe Neighborhoods Team, Neighborhood Associations, Homeowner Associations, and education. She believes that different outcomes may happen if used in a proactive way instead of reactive.

Barbara Pleasants, 516 Lynn, Ames, stated that the houses that have sold recently and most rapidly

in SCAN have sold for rentals. She reiterated the neighborhood technique and efforts of getting the word out about the neighborhood meeting and the items on the agenda. There was a secret ballot on the cap: everyone who voted did vote for the cap. The proposed cap is 25%, the neighborhood knows it will never come down that low, but would like to stop any further conversions. She added there needs to be balance to stabilize the neighborhood and hopes for the cap to be imposed on SCAN.

Jen Plagman-Galvin, 2002 Cessna Street, Ames, expressed gratitude to the leaders of SCAN working to keep the balance of the neighborhood. She stated there must be balance in the neighborhoods for families, students, and faculty. Her position is to support the 25% rental cap.

Ann Bronikowski, 2214 Donald Street, Ames, stated she is in favor of the cap. Ms. Bronikowski conveyed her enjoyment of being around the students. There is not a dislike for the students because of asking for a rental cap. This is not an anti-student issue. There is nothing wrong with earning a living by the sale of homes, but there is also nothing wrong with maintaining a neighborhood. The rental cap is a way of maintaining balance, diversity, and a neighborhood feel including students.

Evelyn Beavers, 512 Lynn Avenue, Ames, stated she is from SCAN and supports the rental cap. It seems to her that a majority of the opposition is coming from people outside the neighborhood. All homeowners have accepted City restrictions that can change over time when different needs are being met. Such restrictions are a part of living in a community. Homeowners are a stabilizing force that provide a safe and liveable neighborhood.

Nicole Oneyear, 515 Lynn, Ames, informed Council that she bought her home in SCAN because of diversity and walkability. Since the purchase of their home, most homes that have been sold have been changed to rentals. Homebuyers are not able to compete with investors for the homes that have been on the market. Mass conversions to rentals have jeopardized the balance of this neighborhood. She supports the 25% rental cap.

Sedahlia Crase, 2327 Baker Street, Ames, expressed high support for the rental cap in spite of the hardships. The cap is necessary to keep balance and diversity. The neighborhood needs to be maintained and preserved as an older, cozy, and affordable housing. She realizes the rental cap will not lead to a quick sale like others when selling for a rental property. Ms. Crase hopes that someone will invest in the property for their own lives. She encouraged Council to vote for a rental cap in the SCAN neighborhood.

The meeting recessed at 9:05 p.m. and reconvened at 9:14 p.m.

John Pleasants, 516 Lynn, Ames, read a letter from a Megan Jillette, 2214 Storm, Ames, stating that she supports the rental cap. When her family moved in there was a single-family owner. Since then it has been sold for a rental. Now there is a cycle of different rentals each year. Ms. Jillette continued to describe nuisances and disturbances that have come from rentals in her neighborhood. Mr. Pleasants stated that there are four different stakeholders: Realtors, Students, Homeowners, and

homeowners who want to sell. Hardships are real to some renters, but also to homeowners; a balance must be found.

Jason Mickelson, 1503 Golden Aspen Drive, Ames, agrees with the concept of the highest and best use of the land; affordable housing is a good idea, as is the free market. Nostalgia and emotion is not a reason for new Ordinances. Mr. Mickelson does not favor the cap, but for compromise, he would suggest to place the cap by neighborhood.

Tom Budd, 1014 Lincoln Way, Ames, stated that at some time everyone is going to leave their home. What happens to the neighborhood is not an individual's business. A person does not make choices for the other neighbors. Each person who lives in the neighborhood should have their own choices about their home.

Sharon Guber, 2931 Northwestern, Ames, stated there has always been restrictions on what a person can do with their property. Ames has very few affordable houses for families. Enrollment has increased in the School District because people are able to come into the school from outside of the Ames School District. The City of Ames needs to be able to have more options for affordable housing.

Molly Parrott, 623 Agg Avenue, Ames, stated she is in favor of the 25% rental cap. She has a long-term vested interest in staying in that neighborhood. Ms. Parrott conveyed her involvement and enjoyment of the students and the atmosphere the students bring. In order to balance the neighborhood for those who truly have a vested interest in the neighborhood, there is a need for the rental cap.

Krystal McClain, 2010 Philadelphia Suite 3, Ames, stated that as a realtor she represents families, not investors. It is a nationwide problem of competition for housing. Some families are not renting because they want to, but because there was nothing they could find. Ms. McClain believes that nuisance complaints can be taken care of through zoning and enforcement.

Sandra McJimsey, 2236 Storm Street, Ames, reiterated the desired goal to be balance. When one conversion occurred, many continued to follow. The inflation of prices in these once owner-occupied homes drives up the price of housing across the community. Many of the Ames workforce must live elsewhere if they wish to own a home. Every time an affordable house turns rental in the Near-Campus Neighborhoods, those people lose another opportunity to buy a home where they work. She stated that to mitigate the risk of losing more owner-occupied homes, a rental cap is needed.

Lloyd Flanders, 1606 South Duff, Ames, stated that realtors advocate, represent, and protect homeowners as a whole and believe in the free market. Mr. Flanders read an email from Jason Garwood, 109 South Maple, Ames. Mr. Garwood wrote that his neighborhood is close to Campus and thrives on the rentals for students. A free market results in a higher financial gain than a restricted market. Mr. Flanders added that he opposes the cap.

Tami Hicks, 4125 - 530<sup>th</sup> Avenue, Ames, commented that her job as a realtor is to represent and look out for her clients. She does not feel that this is in the best interest of her clients. The renters are not only students, and she does not understand how a 25% rental cap is balance. Ms. Hicks believes that there are other ways to accomplish the goal, beside the rental cap. Laws can be enforced, incentives, workshops on how to maintain a property and be a better neighbor, associations could be created, and the decision of deed restrictions is a choice. Ms. Hicks is ultimately opposed to the cap.

Planning and Housing Director Diekmann suggested to use the cap geographically. Each neighborhood can be addressed individually. Council Member Beatty-Hansen stated that the rental cap is assurance of current affordable housing within this City. Council Member Betcher commented that the issue is not nuisance, it is the question of homes going to people of stability. Enforcement has been stepped up to address the nuisance issues. It is about the affordable housing stock and whether the neighborhoods are out of balance so there are homes that will always be rental and erode the stability of the neighborhoods with more rental zones.

Council Member Gartin stated that when cities implement zoning, there are situations when people's property value is going to be changed by the change in use. Part of the trade-off of living in a community is that the use of a citizen's property can change over time. The City Council has to balance the community interests, and he feels a 25% rental cap represents a fair goal.

Council Member Martin agreed that nuisance is not a driver. Long-term residency in neighborhoods builds community, builds relationships and trust, and promotes civic engagement; that happens when people know their neighbors over a period of time.

Council Member Corrieri said she opposed the rental cap because of affordability, its impact on surrounding neighborhoods, and because she doesn't have all the data that she feels is necessary. Ms. Corrieri stated that she would be supportive of a pilot program in the SCAN North Neighborhood. She suggested trying this out and getting feedback over the next few months to see if this is something that Council would like to implement in other areas.

*Ex officio* Member Rob Bingham believes it will give landlords another reason to be able to raise rents. Students are pinching every penny so that would create more hardships for the students.

Council Member Nelson expressed support for a trial run to see how things would work in one of the more rental concentrated neighborhoods. This would be a very targeted first step to see what trends are seen and make routine checks and necessary adjustments could be made.

Council Member Betcher commented that there was an enormous amount of response from SCAN North in favor of the cap. There were also several letters from the Edwards Neighborhood and the Brookside Neighborhood concerned about the implications of a cap over Oak to Riverside and the impact it would have on them. Ms. Betcher noted that Brookside is requesting a cap. There are neighborhoods asking for a rental cap if it were a tool. She definitely would apply the rental cap to SCAN and possibly the neighborhoods that have requested it.

Moved by Nelson, seconded by Gartin, to direct staff to draft an Ordinance to apply the 25% rental cap to the SCAN North Neighborhood, including the Colonial Village.

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

Director Diekmann stated that if Council does not apply the rental cap to all eight neighborhoods, the neighborhoods that do have the rental cap applied will have a new reference name.

Moved by Betcher, seconded by Beatty-Hansen, to direct staff to draft an Ordinance to apply the 25% rental cap to College Creek.

Council Member Betcher stated that members of College Creek Old Middle School have been consistently speaking as to their desire of the rental cap. Council Member Beatty-Hansen feels from the comments about the Crawford School project they have stated their concern about the balance in their neighborhood.

Council Member Gartin stated that neighborhoods could appeal to the City at a later time for an overlay if the specific neighborhood is not addressed. Council Member Beatty-Hansen agreed, but does feel that College Creek has done the same amount of work as SCAN and has shown desire for the rental cap.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin. Voting Nay: Nelson, Corrieri. Motion declared carried.

Moved by Betcher, seconded by Beatty-Hansen, to come back with an overlay of 25% for Oak to Riverside.

Vote on Motion: 4-2. Voting Aye: Betcher, Martin, Beatty-Hansen, Gartin. Voting Nay: Nelson, Corrieri. Motion declared carried.

Council Member Martin stated that Edwards and Oak-Wood-Forest have begun to communicate with Council about the cap. The Edwards neighborhood had seven people respond with the desire of a rental cap. Oak-Wood-Forest had a similar response of ten in favor of the rental cap.

Moved by Martin, seconded by Betcher, to add Oak-Wood-Forest with an overlay of 25%.

Council Member Gartin stated that there has not been enough feedback from that neighborhood. Council Member Beatty-Hansen commented that she liked keeping the pilot program for SCAN North, College Creek, and Oak-Wood-Forest neighborhoods.

Vote on Motion: 1-5. Voting Aye: Martin. Voting Nay: Betcher, Nelson, Beatty-Hansen, Gartin, Corrieri. Motion failed.

Moved by Martin, to add Edwards with an overlay of 25%.  
Motion died for lack of second.

**PERMANENT HARDSHIP EXEMPTION:** Council Member Martin stated that the temporary exemption has guaranteed two right away. He felt that a decision on permanent hardship is not necessary now. Council Member Gartin stated that it is something that Council needs to act on relatively soon to give the market some kind of certainty. Council Member Betcher would like to wait on the permanent exemptions until some of the LOC data comes back. Building Official Sara VanMeeteren stated staff would provide the first quarter report in September.

Moved by Gartin, seconded by Betcher, to table permanent exemptions until the last meeting of September.

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

**CAMPUSTOWN FACADE GRANT:** Planner Julie Gould stated that only one application was complete enough to be considered for the yearly Facade Grant. The application was for property at 120 Welch Avenue adjacent to Arcadia, which received a Facade Grant two years ago. The applicant met three of the five concepts in the Campustown Design book. Staff recommended this grant for \$15,000 in facade work and up to an additional \$2,000 for design fees for a total of \$17,000.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-185 approving a Campustown Facade Grant for 120 Welch Avenue.

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

**HEARING ON SALE OF VACATED PORTION OF ALLEY BETWEEN NORTH DAKOTA AVENUE AND DELAWARE AVENUE BETWEEN TORONTO STREET AND RELIABLE STREET:** Mayor Pro Tem Beatty-Hansen opened and closed the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-186 approving a Quit Claim Deed to Lile Parker Fox for the East One-Half west of and contiguous to Lot 1 of Block 8.

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

Moved by Martin, seconded by Betcher, to adopt RESOLUTION NO. 18-187 approving a Quit Claim Deed to Le and Joan Lubka for the West One-Half east of and contiguous to Lot 3 of Block 8.

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

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-188 approving Quit Claim Deed to Le and Joan Lubka for the East One-Half west of and contiguous to Lot 4 of Block 8.

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

**HEARING ON VACATION OF APPLE PLACE AND PEACH LANE RIGHTS-OF-WAY:** The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing

to speak.

Moved by Corrieri, seconded by Betcher, to pass on first reading an Ordinance approving the vacation of Apple Place and Peach Lane rights-of-way.

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

**HEARING ON ZONING TEXT AMENDMENT RELATING TO INSTALLATION OF PUBLIC ART IN SETBACKS:** Director Diekmann stated that this was not an advertised item, which means the hearing needs to be continued until a specific date so it does not have to be republished in the newspaper.

Mayor Pro Tem Beatty-Hansen opened and closed the public hearing.

Moved by Betcher, seconded by Corrieri, to continue the hearing on the zoning text amendment relating to installation of public art in setbacks to May 8, 2018.

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

**HEARING ON ZONING TEXT AMENDMENT REGARDING GUIDELINES FOR ACCESSORY STRUCTURES IN THE RESEARCH PARK INNOVATION DISTRICT:** Mayor Pro Tem Beatty-Hansen opened the public hearing.

Director Diekmann reminded Council that this was a follow-up to the referral of looking at allowing a sports dome or tennis bubble exemption in the hub area to the two-story height requirement and the exemption from architectural guidelines. Upon approval, the project will proceed to include an inflatable bubble and other elements to enclose tennis courts. The Research Park has control of the land that the project will be on and staff has communicated their approval.

Mayor Pro Tem closed the hearing after seeing no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance approving the zoning text amendment regarding building height and architectural design guidelines for accessory structures in the Research Park Innovation District.

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

**HEARING ON CYRIDE BUS LIFTS REPLACEMENT PROJECT:** Mayor Pro Tem Beatty-Hansen opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-189 approving final plans and specifications and awarding a contract to Henkel Construction Company of Mason City, Iowa, in the amount of \$473,750.

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

**HEARING ON NORTH RIVER VALLEY PARK LOW HEAD DAM IMPROVEMENTS:**



The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-190 approving a Right-of-Way Agreement with Iowa State University.

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

Moved by Corrieri, seconded by Nelson, to adopt RESOLUTION NO. 18-191 approving final plans and specifications and awarding contract to RW Excavating Solutions of Prairie City, Iowa, in the amount of \$776,535.

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

**HEARING ON POWER PLANT WINDOW REPLACEMENT:** Mayor Pro Tem Beatty-Hansen opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-192 approving final plans and specifications and awarding contract to The Wilson Group, Inc., of Greenwood, Missouri, in the amount of \$181,180.

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

**HEARING ON FURNISHING 69KV SF6 CIRCUIT BREAKERS AND 13.8KV CAPACITOR BANK FOR TOP-O-HOLLOW SUBSTATION EXPANSION:** Mayor Pro Tem Beatty-Hansen opened the public hearing. There was no one wishing to speak, and the public hearing was closed.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-193 approving final plans and specifications and awarding a contract for Bid No. 1 (69kV SF6 Circuit Breakers) to Siemens Industry, Inc., of Richland, Mississippi, in the amount of \$150,442 (inclusive of Iowa sales tax).

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

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-194 approving final plans and specifications and awarding contract for Bid No. 2 (13kV Capacitor Bank) to Controllix Corporation of Walton Hills, Ohio, in the amount of \$98,105 (plus applicable sales taxes in the amount of \$6,643.35 to be paid directly by the City to State of Iowa).

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

**HEARING ON 2017/18 CDBG PUBLIC FACILITIES NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS (TRIPP STREET - WILMOTH AVENUE TO STATE AVENUE):** The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 18-195 approving final plans and specifications and awarding a contract to Keller Excavating, Inc., of Boone, Iowa, in the amount of \$491,081.38.

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

**HEARING ON WATER & POLLUTION CONTROL LIME AND ASH POND FENCING:**

The public hearing was opened by the Mayor Pro Tem. She closed the same after there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 18-196 approving final plans and specifications and awarding contract to Midwest Fence and Gate of Fort Dodge, Iowa, in the amount of \$61,988.

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

**HEARING ON 2017/18 COLLECTOR STREET IMPROVEMENTS (MEADOWLANE AVENUE):** The Mayor Pro Tem opened the public hearing and closed the same since no one asked to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-197 approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$597,815.20.

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

**HEARING ON 2016/17 CONCRETE PAVEMENT IMPROVEMENTS (DAWES DRIVE):** Mayor Pro Tem Beatty-Hansen opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 18-198 approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$979,911.80.

Municipal Engineer Tracy Warner informed Council this is the Skunk River Trail and facilities along Dawes. The Trail is going towards a summer bid-letting through the Iowa DOT. Staff is hopeful for the Trail to be constructed this year.

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

**HEARING ON 2017/18 SEAL COAT STREET IMPROVEMENTS (CARR DRIVE, CRESTWOOD CIRCLE, E. 16<sup>TH</sup> STREET, LINDEN DRIVE):** The Mayor Pro Tem opened the

public hearing and closed the same since no one asked to speak.

Moved by Nelson, seconded by Betcher, to accept the report of bids for the 2017/18 Seal Coat Street Pavement Improvements Program (E 16<sup>th</sup> St., Linden Dr., Carr Dr., and Crestwood Circle).

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

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 18-199 approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$923,326.38. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**HEALTHY LIFE CENTER:** Parks and Recreation Department Director Keith Abraham reviewed the items that Council needed to consider to determine continued support for the Healthy Life Center. There are six entities that have worked together for two years on this project: Mary Greeley Medical Center, DMACC, Heartland Senior Services, Story County, Iowa State, and the City of Ames. The Healthy Life Center is a one-of-a-kind center that makes the life-long goal of healthy living accessible and enjoyable to people of all ages and socio-economic status. The proposed project is a \$48.7 million dollar project to include a 125,000 square foot building with parking, outdoor playground, and community gardens. The Healthy Life Center will be a public facility with many recreational opportunities. The City has the experience in operating these kind of facilities and has the technology for programs needed. Council will need to decide whether or not to take on the operational duties. Council will need to decide if placing a bond referendum on a ballot is an option, when passed the bond revenues can be utilized. Concerns of effects to local business will need to be addressed. The Healthy Life Center contains multiple areas that are not included in private facilities and there will be many different users to the Healthy Life Center. Staff recommended that Council approve the five items and move forward with the Healthy Life Center concept.

Council Member Gartin stated that he feels the public input has been overwhelmingly positive. Mr. Abraham added that there will be more public meetings on the Healthy Life Center in May.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 18-200 supporting the Healthy Life Center concept and directing staff to continue to move forward with the project.

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

**NAMING OPPORTUNITIES:** Director Abraham explained there are chair persons from a philanthropy campaign to develop strategies to raise \$18.2 million and naming rights will be a major component of their efforts. On some occasions, donation recognition is given the naming/renaming of a park or other major facilities or feature in honor of the donor. The City Council may use discretion as to what dollar amount is worthy of naming rights for an individual project. Staff has recommended that the flexibility go to the Chair Persons, Ann Campbell and Bev and Warren Madden, for negotiation with potential donors. The recommendation is also to waive the process of the policy.

City Manager Schainker noted that this is the most ambitious fund-raising campaign the City of Ames

has been a part of. The Chair Persons are excellent people to lead the way to raise over \$18 million dollars to make this project a success.

Mr. Warren Madden stated that the Chair Persons support the flexibility being given to negotiate for donations. The Chairs intend to work very closely with the City Manager and Parks and Recreation Director. Positive contacts have been made with donors. This is a complex and exciting opportunity. He added that he would be back in late summer or early fall with a report.

Council Member Martin expressed concern about corporate logos. Mr. Madden noted the three Chair Persons will be sensitive to corporate logos. He believes it is important to keep track of corporate names. If there is a concern with this, it will be brought back to Council.

Moved by Corrieri, seconded by Gartin, approving waiving Item 4.c and Item 5 of the Parks and Recreation Naming Policy thus giving the Healthy Life Center Campaign Chairs the flexibility to negotiate donation amounts in exchange for naming rights and waiving the process outlined in the policy.

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

**ALLOCATION OF \$7,500 TO FUND HEALTHY LIFE CENTER INFORMATIONAL CAMPAIGN:** City Manager Schainker stated that \$7,500 is being requested from the Council Contingency fund to pay the cost of an informational campaign including: preliminary informational brochure; updated informational brochure; questions/answer (FAQ) sheets; public meetings postcard reminders/postage; and miscellaneous expenses to inform the public and provide factual information.

Moved by Corrieri, seconded by Gartin, to adopt RESOLUTION NO. 18-201 allocating \$7,500 to fund Healthy Life Center informational campaign.

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

**ORDINANCE RELATING TO RAGBRAI EVENTS ON JULY 23 - 25, 2018:** Assistant City Manager Brian Phillips informed Council that an Ordinance has been prepared to include the various elements that are necessary temporarily to accommodate RAGBRAI. It has been noted that there is a provision in the Outdoor Alcoholic Beverage Service Area Section, 34.5 as proposed, that could be misconstrued to mean that if there happens to already be an Outdoor Service Privilege somewhere in the community that would be the one allowed during this period of time. This was not the intent. New language has been written that if there is an existing Outdoor Service Privilege for this period of time that can stand, but upon the effective date of this Ordinance there would be an exclusivity right that only one more Outdoor Service Privilege would be allowed and the RAGBRAI organizing committee would have the first right to claim that Outdoor Service Privilege throughout the City. Limiting the permits for this will cause fewer challenges in management and safety.

Council Member Corrieri inquired about the impact this would have on the smaller businesses that only have a table or two outside. Assistant City Manager Phillips responded that if they have not already secured an Outdoor Service Privilege, it would affect them. Council Member Corrieri expanded on her inquiry that if the business owner has a permanent Outdoor Service Privilege, then

they can still continue to operate their Outdoor Privilege. Assistant Manager Phillips confirmed that is the way the text of this Ordinance reads. Council will be considering a request regarding the proposed beer garden and entertainment area associated with RAGBRAI on Main Street. There will be a request to suspend any existing sidewalk café during that time. Council Member Corrieri clarified that if Council approves this as is tonight, all the establishments that currently have a permanent Outdoor Service will be able to continue to operate during RAGBRAI, provided they have already obtained a license. Assistant City Manager Phillips reiterated that after this Ordinance would be in effect, no other additional Outdoor Service would be allowed.

Bethany DeVries, 1516 Illinois, Ames, stated that she is the owner of Della Viti on Main Street. Ms. DeVries requested clarification regarding possible suspension of her Outdoor Service Privilege license for July 24. Mayor Pro Tem Beatty-Hansen responded that would not happen now. Assistant Manager Phillips added that there is a section in this Ordinance that states if there is a vendor that is deemed to be in conflict with the entertainment area, that would be suspended.

Ms. DeVries stated that she understands the challenges that come with RAGBRAI and challenges with a beer garden. She feels it very unfair when the sidewalk café is a legal extension of her business. There should not be the right to just shut down her sidewalk café considering it seats eight to ten people. If the concern is for pedestrian safety, everything that is not bolted down should be removed. Ms. DeVries explained that the difficulty is in the cross-over of alcohol service and not wanting two places to be serving alcohol in the public domain at the same time. The beer garden is to begin at 4 p.m. She noted that she intends to open early that day. She suggested amending 34.7 (3) to clarify no alcohol outdoor service during the same time as the beverage garden.

Moved by Beatty-Hansen, seconded by Corrieri, to amend Section 34.7 (3) to read: "For the purpose of facilitating entertainment activities in the public right-of-way, any Sidewalk Café Permit authorized pursuant to Division VII of Chapter 22 of the *Municipal Code*, which has been deemed to be in conflict with the entertainment planned by the RAGBRAI Committee, shall be suspended **after 4:00 p.m.** on July 24, 2018".

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

Moved by Beatty-Hansen, seconded by Corrieri, to adopt the change in language in Section 34.5 as presented in the memo by Assistant City Manager Phillips to read: "The presence of approximately 20,000 additional people in Ames on July 24, 2018, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, to ensure public safety, the City Council determines that, **after the effective date of this Ordinance**, there may be accepted and approved by the City no more than one application for a temporary outdoor alcoholic Beverage Service area within the City of Ames for July 24 through 12:00 noon July 25, 2018. The RAGBRAI Committee, or its designee, shall have the first right to apply to the City for such a license. However, if the RAGBRAI Committee fails to secure such an endorsement by June 30, 2018, the City Council shall have the option to consider applications from other applicants for an Outdoor Alcoholic Beverage Service area taking place during those dates. Any establishment that has, prior to the adoption of this Ordinance, obtained a license for an Outdoor Alcoholic Beverage Service area, where that license is valid for July 24 or July 25, 2018, shall be permitted to operate that Outdoor Alcoholic Beverage Service area pursuant to the terms of its license.

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

Moved by Corrieri seconded by Betcher, to pass on first reading an Ordinance, as amended, relating to RAGBRAI events on July 23 - 25, 2018.

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

**TIP TOP LOUNGE OUTDOOR SERVICE:** Council Member Beatty-Hansen expressed concern over timing for allowing the Temporary Outdoor Service and once the Ordinance is past no other establishment will be approved. *Ex-officio* Bingham replied that the establishments approved tonight did not have prior knowledge to the Ordinance coming before Council.

Moved by Beatty-Hansen, seconded by Corrieri, to approve all dates for the temporary Outdoor Service for Tip Top Lounge.

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

**ORDINANCE INCREASING WATER RATES BY 3.5% AND SEWER RATES BY 3% EFFECTIVE FOR BILLS ON OR AFTER JULY 1, 2018:** Moved by Corrieri, seconded by Gartin, to pass on first reading an Ordinance to increase water rates by 3.5% and sewer rates by 3% effective for bills on or after July 1, 2018.

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

**ORDINANCE ESTABLISHING PARKING REGULATIONS ON CRANE AVENUE:** Moved by Corrieri, seconded by Betcher, to pass on first reading an Ordinance establishing parking regulations on Crane Avenue.

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

**ORDINANCE REVISING CHAPTER 13, RENTAL HOUSING CODE, REGARDING OCCUPANCY:** Moved by Corrieri, seconded by Nelson, to pass on second reading an Ordinance revising Chapter 13, Rental Housing Code, regarding occupancy.

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

**ORDINANCE REVISING CHAPTER 28 TO EXEMPT, FROM THE INDIVIDUAL METERING REQUIREMENT, THOSE PROJECTS THAT HAD SUBMITTED A SITE DEVELOPMENT PLAN TO THE PLANNING AND HOUSING DEPARTMENT PRIOR TO JANUARY 1, 2019:** Moved by Nelson, seconded by Betcher, to pass on second reading an Ordinance revising Chapter 28 to exempt, from the individual metering requirement, those projects that had submitted a site development plan to the Planning and Housing Department prior to January 1, 2019.

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

**ORDINANCE TO REMOVE PROPERTY LOCATED AT 398 S. 500<sup>TH</sup> AND 5508 LINCOLN WAY FROM WARD 3, PRECINCT 4:** Moved by Nelson, seconded by Betcher, to pass on second reading an Ordinance removing property located at 398 S. 500<sup>th</sup> and 5508 Lincoln Way (commonly known as Trinitas) from Ward 3, Precinct 4.

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

**ORDINANCE REGARDING PORTABLE SIDEWALK SIGNS IN CAMPUSTOWN:** Moved by Corrieri, seconded by Betcher, to pass on second reading an Ordinance regarding portable sidewalk signs in Campustown.

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

**ORDINANCE RENAMING OLD AIRPORT ROAD TO GREEN HILLS DRIVE:** Moved by Betcher, seconded by Corrieri, to pass on second reading an Ordinance renaming Old Airport Road to Green Hills Drive.

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

**ORDINANCE RELATING TO WIRELESS COMMUNICATIONS FACILITIES:** Moved by Nelson, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO.4342 relating to wireless communications facilities.

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

**ADJOURNMENT:** Moved by Corrieri to adjourn at 11:36 p.m.

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

\_\_\_\_\_  
John A. Haila, Mayor

\_\_\_\_\_  
Stacy Craven, Recording Secretary







## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input checked="" type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input type="checkbox"/>	16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	April 2018	
<b>For City Council Date:</b>	April 24, 2018	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	2016/17 Storm Water Erosion Control Program, S. Skunk River (Contract A)	1	\$793,415.00	On-Track Construction, LLC	\$0.00	\$1,000.00	T. Warner	MA
Public Works	2015/16 West Lincoln Way Intersection Improvements (Franklin Avenue)	3	\$1,797,793.00	Con-Struct, Inc.	\$93,279.70	\$9,190.41	D. Pregitzer	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Awein Majak</u>		
<b>Name of Business (DBA):</b> <u>Safari Cuisine</u>		
<b>Address of Premises:</b> <u>217 S Duff Ave</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>
<b>Business</b> <u>(515) 203-5131</u>		
<b>Mailing</b> <u>217 s duff</u>		
<b>City</b> <u>Ames</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50010</u>

**Contact Person**

<b>Name</b> <u>Awein Majak</u>
<b>Phone:</b> <u>(515) 203-5131</u> <b>Email</b> <u>aweinm@gmail.com</u>

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

**Term:**12 months

**Effective Date:** 04/26/2018

**Expiration Date:** 01/01/1900

**Privileges:**

Class C Liquor License (LC) (Commercial)

Sunday Sales

**Status of Business**

<b>BusinessType:</b> <u>Sole Proprietorship</u>
<b>Corporate ID Number:</b> <u>XXXXXXXXXX</u> <b>Federal Employer ID</b> <u>XXXXXXXXXX</u>

**Ownership**

**Awein Majak**

**First Name:** Awein

**Last Name:** Majak

**City:** Ames

**State:** Iowa

**Zip:** 50014

**Position:** owner

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>United States Liability Insurance Company</u>	
<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>



# MEMO

**To:** Mayor John Haila and Ames City Council Members 11a-f  
**From:** Lieutenant Dan Walter, Ames Police Department  
**Date:** April 16, 2018  
**Subject:** Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for April 24, 2018, includes beer permits and liquor license renewals for:

- Class C Liquor, Catering, & Outdoor Service - LC0037732 - Cyclone Experience Network, Hilton Coliseum
- Class C Liquor, Catering, & Outdoor Service - LC0036896 - Perfect Games, 1320 Dickinson Avenue
- Special Class C Liquor & B Native Wine - BW0094849 - Szechuan House, 3605 Lincoln Way
- Class C Liquor & Outdoor Service - LC0043369 - Provisions Lot F, 2400 N. Loop Dr.
- Class C Beer - BC0020769 - Swift Stop #2, 3406 Lincoln Way
- Special Class C Liquor - BW0090475 - Great Plains Sauce & Dough, 129 Main St.

A routine check of police records for the past 12 months found no liquor law violations for the above listed businesses. The Police Department recommends renewal of licenses for all the above businesses.

**COUNCIL ACTION FORM**

**SUBJECT: BULLETPROOF VEST PARTNERSHIP PROGRAM**

**BACKGROUND:**

The Ames Police Department is again requesting permission to apply for funding from the Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership (BVP) program, and to participate in the program should funds be awarded. This program provides funds to local law enforcement agencies to support the purchase of new and replacement bulletproof vests for individual officers. This protective device is critical to the safety of our police officers.

Bulletproof vests have an approximate five-year life cycle. The Police Department has a rotating schedule for replacement of vests for current officers. In addition, as new officers are added to the force, new vests must be purchased that are tailored to the individual officer. During 2018/19 fiscal year, the schedule calls for the acquisition or replacement of 11 vests.

The estimated cost for these vests is \$7,689. The grant requires that local agencies must provide 50% of the cost. To the extent that federal funds are available, the BVP program will provide the other 50%. The FY 2018/19 Police budget was constructed with the expectation that we would apply for and receive a Bulletproof Vest Partnership grant so the Police Department's 50% share has already been budgeted as a commodities expense. The 2018 Bulletproof Vest Partnership grant application is due May 29, 2018.

**ALTERNATIVES:**

1. Approve the Police Department's application to and participation in the Department of Justice Office of Justice Programs Bulletproof Vest Partnership program.
2. Do not approve the Police Department's application for or participation in this grant program.

**MANAGER'S RECOMMENDED ACTION:**

Bulletproof vests are an indispensable piece of safety equipment for police officers. Historically the Police Department has successfully participated in this program with the U.S. Department of Justice to provide protection to our local officers. Participation in this program allows the City to provide the best product to our officers with half the cost paid by the Department of Justice. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

**COUNCIL ACTION FORM**

**SUBJECT: AMES PATRIOTIC COUNCIL REQUESTS FOR MEMORIAL DAY PARADE**

**BACKGROUND:**

Each year the Ames Patriotic Council conducts a community observance of Memorial Day. This observance involves a parade from City Hall to the Municipal Cemetery, followed by a community memorial service at the Cemetery.

The following requests for May 28, 2018, are presented for City Council approval in order to facilitate the Memorial Day observance:

- Closure of Pearle Avenue and Fifth Street from east of Pearle Avenue through the Clark Avenue intersection from 9:00 a.m. to 11:00 a.m. for the line-up and start of the parade entries.
- Temporary closure of Clark Avenue from Fifth to Ninth Street (for movement of the parade) between 10:30 a.m. and 11:00 a.m.
- Temporary closure of Ninth Street between Clark Avenue and Maxwell Avenue (for movement of the parade) between 10:45 a.m. and 11:00 a.m.
- Temporary closure of Sixth Street at Clark Avenue and of Duff Avenue at Ninth Street as the parade moves through those intersections.

A blanket Temporary Obstruction Permit is also requested for the closed areas. It should also be noted that temporary closures of residential streets that intersect Ninth Street and Clark Avenue will occur as the parade progresses. Public Works will provide barricades for all of the street closure areas. Barricades will be staffed by parade volunteers and/or residents of the area. Most intersection closures will last for only a few minutes.

The Ames Police Department will present the colors as well as provide a lead car for the parade and will assist participants through the Ninth Street and Duff Avenue intersection.

The rain location for activities will be the Ames Municipal Auditorium. No lost parking meter revenue is anticipated due to the holiday.

**ALTERNATIVES:**

1. Approve the Ames Patriotic Council's requests for use of City facilities and services as outlined above for the community's Memorial Day observance on May 28, 2018.
2. Ask the Ames Patriotic Council to pursue alternate plans for the Memorial Day observance.
3. Deny the requests.

**CITY MANAGER'S RECOMMENDED ACTION:**

The parade and memorial service at the Municipal Cemetery are an integral part of the community's annual Memorial Day commemoration.

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



# SPECIAL EVENT APPLICATION

## SUMMARY OF EVENT

### DESCRIPTION

**Event Name** Memorial Day Parade and Ceremony

**Description**

Parade from City Hall to Municipal Cemetery then Ceremony.

**Event Category**

- Athletic/Recreation
- Exhibits/Misc.
- Festival/Celebration
- Parade/Procession/March
- Concert/Performance
- Farmer/Outdoor Market
- Other (please explain)

Clark to 9th St to Cemetery

**Anticipated Attendance**

Total 100 Per Day \_\_\_\_\_

### DATE/TIME

**Setup** Date 5/28/18 Time 10:00 am Day of Week Monday

**Event Starts** Date 5/28/18 Time 10:30 am Day of Week Monday

**Event Ends** Date 5/28/18 Time 12:00 pm Day of Week Monday

**Teardown Complete** Date 5/28/18 Time 5:00 pm Day of Week Monday

**Rain Date, if applicable** 5/28/18

**Rain Location, if applicable** City Hall

## LOCATION

- Region**  
(Select one or more)
- Main Street Cultural District (Downtown)
  - Campustown District
  - Iowa State University Property
  - City Parks
  - Other (please explain) Clark to 9th St Cemetery

**Please note** that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

-  
Downtown - Main Street Cultural District: (515) 233-3472                      events@amesdowntown.org  
Campustown - Campustown Action Association: (515) 450-8771              director@amescampustown.com  
Iowa State University - Events Authorization Committee: (515) 294-1437      eventauthorization@iastate.edu

## CONTACTS

**Host Organization** Ames Patriotic Council

<b>Local Contact</b> (Required)	<b>Name</b>	<u>Anita Elliott</u>
	<b>Address</b>	<u>1005 Stafford Ave</u>
	<b>Telephone</b>	<u>515.232.4057</u>
	<b>Cell Phone</b>	<u>515.290.3516 (preferred)</u>
	<b>Email</b>	<u>anita.elliott@iawgcap.com</u>

**At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.**

**Yes No**

- Is this an annual event? How many years have you been holding this event? \_
- Is this event open to the public?
- Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list

NOTE 1: Years holding event - 50+.

NOTE 2: Would like to have 6th St blocked off Clark to Pearl.



**COUNCIL ACTION FORM**

**SUBJECT: ISU HOMECOMING CENTRAL COMMITTEE REQUESTS FOR ISU HOMECOMING PARADE**

**BACKGROUND:**

The Homecoming Central Committee at Iowa State University is again planning to host its annual ISU Homecoming activities. This includes the hosting of a downtown Homecoming parade as a kickoff to the activities, to be held Sunday, October 21. This is the third year the parade will be held downtown.

The ISU Homecoming parade will take place beginning at 2:00 p.m. on October 21. Entries will be staged in City Hall Lot M, on Pearle Avenue, and on Main Street west of Clark Avenue.

The parade route will be similar to the route used for the 4<sup>th</sup> of July, but in reverse. To facilitate this event, closure of the following streets and parking lots is requested from noon to 4:00 p.m. on October 21:

- City Hall Parking Lot MM
- City Hall Parking Lot M
- Depot Lot TT
- Pearle Avenue
- Fifth Street from Grand Avenue to Douglas Avenue
- Main Street/Northwestern Avenue from 5<sup>th</sup> Street to Douglas Avenue
- Clark Avenue, Burnett Avenue, Kellogg Avenue, and Douglas Avenue from Main Street to Fifth Street

Organizers have requested a Temporary Obstruction Permit and the closure of parking spaces along the route from noon to 4:00 p.m. on Sunday. Because the parade is on a Sunday, no parking meter revenue will be lost. This year organizers plan to have a variety of food trucks on the closed north-south streets, so use of City electricity, blanket Vending License and waiver of fee (\$50) are also requested.

CyRide will detour from the parade area to 6<sup>th</sup> Street. The Police Department will provide a vehicle and Public Works will arrange for a street sweeper to clean the streets at the conclusion of the parade.

It is anticipated that requests for other ISU Homecoming activities taking place during this week will be presented to the City Council at a later date.

Staff should mention that, during the 2017 ISU Homecoming Parade, there were several issues that inconvenienced community groups, businesses, and residents. These issues largely centered on the communication from organizers to parade volunteers about how closures would be arranged and at what times, as well as communication with affected property owners about when and where these closures would take place. City staff has discussed these issues with parade organizers. The organizers have committed to contacting affected businesses and institutions early to work with them regarding the closures. Organizers will also ensure that their leadership members will be in key locations around the route to ensure the closure locations match the approved plan, and to troubleshoot as necessary.

**ALTERNATIVES:**

1. Approve the requests from the Homecoming Central Committee for the ISU Homecoming Parade on Sunday, October 21, including street and parking closures, a Temporary Obstruction Permit, use of City electricity, blanket Vending License, and a waiver of fees as requested by event organizers above.
2. Deny the requests.

**CITY MANAGER'S RECOMMENDED ACTION:**

Organizers have taken appropriate steps to plan and implement the event in a safe, well thought-out manner. The proposed parade this fall appears to be manageable, and staff has discussed minor logistical modifications to make the event even more successful.

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



April 16<sup>th</sup>, 2018

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

2018 Homecoming Parade

Dear Honorable Mayor Haila and City Council,

Iowa State University is planning to continue the Homecoming Parade this year on Sunday, October 21<sup>st</sup> at 2:00pm. Further information can be found on the recently submitted Special Events Application. We would like to request a waiver of the electric fee, as well as a waiver of the vending license fee so we can allow various food trucks to sell food near the parade route.

Thank you all for your consideration, and we hope to see you either in the parade or watching it!

Sincerely,

Mary Kate Misak  
SALC Advisor  
ISU Alumni Association



# SPECIAL EVENT APPLICATION

## SUMMARY OF EVENT

### DESCRIPTION

Event Name Homecoming Parade

Description

The Homecoming Parade is an event that includes the Ames community in celebrating the kick off of ISU's homecoming on Ocotober 21st, 2018

- Event Category
- Athletic/Recreation
  - Exhibits/Misc.
  - Festival/Celebration
  - Parade/Procession/March
  - Concert/Performance
  - Farmer/Outdoor Market
  - Other (please explain)

Anticipated Attendance  
 Total 2000 Per Day \_\_\_\_\_

### DATE/TIME

Setup Date 10/21/18 Time 7am Day of Week Sunday  
 Event Starts Date 10/21/18 Time 2pm Day of Week Sunday  
 Event Ends Date 10/21/18 Time 4pm Day of Week Sunday  
 Teardown Complete Date 10/21/18 Time 5pm Day of Week Sunday

Rain Date, if applicable 10/28/18

Rain Location, if applicable \_\_\_\_\_

**LOCATION**

- Region**  
 (Select one or more)
- Main Street Cultural District (Downtown)
  - Campustown District
  - Iowa State University Property
  - City Parks
  - Other (please explain) \_\_\_\_\_

**Please note** that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

-  
 Downtown - Main Street Cultural District: (515) 233-3472                      events@amesdowntown.org  
 Campustown - Campustown Action Association: (515) 450-8771              director@amescampustown.com  
 Iowa State University - Events Authorization Committee: (515) 294-1437      eventauthorization@iastate.edu

**CONTACTS**

**Host Organization** ISU Homecoming Central Committee

<b>Local Contact</b> (Required)	<b>Name</b>	<u>Hannah Peterson, Jenny Long</u>
	<b>Address</b>	<u>420 Beach Ave, Ames, 50011</u>
	<b>Telephone</b>	<u>319-491-2532</u>
	<b>Cell Phone</b>	<u>515-351-1917</u>
	<b>Email</b>	<u>hccparade@gmail.com</u>

**At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.**

**Yes No**

- Is this an annual event? How many years have you been holding this event? \_
- Is this event open to the public?
- Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list

This is the 3rd annual Homecoming Parade. It is open to the public.

To: Mayor and City Council

From: Roger Wisecup, CPA  
City Treasurer

Date: April 6, 2018

Subject: Investment Report for Quarter Ending March 31, 2018

### Introduction

The purpose of this memorandum is to present a report summarizing the performance of the City of Ames investment portfolio for the quarter ending March 31, 2018.

### Discussion

This report covers the period ending March 31, 2018 and presents a summary of the investments on hand at the end of March 2018. The investments are valued at amortized cost; this reflects the same basis that the assets are carried on the financial records of the City. All investments are in compliance with the current Investment Policy.

### Comments

The Federal Reserve increased the target rate for federal funds in March from 1.25-1.50 percent to 1.50-1.75 percent. While rates are trending upwards, future investments can be made at slightly higher interest rates and future interest income should increase. The current outlook has the Federal Reserve continuing to raise the target rate in 2018. We will continue to evaluate our current investment strategy, remaining flexible to future investments should the Federal Reserve continue to raise the target rate.

**CITY OF AMES, IOWA**

**CASH AND INVESTMENTS SUMMARY  
AND SUMMARY OF INVESTMENT EARNINGS**

**FOR THE QUARTER ENDED MARCH 31, 2018  
AND THE ACCUMULATED YEAR-TO-DATE**

DESCRIPTION	BOOK VALUE	MARKET VALUE	UN-REALIZED GAIN/(LOSS)
CERTIFICATES OF DEPOSIT	22,500,000	22,500,000	0
FEDERAL AGENCY DISCOUNTS	1,496,806	1,495,434	(1,372)
FEDERAL AGENCY SECURITIES	93,780,951	92,722,256	(1,058,695)
COMMERCIAL PAPER	13,944,110	13,938,355	(5,755)
INVESTMENT POOLS			0
PASS THRU SECURITIES PAC/CMO			0
MONEY FUND SAVINGS ACCOUNTS	287,672	287,672	0
PASSBOOK/CHECKING ACCOUNTS	132,682	132,682	0
US TREASURY SECURITIES	13,481,365	13,385,281	(96,084)
INVESTMENTS	<u>145,623,586</u>	<u>144,461,680</u>	<u>(1,161,906)</u>
CASH ACCOUNTS	<u>15,680,381</u>	<u>15,680,381</u>	
TOTAL FUNDS AVAILABLE	<u><u>161,303,967</u></u>	<u><u>160,142,061</u></u>	<u><u>(1,161,906)</u></u>

ACCRUAL BASIS INVESTMENT EARNINGS

YR-TO-DATE
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GROSS EARNINGS ON INVESTMENTS:

1,285,219

INTEREST EARNED ON CASH:

193,404

TOTAL INTEREST EARNED:

1,478,623



**Investments FY 2017-2018  
Portfolio Management  
Portfolio Summary  
March 31, 2018**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit	22,500,000.00	22,500,000.00	22,500,000.00	15.45	470	333	1.707	1.730
Money Market	287,672.12	287,672.12	287,672.12	0.20	1	1	0.296	0.300
Passbook/Checking Accounts	132,681.56	132,681.56	132,681.56	0.09	1	1	0.148	0.150
Commercial Paper Disc. -Amortizing	14,000,000.00	13,938,355.00	13,944,110.44	9.58	196	84	1.749	1.773
Federal Agency Coupon Securities	93,790,000.00	92,722,256.32	93,780,951.01	64.40	1,041	482	1.337	1.356
Federal Agency Disc. -Amortizing	1,500,000.00	1,495,434.00	1,496,806.21	1.03	279	67	1.159	1.175
Treasury Coupon Securities	13,500,000.00	13,385,281.30	13,481,365.23	9.26	1,017	394	1.494	1.515
<b>Investments</b>	<b>145,710,353.68</b>	<b>144,461,680.30</b>	<b>145,623,586.57</b>	<b>100.00%</b>	<b>859</b>	<b>407</b>	<b>1.443</b>	<b>1.463</b>

Total Earnings	March 31 Month Ending	Fiscal Year To Date
Current Year	171,799.35	1,286,233.16
<b>Average Daily Balance</b>	<b>145,898,716.25</b>	
<b>Effective Rate of Return</b>	<b>1.39%</b>	

**US TREASURY CONSTANT MATURITY RATES  
PERIOD ENDING MARCH 31, 2018  
3 YEAR COMPARISON**

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

Roger J. Wisecup II, CPA      4-6-18  
 Roger J. Wisecup II, City Treasurer

	March 31, 2018	March 31, 2017	March 31, 2016
3 Months	1.73%	0.76%	0.23%
6 Months	1.93%	0.91%	0.40%
1 Year	2.09%	1.03%	0.62%
2 Years	2.27%	1.27%	0.76%
3 Years	2.39%	1.50%	0.90%
5 Years	2.56%	1.93%	1.24%

Reporting period 03/01/2018-03/31/2018

Run Date: 04/19/2018 - 08:32

Portfolio 2018  
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**Investments FY 2017-2018**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**March 31, 2018**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Certificates of Deposit</b>												
12162145	12162145	Bankers Trust		12/07/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.780	1.756	1.780	289	01/15/2019
12281867	12281867	Bankers Trust		12/07/2017	1,500,000.00	1,500,000.00	1,500,000.00	1.700	1.677	1.700	197	10/15/2018
12292365	12292365	Bankers Trust		12/07/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.720	1.696	1.720	228	11/15/2018
12505900	12505900	Bankers Trust		12/07/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.770	1.746	1.770	257	12/14/2018
12595735	12595735	Bankers Trust		10/13/2017	2,000,000.00	2,000,000.00	2,000,000.00	1.600	1.578	1.600	610	12/02/2019
144277962	144277962	Great Western Bank		09/13/2017	1,500,000.00	1,500,000.00	1,500,000.00	1.450	1.430	1.450	89	06/29/2018
144277963	144277963	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.450	1.430	1.450	152	08/31/2018
144277964	144277964	Great Western Bank		09/13/2017	1,500,000.00	1,500,000.00	1,500,000.00	1.450	1.430	1.450	180	09/28/2018
144277965	144277965	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	213	10/31/2018
144277966	144277966	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	243	11/30/2018
144277968	144277968	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	271	12/28/2018
144277970	144277970	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.500	1.479	1.500	362	03/29/2019
144277971	144277971	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.500	1.479	1.500	453	06/28/2019
144278699	144278699	Great Western Bank		10/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.550	1.529	1.550	428	06/03/2019
144283631	144283631	Great Western Bank		03/22/2018	1,000,000.00	1,000,000.00	1,000,000.00	2.210	2.180	2.210	409	05/15/2019
144283633	144283633	Great Western Bank		03/22/2018	1,000,000.00	1,000,000.00	1,000,000.00	2.310	2.278	2.310	530	09/13/2019
144283634	144283634	Great Western Bank		03/22/2018	1,000,000.00	1,000,000.00	1,000,000.00	2.310	2.278	2.310	547	09/30/2019
144283635	144283635	Great Western Bank		03/22/2018	1,000,000.00	1,000,000.00	1,000,000.00	2.310	2.278	2.310	562	10/15/2019
59019689	59019689	Vision Bank		12/07/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.980	1.953	1.980	305	01/31/2019
59019697	59019697	Vision Bank		12/07/2017	1,000,000.00	1,000,000.00	1,000,000.00	2.000	1.973	2.000	320	02/15/2019
<b>Subtotal and Average</b>			<b>20,725,806.45</b>		<b>22,500,000.00</b>	<b>22,500,000.00</b>	<b>22,500,000.00</b>		<b>1.707</b>	<b>1.730</b>	<b>333</b>	
<b>Money Market</b>												
SYS4531558874B	4531558874B	Great Western Bank			287,672.12	287,672.12	287,672.12	0.300	0.296	0.300	1	
<b>Subtotal and Average</b>			<b>3,674,141.11</b>		<b>287,672.12</b>	<b>287,672.12</b>	<b>287,672.12</b>		<b>0.296</b>	<b>0.300</b>	<b>1</b>	
<b>Passbook/Checking Accounts</b>												
SYS6952311634B	6952311634B	Wells Fargo			132,681.56	132,681.56	132,681.56	0.150	0.148	0.150	1	
<b>Subtotal and Average</b>			<b>132,677.62</b>		<b>132,681.56</b>	<b>132,681.56</b>	<b>132,681.56</b>		<b>0.148</b>	<b>0.150</b>	<b>1</b>	
<b>Commercial Paper Disc. -Amortizing</b>												
0347M3EF7	0807-18	Angelsea		03/23/2018	1,000,000.00	997,550.00	997,555.92	2.000	2.006	2.033	44	05/15/2018
05454KDW2	0806-18	AXA Financial		03/23/2018	1,500,000.00	1,497,720.00	1,497,402.59	2.150	2.154	2.184	29	04/30/2018
06538CGD7	0799-18	Bank Tokyo Mitsubishi		01/29/2018	1,000,000.00	994,850.00	994,850.00	1.800	1.815	1.840	103	07/13/2018
06538CGX3	0800-18	Bank Tokyo Mitsubishi		01/29/2018	1,000,000.00	992,240.00	993,782.05	1.850	1.878	1.904	121	07/31/2018
2254EBFF3	0782-17	Credit Suisse		09/28/2017	1,000,000.00	995,610.00	996,729.17	1.570	1.602	1.624	75	06/15/2018

**Investments FY 2017-2018**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**March 31, 2018**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Commercial Paper Disc. -Amortizing</b>												
2254EBH20	0795-17	Credit Suisse		11/09/2017	1,500,000.00	1,488,375.00	1,491,286.88	1.700	1.737	1.761	123	08/02/2018
46640QFN6	0781-17	JP Morgan Commercial Paper		09/28/2017	1,000,000.00	996,420.00	996,423.89	1.570	1.603	1.625	82	06/22/2018
46640QFL0	0794-17A	JP Morgan Commercial Paper		10/20/2017	1,000,000.00	996,510.00	996,511.11	1.570	1.605	1.627	80	06/20/2018
46640QFL0	0794-17B	JP Morgan Commercial Paper		10/20/2017	1,500,000.00	1,494,765.00	1,494,766.67	1.570	1.605	1.627	80	06/20/2018
46640QHF1	0801-18	JP Morgan Commercial Paper		02/08/2018	1,000,000.00	992,630.00	992,633.34	1.950	1.982	2.009	136	08/15/2018
63873KGC5	0798-17	Natixis		12/07/2017	1,500,000.00	1,493,205.00	1,493,200.00	1.600	1.634	1.656	102	07/12/2018
7443M3DW1	0773-17	Prudential PLC		08/31/2017	1,000,000.00	998,480.00	998,968.82	1.280	1.302	1.320	29	04/30/2018
<b>Subtotal and Average</b>			<b>12,971,474.70</b>		<b>14,000,000.00</b>	<b>13,938,355.00</b>	<b>13,944,110.44</b>		<b>1.749</b>	<b>1.773</b>	<b>84</b>	
<b>Federal Agency Coupon Securities</b>												
3133EGQM0	0732-16	Federal Farm Credit		08/15/2016	940,000.00	904,317.60	939,471.13	1.620	1.613	1.635	1,411	02/10/2022
3133EGQQ1	0743-16	Federal Farm Credit		10/14/2016	8,000,000.00	7,814,312.00	7,997,159.41	1.300	1.299	1.317	775	05/15/2020
3133EGD69	0746-16	Federal Farm Credit		11/07/2016	5,000,000.00	4,886,440.00	4,997,900.00	1.320	1.322	1.341	767	05/07/2020
3133ECL44	0760-17	Federal Farm Credit		03/10/2017	1,000,000.00	999,829.00	999,950.13	1.000	1.165	1.181	10	04/11/2018
3133EHKF9	0789-17	Federal Farm Credit		10/13/2017	2,000,000.00	1,961,176.00	1,995,155.00	1.770	1.839	1.864	967	11/23/2020
3133EJHS1	0808-18	Federal Farm Credit		03/27/2018	1,000,000.00	1,000,425.00	1,000,743.33	2.250	2.160	2.190	452	06/27/2019
3130A87B3	0722-16	Federal Home Loan Bank		05/27/2016	2,000,000.00	1,997,566.00	2,000,000.00	1.000	0.986	1.000	59	05/30/2018
3130A8UU5	0734-16	Federal Home Loan Bank		08/25/2016	4,000,000.00	3,995,680.00	4,000,099.36	1.000	0.969	0.983	52	05/23/2018
3130A8Z30	0735-16	Federal Home Loan Bank		08/25/2016	2,000,000.00	1,997,410.00	1,999,897.14	0.875	0.897	0.910	54	05/25/2018
3130A97F2	0747-16	Federal Home Loan Bank		11/09/2016	1,000,000.00	999,782.00	1,000,053.61	0.875	0.689	0.698	11	04/12/2018
3130A8BD4	0766-17A	Federal Home Loan Bank		04/20/2017	1,415,000.00	1,411,898.32	1,414,201.79	0.875	1.093	1.108	89	06/29/2018
3130A8BD4	0766-17B	Federal Home Loan Bank		04/20/2017	1,000,000.00	997,808.00	999,435.90	0.875	1.093	1.108	89	06/29/2018
3132X0QQ7	0767-17A	Federal Home Loan Bank		04/20/2017	1,500,000.00	1,492,689.00	1,501,286.43	1.375	1.236	1.253	260	12/17/2018
3132X0QQ7	0767-17B	Federal Home Loan Bank		04/20/2017	1,000,000.00	995,126.00	1,000,857.62	1.375	1.236	1.253	260	12/17/2018
3130ABHF6	0778-17	Federal Home Loan Bank		09/15/2017	3,250,000.00	3,179,579.00	3,249,445.36	1.875	1.855	1.880	1,157	06/01/2021
3130A7G25	0784-17	Federal Home Loan Bank		10/05/2017	1,515,000.00	1,500,509.03	1,511,893.08	1.260	1.457	1.478	348	03/15/2019
313379EE5	0786-17	Federal Home Loan Bank		10/05/2017	1,500,000.00	1,489,542.00	1,502,474.29	1.625	1.465	1.485	439	06/14/2019
3130A8P72	0787-17	Federal Home Loan Bank		10/05/2017	1,570,000.00	1,544,259.85	1,560,171.73	1.030	1.506	1.527	467	07/12/2019
3130AABG2	0791-17	Federal Home Loan Bank		10/13/2017	1,135,000.00	1,109,112.92	1,135,755.01	1.875	1.830	1.856	1,338	11/29/2021
3130ABF92	0793-17	Federal Home Loan Bank		10/19/2017	1,000,000.00	996,557.53	1,004,210.42	1.375	1.510	1.531	422	05/28/2019
3137EADG1	0674-14	Federal Home Loan Mortgage Co.		10/21/2014	1,000,000.00	994,789.00	1,003,283.30	1.750	1.437	1.457	424	05/30/2019
3137EADG1	0679-15	Federal Home Loan Mortgage Co.		04/27/2015	3,000,000.00	2,984,367.00	3,016,896.54	1.750	1.235	1.252	424	05/30/2019
3134G45W4	0703-15	Federal Home Loan Mortgage Co.		10/15/2015	4,200,000.00	4,194,976.80	4,201,091.56	1.000	0.825	0.836	58	05/29/2018
3134G6Y31	0704-15	Federal Home Loan Mortgage Co.		10/15/2015	1,270,000.00	1,268,864.62	1,270,364.79	1.150	0.942	0.956	54	05/25/2018
3137EADG1	0705-15	Federal Home Loan Mortgage Co.		10/15/2015	5,000,000.00	4,973,945.00	5,035,558.81	1.750	1.109	1.125	424	05/30/2019
3134G9KU0	0719-16	Federal Home Loan Mortgage Co.		05/25/2016	3,500,000.00	3,496,069.50	3,499,973.75	1.000	0.991	1.005	54	05/25/2018

**Investments FY 2017-2018**  
**Portfolio Management**  
**Portfolio Details - Investments**  
**March 31, 2018**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Federal Agency Coupon Securities</b>												
3134G9MN4	0720-16	Federal Home Loan Mortgage Co.		05/26/2016	1,000,000.00	980,348.00	1,000,000.00	1.500	1.479	1.500	786	05/26/2020
3134G9KW6	0723-16	Federal Home Loan Mortgage Co.		06/10/2016	1,000,000.00	982,849.00	999,880.62	1.350	1.339	1.357	604	11/26/2019
3134G9JK4	0725-16	Federal Home Loan Mortgage Co.		06/10/2016	2,000,000.00	1,987,260.00	2,000,079.57	1.125	1.103	1.119	239	11/26/2018
3134G9UF2	0726-16	Federal Home Loan Mortgage Co.		06/28/2016	1,000,000.00	995,266.00	1,000,054.63	1.050	1.025	1.039	180	09/28/2018
3134GAPQ1	0741-16	Federal Home Loan Mortgage Co.		09/30/2016	500,000.00	497,560.50	500,000.00	1.020	1.006	1.020	180	09/28/2018
3134GAPQ1	0742-16A	Federal Home Loan Mortgage Co.		09/30/2016	500,000.00	497,560.50	500,000.00	1.020	1.006	1.020	180	09/28/2018
3134GAPQ1	0742-16B	Federal Home Loan Mortgage Co.		09/30/2016	1,000,000.00	995,121.00	1,000,000.00	1.020	1.006	1.020	180	09/28/2018
3134GAGF5	0776-17	Federal Home Loan Mortgage Co.		09/07/2017	750,000.00	747,000.75	749,319.47	1.100	1.286	1.304	165	09/13/2018
3137EAED7	0777-17	Federal Home Loan Mortgage Co.		09/07/2017	1,000,000.00	994,213.00	998,152.86	0.875	1.210	1.226	194	10/12/2018
3137EADZ9	0785-17	Federal Home Loan Mortgage Co.		10/05/2017	1,500,000.00	1,483,627.50	1,495,236.60	1.125	1.415	1.435	379	04/15/2019
3137EAEH8	0796-17A	Federal Home Loan Mortgage Co.		11/24/2017	1,645,000.00	1,625,769.95	1,636,232.49	1.375	1.746	1.770	501	08/15/2019
3137EAEH8	0796-17B	Federal Home Loan Mortgage Co.		11/24/2017	1,000,000.00	988,310.00	994,670.21	1.375	1.746	1.770	501	08/15/2019
3134GAAF1	0805-18	Federal Home Loan Mortgage Co.		02/08/2018	1,100,000.00	1,083,940.00	1,088,461.51	1.300	2.040	2.068	509	08/23/2019
3135G0WJ8	0663-14	Federal Nat'l Mtg. Assoc.		04/17/2014	5,000,000.00	4,994,010.00	4,996,282.30	0.875	1.559	1.581	50	05/21/2018
3136G3AU9	0714-16	Federal Nat'l Mtg. Assoc.		02/26/2016	3,000,000.00	2,963,199.00	3,000,000.00	1.250	1.233	1.250	418	05/24/2019
3136G33W3	0733-16	Federal Nat'l Mtg. Assoc.		08/30/2016	4,000,000.00	3,869,976.00	4,000,000.00	1.500	1.480	1.500	1,153	05/28/2021
3136G4FL2	0744-16	Federal Nat'l Mtg. Assoc.		10/14/2016	1,550,000.00	1,502,157.70	1,549,477.43	1.500	1.491	1.512	1,107	04/12/2021
3136G3MW2	0745-16	Federal Nat'l Mtg. Assoc.		10/14/2016	450,000.00	435,420.00	450,000.00	1.500	1.479	1.500	1,150	05/25/2021
3136G4LQ4	0788-17	Federal Nat'l Mtg. Assoc.		10/13/2017	2,000,000.00	1,969,364.00	2,000,493.33	1.750	1.714	1.738	788	05/28/2020
3136G4NN9	0790-17	Federal Nat'l Mtg. Assoc.		10/13/2017	2,000,000.00	1,962,296.00	1,999,651.65	2.000	1.978	2.006	1,149	05/24/2021
3136G2EC7	0792-17	Federal Nat'l Mtg. Assoc.		10/19/2017	1,000,000.00	992,412.00	998,176.27	1.300	1.483	1.504	332	02/27/2019
3135G0M91	0809-18	Federal Nat'l Mtg. Assoc.		03/23/2018	1,000,000.00	987,564.25	987,452.58	1.125	2.202	2.233	481	07/26/2019
<b>Subtotal and Average</b>			<b>93,418,058.03</b>		<b>93,790,000.00</b>	<b>92,722,256.32</b>	<b>93,780,951.01</b>		<b>1.337</b>	<b>1.356</b>	<b>482</b>	
<b>Federal Agency Disc. -Amortizing</b>												
313313XM5	0774-17	Federal Farm Credit		09/01/2017	750,000.00	747,922.50	748,587.46	1.130	1.153	1.169	60	05/31/2018
313397YC9	0775-17	Federal Home Loan Mortgage Co.		09/01/2017	750,000.00	747,511.50	748,218.75	1.140	1.164	1.180	75	06/15/2018
<b>Subtotal and Average</b>			<b>1,496,096.83</b>		<b>1,500,000.00</b>	<b>1,495,434.00</b>	<b>1,496,806.21</b>		<b>1.159</b>	<b>1.175</b>	<b>67</b>	
<b>Treasury Coupon Securities</b>												
912828VE7	0662-14	U.S. Treasury		03/21/2014	2,000,000.00	1,997,500.00	1,998,597.91	1.000	1.421	1.441	60	05/31/2018
912828SX9	0673-14	U.S. Treasury		10/21/2014	3,000,000.00	2,963,439.00	2,992,305.87	1.125	1.334	1.353	425	05/31/2019
912828XA3	0761-17	U.S. Treasury		03/10/2017	1,000,000.00	999,219.00	999,814.20	1.000	1.139	1.155	44	05/15/2018
912828R77	0769-17	U.S. Treasury		04/20/2017	2,000,000.00	1,934,376.00	1,984,607.19	1.375	1.605	1.627	1,156	05/31/2021
912828VK3	0779-17	U.S. Treasury		09/27/2017	500,000.00	499,453.00	500,153.26	1.375	1.232	1.249	90	06/30/2018
912828L40	0780-17	U.S. Treasury		09/27/2017	1,000,000.00	995,938.00	998,699.01	1.000	1.269	1.287	167	09/15/2018

Portfolio 2018

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**Investments FY 2017-2018  
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Portfolio Details - Investments  
March 31, 2018**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
<b>Treasury Coupon Securities</b>												
912828N63	0783-17	U.S. Treasury		09/28/2017	1,000,000.00	992,344.00	998,231.86	1.125	1.333	1.351	289	01/15/2019
912828KD1	0802-18	U.S. Treasury		02/08/2018	1,000,000.00	1,005,156.00	1,007,329.03	2.750	1.876	1.902	320	02/15/2019
912828SN1	0803-18	U.S. Treasury		02/08/2018	1,000,000.00	999,148.35	1,000,857.10	1.500	1.935	1.962	364	03/31/2019
912828D23	0804-18	U.S. Treasury		02/08/2018	1,000,000.00	998,707.95	1,000,769.80	1.625	1.947	1.974	394	04/30/2019
<b>Subtotal and Average</b>			<b>13,480,461.52</b>		<b>13,500,000.00</b>	<b>13,385,281.30</b>	<b>13,481,365.23</b>		<b>1.494</b>	<b>1.515</b>	<b>394</b>	
<b>Total and Average</b>			<b>145,898,716.25</b>		<b>145,710,353.68</b>	<b>144,461,680.30</b>	<b>145,623,586.57</b>		<b>1.443</b>	<b>1.463</b>	<b>407</b>	

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<b>Certificates of Deposit</b>												
12162145	12162145	BT	1,000,000.00	1.780	01/15/2019	12/07/2017	1.756	1.780	01/15 - At Maturity		1,000,000.00	1,000,000.00
12281867	12281867	BT	1,500,000.00	1.700	10/15/2018	12/07/2017	1.677	1.700	10/15 - At Maturity		1,500,000.00	1,500,000.00
12292365	12292365	BT	1,000,000.00	1.720	11/15/2018	12/07/2017	1.696	1.720	11/15 - At Maturity		1,000,000.00	1,000,000.00
12505900	12505900	BT	1,000,000.00	1.770	12/14/2018	12/07/2017	1.746	1.770	12/14 - At Maturity		1,000,000.00	1,000,000.00
12595735	12595735	BT	2,000,000.00	1.600	12/02/2019	10/13/2017	1.578	1.600	12/02 - At Maturity		2,000,000.00	2,000,000.00
144277962	144277962	GWB	1,500,000.00	1.450	06/29/2018	09/13/2017	1.430	1.450	06/29 - At Maturity		1,500,000.00	1,500,000.00
144277963	144277963	GWB	1,000,000.00	1.450	08/31/2018	09/13/2017	1.430	1.450	08/31 - At Maturity		1,000,000.00	1,000,000.00
144277964	144277964	GWB	1,500,000.00	1.450	09/28/2018	09/13/2017	1.430	1.450	09/28 - At Maturity		1,500,000.00	1,500,000.00
144277965	144277965	GWB	1,000,000.00	1.480	10/31/2018	09/13/2017	1.460	1.480	10/31 - At Maturity		1,000,000.00	1,000,000.00
144277966	144277966	GWB	1,000,000.00	1.480	11/30/2018	09/13/2017	1.460	1.480	11/30 - At Maturity		1,000,000.00	1,000,000.00
144277968	144277968	GWB	1,000,000.00	1.480	12/28/2018	09/13/2017	1.460	1.480	12/28 - At Maturity		1,000,000.00	1,000,000.00
144277970	144277970	GWB	1,000,000.00	1.500	03/29/2019	09/13/2017	1.479	1.500	03/29 - At Maturity		1,000,000.00	1,000,000.00
144277971	144277971	GWB	1,000,000.00	1.500	06/28/2019	09/13/2017	1.479	1.500	06/28 - At Maturity		1,000,000.00	1,000,000.00
144278699	144278699	GWB	1,000,000.00	1.550	06/03/2019	10/13/2017	1.529	1.550	06/03 - At Maturity		1,000,000.00	1,000,000.00
144283631	144283631	GWB	1,000,000.00	2.210	05/15/2019	03/22/2018	2.180	2.210	05/15 - At Maturity		1,000,000.00	1,000,000.00
144283633	144283633	GWB	1,000,000.00	2.310	09/13/2019	03/22/2018	2.278	2.310	09/13 - At Maturity		1,000,000.00	1,000,000.00
144283634	144283634	GWB	1,000,000.00	2.310	09/30/2019	03/22/2018	2.278	2.310	09/30 - At Maturity		1,000,000.00	1,000,000.00
144283635	144283635	GWB	1,000,000.00	2.310	10/15/2019	03/22/2018	2.278	2.310	10/15 - At Maturity		1,000,000.00	1,000,000.00
59019689	59019689	VIS	1,000,000.00	1.980	01/31/2019	12/07/2017	1.953	1.980	01/31 - At Maturity		1,000,000.00	1,000,000.00
59019697	59019697	VIS	1,000,000.00	2.000	02/15/2019	12/07/2017	1.973	2.000	02/15 - At Maturity		1,000,000.00	1,000,000.00
<b>Certificates of Deposit Totals</b>			<b>22,500,000.00</b>				<b>1.707</b>	<b>1.730</b>		<b>0.00</b>	<b>22,500,000.00</b>	<b>22,500,000.00</b>
<b>Money Market</b>												
SYS4531558874B	4531558874B	GWB	287,672.12	0.300			0.296	0.300	07/01 - Monthly		287,672.12	287,672.12
<b>Money Market Totals</b>			<b>287,672.12</b>				<b>0.296</b>	<b>0.300</b>		<b>0.00</b>	<b>287,672.12</b>	<b>287,672.12</b>
<b>Passbook/Checking Accounts</b>												
SYS6952311634B	6952311634B	WF	132,681.56	0.150			0.148	0.150	07/01 - Monthly		132,681.56	132,681.56
<b>Passbook/Checking Accounts Totals</b>			<b>132,681.56</b>				<b>0.148</b>	<b>0.150</b>		<b>0.00</b>	<b>132,681.56</b>	<b>132,681.56</b>
<b>Commercial Paper Disc. -Amortizing</b>												
0347M3EF7	0807-18	ANGLES	1,000,000.00	2.000	05/15/2018	03/23/2018	2.006	2.033	05/15 - At Maturity		997,056.00	997,555.92
05454KDW2	0806-18	AXA	1,500,000.00	2.150	04/30/2018	03/23/2018	2.154	2.184	04/30 - At Maturity		1,496,596.50	1,497,402.59
06538CGD7	0799-18	BTMUJ	1,000,000.00	1.800	07/13/2018	01/29/2018	1.815	1.840	07/13 - At Maturity		991,750.00	994,850.00
06538CGX3	0800-18	BTMUJ	1,000,000.00	1.850	07/31/2018	01/29/2018	1.878	1.904	07/31 - At Maturity		990,596.00	993,782.05

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<b>Commercial Paper Disc. -Amortizing</b>												
2254EBFF3	0782-17	CSFBNY	1,000,000.00	1.570	06/15/2018	09/28/2017	1.602	1.624	06/15 - At Maturity		988,661.11	996,729.17
2254EBH20	0795-17	CSFBNY	1,500,000.00	1.700	08/02/2018	11/09/2017	1.737	1.761	08/02 - At Maturity		1,481,157.00	1,491,286.88
46640QFN6	0781-17	JPM	1,000,000.00	1.570	06/22/2018	09/28/2017	1.603	1.625	06/22 - At Maturity		988,355.83	996,423.89
46640QFL0	0794-17A	JPM	1,000,000.00	1.570	06/20/2018	10/20/2017	1.605	1.627	06/20 - At Maturity		989,402.50	996,511.11
46640QFL0	0794-17B	JPM	1,500,000.00	1.570	06/20/2018	10/20/2017	1.605	1.627	06/20 - At Maturity		1,484,103.75	1,494,766.67
46640QHF1	0801-18	JPM	1,000,000.00	1.950	08/15/2018	02/08/2018	1.982	2.009	08/15 - At Maturity		989,816.67	992,633.34
63873KGC5	0798-17	NATX	1,500,000.00	1.600	07/12/2018	12/07/2017	1.634	1.656	07/12 - At Maturity		1,485,533.33	1,493,200.00
7443M3DW1	0773-17	PRUDEN	1,000,000.00	1.280	04/30/2018	08/31/2017	1.302	1.320	04/30 - At Maturity		991,395.00	998,968.82
<b>Commercial Paper Disc. -Amortizing Totals</b>			<b>14,000,000.00</b>				<b>1.749</b>	<b>1.773</b>		<b>0.00</b>	<b>13,874,423.69</b>	<b>13,944,110.44</b>
<b>Federal Agency Coupon Securities</b>												
3133EGQM0	0732-16	FFCB	940,000.00	1.620	02/10/2022	08/15/2016	1.613	1.635	02/10 - 08/10	Received	939,248.00	939,471.13
3133EGQQ1	0743-16	FFCB	8,000,000.00	1.300	05/15/2020	10/14/2016	1.299	1.317	11/15 - 05/15	Received	7,995,200.00	7,997,159.41
3133EGD69	0746-16	FFCB	5,000,000.00	1.320	05/07/2020	11/07/2016	1.322	1.341	05/07 - 11/07		4,996,500.00	4,997,900.00
3133ECL44	0760-17	FFCB	1,000,000.00	1.000	04/11/2018	03/10/2017	1.165	1.181	04/11 - 10/11	Received	998,050.00	999,950.13
3133EHKF9	0789-17	FFCB	2,000,000.00	1.770	11/23/2020	10/13/2017	1.839	1.864	11/23 - 05/23	Received	1,994,300.00	1,995,155.00
3133EJHS1	0808-18	FFCB	1,000,000.00	2.250	06/27/2019	03/27/2018	2.160	2.190	06/27 - 12/27		1,000,750.00	1,000,743.33
3130A87B3	0722-16	FHLB	2,000,000.00	1.000	05/30/2018	05/27/2016	0.986	1.000	11/30 - 05/30		2,000,000.00	2,000,000.00
3130A8UU5	0734-16	FHLB	4,000,000.00	1.000	05/23/2018	08/25/2016	0.969	0.983	11/23 - 05/23	Received	4,001,200.00	4,000,099.36
3130A8Z30	0735-16	FHLB	2,000,000.00	0.875	05/25/2018	08/25/2016	0.897	0.910	11/25 - 05/25		1,998,800.00	1,999,897.14
3130A97F2	0747-16	FHLB	1,000,000.00	0.875	04/12/2018	11/09/2016	0.689	0.698	04/12 - 10/12	Received	1,002,500.00	1,000,053.61
3130A8BD4	0766-17A	FHLB	1,415,000.00	0.875	06/29/2018	04/20/2017	1.093	1.108	06/29 - 12/29	Received	1,411,108.75	1,414,201.79
3130A8BD4	0766-17B	FHLB	1,000,000.00	0.875	06/29/2018	04/20/2017	1.093	1.108	06/29 - 12/29	Received	997,250.00	999,435.90
3132X0QQ7	0767-17A	FHLB	1,500,000.00	1.375	12/17/2018	04/20/2017	1.236	1.253	06/17 - 12/17	Received	1,503,000.00	1,501,286.43
3132X0QQ7	0767-17B	FHLB	1,000,000.00	1.375	12/17/2018	04/20/2017	1.236	1.253	06/17 - 12/17	Received	1,002,000.00	1,000,857.62
3130ABHF6	0778-17	FHLB	3,250,000.00	1.875	06/01/2021	09/15/2017	1.855	1.880	12/01 - 06/01	Received	3,249,350.00	3,249,445.36
3130A7G25	0784-17	FHLB	1,515,000.00	1.260	03/15/2019	10/05/2017	1.457	1.478	03/15 - 09/15	Received	1,510,303.50	1,511,893.08
313379EE5	0786-17	FHLB	1,500,000.00	1.625	06/14/2019	10/05/2017	1.465	1.485	12/14 - 06/14	Received	1,503,480.00	1,502,474.29
3130A8P72	0787-17	FHLB	1,570,000.00	1.030	07/12/2019	10/05/2017	1.506	1.527	01/12 - 07/12	Received	1,556,419.50	1,560,171.73
3130AABG2	0791-17	FHLB	1,135,000.00	1.875	11/29/2021	10/13/2017	1.830	1.856	11/29 - 05/29	Received	1,135,851.25	1,135,755.01
3130ABF92	0793-17	FHLB	1,000,000.00	1.375	05/28/2019	10/19/2017	1.510	1.531	11/28 - 05/28	5,996.53	997,520.00	1,004,210.42
3137EADG1	0674-14	FHLMC	1,000,000.00	1.750	05/30/2019	10/21/2014	1.437	1.457	11/30 - 05/30	Received	1,013,000.00	1,003,283.30
3137EADG1	0679-15	FHLMC	3,000,000.00	1.750	05/30/2019	04/27/2015	1.235	1.252	05/30 - 11/30	Received	3,059,400.00	3,016,896.54
3134G45W4	0703-15	FHLMC	4,200,000.00	1.000	05/29/2018	10/15/2015	0.825	0.836	11/29 - 05/29	Received	4,217,766.00	4,201,091.56
3134G6Y31	0704-15	FHLMC	1,270,000.00	1.150	05/25/2018	10/15/2015	0.942	0.956	11/25 - 05/25	Received	1,276,350.00	1,270,364.79

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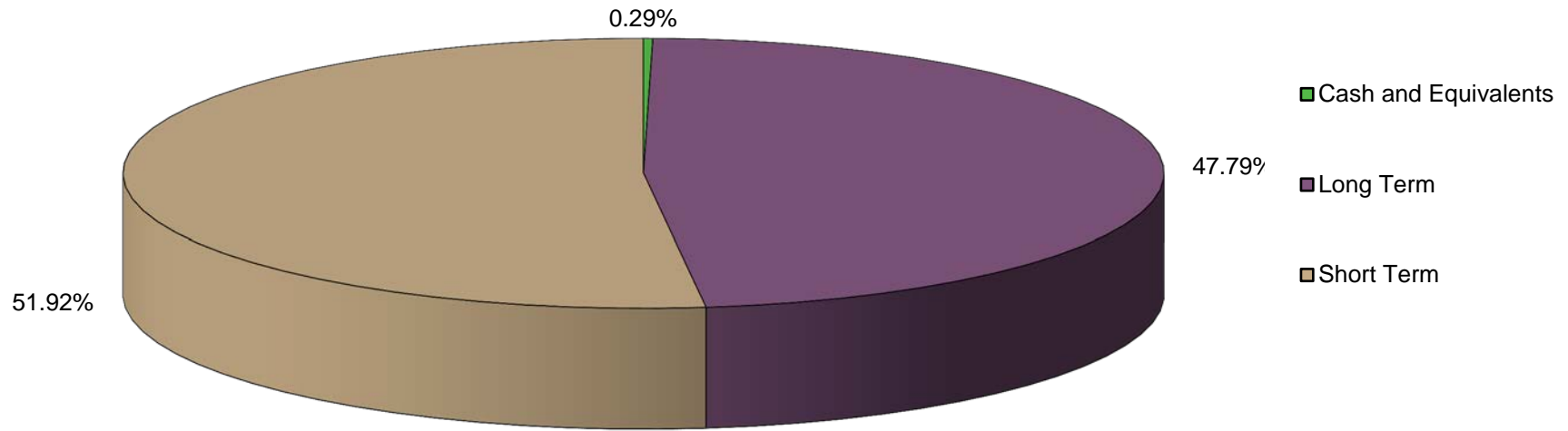
CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
<b>Federal Agency Coupon Securities</b>												
3137EADG1	0705-15	FHLMC	5,000,000.00	1.750	05/30/2019	10/15/2015	1.109	1.125	11/30 - 05/30	Received	5,110,750.00	5,035,558.81
3134G9KU0	0719-16	FHLMC	3,500,000.00	1.000	05/25/2018	05/25/2016	0.991	1.005	11/25 - 05/25		3,499,650.00	3,499,973.75
3134G9MN4	0720-16	FHLMC	1,000,000.00	1.500	05/26/2020	05/26/2016	1.479	1.500	11/26 - 05/26		1,000,000.00	1,000,000.00
3134G9KW6	0723-16	FHLMC	1,000,000.00	1.350	11/26/2019	06/10/2016	1.339	1.357	11/26 - 05/26	Received	999,750.00	999,880.62
3134G9JK4	0725-16	FHLMC	2,000,000.00	1.125	11/26/2018	06/10/2016	1.103	1.119	11/26 - 05/26	Received	2,000,300.00	2,000,079.57
3134G9UF2	0726-16	FHLMC	1,000,000.00	1.050	09/28/2018	06/28/2016	1.025	1.039	09/28 - 03/28		1,000,250.00	1,000,054.63
3134GAPQ1	0741-16	FHLMC	500,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		500,000.00	500,000.00
3134GAPQ1	0742-16A	FHLMC	500,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		500,000.00	500,000.00
3134GAPQ1	0742-16B	FHLMC	1,000,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		1,000,000.00	1,000,000.00
3134GAGF5	0776-17	FHLMC	750,000.00	1.100	09/13/2018	09/07/2017	1.286	1.304	09/13 - 03/13	Received	748,462.50	749,319.47
3137EAD7	0777-17	FHLMC	1,000,000.00	0.875	10/12/2018	09/07/2017	1.210	1.226	10/12 - 04/12	Received	996,180.00	998,152.86
3137EADZ9	0785-17	FHLMC	1,500,000.00	1.125	04/15/2019	10/05/2017	1.415	1.435	10/15 - 04/15	Received	1,492,995.00	1,495,236.60
3137EAEH8	0796-17A	FHLMC	1,645,000.00	1.375	08/15/2019	11/24/2017	1.746	1.770	02/15 - 08/15	Received	1,633,978.50	1,636,232.49
3137EAEH8	0796-17B	FHLMC	1,000,000.00	1.375	08/15/2019	11/24/2017	1.746	1.770	02/15 - 08/15	Received	993,300.00	994,670.21
3134GAAF1	0805-18	FHLMC	1,100,000.00	1.300	08/23/2019	02/08/2018	2.040	2.068	02/23 - 08/23	Received	1,087,243.30	1,088,461.51
3135G0WJ8	0663-14	FNMA	5,000,000.00	0.875	05/21/2018	04/17/2014	1.559	1.581	05/21 - 11/21	Received	4,890,402.20	4,996,282.30
3136G3AU9	0714-16	FNMA	3,000,000.00	1.250	05/24/2019	02/26/2016	1.233	1.250	05/24 - 11/24	Received	3,000,000.00	3,000,000.00
3136G33W3	0733-16	FNMA	4,000,000.00	1.500	05/28/2021	08/30/2016	1.480	1.500	11/28 - 05/28		4,000,000.00	4,000,000.00
3136G4FL2	0744-16	FNMA	1,550,000.00	1.500	04/12/2021	10/14/2016	1.491	1.512	04/12 - 10/12	Received	1,549,225.00	1,549,477.43
3136G3MW2	0745-16	FNMA	450,000.00	1.500	05/25/2021	10/14/2016	1.479	1.500	11/25 - 05/25	Received	450,000.00	450,000.00
3136G4LQ4	0788-17	FNMA	2,000,000.00	1.750	05/28/2020	10/13/2017	1.714	1.738	11/28 - 05/28	Received	2,000,600.00	2,000,493.33
3136G4NN9	0790-17	FNMA	2,000,000.00	2.000	05/24/2021	10/13/2017	1.978	2.006	11/24 - 05/24	Received	1,999,600.00	1,999,651.65
3136G2EC7	0792-17	FNMA	1,000,000.00	1.300	02/27/2019	10/19/2017	1.483	1.504	02/27 - 08/27	Received	997,270.00	998,176.27
3135G0M91	0809-18	FNMA	1,000,000.00	1.125	07/26/2019	03/23/2018	2.202	2.233	07/26 - 01/26		1,781.25	985,430.00
<b>Federal Agency Coupon Securities Totals</b>			<b>93,790,000.00</b>				<b>1.337</b>	<b>1.356</b>		<b>7,777.78</b>	<b>93,794,733.50</b>	<b>93,780,951.01</b>
<b>Federal Agency Disc. -Amortizing</b>												
313313XM5	0774-17	FFCB	750,000.00	1.130	05/31/2018	09/01/2017	1.153	1.169	05/31 - At Maturity		743,596.50	748,587.46
313397YC9	0775-17	FHLMC	750,000.00	1.140	06/15/2018	09/01/2017	1.164	1.180	06/15 - At Maturity		743,183.75	748,218.75
<b>Federal Agency Disc. -Amortizing Totals</b>			<b>1,500,000.00</b>				<b>1.159</b>	<b>1.175</b>		<b>0.00</b>	<b>1,486,780.25</b>	<b>1,496,806.21</b>
<b>Treasury Coupon Securities</b>												
912828VE7	0662-14	US TRE	2,000,000.00	1.000	05/31/2018	03/21/2014	1.421	1.441	05/31 - 11/30	Received	1,964,200.00	1,998,597.91
912828SX9	0673-14	US TRE	3,000,000.00	1.125	05/31/2019	10/21/2014	1.334	1.353	11/30 - 05/31	Received	2,969,531.25	2,992,305.87
912828XA3	0761-17	US TRE	1,000,000.00	1.000	05/15/2018	03/10/2017	1.139	1.155	05/15 - 11/15	Received	998,180.00	999,814.20

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<b>Treasury Coupon Securities</b>												
912828R77	0769-17	US TRE	2,000,000.00	1.375	05/31/2021	04/20/2017	1.605	1.627	05/31 - 11/30	Received	1,980,000.00	1,984,607.19
912828VK3	0779-17	US TRE	500,000.00	1.375	06/30/2018	09/27/2017	1.232	1.249	12/31 - 06/30	Received	500,470.00	500,153.26
912828L40	0780-17	US TRE	1,000,000.00	1.000	09/15/2018	09/27/2017	1.269	1.287	03/15 - 09/15	Received	997,250.00	998,699.01
912828N63	0783-17	US TRE	1,000,000.00	1.125	01/15/2019	09/28/2017	1.333	1.351	01/15 - 07/15	Received	997,100.00	998,231.86
912828KD1	0802-18	US TRE	1,000,000.00	2.750	02/15/2019	02/08/2018	1.876	1.902	02/15 - 08/15	Received	1,008,520.00	1,007,329.03
912828SN1	0803-18	US TRE	1,000,000.00	1.500	03/31/2019	02/08/2018	1.935	1.962	03/31 - 09/30	5,398.35	994,810.00	1,000,857.10
912828D23	0804-18	US TRE	1,000,000.00	1.625	04/30/2019	02/08/2018	1.947	1.974	04/30 - 10/31	4,488.95	995,790.00	1,000,769.80
<b>Treasury Coupon Securities Totals</b>			<b>13,500,000.00</b>				<b>1.494</b>	<b>1.515</b>		<b>9,887.30</b>	<b>13,405,851.25</b>	<b>13,481,365.23</b>
<b>Investment Totals</b>			<b>145,710,353.68</b>				<b>1.443</b>	<b>1.463</b>		<b>17,665.08</b>	<b>145,482,142.37</b>	<b>145,623,586.57</b>

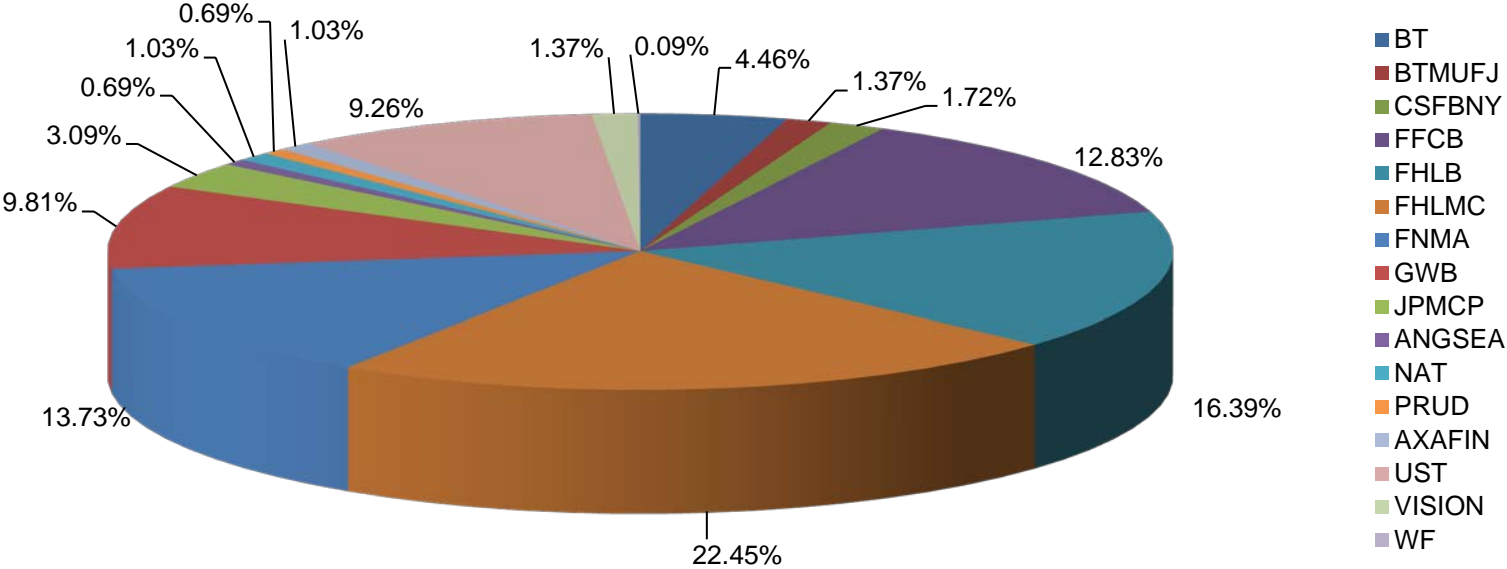


### Portfolio by Asset Class



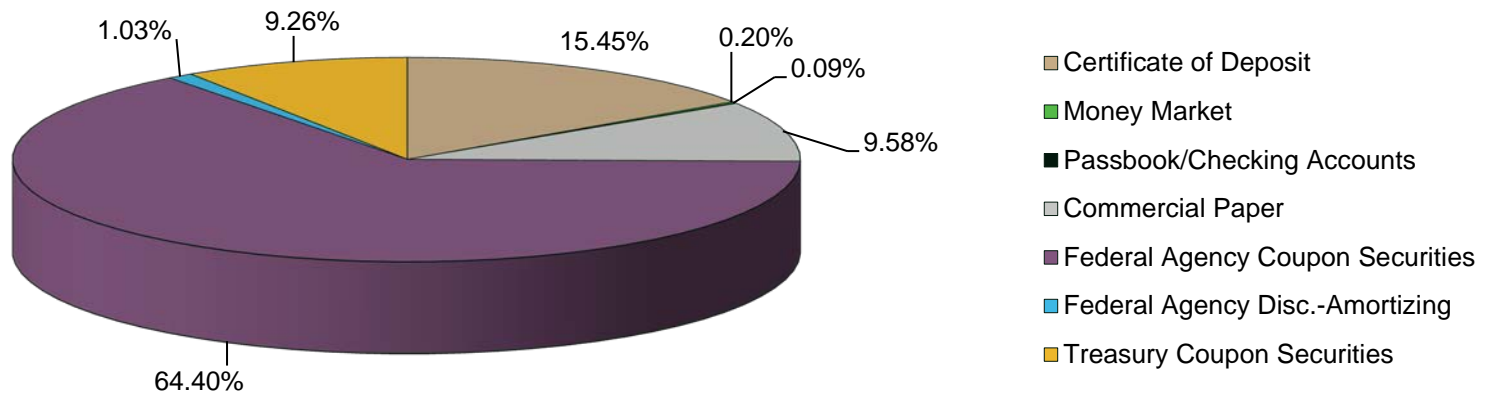
For Quarter Ending March 31, 2018

### Par Value by Issuer Graph



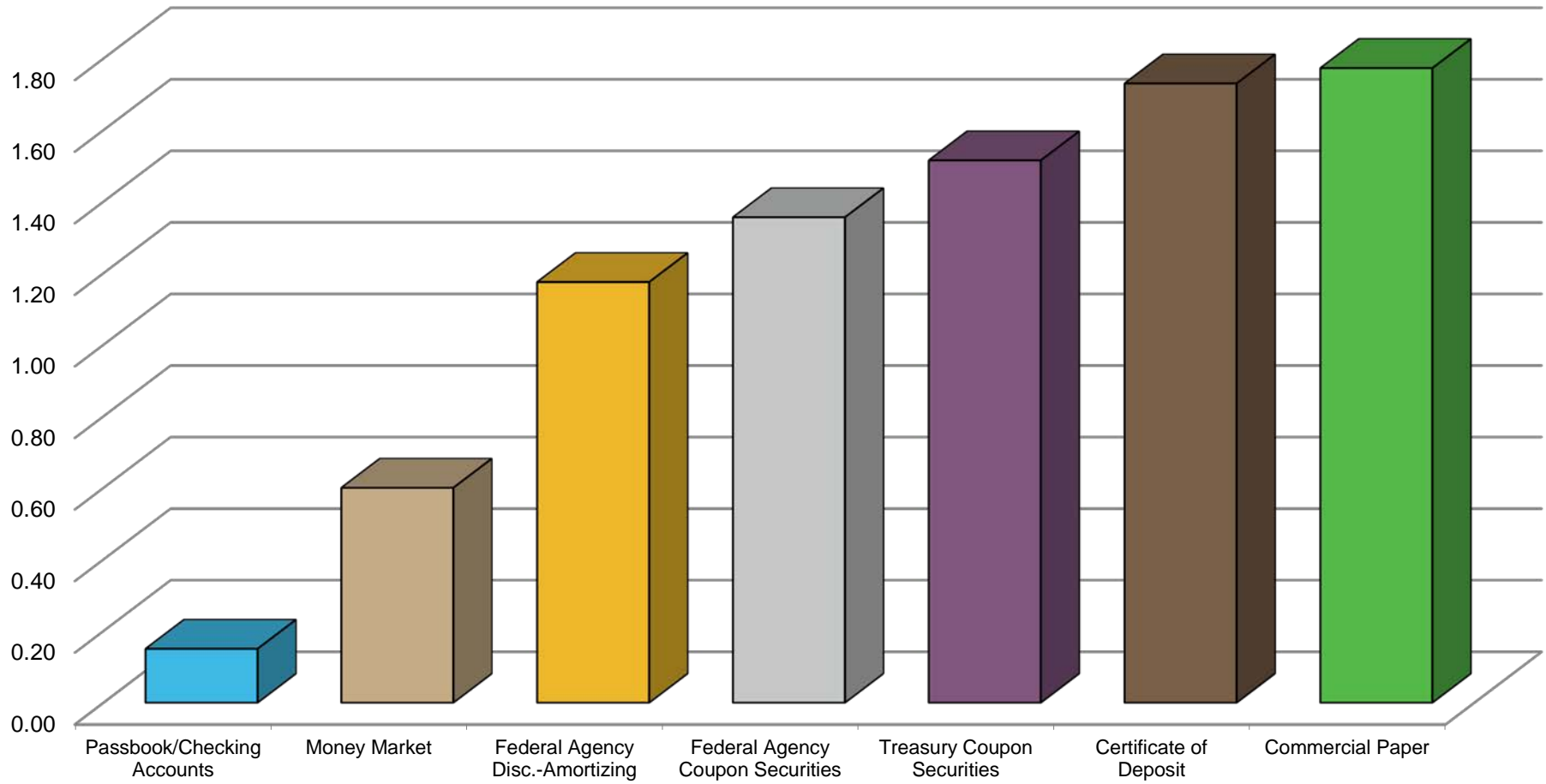
For Quarter Ending March 31, 2018

### Book Value By Investment Type



For Quarter Ending March 31, 2018

## Investment Yield by Type



For Quarter Ending March 31, 2018

**TO:** Members of the City Council

**FROM:** John A. Haila, Mayor

**DATE:** April 24, 2018

**SUBJECT:** Iowa State University Student Government Appoints to Ames Transit Agency Board of Trustees

Due to upcoming expirations of Iowa State Student Government terms on the Ames Transit Agency Board of Trustees, the Council needs to confirm appointments to fill these vacancies. I have been notified that Jacob Schrader and Juan Bibiloni have been appointed by the ISU Student Government to serve on the Board.

Therefore, I recommend that the City Council confirm the appointment of Jacob Schrader and Juan Bibiloni to the Ames Transit Agency Board of Trustees for a one-year term beginning May 15, 2018.

**COUNCIL ACTION FORM**

**SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR COMBINED LAW ENFORCEMENT INVESTIGATIONS OF CONTROLLED SUBSTANCES**

**BACKGROUND:**

The Central Iowa Drug Task Force (CIDTF) has been in existence since 1991. Although agency membership has changed over time, the Ames Police Department, Iowa State University Department of Public Safety, Story County Sheriff's Office, and Story County Attorney have been consistent participants over the years. The goal of the CIDTF has consistently been focused on interrupting the trafficking and sale of controlled substances. The nature of drug trafficking frequently leads to larger scale, more complex, interjurisdictional investigations.

The Intergovernmental Agreement establishing the Central Iowa Drug Task Force has been updated in the Rules and Regulations section, Amendments/Termination, and Miscellaneous Provisions. These changes update the agreement to comply with state and federal rule changes. **There are no substantive changes to the purpose or operation of the Task Force.**

**ALTERNATIVES:**

1. Approve the attached Intergovernmental Agreement for Combined Law Enforcement Investigations of Controlled Substances.
2. Do not approve the Intergovernmental Agreement for Combined Law Enforcement Investigations of Controlled Substances and request changes to the agreement for the various participating agencies.
3. Do not approve the Intergovernmental Agreement for Combined Law Enforcement Investigations of Controlled Substances.

**CITY MANAGER'S RECOMMENDED ACTION:**

The work of the Drug Task Force is typically rated as a high priority in the City's annual Citizen Satisfaction Survey. In addition, the nature of illegal controlled substance distribution often requires shared investigative resources and multijurisdictional cooperation.

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

INTERGOVERNMENTAL AGREEMENT FOR COMBINED  
LAW ENFORCEMENT INVESTIGATIONS  
OF CONTROLLED SUBSTANCES

THIS AGREEMENT, made by and among the County of Story, Iowa, the City of Ames, Iowa, and Iowa State University of Science and Technology, with their respective law enforcement agencies, the Story County Sheriff's Office, the Ames Police Department (hereinafter "Ames PD"), and the Iowa State University Department of Public Safety (hereinafter "ISU DPS"), (collectively, "the Parties") is entered into to permit combined law enforcement investigations within their boundaries pursuant to Chapter 28E of the Iowa Code, providing as follows:

I. PURPOSE

This Agreement does not contemplate and shall not be construed to limit or expand the powers of the participating entities, except as expressly stated in this Agreement.

WHEREAS, the Parties recognize that in certain situations the use of law enforcement officers to perform law enforcement duties outside of the territorial limits of the political subdivision or institution where such officers are legally employed may be desirable and necessary to preserve and protect the health, safety and welfare of the public; and

WHEREAS, the Parties recognize that the trafficking and sales of controlled substances is a local, regional, state, and national problem involving violations of laws that cross political jurisdictional lines, and is an example of one situation where the use of law enforcement officers outside the territorial limits where such officers are employed may be desirable; and

WHEREAS, the purpose of this Agreement is to permit the Parties, through their respective law enforcement agencies, to engage in sharing of personnel, and/or other resources for the purpose of combined investigations aimed at identifying and apprehending those involved in violations of laws regulating controlled substances; and

THEREFORE, the undersigned have entered this Agreement with the consideration of the following:

II. RESPONSIBILITIES OF THE CENTRAL IOWA DRUG TASK FORCE

The parties hereby join together in cooperative drug law investigative action by operating a special narcotics unit, known as the Central Iowa Drug Task Force (hereinafter "CIDTF"), however nothing herein should be construed so as to create a separate legal entity.

The purpose of the CIDTF is:

1. To serve as a communicative and coordinating body to plan, foster, implement, monitor, and evaluate the coordination of drug law investigation, enforcement and prosecution efforts among the body membership, for the mutual advantage of the membership;
2. To serve as a conduit for private, local, state, and federal funding that may be available for any of the purposes set forth herein and any activities reasonably incidental thereto;
3. To organize and implement training and educational programs for law enforcement and agencies and officers relating to drug investigation, enforcement, and prosecution;
4. To establish and maintain a budget including methods of revenue acquisition in order to fund the purposes set forth herein; and
5. To complete any and all acts necessary and appropriate under Iowa law to effectuate the purposes set forth herein; and
6. To use, store and maintain any personal property or licenses that may be contributed by the Parties or from any other source. No real property will be purchased, held, or disposed of in the performance of this Agreement.

### III. AUTHORITY TO SELECT PERSONNEL

The head of each law enforcement agency, the Sheriff of the Story County Sheriff's Office, the Chief of the Ames PD, and the Assistant Vice President/Chief of police of ISU DPS, shall have the sole discretion to determine those personnel from his/her department who shall be selected and authorized to participate in the investigations pursuant to this Agreement. The names of those selected shall be made known only to the other law enforcement agency heads, and only those personnel specifically authorized by this procedure will be permitted to participate in such investigations.

### IV. AUTHORITY OF PARTICIPATING OFFICERS

The Officers designated pursuant to Division III of this Agreement shall have full powers as peace officers when participating in investigations pursuant to this Agreement anywhere in the jurisdictions of the participating agencies. They however shall have no greater authority than they have within their jurisdiction or institution.

### V. EMPLOYMENT STATUS AND COMPENSATION

All Officers selected pursuant to Division III of this Agreement shall be considered employees of their respective law enforcement agencies and governed by the personnel policies of their employing agency. The employment status of each officer shall be determined by the law enforcement agency that employs them. It shall be the sole responsibility of each law enforcement agency participating in this Agreement to provide compensation and appropriate benefits to only its own officers who have been selected by the agency head to participate in such investigations. Such compensation shall include, but is not necessarily



limited to wages, overtime, injury (Worker's Compensation), death and retirement benefits, and insurance. No participating law enforcement agency shall be required to compensate officers of another agency.

#### VI. LIABILITY

Each law enforcement agency participating under this Agreement shall be responsible for the acts of only its own officers who have been appointed and are acting pursuant to this agreement. To the extent provided by Iowa law, each agency supplying personnel shall be responsible to indemnify for the acts of only its own officers who have been appointed and are acting pursuant to this agreement, and no party to this agreement shall be held liable for the acts of officers from other participating departments/agencies.

#### VII. RULES AND REGULATIONS

The head officials of the participating law enforcement agencies are authorized to establish the operational rules and regulations for the conduct of investigations conducted pursuant to this Agreement, covering such matters as administrative duties and command responsibility for the personnel and equipment involved.

#### VIII. TERM

The term of this Agreement shall commence when approved by the governing body of each law enforcement agency and signed by the representative of each governing body, and shall continue until terminated as provided herein.

#### IX. RULES AND REGULATIONS

The CIDTF shall have a Board of Directors consisting of a representative from each of the parties appointed by their respective head official. The representatives shall elect from among themselves a chairperson and a vice chairperson, elected annually via simple majority. The Board of Directors shall be in place within forty five (45) days from the date this Agreement is entered upon. The chairperson shall preside over the meetings of the Board of Directors and, when authorized by the Board of Directors, sign contracts and other documents on behalf of the Board of Directors. The chairperson shall also be responsible for providing written notice of the date, time, place, and purpose of the meeting, which shall be provided to the Parties at least ten (10) days prior to the scheduled meeting. In the absence or unavailability of the chairperson, the vice chairperson shall perform the duties of the chairperson. The Board of Directors shall be responsible for: collection and spending of CIDTF's funds, disposing of the property contributed by individual parties to the CIDTF, and ensuring compliance of rules and regulations established pursuant to section VII of this Agreement.

Meetings of the Central Iowa Drug Task Force and the Board of Directors shall be subject to the applicable provisions of Iowa Code Chapter 21, the Open Meetings Law.

## X. AMENDMENTS/TERMINATION

This Agreement may be amended at any time by mutual agreement of the Parties. Any party desiring an amendment to this Agreement shall notify the other parties of its desire and the reason for the request. Such request shall be in writing to the other parties, and shall be considered by the other parties without reasonable delay and within no more than ninety (90) days of receipt. Amendments to this Agreement shall be effective only upon ratification by appropriate resolution of the governing body of each agency.

This Agreement may be terminated at any time by the mutual agreement of all parties. In the event of such termination, the parties shall mutually agree upon the disposal of personal property and financial contributions held by the CIDTF.

A party may withdraw from this Agreement by furnishing written notice to the other agencies. In the event of such withdrawal, the remaining parties may either mutually agree to terminate this Agreement or agree that this Agreement survives, and continue to operate under its terms. In the event that the Agreement survives, all personal property or financial contribution made by the withdrawing Party shall remain with the CIDTF as a gratuitous contribution.

## XI. GOVERNING LAW

This Agreement shall be governed and interpreted under the laws of the State of Iowa.

## XII. MISCELLANEOUS PROVISIONS

In the event any provision of this Agreement is found to be void or voidable by operation of statute, order of court, or otherwise, all other provisions of this Agreement in section, whole or part shall remain in full force and effect.

All county parties hereto signed this Agreement by authority of a resolution duly adopted by the respective county's board of supervisors; and all municipalities a party hereto sign this Agreement by authority of a resolution duly adopted by the respective city council or other governing board of such municipality.

This Agreement may be signed in counterparts.

## XII. ENTIRE AGREEMENT

This agreement represents the entire agreement between the parties as to the subject of this agreement. Any subsequent modification to the terms of this Agreement shall be in the form of a duly executed and filed Addendum to this Agreement.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates given below.

IOWA CODE CHAPTER 28E AGREEMENT  
COUNTY PARTIES TO AGREEMENT

Story County, Iowa

By: \_\_\_\_\_  
Chairman, Board of Supervisors

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

ATTEST:

By: \_\_\_\_\_  
County Auditor

IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

City of Ames, Iowa

By: \_\_\_\_\_  
Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

IOWA CODE CHAPTER 28E AGREEMENT  
OTHER PARTIES TO AGREEMENT

Iowa State University

By: \_\_\_\_\_  
Pam Cain, Interim Senior Vice President

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

ATTEST:

By: \_\_\_\_\_  
Michael Newton, Assistant Vice President / Chief of Police

**COUNCIL ACTION FORM**

**SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR COMBINED LAW ENFORCEMENT OPERATIONS**

**BACKGROUND:**

Iowa law allows emergency mutual aid among law enforcement agencies. The City of Ames has had such a mutual aid arrangement with Iowa State University and the Story County Sheriff's Office since 1997. The agreement allows officers in these overlapping jurisdictions to assist one another, allows agencies to provide support during times of high demand for services, and allows agencies to provide staffing for public events.

In a review of the agreement, the agencies recognized that there may be times when it is beneficial to include other Story County communities in this agreement. In addition to Ames, Story County and ISU, the updated agreement now also includes the cities of Nevada, Huxley and Story City, as well as Story County Conservation.

This agreement is not intended to displace the jurisdictional responsibility of each agency. Each agency retains responsibility for officers' actions as well as its own equipment, supplies and other costs. While this agreement does allow officers to assist one another during day-to-day operations in the field, larger and more complex commitments of resources are still subject to administrative review.

**ALTERNATIVES:**

1. Approve the attached Intergovernmental Agreement for Combined Law Enforcement Operations.
2. Do not approve the attached agreement and request changes to the agreement for the various participating agencies.
3. Do not approve the Intergovernmental Agreement for Combined Law Enforcement Operations, thus maintaining the existing three-party agreement.

**CITY MANAGER'S RECOMMENDED ACTION:**

The day-to-day work of the Police Department may lead officers into situations with overlapping or adjacent jurisdictions involving ISU Police, Story County Sheriff's deputies or Nevada Police. In addition, some University special events may involve officers from outlying agencies in situations which overlap with the City. Occasionally this agreement is used to bring in an independent investigator when an agency may have a potential conflict of interest. It is to the City's advantage to have an agreement in

place under which these incidents can be addressed, and under which an administrative understanding of agency responsibilities for these interactions can occur.

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

INTERGOVERNMENTAL 28E AGREEMENT FOR  
COMBINED LAW ENFORCEMENT OPERATIONS

THIS AGREEMENT, made by and among the County of Story, Iowa, the City of Ames, Iowa, the City of Nevada, Iowa, the City of Story City, Iowa, the City of Huxley, Iowa, Story County Conservation, and Iowa State University of Science and Technology, with their respective law enforcement agencies, the Story County Sheriff's Office, the Ames Police Department (hereinafter "Ames PD"), the Nevada Public Safety Department (hereinafter "Nevada PD"), the Story City Police Department (hereinafter "Story City PD"), the Huxley Police Department (hereinafter "Huxley PD"), Story County Conservation Public Safety (hereinafter "Story County PS"), and the Iowa State University of Science and Technology Department of Public Safety (hereinafter "ISU DPS"), (hereinafter collectively "the Parties"), is entered into to permit combined law enforcement activities within their boundaries pursuant to Chapter 28E of the Iowa Code, providing as follows:

I. PURPOSE

WHEREAS, this Agreement does not contemplate and shall not be construed to limit or expand the powers of the participating entities, except as expressly stated in this Agreement;

WHEREAS, the undersigned entities provide law enforcement services to their respective constituents; and

WHEREAS, the Parties recognize that in certain situations, the use of law enforcement officers and other law enforcement employees to perform law enforcement duties outside of the territorial limits of the political subdivision or institution where such officers are legally employed may be desirable and necessary to preserve and protect the health, safety, and welfare of the public; and

WHEREAS, the Parties recognize that there are certain types of criminal activities or trends that are a local, regional, state, and/or national problem involving violations of laws that cross political jurisdictional lines and that law enforcement officers from the jurisdictions listed in this Agreement may be called to render assistance to officers and/or become independently involved in law enforcement activities outside of their respective political subdivision or institution. The parties further recognize that there are certain prearranged law enforcement tasks that may be planned which will involve participation of law enforcement officers from all Parties and that these tasks may take place outside of their respective subdivision or institution; and

WHEREAS, the Parties recognize that there are certain criminal activities or investigative tasks that the officers identified in this Agreement may become independently involved in outside of their jurisdiction without participation of any officers of the jurisdiction where those activities are taking place.

IT IS, THEREFORE, the purpose of this Agreement to permit the Parties, through their respective law enforcement agencies, to share personnel for the purpose of combined routine patrol, investigations, and any other law enforcement related activities as the Parties deem appropriate.



## II. NATURE OF AGREEMENT

This Agreement is made pursuant to Chapter 28E, Code of Iowa. This Agreement is to permit joint law enforcement activities by the Parties. No separate legal entity is established by this Agreement. Each Party shall independently finance and budget for its activities under this Agreement. No real or personal property will be purchased, held or disposed of in the performance of this Agreement.

## III. MUTUAL AID

Mutual aid means a voluntary exchange of services, personnel, and/or equipment among the Parties.

Mutual aid may be provided between and among the Parties during a natural disaster, public disorder, State emergency, other emergency, or routine police work when it would best serve the interests of the Parties and public within the respective jurisdictions.

All law enforcement personnel employed by each party shall have authority to render mutual aid at the request of personnel from another party's law enforcement agency unless such authority is revoked or restricted by a commanding officer of either agency. Such revocation or restriction may be made at any time, but not without first notifying the requesting party. A request for aid may be made through commanding officers, through law enforcement dispatchers or directly from one officer to another. In any case where mutual aid is rendered, every officer involved shall report the extent of aid rendered to their respective commanding officers.

## IV. AUTHORITY OF PARTICIPATING OFFICERS

The officers designated pursuant to this Agreement shall have full powers as peace officers when participating in the law enforcement activities identified in this Agreement anywhere in the jurisdictions of the participating agencies. However, they shall have no greater authority than they have when in their employing jurisdiction or institution.

The Police Chief of the City of Ames, the Sheriff of Story County, the Police Chief of Nevada, the Police Chief of Story City, the Police Chief of Huxley, the Director of Public Safety for Story County Conservation, and the Assistant Vice President/Chief of Police for the Department of Public Safety at Iowa State University, or any officer commanding in their absence, shall retain full command of and authority over officers employed by their respective agencies at all times, even while in the process of rendering mutual aid, unless specific orders to the contrary are issued by the officer's commander. A delegation of command authority to another agency shall not relieve the delegating Party from its obligations to hold harmless and indemnify the other Parties to this Agreement as set forth below.

## V. COMPENSATION

It shall be the responsibility of each party to this agreement to provide compensation to its own personnel and to provide appropriate insurance for its personnel who may suffer injury, disability, or death in the performance of official duties while assisting the other party under the

terms of this Agreement. No participating law enforcement agency shall be required to compensate officers of another agency.

Each party to this Agreement shall be responsible for the issuance of, repairs, and maintenance on its own vehicles and other equipment.

## VI. LIABILITY

Employees or volunteers of any party acting pursuant to this Agreement shall be considered as acting under the lawful orders and instructions pertaining to their employment or volunteer status with such party. Under no circumstances are employees or volunteers of one party to be considered employees or volunteers of the other party.

Each party waives all claims against the other for compensation for any property loss or damage and/or personal injury or death to its personnel as consequence of the performance of this Agreement unless such loss, damage, injury, or death arises from the negligent or willful misconduct of a party. Each party shall bear the liability and/or costs of damage to its equipment and facilities, and the compensation of its employees or volunteers, including injury and death of its personnel, occurring as a consequence of the performance of this Agreement, whether the damages, costs, injury, or death occurs at an emergency in the party's own jurisdiction or in the jurisdiction of the other party unless such damages, injury, liability, or death arises from the negligent or willful misconduct of a party. Nothing in this Agreement is intended nor does it waive any right to seek federal or other assistance provided for disaster relief.

A party shall hold harmless and indemnify the other parties from any liability to third parties arising out of its negligent or willful misconduct, or arising from the execution of a specific command or order pursuant to this Agreement. Nothing in this Agreement shall prevent or limit any party to this Agreement from recovering or attempting to recover costs of services rendered to a third party where such recovery of costs is provided for by law.

The Parties to this Agreement do not waive any defenses, immunities, or other limitations applicable to a respective party and nothing herein shall be so construed. Each party to this Agreement reserves the right to fully defend all claims arising from loss of or damage to private property and/or death of or injury to private persons who are not parties to this Agreement including, but not limited to asserting defenses of immunities available under applicable law.

This article shall survive the termination of this Agreement where necessary to protect each party to this Agreement.

## VII. RULES AND REGULATIONS

The commanding officers of the participating law enforcement agencies are authorized to establish the operational rules and regulations for the law enforcement officers' conduct pursuant to this Agreement, covering such matters as administrative duties and command responsibility for the personnel and equipment involved.

Unless otherwise agreed by the respective parties to a specific case, the party requesting mutual aid shall be responsible for original case preparation and filing criminal charges, if any. In cases where this agreement is invoked to address potential or perceived conflict of interest, the party leading the investigation will be responsible for case preparation and filing of criminal charges. The secondary party shall provide supplementary reports as needed. Both parties shall maintain their respective copies of criminal reports generated by a mutual aid request.

A sworn officer making an arrest shall be responsible for maintaining custody and writing reports generating from the arrest. If the arrest is based on officer observation or investigation, that officer must file the appropriate criminal charge(s) (citation of complaint) with the appropriate courts.

Officers responding outside of their jurisdiction will notify the agency whose jurisdiction they are entering as soon as possible of the criminal activity.

#### VIII. TERM

The term of this Agreement shall commence when approved by the governing body of each law enforcement agency and signed by the representative of each governing body and continue until terminated as provided herein. The term of this Agreement shall end on February 28, 2028, unless previously terminated as provided herein.

This Agreement may be terminated at any time by the mutual agreement of all parties or by the political entity authorizing this agreement by furnishing written notice to the other agencies of the termination. All Parties to this Agreement must provide 90 days notice prior to terminating participation in this Agreement. This Agreement would remain in effect as to the non-terminating agencies, and an amendment to the Agreement made and filed. .

#### IX. AMENDMENTS

This Agreement represents the entire agreement of the parties. This Agreement is not intended to supersede any prior agreements between participating agencies or prevent any of the Parties from adopting other agreements relating to cooperative law enforcement activities. Any amendments must be in writing, approved by the governing bodies of all Parties, and executed by the authorized representatives of all Parties. All executions, terminations, and amendments of this Agreement will be filed in the office of the Iowa Secretary of State, in accordance with Chapter 28E.8 of the Code of Iowa.

#### X. VALIDITY

In the event any part or paragraph of this Agreement is declared void as being contrary to Iowa law, the remaining portions of the Agreement that are valid shall continue in full force and effect.

#### XI. APPLICABLE LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa (excluding conflict of laws rules), and applicable federal law.

## XII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all such counterparts shall together constitute but one and the same instrument.

## XIII. AUTHORITY

Each party to this Agreement represents and warrants to the other that it has the right, power and authority to enter into and perform its obligations under this Agreement; and that it has taken all requisite actions necessary to approve the execution, delivery and performance of this Agreement.

IN WITNESS THEREOF, the parties have executed this Agreement on the dates given below.

IOWA CODE CHAPTER 28E AGREEMENT  
COUNTY PARTIES TO AGREEMENT

Story County, Iowa

By: \_\_\_\_\_  
Chairman, Board of Supervisors

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

ATTEST:

By: \_\_\_\_\_  
County Auditor

IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

City of Ames, Iowa

By: \_\_\_\_\_  
Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

City of Nevada, Iowa

By: \_\_\_\_\_  
Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

City of Story City, Iowa

By: \_\_\_\_\_  
Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk



IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

City of Huxley, Iowa

By: \_\_\_\_\_  
Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

IOWA CODE CHAPTER 28E AGREEMENT  
COUNTY PARTIES TO AGREEMENT

Story County Conservation

By: \_\_\_\_\_  
Chairman, Board of Directors

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

ATTEST:

By: \_\_\_\_\_

IOWA CODE CHAPTER 28E AGREEMENT  
CITY PARTIES TO AGREEMENT

Iowa State University

By: \_\_\_\_\_

Senior Vice President

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

By: \_\_\_\_\_

Michael Newton  
Assistant Vice President/Chief of Police

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

**COUNCIL ACTION FORM**

**SUBJECT: PROFESSIONAL SERVICES FOR NUTRIENT REDUCTION  
FEASIBILITY STUDY**

**BACKGROUND:**

In early 2013, the State of Iowa adopted the Iowa Nutrient Reduction Strategy. The Executive Summary of the Strategy describes the purpose and goals of the Strategy as follows.

*“The Iowa Nutrient Reduction Strategy is a science and technology-based framework to assess and reduce nutrients to Iowa Waters and the Gulf of Mexico. It is designed to direct efforts to reduce nutrients in surface water from both point and nonpoint sources in a scientific, reasonable and cost-effective manner.*

*Its development was prompted by the 2008 Gulf Hypoxia Action Plan that calls for Iowa and states along the Mississippi River to develop strategies to reduce nutrient loadings to the Gulf of Mexico. The Gulf Hypoxia Action Plan established a goal of at least a 45% reduction in total nitrogen and total phosphorus loads. The strategy will also intensify efforts to address nutrient related water quality problems in Iowa’s waters that negatively impact beneficial water uses enjoyed and required by all Iowans.”*

The approximately 150 largest wastewater treatment facilities in the state, both municipal and industrial, are being required to develop a course of action that will lead towards a reduction in their nutrient discharges. The target concentrations are 10 milligrams per liter (mg/L) of Total Nitrogen (or a 66% reduction in the incoming load, whichever is higher) and 1.0 mg/L of Total Phosphorus (or a 75% reduction in the incoming load, whichever is highest).

The obligation begins when a point source receives its next National Pollutant Discharge Elimination System (NPDES) permit renewal. The new permits require facilities to

- “...submit a report that evaluates the feasibility and reasonableness of reducing the amounts of nitrogen and phosphorus discharged into surface water
- “...select the preferred method(s) for reducing total nitrogen and total phosphorus in the final effluent

- “...include a schedule for making operational changes and/or installing new or additional treatment technologies to achieve the...removal goals...”
- “...the schedule will be incorporated into the NPDES permit by amendment...”
- “...Effluent discharge limits will be based on one full year of operating data after implementation of the operational changes or completion of plant modifications and a six month optimization period...”

The City of Ames received a “draft” NPDES permit renewal in May of 2016 that included this requirement. The City objected to several provisions of the permit, including the nutrient reduction provisions. The “draft” permit was subsequently withdrawn by the State. Until such time as the State issues a new “final” permit that includes the nutrient reduction strategy language, the City does not have any legal obligation to undertake a Nutrient Reduction Feasibility Study.

There is a major capital expense looming that has prompted staff to initiate the Nutrient Reduction Feasibility Study now, in advance of a new permit being issued. The Water Pollution Control Facility (WPCF) utilizes trickling filters. These 80-foot diameter structures are filled with 26 feet of corrugated plastic sheeting. The water being treated flows, or “trickles” over the plastic, and the bacteria that reduce the waste in the water grow in a thin layer on the plastic sheets. Over time, the plastic can become brittle and the sheets can delaminate from each other. **If the media is allowed to run to failure, eventually it will catastrophically collapse. The expected life for the media is 25-30 years. The media in use today is still original to the construction of the facility 29 years ago. Staff estimates the cost to replace the media in all four trickling filters to be approximately eight million dollars.**

Trickling filters are not very adaptable to nutrient removal processes, and the most likely scenarios for modifying the WPCF to remove nitrogen and phosphorus include demolition of the trickling filters. Even though there is not yet a legal obligation for the City to perform a nutrient reduction feasibility study, staff is concerned about the remaining life of the filter media. **It is not in the best interests of the City to spend \$8 million to replace the media only to turn around in five or ten years and remove the filters in lieu of a different technology. Neither is it in the best interests of the City or the environment to run the filters to failure before taking action. The likelihood the media can last until a permit is issued, a study is completed, and new treatment infrastructure is installed is low.** Staff believes it is appropriate to conduct the study now, so that decisions on capital investments can be made wisely.

In early February 2018, staff released a Request for Proposals (RFP), seeking qualified firms willing to conduct the Nutrient Reduction Feasibility Study. The scope of work that staff requested includes a number of key elements.

- An assessment of the degree of nutrient reduction that could be reasonably achieved through optimization alone; that is, what could be accomplished with no, or very minimal, capital expenditures
- An evaluation of the many nutrient reduction technologies available to identify the one that is most compatible with the existing infrastructure
- The identification of different scenarios for achieving the goals of the Iowa Nutrient Reduction Strategy *other than a major, capital-intensive reconstruction of the Ames WPCF*. Prospective consultants were informed that **the City is exceptionally interested in innovative alternatives that would achieve the goals of the Strategy at a much lower cost than the \$35 million earmarked in the Capital Improvements Plan**

The last bulleted item above is of particular interest to both staff and Council. Council will certainly recall that one of the tasks under their “Expand Sustainability Efforts” goal is to “Explore ways to meet Nutrient Reduction Strategy requirements through participation in projects in the Squaw Creek Watershed.” Some of the options that staff identified in the RFP for consideration under this task included the following.

- Achieving 100% of the City’s nutrient reduction obligation through off-site watershed projects
- Partial nutrient reduction on-site in conjunction with off-site practices in the watershed
- Phasing options that provide incremental increases in nutrient reduction in conjunction with other future plant expansions or modifications
- Performing split-stream / side-stream treatment
- Utilizing new or emerging technologies
- Utilization of an “integrated planning” approach that would evaluate other major capital expenses of the City, and prioritize and schedule nutrient reduction along with those other needs
- Any other non-traditional “brick and mortar” solutions the consultants would recommend for evaluation

It is important to note that the Iowa Department of Natural Resources is focusing on treatment modifications. (Note that the draft permit language on the first page refers to “reducing total nitrogen and total phosphorus *in the final effluent*.”) **Staff intends to vigorously pursue alternatives that would include offsetting all or a portion of the**

**City’s load reduction via watershed improvements that could provide additional benefits beyond nutrient reduction (such as flood mitigation and other water quality improvements). But Council should be aware that such an option would be “breaking new ground” for the Iowa Nutrient Reduction Strategy’s point source program.**

Proposals were due on March 8, 2018. The RFP was sent to 12 firms. Three proposals were received. A nine-member departmental team comprised of management, operations, maintenance, and technical staff reviewed the proposals, scoring each on a 100 point scale. After compiling all of the scores, there was less than three points between all three proposals.

<b>Proposing Firm</b>	<b>Average Score (out of 100 possible)</b>	<b>Number of First Place Scores (including ties)</b>	<b>Proposed Fee</b>
Black & Veatch	74.4	3	\$262,880
Strand Associates	77.1	5	\$230,000
HDR Engineering	77.4	4	\$261,441

As a point of reference, the Capital Improvements Plan includes \$285,000 for this evaluation.

With the scores so tightly bunched, staff opted to arrange a conference call with each firm to talk through their proposals in more detail, and contacted the references associated with the example projects each firm provided in their proposal. **At the conclusion of the interviews and the reference checks, staff concluded that the proposal that best met the intent of the RFP and the needs of the City was provided by HDR.** Some of the deciding factors include the following.

- While all three firms have considerable nutrient reduction experience, HDR brought the most Iowa-based experience, including the most experience working with the Iowa Department of Natural Resources.
- HDR is currently performing a similar study for Cedar Rapids that includes a significant watershed component.
- HDR included important expertise outside their own firm, including Dustin Miller, formerly with the Iowa League of Cities and the author of a pilot nutrient credit trading program sponsored by the Iowa League of Cities. They also plan to invite key stakeholders, such as Prairie Rivers of Iowa, to participate in appropriate workshops.
- HDR offered a plan to include the Iowa DNR as partners throughout the Study process, including inviting them to attend key workshops.

- Staff's sense that HDR best understood the expectations of City staff and of the City Council when it came to exploring non-traditional alternatives, including watershed-based options.

Staff has worked with HDR to prepare a detailed scope of work and a Professional Services Agreement, copies of which are attached.

### **ALTERNATIVES:**

1. Approve the Professional Services Agreement with HDR Engineering, Inc. to perform the Nutrient Reduction Feasibility Study in the amount of \$261,441.
2. Direct staff to negotiate a contract with one of the other two firms who submitted a proposal.
3. Direct staff to take no action to initiate a Nutrient Reduction Feasibility Study at this time. Staff would continue to utilize the trickling filters with the original media until either a new NPDES permit is issued mandating a Nutrient Reduction Feasibility Study, or until the trickling filter media fails.

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

While the City will eventually be required to perform a Nutrient Reduction Feasibility Study, there is currently no obligation to do so. However, staff is concerned about the age and condition of the plastic media in the trickling filters. Knowing that the trickling filters may be removed when nutrient reduction is implemented at the Water Pollution Control Facility, and that the cost to replace the media is estimated at \$8 million, staff included funds in the FY 2017/18 Capital Improvement Plan to fund a Nutrient Reduction Feasibility Study now.

A competitive solicitation for proposals was performed, with three firms responding. Staff performed a thorough review of the proposals, conducted reference interviews with each firm's previous clients, and conducted a conference call interview with each proposing firm. At the end of the evaluation, staff concluded that the proposal that best meets the intent of the RFP and the needs of the City was provided by HDR Engineering, Inc. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



**CONTRACT FOR  
PROFESSIONAL SERVICES FOR NUTRIENT REDUCTION FEASIBILITY STUDY  
FOR CITY OF AMES WATER & POLLUTION CONTROL DEPARTMENT**

**THIS AGREEMENT**, made and entered into effective the 24th day of April, 2018, by and between the CITY OF AMES, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called "City") and HDR ENGINEERING, INC. (a Nebraska corporation, with principle offices at 8404 Indian Hills Drive, Omaha, Nebraska, 68114 and hereinafter called "Provider");

**WITNESSETH THAT:**

**WHEREAS**, the City of Ames has determined that certain services to be provided to the City of Ames and its citizens by Provider, such services and facilities being hereinafter described and set out, should be purchased in accordance with the terms of a written agreement as hereinafter set out;

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

**I  
PURPOSE**

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

**II  
SCOPE OF SERVICES**

Provider shall provide the services set out in the City of Ames, Iowa, Scope of Work, and Professional Services for a Nutrient Reduction Feasibility Study for City of Ames attached hereto as Exhibit A.

The City, without invalidating the Agreement, may direct changes in the project within the general scope of the Agreement, with the authorized payment maximum being adjusted accordingly. Any change in the scope of service by the provider shall be done by written agreement signed by both parties. The added cost or cost reduction to the City resulting from a change in the Agreement shall be determined by mutual acceptance of a lump sum properly itemized and supported by sufficient data to permit evaluation, or by unit prices stated in the Agreement or subsequently agreed upon.

It shall be the responsibility of the provider, before proceeding with any change in scope, to verify that the change has been properly authorized on behalf of the City. No additional charges or any other change in the Agreement will be allowed unless previously authorized in writing by the City, with the applicable compensation method and maximum authorized additional sum stated.

**III  
METHOD OF PAYMENT**

A. Basic Fee.

1. As compensation for services as described in Exhibit A of this Agreement, the Provider shall be paid a "Basic Fee" which shall constitute full and complete payment for those services and all expenditures that may be made and expenses incurred, except as otherwise expressly provided in this Agreement. The Basic Fee shall be the lump sum amount of \$261,441.

2. The parties agree that the Basic Fee is based upon the Scope of Services to be provided by the Provider. The Provider's compensation will not be adjusted unless the Scope of Services to be provided by the Provider is changed by written agreement of the parties to this Agreement.

B. Payment shall be made by the City to Provider as follows: Payment based on Provider's estimate of project completion as requested in monthly invoices. Each Invoice must include a narrative of work completed supporting the payment amount requested. Invoices referencing the assigned purchase order number shall be sent to the following address:

**IV**

**FINANCIAL ACCOUNTING AND ADMINISTRATION**

A. All claims for payment shall be supported by properly executed payrolls, time records, invoices, contracts, vouchers, or other documentation evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

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

C. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the payments made or claimed under this Agreement.

D. At any time during normal business hours, and as often as the City may deem necessary, there shall be made available to the City for examination all records with respect to all matters covered by this Agreement and Provider will permit the City to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all matters covered by this Agreement.

**V**

**INSURANCE**

A. The provider shall maintain insurance coverage in scope and amounts acceptable to the City's Risk Manager.

B. Any failure of Provider to comply with reporting provisions of the policies shall not affect coverage provided to the City of Ames, its officials, employees, or volunteers.

C. Provider shall furnish the City with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on standard insurance company forms or forms provided by the City and are to be received and approved by the City before work commences. The City reserves the right to require redacted copies of all required insurance policies, at any time.

D. Provider shall include all subcontractors as insured under its policies or shall require its subcontractors to provide insurance. All coverages for subcontractors shall be subject to all of the requirements stated herein.

E. To the fullest extent permitted by law the Provider shall indemnify and hold harmless the City of Ames and its employees from and against all claims, damages, losses, and expenses, including, but not limited to reasonable attorneys' fees to the extent caused by, arising out of or resulting from the performance of the work, provided that any such claim, damage, loss, or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the work itself) including the loss of use resulting therefrom; and (2) is caused in whole or in part by any negligent act or omission of the Provider, its subcontractor, anyone directly or indirectly employed by any of them or any one for whose acts, any of them may be liable.

F. In no case will the Provider's coverage be constructed to provide coverage for acts of negligence alleged to be caused by the sole negligence of employees of the City of Ames.

**VI  
PROPRIETARY RIGHTS AND CONFIDENTIAL INFORMATION**

Provider agrees to keep confidential any confidential and/or proprietary information or data relating to City business and shall not disseminate or disclose such confidential information to any individual or entity, except Provider's employees or subcontractors performing services hereunder (who shall be under a duty of confidentiality), and any other individuals specifically permitted in each instance by the City.

**VII  
TERMINATION**

The City of Ames may terminate this Agreement without penalty to the City at any time by giving written notice to the Provider at least fifteen (15) days before the effective date of such termination. In any case where the Provider fails in whole or in part to substantially perform its obligations or has delivered nonconforming services, the City shall provide a Cure notice. If after notice the Provider continues to be in default, the City may terminate this agreement immediately. The City shall only be obligated to compensate the Provider for compliant services performed prior to notice of termination.

**VIII  
INDEPENDENT CONTRACTOR STATUS**

Provider agrees that the relationship between Provider and the City is that of an independent contractor for employment tax purposes. The Provider shall be solely responsible for all taxes relating to payments under this agreement including those of employees.

**IX  
LAWS**

This contract is governed by the law of the State of Iowa with venue in Story County District Court.

**X  
ASSIGNMENT**

This Agreement may not be assigned or transferred by the Provider without the prior written consent of the City.

**XI  
AFFIRMATIVE ACTION**

Provider shall place on file with the City a statement of nondiscrimination policy in the form of a completed *Assurance of Compliance with the City of Ames, Iowa, Affirmative Action Program* satisfactory to the Affirmative Action Officer of the City.

**XII  
DURATION**

This Agreement shall be in full force and effect from and after April 24, 2018 until completion of the Work, or, until terminated by the City of Ames, Iowa.

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

**CITY OF AMES, IOWA**

By: \_\_\_\_\_  
John A. Haila, Mayor

By \_\_\_\_\_  
Ronald J. Sova, PE, Senior Vice President

Attest by: \_\_\_\_\_  
Diane R. Voss, City Clerk

## **Exhibit A Scope of Work**

### **Task Series 100 - Project Management**

**Objective:** Manage and effectively deliver the Nutrient Reduction Feasibility Study.

**Provider Activities:**

- Preparation of a project execution plan;
- Organizing and monitoring Project team activities;
- Preparing and monitoring deliverable schedules and quality;
- Monitoring schedule and budget;
- Preparing invoices and status reports;
- Liaison with the City.

**Provider Deliverables:**

- Monthly status reports and invoices.

### **Task Series 200 – Meetings and Workshops**

**Objective:** Ongoing collaboration with Water and Pollution Control Department staff to share information, solicit input, affirm direction, and progressively obtain buy-in moving forward.

**Provider Activities:**

- Conduct Kickoff and Nutrient Reduction Strategy Overview Meeting
  - Review and refine Feasibility Study objectives, considerations, scope of work, and schedule.
  - Identify additional data needs.
  - Provide overview of the Iowa Nutrient Reduction Strategy, what others are doing in Iowa, and what others are doing elsewhere.
  - Brainstorm potential strategies for Ames.
- Data Update and Nutrient Baseline Workshop 1
  - Review and discuss updates on prior data (population, flows and loadings, nutrients, wet weather flows, trickling filter condition, hydraulic and organic models, and capacity).
  - Identify supplemental testing needs.
  - Present a Skunk River watershed nutrient baseline reflecting current conditions.
- Offsite and WPCF Nutrient Reduction Workshop 2

- Present and discuss potential watershed, WPCF, and integrated watershed/WPCF alternatives.
- Review trickling filter, wet weather, solids handling and other plant implications on each.
- Screen potential alternatives to select those with the most potential for further consideration.
- Alternatives Identification Workshop 3
  - Present and discuss nutrient reduction alternatives.
  - Review triggers and potential phasing possibilities for each.
  - Evaluate and select preferred alternative(s).
  - Prepare for stakeholder engagement.
- Alternatives Screening Workshop 4
  - Review and discuss stakeholder input.
  - Present, affirm, and discuss preferred alternative(s) and associated triggers and phasing.
  - Identify refinements to be considered or incorporated.
  - Prepare for City Council CIP Plan Review meeting.
- Conduct Final Review Meeting
  - Review Executive Summary and Lay Summary
  - Review and discuss City Council input.
  - Identify refinements to be considered or incorporated.

**Provider Deliverables:** ● Presentation materials and minutes

### **Task Series 300 – Update Prior Data**

**Objective:** Effectively update and build upon data and results from the 2012 Long Range Facility Plan to reflect changes or trends that have evolved over the past five years.

- Provider Activities:**
- Update population and flows and loadings projections.
  - Better characterize influent nitrogen and phosphorus loadings and speciation.
  - Update wet weather flow implications.
  - Identifying additional sampling needs.
  - Update the trickling filter condition and operational assessment.
  - Updating both the hydraulic and process WPCF models.

**Provider Deliverables:** ● Background Information TM

## **Task Series 400 – Skunk River Nutrient Baseline**

**Objective:** Establish the current Skunk River watershed nutrient baseline characterizing the sources and quantities of nitrogen and phosphorus loadings, both upstream and downstream of the WPCF.

**Provider Activities:**

- Differentiate point and nonpoint nutrient loadings.
- Further characterize the nature of nonpoint sources.
- Identify other point source discharges in the watershed.
- Provide a baseline for consideration of offsite and WPCF nutrient reduction options.

**Provider Deliverables:**

- Nutrient Baseline TM

## **Task Series 500 – Off-Site Nutrient Reduction**

**Objective:** Explore and characterize opportunities for watershed nutrient reductions and offsets as alternatives to or to supplement WPCF nutrient reduction.

**Provider Activities:**

- Research and review ongoing watershed best management practice (BMP) planning and implementation.
- Identify potential BMP practices, performance, and cost.
- Consider potential synergies with flood mitigation, wetland mitigation / banking needs and / or other water quality benefits.
- Assess the status and potential implications of nutrient offsets.
- Brainstorm potential offsite nutrient reduction alternatives.
- Identify potential BMP funding sources.
- Provide a foundation for identifying integrated nutrient reduction strategies and alternatives for the City.

**Provider Deliverables:**

- Off-site Nutrient Reduction TM

## **Task Series 600 – WPCF Nutrient Reduction**

**Objective:** Explore and characterize opportunities for WPCF nutrient reduction.

**Provider Activities:**

- Identify and assess the implications of potential ammonia and other future regulatory requirements.
- Consider the implications of peak wet weather flows and solids handling processes.
- Brainstorm and assess potential nutrient reductions through existing WPCF optimization
- Identify and consider emerging technologies as alternatives to the previously recommended simultaneous nitrification denitrification (SND) technology.
- Formulate potential WPCF nutrient reduction alternatives.
- Identify potential funding sources.
- Provide a foundation for identifying integrated nutrient reduction strategies and alternatives for the City

**Provider Deliverables:** • WPCF Nutrient Reduction TM

## **Task Series 700 – Alternatives Identification and Screening**

**Objective:** Identify and select off-site watershed, on-site WPCF, and integrated combinations of nutrient reduction alternatives for further development and evaluation.

**Provider Activities:**

- Refine and integrate off-site watershed alternatives from Task Series 500 and WPCF alternatives from Task Series 600.
- Estimate comparative costs.
- Consider phasing opportunities and other non-monetary considerations.
- Select specific watershed, WPCF, and combination nutrient reduction alternatives for further development and evaluation.
- Identify three alternatives believed to represent the best alternatives for the City.

**Provider Deliverables:** • Alternatives Screening and Evaluation TM

## **Task Series 800 – Alternatives Development and Evaluation**

**Objective:** Further develop and evaluate selected watershed, WPCF, and integrated nutrient reduction alternatives.

**Provider Activities:**

- Refine nutrient reduction alternatives from Task Series 700.
- Estimate capital, operations and maintenance, and life cycle costs
- Evaluate phasing potential and other non-monetary criteria
- Select a preferred alternative(s) for the City. It is anticipated that the preferred alternative(s) will actually be a roadmap with a series of triggers and potential pathways.
- Provide the basis for City Council presentation, IDNR discussion, and other Stakeholder Open House in November 2018.

**Provider Deliverables:**

- Alternatives Development and Evaluation TM

## **Task Series 900 – Stakeholder Involvement**

**Objective:** Share information, solicit input and obtain buy-in from other stakeholders, notably City leaders and the Iowa DNR, but other potentially affected interests identified along the way as well.

Results will be summarized in a Stakeholder Involvement TM.

**Provider Activities:**

- Engage city leaders through council presentation(s).
- Engage the IDNR through participation in certain workshops and a separate meeting
- Engage other potentially affected interests through an open house(s).
- The extent of stakeholder involvement will be determined as the work progresses and potential solutions are envisioned.

**Provider Deliverables:**

- Presentation Materials and Minutes
- Stakeholder Input TM



## **Task Series 1000 – Preferred Alternative(s) Refinement**

**Objective:** Further refine and define the preferred alternative(s)/ Nutrient Reduction Roadmap noting triggers, pathways, and anticipated costs and schedule.

**Provider Activities:**

- Develop facility / BMP layouts.
- Identify anticipated capital and O&M cash flow requirements.
- Document non-monetary considerations.
- Prepare a specific implementation plan.
- Provide the basis for City Council’s January 2019 Capital Improvements Plan Review.

**Provider Deliverables:** • Preferred Alternative(s) Refinement TM

## **Task Series 1100 – Final Documentation**

**Objective:** Document the results of the Nutrient Reduction Feasibility Study.

**Provider Activities:**

- Prepare an overall Executive Summary, a Nutrient Reduction Feasibility Study Report for IDNR, and a WPCF Capacity Report for the City.
- Finalize and assemble individual TMs and Workshop presentation materials and minutes into a single binder.
- Refine final documents as Water and Pollution Control Department staff assess fund balance, revenue needs, and rate impacts, and to reflect input from City Council.

**Provider Deliverables:**

- Executive Summary/Lay Summary
- Nutrient Feasibility Report
- WPCF Capacity Report
- Final Tech Memos
- Workshop Presentation Materials and Minutes

**City Involvement**

- Coordinate Owner staff and actively participate in meetings and workshops.
- Provide facilities to conduct meetings and workshops.
- Participate in on-going project activities to support consultant activities.
- Provide timely review and comment on Provider deliverables.
- Provide timely payment for services provided.
- Provide relevant background information.
- Perform supplemental testing and provide results.
- Schedule, handle logistics, lead, and participate in stakeholder meetings, including advertisement, invitations, meeting room, and refreshments.
- Schedule and participate in meetings with IDNR.

**COUNCIL ACTION FORM**

**SUBJECT: HEALTH INSURANCE ADMINISTRATIVE SERVICES CONTRACT  
RENEWAL WITH WELLMARK**

**BACKGROUND:**

In 2004 the City sought alternative bids for administrative services and excess coverage for our self-insured health and pharmacy programs. At that time we added requirements developed by an internal Health Insurance Team. That team's final report and recommendations served as the basis for the request for proposal (RFP) that yielded three quotations. The City Council subsequently approved award of the administrative services and excess coverage to Wellmark Blue Cross Blue Shield of Iowa.

Since that time Wellmark has provided good customer service and has had a commendable record of accurate and timely claims payments. Wellmark also has very advantageous contractual relationships with medical providers in Ames and throughout Iowa that allow the City to receive significant discounts on services received. Wellmark has a proven record administering the City's existing health plans, and has been a willing and capable partner in our efforts to improve the health status of employees and their families through quality programs and health promotion.

Each year Wellmark presents the City with a proposal to continue providing these services. For the fiscal year beginning July 1, 2018, Wellmark will charge \$44.42 per employee per month in **administrative and access fees** for a yearly total of approximately \$296,000. This is an increase of 4.96% over FY 2017/18.

Effective July 1, 2018, Wellmark will charge \$57.69 per employee per month for **specific and aggregate stop loss premiums**. The individual stop loss protects the City from specific claims that exceed \$125,000 incurred in one year, while the aggregate stop loss protects the City in the event that total claims exceed 120% of projected losses.

In 2017/18 the stop loss rate charged per employee per month was \$50.97. However, the stop loss trend over the past several years has significantly exceeded Wellmark's projections. For that reason, their proposed stop loss rates for FY 2018/19 will increase by 13.18%. At that rate, in FY 2018/19 the City will pay \$384,907 in specific and aggregate stop loss premiums. Gallagher, the City's contracted Health Benefits Consultant, provided assistance with reviewing the overall administrative fees and services Wellmark presented for FY 2018/19. Gallagher negotiated on the City's behalf to have the fixed expenses

capped at a 2% increase for FY 2019/20. Gallagher believes that this two-year average increase will keep our fixed fees in line with market averages.

The overall projected increase for health care costs, including projected 2018/19 claims and all of the Wellmark administrative fees, is 3.77%. This will be covered by the 5% premium increase already included in the adopted FY 2018/19 Budget.

Gallagher and staff also worked with Wellmark to include several plan design changes for FY 2018/19. These changes address quality of care and health outcomes, and in some cases will help the City better manage costs. Included are the following:

- 1) Addition of pre-diabetes education benefit with the cost share applied towards annual deductible plus either a co-pay or coinsurance fee.
- 2) Addition of Doctor on Demand as a virtual physician service covering limited acute conditions. This service is provided through a registered Wellmark network doctor online.
- 3) The coverage of blood and its derivatives from out of state providers. In Iowa this cost is covered, but outside of Iowa and South Dakota some providers may bill for these items. With this addition to our plans, any cost for blood and its derivatives billed to Wellmark by out of state providers will be applied to a member cost share per the member plan, instead of a full cost to members.
- 4) Addition of Applied Behavior Analysis (ABA) for the treatment of autism in children.

**ALTERNATIVES:**

1. Accept the renewal documents from Wellmark for administrative services, specific and aggregate excess insurance, and access fees for benefits effective from July 1, 2018 to June 30, 2019.
2. Do not renew the City's health insurance administrative services contract with Wellmark.

**CITY MANAGER'S RECOMMENDED ACTION:**

Wellmark has been an effective administrator of the City's health care administrative services. Their services are cost-effective, and they have a strong working relationship with the City's other health care partners. Renewal of this contract will provide the best value to the City in administering its health insurance program.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the renewal for administrative services, specific and aggregate excess insurance, and network access fees with Wellmark Blue Cross Blue Shield of Iowa for the period from July 1, 2018 to June 30, 2019.

**COUNCIL ACTION FORM**

**SUBJECT: RENEWAL OF DENTAL INSURANCE ADMINISTRATOR CONTRACT**

**BACKGROUND:**

For many years the City has contracted with Delta Dental of Iowa to administer the dental insurance benefits approved by City Council for City employees and their families.

Delta Dental has provided good customer service and has had a commendable record of accurate and timely claim payment. Delta Dental also has advantageous contractual relationships with dental providers in Ames and throughout central Iowa, which allows the City to realize significant discounts on services received. Delta has a proven record of being able to administer the existing plans, and also been a willing and capable partner in our efforts to improve the health status of employees and their families through quality programs.

The City provides two different dental benefit plans. For Plan I, which has a \$750 annual maximum benefit, the Check Up Plus service will be added for FY 2018/19. With this addition to the plan, the cost of all regular preventative services will not be applied to the annual maximum. This will promote long-term dental health, and will give each member more coverage to apply to other services under the plan. Delta added this benefit with no additional administrative fees. There will not be any changes to our Plan II, with the annual maximum of \$1250.

Effective July 1, 2018, Delta Dental is estimating our annual claims to be \$391,616 for FY 2018/19. Under the proposed renewal contract, fixed fees will increase from \$4.24 per contract to \$4.39 per contract, which is a 3.54% increase from FY 2017/18 to FY 2018/19. **The total projected annual expense of \$420,695 is covered in the amounts budgeted for health insurance included in the approved FY 2018/19 budget.**

**ALTERNATIVES:**

1. Approve Delta Dental of Iowa's renewal proposal to provide administrative services for dental benefits for the fiscal year beginning July 1, 2018.
2. Reject the renewal from Delta Dental of Iowa.

**CITY MANAGER'S RECOMMENDED ACTION:**

Over the past two decades Delta Dental of Iowa has been an effective administrator of the City's dental administrative services. Renewal of this contract will provide the best value to the City in administering its dental insurance program.

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

**COUNCIL ACTION FORM**

**SUBJECT: ENCROACHMENT PERMIT FOR SIDEWALK CAFÉ PATIO AT 502  
BURNETT AVENUE (GREAT HARVEST BREAD CO.)**

**BACKGROUND:**

The property owner of 502 Burnett Avenue is seeking approval for an encroachment permit that would allow a sidewalk café patio in the right-of-way. The proposed patio will be located along the west façade of the building, between the sidewalk and the street, but not affect use of the sidewalk.

The applicant has proposed to remove the existing driveway, and replace with a new curb, grass, and the proposed sidewalk café patio. Applications have been submitted for a right-of-way permit and sidewalk café permit, and approval for both is contingent on the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City Council before the permit can be issued. By signing the agreement, the owner agrees to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit a certificate of liability insurance which protects the City in case of an accident, and to pay the fee for the encroachment permit. The owner also understands that this approval may be revoked at any time by the City Council. The fee for this permit was calculated at \$380, and the full amount has been received by the City Clerk's Office along with the certificate of liability insurance.

**ALTERNATIVES:**

1. Approve the request.
2. Deny the request.

**MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby granting the encroachment permit for the sidewalk café patio.



APPLICATION FOR ENCROACHMENT PERMIT

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley, or sidewalk."

Address of Encroachment: 502 BURNETT, AMES

Type of Encroachment: SIDEWALK CAFE PATIO
(If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)

Total Square Feet of the Area to Encroach: (See attached submittal guidelines.)

Applicant is: [X] Property Owner / ARCHITECT [ ] Tenant [ ] Contractor

Name of Applicant: M. KIM SHARP Phone: 515-708-4856

Mailing Address: 1503 TOP-O-HOLLOW Email:

Property Owner's Name: SAME Phone: SAME

Mailing Address: SAME Email: msk@topoarchitecture.com

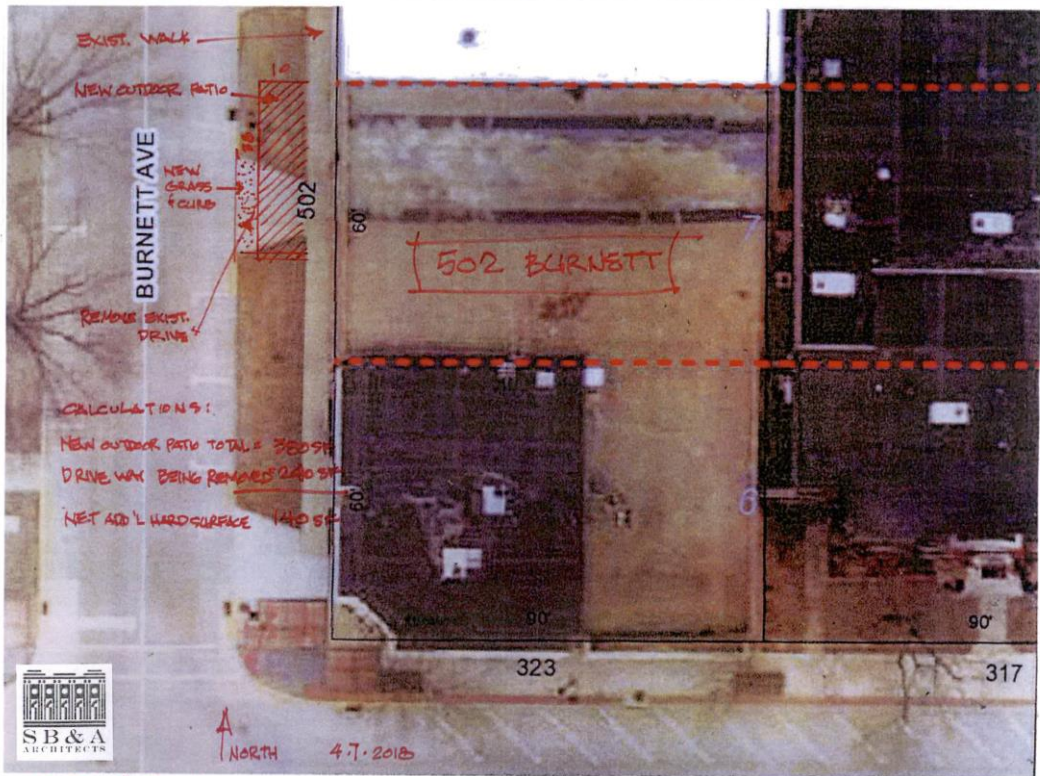
These items must be submitted with your application prior to approval of the permit:

- 1. An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur (obtained from the City Clerk's Office).
2. A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
3. A sketch showing the placement of the encroaching item on the property.
4. An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.
5. A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

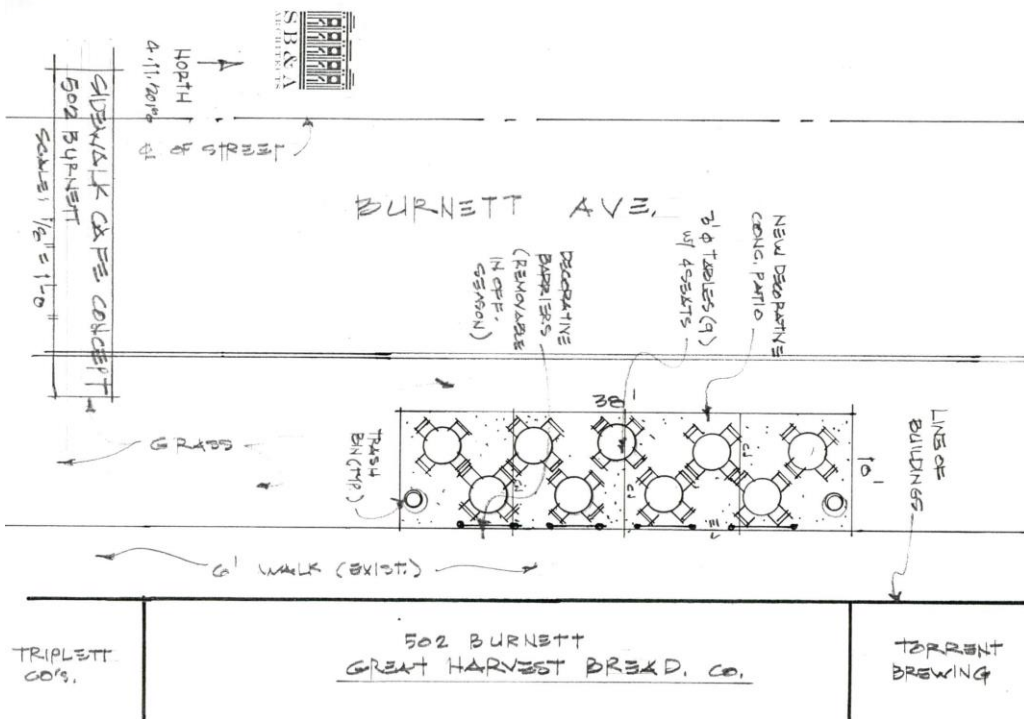
Applicant's Signature: [Signature] Date 4.11.2018

Property Owner's Signature (If different): Date





SCALE: 1" = 20.0'



**COUNCIL ACTION FORM**

**SUBJECT: ENCROACHMENT PERMIT FOR MONITORING WELLS AT 903 NORTH  
2<sup>ND</sup> STREET**

**BACKGROUND:**

GHD Services Inc. is seeking approval for an encroachment permit that would allow two monitoring wells in the right-of-way at 903 N. 2<sup>nd</sup> Street. According to the applicant, historical records show the property as a former manufactured gas plant site. GHD is proposing to collect groundwater samples to determine if any materials remain on the property. The monitoring wells will be necessary for a preliminary sampling event to collect soil and groundwater samples, and are anticipated to be in place from one year to several years.

The well piping will extend vertically to the water table, and the top will be complete with a well cover. Each cover will be eight inches across and flush to the ground surface. The well covers will be mounted in a small concrete pad, approximately two feet by two feet.

The applicant has also applied for a right-of-way permit for installation of the wells. Approval of that permit is contingent on the approval of this encroachment permit. The adjacent property owner, Heuss Printing, has agreed to the project and will sign the encroachment permit agreement as property owner.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the City Council before the permit can be issued. By signing the agreement, the owner agrees to hold the City harmless against any loss or liability as a result of the encroachment, to submit a certificate of liability insurance which protects the City in case of an accident, and to pay the fee for the encroachment permit. The owner also understands that this approval may be revoked at any time by the City Council. The fee for this permit was calculated at \$25, and this amount has been received by the City Clerk's Office along with the certificate of liability insurance.

**ALTERNATIVES:**

1. Approve the encroachment permit request for monitoring wells in the right-of-way at 903 N. 2<sup>nd</sup> Street.
2. Deny the request.

**CITY MANAGER'S RECOMMENDED ACTION:**

Staff is satisfied that these wells can be safely placed and will not jeopardize the City's use of this area. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.



### APPLICATION FOR ENCROACHMENT PERMIT

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley, or sidewalk."

Address of Encroachment: 903 North 2nd Street, Ames, Iowa 50010

Type of Encroachment: **Monitoring wells**  
(If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)

Total Square Feet of the Area to Encroach: **8** (See attached submittal guidelines.)

Applicant is:  Property Owner  Tenant  Contractor

Name of Applicant: **GHD Services Inc.** Phone: **(515) 414-3933**

Mailing Address: **11228 Aurora Avenue, Urbandale, IA 50322** Email: **kevin.armstrong@ghd.com**

Property Owner's Name: **ROW outside 903 North 2nd Street, Ames, IA** Phone: **(515) 414-3933**

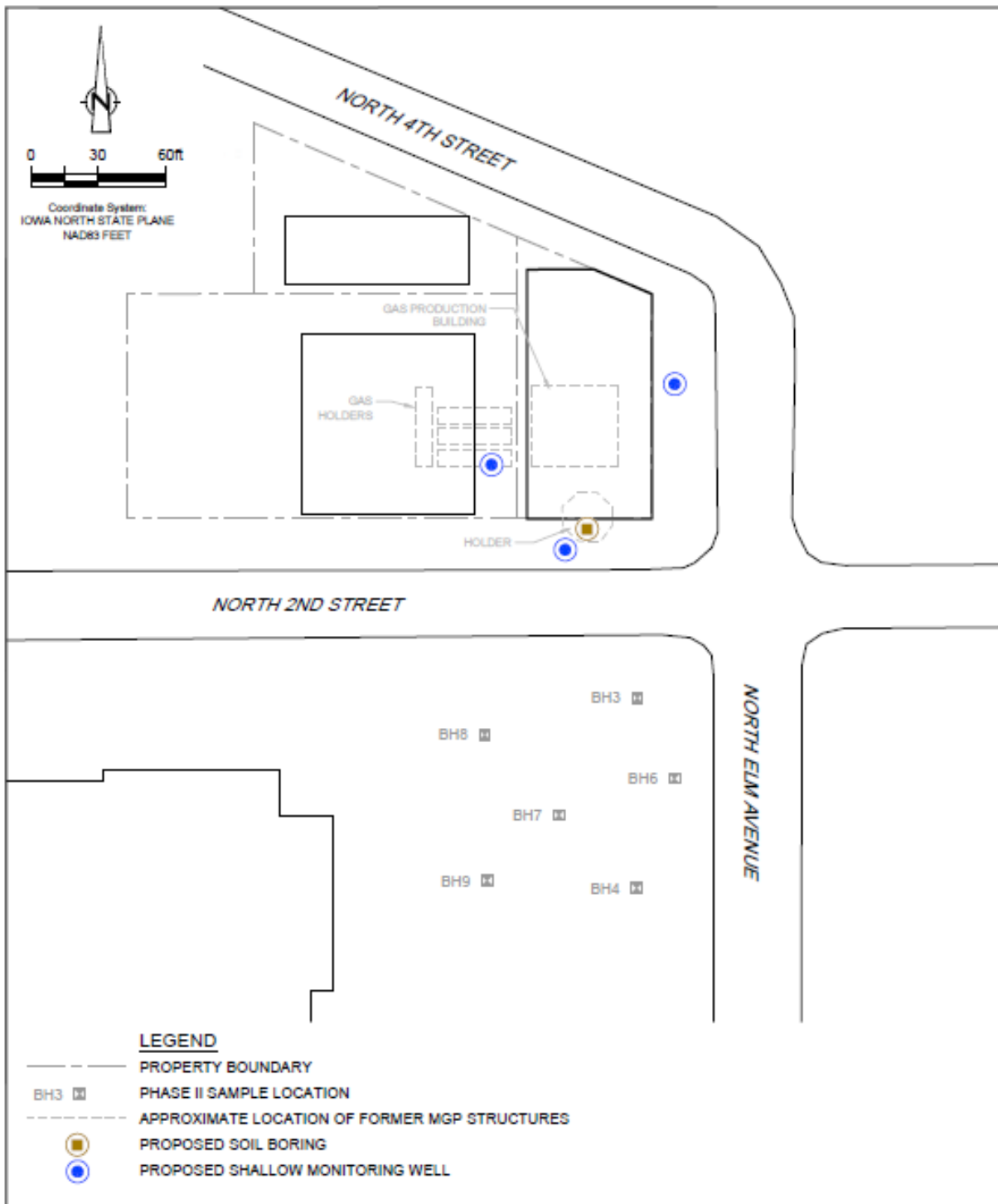
Mailing Address: **11228 Aurora Avenue, Urbandale, IA 50322** Email: **kevin.armstrong@ghd.com**

These items must be submitted with your application prior to approval of the permit:

1. An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur (obtained from the City Clerk's Office).
2. A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
3. A sketch showing the placement of the encroaching item on the property.
4. An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.
5. A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

Applicant's Signature:  Date 4/11/18

Property Owner's Signature (if different): \_\_\_\_\_ Date \_\_\_\_\_



Source: Sample Locations from ERS, figure 1, sketch indicating locations of borings (1994), & Former MGP Structures from SANBORN map co. Imagery (1911). Property lines estimated from Beacon GIS

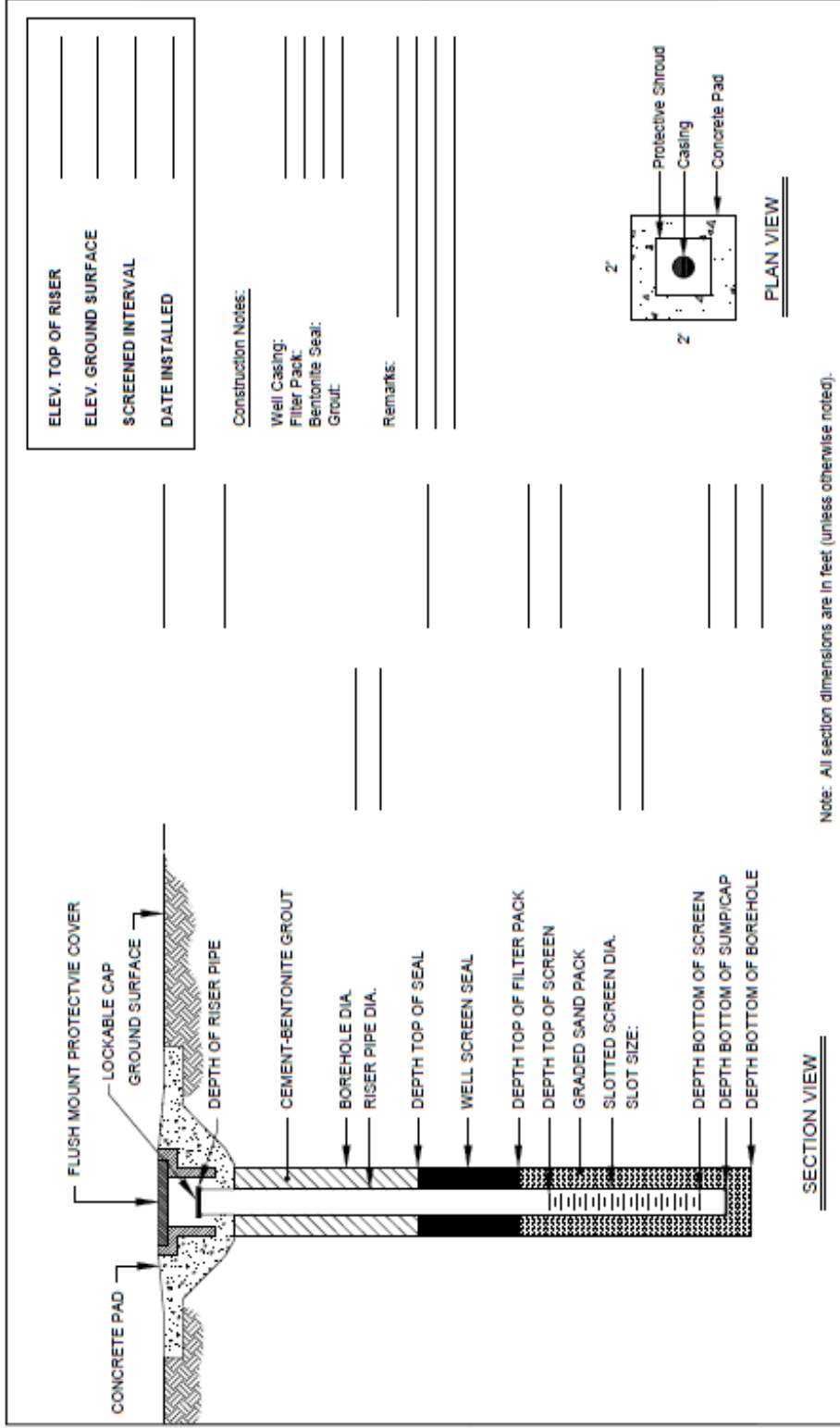



INTERSTATE POWER AND LIGHT COMPANY  
AMES (COLLEGE PARK) FORMER MANUFACTURED GAS PLANT SITE  
AMES, IOWA

11156781-00  
Mar 26, 2018

SAMPLING LOCATION MAP

FIGURE 1





INTERSTATE POWER AND LIGHT COMPANY  
AMES (COLLEGE PARK) FORMER MANUFACTURED GAS PLANT SITE  
AMES, IOWA

11156782  
Sep 14, 2015

**FLUSH MOUNT WELL DIAGRAM (TYPICAL)**

**FIGURE 2**

CAD File: P:\DRAWINGS\Details - Misc\GHD\WELL DETAIL\_BLOCK.dwg  
Plot Sheet:

**COUNCIL ACTION FORM**

**SUBJECT: PURCHASE OF 3305 MORNINGSIDE STREET WITH CITY AFFORDABLE HOUSING FUNDS IN CONJUNCTION WITH THE FY 2017-18 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.**

**BACKGROUND:**

As part of CDBG 2017-18 Action Plan Neighborhood Sustainability Program, the Acquisition/Reuse program component seeks to acquire properties to either rehabilitate or demolish/remove them for reuse for affordable housing. Of particular interest are the purchase of single-family properties that were rentals to convert them back into homeownership, and sold to low-income (80% or less of AMI) first-time homebuyers, utilizing the down payment funds in the Homebuyer Assistance Program. Also, as part of the program parameters properties can be sold to qualified non-profit organizations in the community for lower-income families as well.

Additionally, in 2016, the city requested and received approval from HUD to create a Neighborhood Revitalization Strategy Area (NRSA) designation for Census Tract 13.1, Block Group 2 in West Ames that includes the 321 State Avenue site. One of the main reasons for the designation request was to allow for the re-development of 321 State Avenue as a mixed-income residential development. With the NRSA designation other program activities were established to address the other needs for the area as outlined in the designation request. Those program activities include: Acquisition/Reuse, Public Infrastructure Improvements, Homebuyer Assistance, and Renter Affordability.

**Due to the time lost in the process of seeking to work with a developer to re-development of 321 State, staff needed to switch to the implementation of the Acquisition/Reuse activity in order to meet the required timely expenditure of CDBG funds by May 2, 2018.** Staff was able to identify four properties within the NRSA that met the requirement of the Acquisition/Reuse criteria and goals. Of the four, three owners were interested in selling their properties. Of the three, staff has secured purchase agreements with two of the property owners for 241 Village Drive and 3305 Morningside Street. **The total cost to acquire the two properties is approximately \$275,000.**

The FY 2017/18 Acquisition/Reuse program budget allocated \$170,000 for use in the purchase of homes. In accordance with our CDBG Citizen Participation Plan, program budget line items revisions can be made in amounts not to exceed \$100,000. Therefore, staff would be able to move \$50,000 from the Public Infrastructure Improvements and \$50,000 from the Single-family Housing Improvements Program and add it to the Acquisition/Reuse Program for a revised budget of \$270,000. **While a property at 241 Village Drive has been purchased, a shortfall of approximately \$5,000 will exist inhibiting the purchase of a second property at 3305 Morningside Street.**

In conferring with the HUD staff, the City can use non-CDBG funds to cover the gap and/or earmark funds from the FY 2018/19 CDBG allocation to repay itself for purchasing the properties.

**Staff is recommending that we borrow \$5,000 from the Citywide Affordable Housing Fund available balance, which has a current balance of approximately \$571,000, to temporarily cover this shortfall. The \$5,000 will be repaid to the City as part of the next fiscal year's allocation of CDBG funds.**

**ALTERNATIVES:**

1. The City Council can approve the borrowing of \$5,000 from the City-wide Affordable Housing Program to cover the shortfall to purchase the property at 3305 Morningside Street and have funds earmarked from the FY 2018-19 CDBG allocation to reimburse the fund.
2. The City Council can approve the use of \$5,000 from the Citywide Affordable Housing Program to cover the shortfall to purchase the property at 3305 Morningside Street and not require a repayment from CDBG funds.
3. The City Council can refer the item back to staff for more information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The purchase of these two properties is consistent with the goals and priorities adopted in our 2014-18 Consolidated Plan, and is an activity in our FY 2017-18 Annual Action Plan under the Acquisition/Reuse Activity.

The purpose of this activity is to acquire for sale and/or vacant/abandon single-family properties to make available for low-income first-time homebuyers and/or sale to an eligible non-profit for them to sale to a low-income household. Both properties are located in our NRSA designation area, which is a priority area to implement this type of activity. **The 3305 Morningside Street property was originally purchased by parents for their children to attend Iowa State University in 1992, but for the last two years has been sitting empty and deteriorating.**

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the loan of \$5,000 to the CDBG program for the purchase of the property at 3505 Morningside which will be repaid from the FY 2018/19 CDBG allocation when it is received.**



**COUNCIL ACTION FORM**

**SUBJECT: WATER POLLUTION CONTROL FACILITY STRUCTURAL  
REHABILITATION PHASE 2 PROJECT**

**BACKGROUND:**

A comprehensive evaluation of the structural condition of the Water Pollution Control Facility (WPCF) buildings and structures was performed in 2012 by HDR Engineering. Based on that assessment, the facility is generally in overall good condition. However, the facility is more than 29 years old and is showing signs of age-related deterioration. As a part of the condition assessment, a schedule for structural rehabilitation was developed. The drivers for the schedule are the estimated remaining useful life in each structure and coordination with future improvements to the facility.

Because of the piece work nature of the project, staff has previously entered into a Master Agreement with HDR Engineering that will be used to issue individual task orders. HDR Engineering has been awarded a contract amount of \$148,107 for engineering services associated with Task Order 2 of the Master Agreement. The construction work associated with Task Order 2, which includes the following items from the FY 16/17 and FY 17/18 Capital Improvements Plan, is being referred to as “Phase 2” of the Structural Rehabilitation Project.

- FY 16/17      Joint repairs at the sludge pumping building (\$46,000)
  
- FY 17/18      Repairs to the Administration Building entrance slab (\$184,000); repairs to joints in precast wall panels (all structures except trickling filter and Digester Complex) (\$450,000); stair support and sidewalk at SW clarifier stair (\$18,000); repair drainage and moisture issues around multiple structures (\$461,000)

Phase 2 also includes replacement of damaged sidewalks, assessment and repair to the digester complex tunnel, and a structural review of the Trickling Filter Complex. A structural review of the trickling filters was last done in 2012 and staff have noticed additional deterioration since that time. The long term use of the trickling filters will be analyzed in the upcoming Nutrient Reduction Feasibility Study. The intent of the repairs as part of this Phase 2 project is to buy some additional time (approximately five years) until a decision can be made on the level of investment that is warranted for the trickling filters.

The overall CIP budget for tasks identified in Phase 2 includes \$47,800 in FY 17/18 and \$1,113,000 in FY 18/19 for a total of \$1,161,000. HDR Engineering has estimated the total construction cost to be \$743,000, which includes a 10% contingency. The

estimated construction cost combined with the engineering services totals \$891,107, which is lower than the CIP budget amount. The preparation of plans and specifications are complete, and the Phase 2 work is ready to bid.

**ALTERNATIVES:**

1. Grant preliminary approval of the plans and specifications and issue Notice to Bidders, setting May 23, 2018 as the bid due date and June 12, 2018 as the date for public hearing and award.
2. Do not issue preliminary approval of plans and specifications and a notice to bidders at this time.

**MANAGER'S RECOMMENDED ACTION:**

In order to preserve the significant investment in infrastructure at the Water Pollution Control Facility, periodic structural rehabilitation of buildings and structures is necessary. Because of the value and significance of the structures identified in this project, it is essential that rehabilitation be done prior to a structural failure. Therefore, it is the recommendation of the City Manager to adopt Alternative No. 1 as described above.

**COUNCIL ACTION FORM**

**SUBJECT: CONTINUOUS EMISSIONS MONITORING SYSTEM REPLACEMENT  
– BID DUE DATE CHANGE**

**BACKGROUND:**

This project is for replacement of the continuous emissions monitoring system (CEMS) and the Continuous Opacity Monitoring System (COMS) used on Units #7 and #8 boilers.

On March 27, 2018, City Council approved preliminary plans and specifications for this project and set April 26, 2018, as the bid due date and May 8, 2018, as the date of hearing and award of contract.

After the scheduled pre-bid meeting was held on Tuesday, April 10, potential bidders submitted questions by the question deadline on April 17. All told, 44 questions were raised regarding the project, the schedule, and the bidding process. Needless to say, the scope of work and the specification for the replacement of the Continuous Emissions Monitoring System is very complicated.

**Staff has determined that it would be in the City's best interest to extend the bid due date to allow the interested bidders enough time to process the additional addenda and to put together a more complete bid.**

**ALTERNATIVES:**

1. Approve the requested bid due change for the Continuous Emissions Monitoring System Replacement and set May 3, 2018, as the new bid due date and May 8, 2018, as the new date of hearing and award of contract.
2. Reject the request and leave the dates as currently established.

**CITY MANAGER'S RECOMMENDED ACTION:**

Extending the bid due date will allow the potential bidders to better comprehend the work scope and specifications for this project, and will likely improve the quality and pricing of the bids the City receives.

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

**COUNCIL ACTION FORM**

**SUBJECT: IN-CAR COMPUTER REPLACEMENT FOR THE POLICE DEPARTMENT**

**BACKGROUND:**

Police patrol vehicles are outfitted with a ruggedized laptop computer that allows officers to perform a wide variety of tasks from the vehicle. Dispatch communications, records search, ticket writing and electronic filing are some of the functions that are possible with the in-car computer. The ruggedized laptops are on a four year replacement cycle. The current laptops are now 5 years old.

For more than 10 years the Department's in-car computers have been a model of Panasonic Toughbook. Panasonic is the industry leader in the limited market of fully ruggedized laptops. Although the experience with Toughbooks has been exceptional, the Department undertook a process to evaluate alternatives available in the market. A committee of officers, supervisors, Records and IT staff was formed and reviewed the available equipment. After the initial review, two options were selected for field trials and those laptops were installed in patrol vehicles. At the conclusion of the field trial, and based on functionality, availability of options, reliability, performance, value, and Department history, the Department again concluded that the Panasonic Toughbook CF-33 was the best choice.

The detailed selection process took approximately 8 months and has pushed the current laptops well past their intended term of service. The Department has received a quote for 11 Toughbooks, 12 in-car mounting systems, 2 in-office mounting systems, additional supporting equipment (power supplies, keyboards, etc.), and installation services from Keltek, Inc., of Baxter, IA, in the amount of \$67,646.55.

The pricing originated from the State of Iowa Master Pricing Agreement for Panasonic Laptops and Tablets which includes pricing from Keltek, Inc. Section 6.06 of the City of Ames Purchasing Policies and Procedures allows the use of State of Iowa cooperative agreements in lieu of soliciting written bids or verbal quotations for the purchase of commodities and services costing less than \$25,000. **The City Council is being asked to waive the City's purchasing policy and extend the allowable dollar amount for the use of State of Iowa cooperative agreement to make this purchase.**

The State of Iowa Master Pricing Agreement provided the City with standardized pricing and allowed the City to negotiate additional discounts. The State contract provides for discounts of 12% to 16% on Panasonic Toughbooks and related equipment depending on the features and capabilities of the equipment purchased. The staff was able to negotiate

a better discount, including a 30% discount on the Panasonic Toughbook CF-33 in the configuration that best serves the Police Department.

Staff has concluded that the Toughbook CF-33s from Keltek, Inc. offer the following benefits:

1. The Toughbook CF-33 is the best choice for an in-car laptop commuter for the Police Department both in terms of functionality and value.
2. The negotiated price offers a good value for the City.
3. The quote includes all equipment and services necessary to acquire and install the new Toughbooks in one package – an important element should there be any issues with performance of the new equipment.
4. Keltek, Inc of Baxter, IA has the resources and ability to complete the installation in a timely manner. Another important element as the current computers continue to age.

**Funding for this purchase is available through a depreciation account and has been budgeted in the current fiscal year.**

**ALTERNATIVES:**

1. Waive the City's purchasing policy requirement and extend the dollar amount for the use of State of Iowa cooperative agreement and award a contract to Keltec, Inc., Baxter, IA for the Panasonic Toughbook CF33s from under the State of Iowa Master Pricing Agreement in the amount of \$67,646.55.
2. Do not approve the Police Department's request to purchase Panasonic Toughbook CF33s through Keltec, Inc.

**MANAGER'S RECOMMENDED ACTION:**

In-car computers are a critical piece of equipment in the Police Department's vehicles. The Panasonic Toughbook has demonstrated history of quality and reliability. The staff believes that the quote provided by Keltek, Inc., which includes all equipment and installation, under the State of Iowa Master Pricing Agreement is appropriate and reasonable.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby waiving the City's purchasing policy requirement and extend the dollar amount for the use of State of Iowa cooperative agreement and award a contract to Keltec, Inc., Baxter, IA for the Panasonic Toughbook CF33s from under the State of Iowa Master Pricing Agreement in the amount of \$67,646.55.

**COUNCIL ACTION FORM**

**SUBJECT: FLEET REPLACEMENT PROGRAM – PARKS AND RECREATION  
 MAINTENANCE LANDSCAPING TRACTOR REPLACEMENT**

**BACKGROUND:**

The City has one landscaping tractor with front loader and pull-behind box scraper. This tractor is in service to the Maintenance Division of the Parks and Recreation Department. The existing tractor is used for landscaping preparation at project sites, light construction, and maintenance tasks at City parks. The existing tractor, a 1999 John Deere model 210LE is due for replacement this fiscal year. Specifications for a replacement tractor equipped with front loader and pull-behind box scraper were developed and sent out for bids. The tractor will be delivered to the City of Ames after July 1, 2018.

Bids were received from dealers as follows:

<b>Bidder</b>	<b>Make</b>	<b>Model</b>	<b>Year</b>	<b>Base Bid</b>
Titan Machinery of Des Moines, IA	Case	590 SN	2018	\$84,035
<b>Murphy Tractor &amp; Equipment of Des Moines, IA</b>	<b>John Deere</b>	<b>210 L</b>	<b>2018</b>	<b>\$95,500</b>
Ziegler Caterpillar of Altoona, IA	CAT	430 F2	2018	\$98,300

**The low bid from Titan Machinery was evaluated and determined that it does not meet the City’s minimum specifications for this bid because it did not include one-handed operation, four-wheel drivetrain operation, lighting, and gauges as specified.** The bid from Murphy Tractor and Equipment does meet the minimum specifications and is an acceptable bid in the amount of \$95,500.

As part of this bid, the vendors have offered to take the City’s existing 1999 John Deere tractor in trade.

<b>Bidder</b>	<b>Trade-in offer</b>
Titan Machinery of Des Moines, IA	\$10,000
<b>Murphy Tractor &amp; Equipment of Des Moines, IA</b>	<b>\$15,000</b>
Ziegler Caterpillar of Altoona, IA	\$10,000

**Funding is available for this purchase as follows:**

Funding available on 4/1/18 from escrow for tractor	\$ 90,675
Funding available on 4/1/18 from escrow for box scraper	\$ 6,769
Trade-in from Murphy for the City's JD 210 LE	\$ 15,000
<b>Total available funds</b>	<b>\$112,444</b>

**ALTERNATIVES:**

1. Approve and award this contract to Murphy Tractor and Equipment, Des Moines, IA for a John Deere 210L and box scraper in the amount of \$95,500 and accept Murphy's trade-in offer of \$15,000 for the City's 1999 John Deere 210 LE.
2. Reject award of bid.

**MANAGER'S RECOMMENDED ACTION:**

The Director of Fleet Services and Parks staff agree the John Deere tractor with loader and pull behind box scraper from Murphy Tractor and Equipment of Des Moines, Iowa, meets the City's needs as specified. Purchasing this equipment and accepting the trade-in offer will provide the best and most economical equipment.

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

**COUNCIL ACTION FORM**

**SUBJECT: PEBBLE LIME PURCHASE FOR WATER TREATMENT PLANT**

**BACKGROUND:**

Pebble lime is used in the water treatment process to remove water hardness. Almost 3,000 tons are used annually and it is the largest chemical cost for the Water Plant. The contract period starts July 1, 2018 and continues through June 30, 2019.

On April 18, 2017, the bids shown below were received for fiscal year 2017/18. That contract was awarded to Graymont Western Lime, Inc., and contained an optional extension for fiscal year 2018/19.

BIDDER	Initial Cost 7/1/17 – 7/30/18		Optional Extension 7/1/18-6/30/19	
	Price Per Ton	Estimated Total Cost	Price Per Ton	Estimated Total Cost
Graymont Western Lime Inc. West Bend, WI	\$156.00	\$468,000	\$160.00	\$480,000
Mississippi Lime Company St. Louis, MO	\$212.40	\$637,200	\$221.00	\$663,000
Lhoist North America of Missouri, Inc. St. Genevieve, MO	\$261.39	\$784,170	No bid	

The total estimated cost in the table above is for an estimated quantity of 3,000 tons per 12-month period. Actual usage will depend on water quality and consumption. The FY 2018/19 operating budget estimates 2,950 tons at \$160 per ton for a total of \$472,000.

**ALTERNATIVES:**

- 1) Approve the contract extension for the purchase of pebble lime with Graymont Western Lime Inc. of West Bend, WI. This extension will provide lime at \$160.00 per ton for FY 2018/19.
- 2) Do not extend the existing contract and attempt to obtain the required services on an as-needed basis.

**CITY MANAGER’S RECOMMENDED ACTION:**

Acquiring an adequate supply of pebble lime is essential for the established water softening process at the City's Water Treatment Plant. Graymont Western Lime Inc. has demonstrated the ability to dependably provide this product at a competitive price, and rates are already set for FY 2018/19 through the contract extension.

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



**COUNCIL ACTION FORM**

**SUBJECT: CONTRACT AWARD FOR FY 2018/19 CONCRETE CRUSHING**

**BACKGROUND:**

This contract is for crushing concrete for the 2018/19 fiscal year. Salvaged and stockpiled concrete from various street projects will be crushed into various sizes to be reused for other projects. The estimated total cost is based on 8,000 tons.

The following bids were received on February 21, 2017. The contract contained an optional extension provision for subsequent years, and was awarded to Reilly Construction Co., Inc. The contract extension for FY 2018/19 contained no cost increase for the per/ton rate.

<b><u>BIDDER</u></b>	<b><u>TOTAL EST. COST</u></b> (FY 2017/18)	<b><u>OPTIONAL EXTENSION</u></b> (FY 2018/19)
Reilly Construction Co. Inc., Ossian, IA	\$51,000	\$51,000
Bushman Excavating Inc., Fairfax, IA	\$53,000	\$53,000
Maxim Trucking & Crushing, Pella, IA	\$62,000	\$65,000

**ALTERNATIVES:**

1. Approve the contract extension for FY 2018/19 concrete crushing to Reilly Construction Co., Inc., Ossian, IA, in the amount of \$51,000.
2. Do not approve the contract extension and attempt to obtain the required services on an as-needed basis.

**MANAGER'S RECOMMENDED ACTION:**

The approved FY 2018/19 operating budget for the Public Works Department includes \$50,000 for concrete crushing. The estimated cost of this contract, based on a quantity of 8,000 tons, is \$51,000. If usage exceeds the budgeted amount, the operating budget will be amended using savings from the curb and gutter program.

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



CITY OF  
Ames™

*Caring People ♦ Quality Programs ♦ Exceptional Service*

# MEMO

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

**From:** City Clerk's Office

**Date:** April 24, 2018

**Subject:** Contract and Bond Approval

There are no Council Action Forms for Item Nos. 31 through 38. Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr

**COUNCIL ACTION FORM**

**SUBJECT: BOILER MAINTENANCE SERVICES CONTRACT FOR POWER PLANT– CHANGE ORDER NO. 2**

**BACKGROUND:**

This contract consists of a variety of boiler and pressure vessel maintenance, including structural steel and pressure vessel repair. This consists of emergency service, as well as regularly planned repairs and services during scheduled outages.

On June 27, 2017, Council approved a contract renewal with TEI Construction Services, Inc., Duncan, SC, for the one-year period from July 1, 2017, through June 30, 2018 in the amount not to exceed \$210,000. Council previously approved a \$350,000 change order to increase the amount of funds in the current fiscal year contract. That action was needed to cover funding needed for the Unit #8 spring outage, since greater tube wastage occurred since the original contract was awarded.

**Plant outages, resulting from boiler tube failure, have caused staff to use more funding than what was originally anticipated for emergency repairs. The action being requested is to approve Change Order No. 2 to the Boiler Maintenance Services Contract.** This change order will add an additional \$125,000 to the current contract for FY2017/18. This will bring the total contract amount to \$685,000.

The amount of boiler tube repair required to date is much more than what was expected and the funds have been exhausted. Without this change order there will not be adequate funding authorization to complete planned boiler work during the Plant's current spring outage, as well as possible future unplanned/emergency boiler repairs needed during the remaining months of this current contract term. **Additional funds authorized in this change order will not be spent unless needed.**

The \$210,000 for the original contract was approved in the FY2017/18 Power Plant operating budget for Electric Production. Funding in the amount of \$350,000 to cover Change Order No. 1 came from Unit 7 and Unit 8 Boiler Maintenance accounts. Under this same Boiler Maintenance account, the City Council had approved a different Purchase Order with Pro Energy, another general boiler maintenance company, in an amount of \$425,000. The Pro Energy Purchase Order was closed which allowed staff the ability to reallocate the unspent dollars to cover Change Order No. 1.

Funding for Change Order No. 2 will come from the Power Plant Miscellaneous Operations account. Money in that account that was allocated to update the Computer Maintenance Management Software (CMMS) will now be used to fund this change order. Plant staff will now plan to perform the software update next fiscal year.

**ALTERNATIVES:**

1. Approve contract Change Order No. 2 with TEI Construction Services, Inc., Duncan, SC for the Boiler Maintenance Services Contract for Power Plant in the not-to-exceed amount of \$125,000. This will bring the total FY2017/18 contract value to a not-to-exceed amount of \$685,000.
2. Do not approve this change order.

**CITY MANAGER'S RECOMMENDED ACTION:**

This change order is necessary to complete the larger number of boiler repairs that were needed during the current spring outage, as well as to ensure a qualified professional firm can respond to both scheduled and emergency needs for boiler repair and maintenance. Funds will be expended only as work is required and in accordance with approved invoices.

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

**COUNCIL ACTION FORM**

**SUBJECT:** PLAT OF SURVEY FOR 202, 212 LINCOLN WAY & 111 SHERMAN AVENUE.

**BACKGROUND:**

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or conveyance parcels in order to create a parcel for development purposes. A plat of survey is allowed by Section 23.309 as a boundary line adjustment for the purpose of consolidating parcels.

**This plat of survey is for a proposed consolidation of three existing platted lots for property owner Mildred E. Ely.** (See Attachment A - Location Map). The proposed "Parcel E" includes Lot 1, 2 and 3 of Blacks Addition Block 2, addressed as 202 and 212 Lincoln Way and 111 Sherman Avenue with a total of 32,226 square feet (0.74 acres). Lots 1 and 2 is the location of an existing vacant commercial building that straddles the two existing lots (formerly occupied by Goodyear) that is planned for demolition. All three existing lots are currently zoned as Highway-Oriented Commercial (HOC). The current building has a conforming front yard and side yard setback that are unaffected by the consolidation of the three lots.

Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extend across a property. The proposed parcel meets the requirements of having infrastructure in place to serve the proposed development, as outlined in the Subdivision Code, and does not necessitate further extension of public infrastructure.

The proposed parcel lies within the current Development and Demolition Overlay moratorium area. However, the moratorium does not affect the platting of lots and the plat of survey can be approved during the moratorium period.

Approval of this plat of survey will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

**ALTERNATIVES:**

1. The City Council can adopt the resolution approving the proposed plat of survey.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

Staff has determined that the proposed plat of survey satisfies all Code requirements for the consolidation of properties at 202, 212 Lincoln Way & 111 Sherman Avenue, owned by the Mildred E. Ely, for the boundary line adjustment for the existing lots and has made a preliminary decision of approval. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM  
PLAT OF SURVEY FOR 114 SOUTH DUFF AVENUE**

Application for a proposed plat of survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.310)
- Auditor's plat (per Code of Iowa Section 354.15)

The site is located at:

Owners: Mildred E. Ely

Existing Street Addresses: 202, 212 Lincoln Way & 111 Sherman Avenue

Assessor's Parcel #: 0911126040, 0911126050, 0911126030

New Legal Description: See attached Plat of Survey – Parcel 'E'

**Public Improvements:**

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

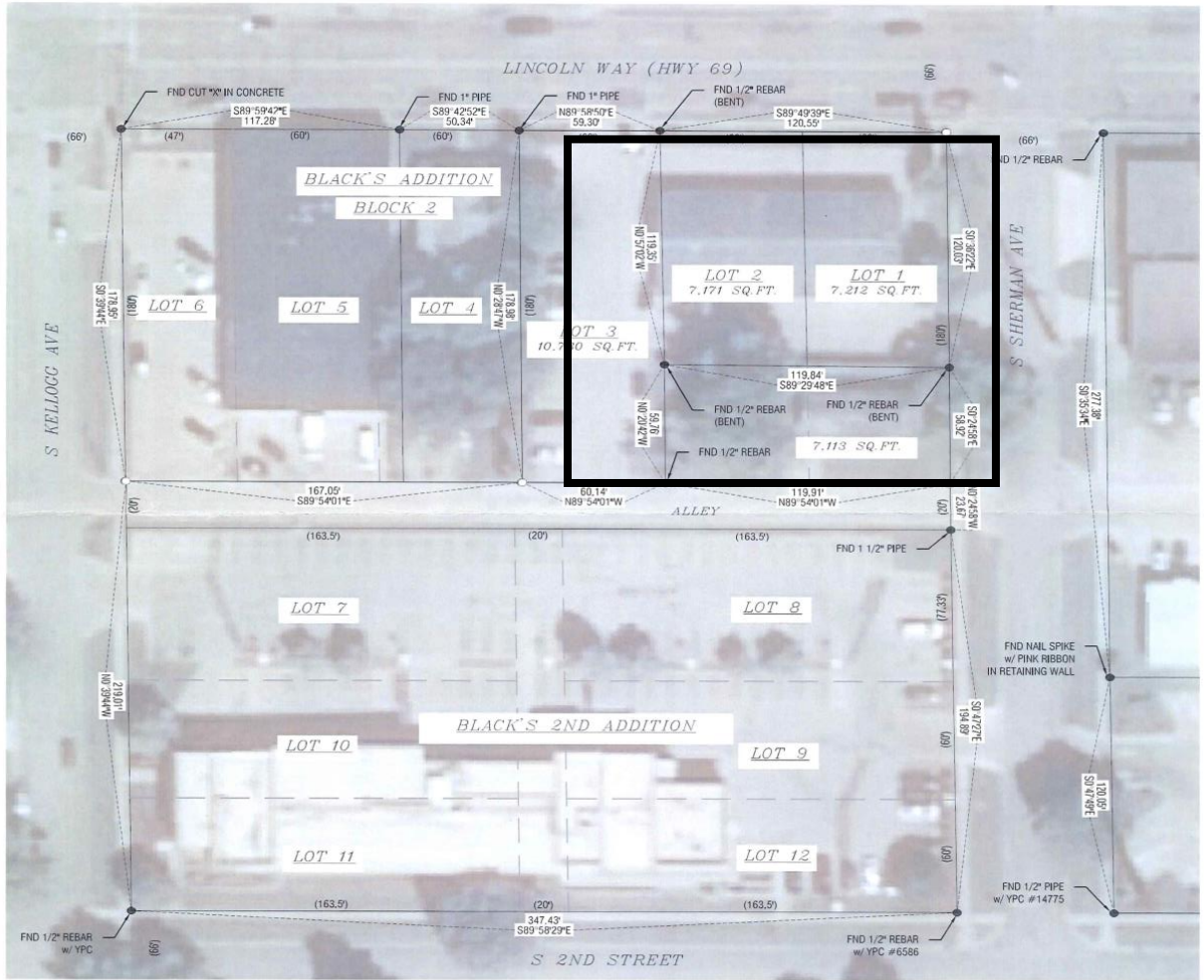
- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable.

Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

# ATTACHMENT A- CURRENT CONDITIONS

## EXISTING PLAT OF SURVEY LINCOLN WAY CAR WASH

INDEX LEGEND	
LOCATION:	ALL OF LOTS 1, 2, AND 3 IN BLOCK 2, BLACK'S ADDITION TO AMES, STORY COUNTY, IOWA
PROPRIETOR:	ELY'S 202 LINCOLN WAY PROPERTY, LC
SURVEY REQUESTED BY:	RANDY MUMM
FIELD WORK COMPLETED:	3/10/2018
SURVEY PREPARED BY:	CLAPSADDE-GARBER ASSOCIATES, INC.
RESPOND TO:	16 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50158 PHONE 641-752-6701 JHARRIS@CGACONSULTANTS.COM



**DESCRIPTION**  
 LOTS 1, 2 AND 3, INCLUDING THE SOUTH 60' OF LOTS 1 AND 2 ALL IN BLOCK 2 OF BLACK'S ADDITION TO CITY OF AMES, IOWA OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5th P.M., STORY COUNTY, IOWA.

**NOTE:**  
 ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

LEGEND:	
▲	GOVERNMENT CORNER MONUMENT FOUND
△	GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/BUE PLASTIC ID CAP #22259
●	PARCEL OR LOT CORNER MONUMENT FOUND
○	SET 1/2" x 30" REBAR w/BUE PLASTIC ID CAP #22259
( )	RECORDED AS

SCALE 1" = 50'

**CGA**

Clapsadde-Garber Associates, Inc.  
 16 East Main Street  
 Marshalltown, Iowa 50158  
 Ph 641-752-6701  
 www.cgaconsultants.com

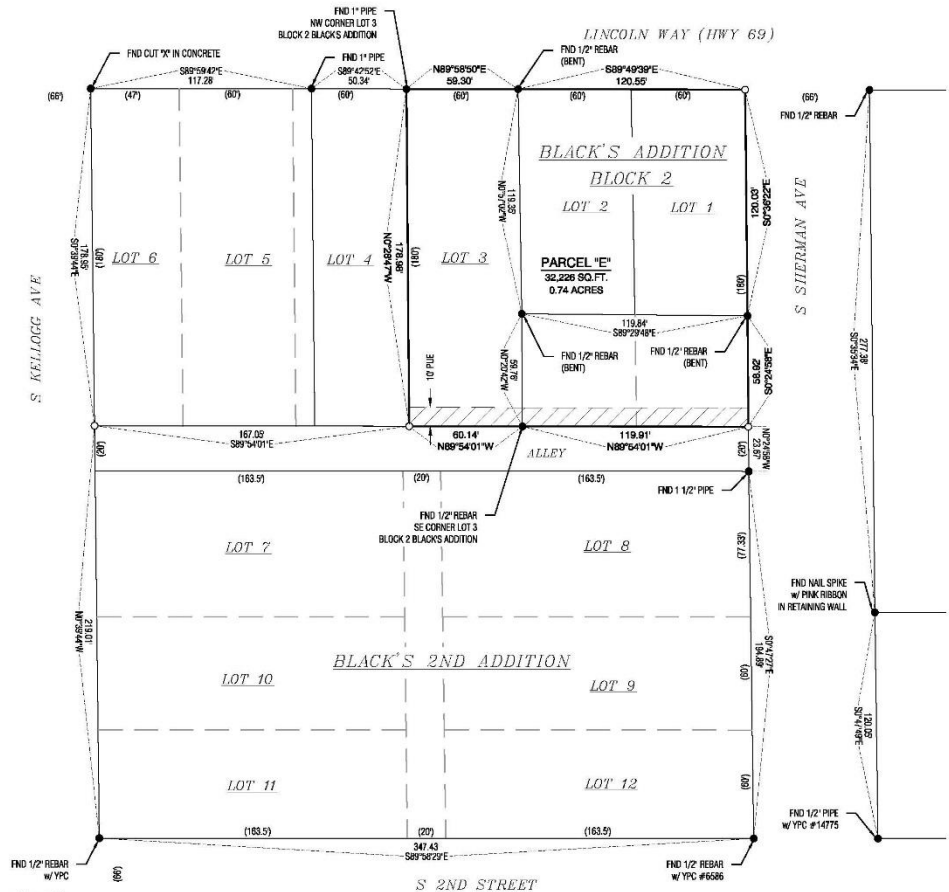
DRAWN	SHEET NO.
RWA	1
DATE	PROJECT NO.
3-12-2018	5688.05



# ATTACHMENT B- PLAT OF SURVEY

## PLAT OF SURVEY

INDEX LEGEND	
LOCATION:	ALL OF LOTS 1, 2, AND 3 IN BLOCK 2, BLACK'S ADDITION TO AMES, STORY COUNTY, IOWA
PROPRIETOR:	ELY'S 202 LINCOLN WAY PROPERTY, LC
SURVEY REQUESTED BY:	RANDY MUMM
FIELD WORK COMPLETED:	8/10/2018
SURVEY PREPARED BY:	CLAPSADDE-GARBER ASSOCIATES, INC.
RESPOND TO:	TRAVIS STEWART
	110 EAST MAIN STREET, P.O. BOX 754, MARSHALLTOWN, IOWA 50198 PHONE 641-752-6701 TSTEWART@CGACONSULTANTS.COM



**DESCRIPTION**  
 PARCEL "E" LOCATED ENTIRELY WITHIN LOTS 1, 2 AND 3, INCLUDING THE SOUTH 60' OF LOTS 1 AND 2 ALL IN BLOCK 2 OF BLACK'S ADDITION TO CITY OF AMES, IOWA OF SECTION 11, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5th P.M., STORY COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1 OF BLOCK 2, BLACK'S ADDITION AND RECORDED IN BOOK E, PAGE 1 IN THE OFFICE OF THE RECORDER, STORY COUNTY, IOWA; THENCE, S0°36'22"E 120.03' ALONG THE EAST LINE SAID LOT 1 TO THE NORTHEAST CORNER OF THE SOUTH 60' OF SAID LOT 1; THENCE, S0°24'59"E 68.82' ALONG THE EAST LINE OF SAID SOUTH 60' OF LOT 1 TO THE SOUTHEAST CORNER OF SAID SOUTH 60' OF LOT 1; THENCE, N89°54'01"W 119.91' ALONG THE SOUTH LINE OF SAID SOUTH 60' OF LOTS 1 AND 2 TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE, N89°54'01"W 60.14' ALONG THE SOUTH LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE, N0°28'17"W 178.86' TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE, N89°58'50"E 69.30' ALONG THE NORTH LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE, S89°49'39"E 120.65' ALONG THE NORTH LINE OF SAID LOTS 1 AND 2 TO THE POINT OF BEGINNING, CONTAINING 32,226 SQ.FT. OR 0.74 ACRES. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

THE AMES CITY COUNCIL APPROVED THIS PLAT OF SURVEY ON \_\_\_\_\_, 2018 WITH RESOLUTION NUMBER \_\_\_\_\_, I CERTIFY THAT IT CONFORMS TO ALL CONDITIONS OF APPROVAL \_\_\_\_\_ PLANNING & HOUSING DIRECTOR

**NOTE:**  
 ALL BEARINGS ARE THE RESULT OF G.P.S. OBSERVATIONS.

<b>LEGEND:</b> ▲ GOVERNMENT CORNER MONUMENT FOUND △ GOVERNMENT CORNER MONUMENT SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17182 ● PARCEL OR LOT CORNER MONUMENT FOUND ○ SET 1/2" x 30" REBAR w/ORANGE PLASTIC ID CAP #17182 ( ) RECORDED AS			LINCOLN WAY CAR WASH INTEGRATED SURVEY STORY COUNTY	I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Iowa.  Travis R. Stewart, PLS _____ date _____ Iowa License Number 17182 My License Renewal Date is December 31, 2019 Pages or sheets covered by this seal: THIS SHEET	
			CGA Clapsadde-Garber Associates, Inc. 110 East Main Street Marshalltown, Iowa 50198 PH 641-752-6701 www.cgaconsultants.com		
DRAWN: CAQ SHEET NO. 1 DATE: 4-05-2018 PROJECT NO. 5688.05					

## Staff Report

**DOWNTOWN GATEWAY COMMERCIAL ZONING DISTRICT STANDARDS AND  
NONCONFORMITIES**

April 24, 2018

**BACKGROUND:**

The Downtown Gateway area is a Focus Area for redevelopment identified within the Lincoln Way Corridor Plan. The Downtown Gateway area is generally described as property on the north and south side of Lincoln Way extending from Grand Avenue to Duff Avenue (Attachment 1-Focus Area Boundary). The Corridor Plan identified redevelopment and repositioning of commercial properties in the market place to support a transition to more intense and urban development. To facilitate this desired change of the area, staff believes allowing for mixed-use residential development and reductions in parking requirements are beneficial. Additionally, any new zoning would need to strike a balance between accommodating commercial uses in traditional one and two-story buildings while allowing for multi-story redevelopment that includes housing versus mandating multi-story development for all sites.

Staff proposes a new special purpose zoning district for the Downtown Gateway Focus area. The proposed zoning is a new district for the City and is not an overlay of the existing Highway Oriented Commercial (HOC) zoning district or Downtown Service Center (DSC) zoning district. The proposed special purpose district includes standards based upon site size and proposed uses with specific street frontage orientation and building requirements. The allowed uses are similar to those of the DSC zoning district rather than the Highway Oriented Commercial zoning district. The proposed changes create new categories of nonconformities for certain existing uses, site improvements regarding parking, and for the design/setbacks of structures in some circumstances. A complete description of the proposed standards is included in the addendum and the original draft ordinance is Attachment 2.

**City Council first reviewed the proposed Downtown Gateway Commercial zoning standards at its March 6<sup>th</sup> meeting at a public hearing on adopting an ordinance for the new standards. At the March 6<sup>th</sup> meeting the City Council requested information on nonconformities within this Focus Area and for information regarding effects on a property with a nonconforming status. Additionally, City Council wanted information regarding the difference between a Pre-existing and Nonconformity status.**

Staff has prepared an inventory of existing and proposed conditions for all 70 properties zoned DSC and HOC within the Focus Area. (Attachments 3- Nonconformity Inventory; Attachment 4- Nonconformity Maps; Attachment 5- Table Comparing Zoning Standards) Staff inventoried current uses, structures, and site improvements for conformance to zoning requirements. Staff estimates that 55 properties (78% of the total properties)

currently have a nonconformity for one or more zoning standards. With the proposed DGC zoning, 62 properties would have a nonconformity for a total of 88% of the properties. **The primary reason for the increase in nonconformities is the prohibition of Vehicle Service Facilities and the changes to the standards for parking.** A more complete explanation of the nonconformity inventory is included within the Addendum. The following table summarizes the findings by zoning district and relevant standard.

**Summary of Focus Area Properties with Nonconformities**

Zoning District	Properties	Nonconforming Use	Nonconforming Structure	Nonconforming Site Development/Other
DSC Zoning	15	1(6%)	14 (93%)	3 (20%)
HOC Zoning	55	7 (13%)	26 (47%)	28 (50%)
Proposed DGC Zoning	70	15 (21%)	22 (31%)	56 (80%)

**Nonconformities are allowed to continue with no requirement for changes to the current use, structures, or site improvements. However, when a property has a nonconformity there are restrictions on alterations to the use and site.** Staff has prepared a Frequently Asked Questions document to address the most common questions regarding nonconformities, including Zoning Ordinance references. (Attachment 6-FAQ)

The following summarizes the primary issues for nonconformities:

- Once a nonconformity is changed to a more conforming situation, it cannot revert to a nonconformity
- A nonconforming use cannot be expanded and increased in intensity of use
- If a nonconforming use ceases to operate, it could be deemed abandoned after 12 months and not permitted to be reestablished (*There is an appeal process to the ZBA for this determination*)
- Nonconforming uses and structures can be maintained and are allowed to be remodeled
- Nonconforming structures with a permitted use can be expanded in compliance with the current zoning standards and allow for the current nonconformity to persist
- If a nonconforming structure is damaged less than 70% of its assessed value it can be rebuilt in its previous configuration
- If a nonconforming structure is damaged more than 70%, it can be rebuilt subject to approval of a Special Use Permit by the Zoning Board of Adjustment
- A nonconforming structure or use cannot be demolished/removed and then replaced in kind
- Nonconforming site improvements, such as parking and landscaping, are required to be improved as practical at the time other improvements are made to a site. Practical improvements take into account the scope of the changes and ability to make improvements without causing new nonconformities.

The City of Ames also has a defined term of “Pre-existing” that is distinguished from a nonconforming use. **Pre-existing is a term that has been applied to certain uses that were previously permitted uses, but are no longer allowed to be established as a new use. A Pre-existing designation considers the use as permitted with no restrictions on changes to its intensity of use, other than comply with current zoning standards for the site.** However, if a Pre-existing use is discontinued for 12 months or more, the use cannot be reestablished. This is similar to the abandoned standard of a nonconforming use.

### **OPTIONS:**

**Staff believes the primary nonconformity issues related to the proposed DGC zoning are the creation of nonconforming uses for properties, such as Vehicle Service Facilities, and secondly site improvement standards related to parking, both in quantity and location.**

### **Nonconforming Uses**

**Option 1. Prohibit uses for Warehouse, Funeral Home, Vehicle Service Facilities consistent with the proposed DGC zoning ordinance.**

The proposed standards create new restrictions on certain uses that are viewed as incompatible with the vision for changes to the area that includes increased commercial activity with pedestrian oriented design features and potentially residential uses. **Staff believes prohibiting such uses and creating a nonconformity status for the uses is consistent with the vision for the area.**

With a nonconforming status the current businesses would be allowed to continue to operate, but would have limits on expanding the use. They would have options to remodel and make other improvements to their sites consistent with zoning standards. The proposed use limitations for DGC zoning are more consistent with current DSC zoning uses than the HOC zoning uses.

**Option 2. Modify the proposed DGC zoning ordinance to designate Vehicle Service Facilities as a pre-existing use.**

Allowing for Pre-existing vehicle facilities would prohibit any new such use into the area. The Pre-existing designation would allow for changes and reuse of the property with the specific Pre-existing use if the use does not cease to operate for more than 12 months. The Pre-existing designation would allow existing businesses to expand or change their use consistent with current zoning standards. This option precludes new uses that are not compatible with the area from being located in the area, however, it does not encourage the change of the use to a conforming use. Funeral Homes could continue to be a Special Use Permit use to be evaluated on a case by case basis. This option is more consistent with use allowances of HOC zoning compared to DSC zoning.

### **Option 3. Create Vehicle Service Facilities and other proposed nonconforming uses as requiring a Special Use Permit.**

This option would allow for existing uses to continue to operate, but any changes would be subject to approval of a Special Use Permit to determine compatibility of the use. This designation would also allow for new uses to be established subject to approval of Special Use Permit.

The Special Use Permit would allow for a case-by-case review to determine compatibility with the surroundings and consistency with the purpose of the zoning district. This option would be appropriate if the primary concern was the design or configuration of the use on a site and not the type or nature of the use. If it is unlikely a Special Use Permit could be approved in the area for the use no matter the configuration, it would not be appropriate to use the Special Use Permit designation. If there are specific design expectations, it is also better to include them as zoning standards than through the use of the Special Use Permit process. This approach is a hybrid of allowing potentially for expansion of or changes to certain uses, but allowing for case-by-case review.

#### **Minimum Parking Requirements**

The proposed DGC zoning includes parking standards similar to HOC zoning, however this is different than DSC zoning for the 15 properties along Kellogg. No parking is required for commercial uses along Kellogg. The expectation is that redevelopment of the area would require provision of some parking on site or through a remote parking arrangement.

### **Option 1. Require commercial parking for all properties within the DGC zoning.**

Commercial parking could be required as proposed in the draft zoning standards to ensure a minimum level of parking is available for the redevelopment and intensification of the site.

### **Option 2. No parking required for development along Kellogg.**

If City Council has a concern about requiring parking for commercial uses along Kellogg, a parking waiver or reduction policy could be added to the DGC zoning reflecting the intent for Main Street style development along Kellogg.

#### **Parking Location (Between Building and the Street)**

One of the primary drivers for site improvement nonconformity is the requirement that parking no longer be allowed between the building and the street. This type of zoning standard requires parking to be to the side of a building or behind a building. Current HOC zoning has no prohibition of parking between a building and a street, only that the front yard landscaping is provided along the street frontage. Existing sites with parking between the building and the street could continue to keep their parking in its current configuration until such time as the property redevelops. Due to the “improve as practicable” standard for parking nonconformities, reconstruction of a parking lot may

also be allowed subject to site development plan review if the building is not part of the redevelopment.

**Option 1. Restrict parking between the building and the street.**

City Council can provide direction on having a parking location standard with the understanding that many sites may be able to reuse their nonconforming parking lot configuration, but would not be able to fully redevelop in the same manner.

**Option 2. Allow parking between a building and the street, with the exception of Kellogg.**

City Council could provide direction to eliminate the proposed standard that restricts parking between the building and the street if it has concerns about the impact on redevelopment of standalone commercial properties. In many circumstances parking is already nonconforming due to lack of landscaping or other design requirements. Most reuse will be subject to the “improve as practicable standard” if there is not full scale redevelopment of a site.

**STAFF COMMENTS:**

The proposed DGC zoning standards are an attempt to address the flexible design options for a wide range of uses, site sizes, and design priorities for different street frontages within the Downtown Gateway Area. The tradeoff of this approach is less predictability on final outcomes as many decisions on design will not be complete until final approval of a project. With the flexibility there are still ramifications for current sites that are nonconforming that may desire to make incremental changes rather than fully redevelop a site. Related to the discussion of the standards is the potential boundary of the rezoning area to DGC. Options regarding potential rezoning boundaries are included in a separate report.

Staff needs direction from the Council on how to address the primary concerns raised about nonconformities, including uses, structures, and site improvements. **Staff believes that will the information provided about nonconformities most property owners and business would be minimally affected by the changes as they would principally affect redevelopment of a site. The exception to this is the proposed changes to the Vehicle Service uses.**

With City Council’s direction on how to address the proposed development standards and permitted uses, staff can finalize a draft ordinance for City Council review on May 8<sup>th</sup>. With a first reading of new standards for the DGC zoning on May 8<sup>th</sup>, the ordinance would be adopted and effective prior to the end of June and before the end of the moratorium on July 2<sup>nd</sup>.

## Addendum

### Nonconformity Inventory

Staff conducted a review of the properties in the Downtown Focus area to evaluate the conformity of each parcel to both current zoning standards and the proposed Downtown Gateway Commercial standards. There are seventy parcels within the proposed Downtown Gateway Commercial (DGC) zoning district. Fifteen properties are zoned Downtown Service Center (DSC), all of which have frontage on Kellogg Avenue. The remaining fifty-five properties are zoned Highway Oriented Commercial (HOC). Attachment 3 is the inventory by address and zoning of each property.

Staff identifies three types of nonconformities for each property: Nonconforming Uses, Nonconforming Structure, and Nonconforming Site Development/Other. Section 29.307 of the Zoning Ordinance describes each nonconformity and the standards that apply to each circumstance. A use nonconformity would be if a use exists on a parcel that is not permitted by the applicable zoning district. A structure nonconformity is any building requirement of the zoning district that is not met, such as setbacks, floor area ratio (FAR), minimum and maximum building height, building coverage percentage, and number of stories of a building. Site development/other nonconformity would include issues not related to use or the structure, such as landscaping, parking lot design, parking lot landscaping, parking stall quantity.

The three maps (**Attachment 4**) represent each nonconformity type. The nonconforming use map identifies eight uses as nonconforming under current DSC and HOC zoned properties. Two of the nonconforming use types do not meet the location requirements of the zoning code, Adult Entertainment Business and Delayed Deposit Services. Additionally, there are two residential household living uses, janitorial services, dry cleaning, and warehouse uses that are nonconforming. Under the proposed zoning, the mini-storage and vehicle service facilities (car wash, gas stations, and automotive repair) would become new nonconforming uses. The total properties with nonconforming uses under DGC zoning would be 21%.

### **Summary of Focus Area Properties with Nonconformities**

<b>Zoning District</b>	<b>Properties</b>	<b>Nonconforming Use</b>	<b>Nonconforming Structure</b>	<b>Nonconforming Site Development/Other</b>
<b>DSC Zoning</b>	15	1 (6%)	14 (93%)	3 (20%)
<b>HOC Zoning</b>	55	7 (13%)	26 (47%)	28 (50%)
<b>Proposed DGC Zoning</b>	70	15 (21%)	22 (31%)	56 (80%)

Nonconforming structures are structures that do not meet minimum building requirements, such as setbacks or height. The majority of the properties on Kellogg Avenue are nonconforming as DSC zoned buildings that are one-story where the zoning requires a minimum of two stories and minimum floor area ratio (FAR) of 1.0. For HOC zoning the nonconformities are typically related to building setbacks from side or rear

property line. Overall, when evaluating properties against the current DSC and HOC zoning and the proposed DGC zoning, the amount of nonconforming structures decreases to thirty-one percent under the proposed DGC zoning. This is mostly a result of decreased setbacks on all sides of a property in the proposed DGC zoning and no minimum FAR requirements. Buildings along Kellogg that are one story would continue to be nonconforming under the proposed DGC zoning.

The site development/other nonconformities mostly consist of parking deficiencies. These deficiencies include inadequate minimum parking spaces, parking in the front yard without front landscaping, paved parking, overall design and landscaping of the parking area. There is an increase in number of nonconformities of this type with the proposed DGC zoning district. Site Development/other nonconformities increase from forty-four percent to eighty percent. The main reason for this increase is because parking would not be allowed between the building and street for most streets in the DGC district, such as Kellogg and Lincoln Way. The other change is the requirement for parking for the 15 properties current zoned DSC. The proposed zoning does require parking making these uses nonconforming that have no parking on site.



## **Proposed Downtown Gateway Commercial Zoning Standards**

The proposed draft ordinance from March 6<sup>th</sup> is included as Attachment 2.

### **Uses**

Allowed uses are intended to be a more focused set of commercial uses compared to the HOC zoning district. **The allowed uses principally include office, retail sales and services, restaurant, recreation, and entertainment uses.** The intent behind the list of allowed uses is to focus on the desired commercial uses while helping to insure compatibility with any future residential that could be added to the area.

**The proposed zone will prohibit the following uses that are permitted in the HOC zoning district: vehicle service facilities (gas stations and auto repair), vehicle sales, college and university, lodges and social clubs, catering establishments(primary use), medical centers, wholesale trade, detention facilities, sports practice facilities, and mini-warehouse. By prohibiting these uses it would preclude new establishments and also make existing uses non-conforming.** For example, a gas station that exists today would become nonconforming and be allowed to continue to operate as is, but they would be unable to expand or if they cease to operate it could not be restarted.

**Drive through windows and pickup areas are also restricted within the proposed zoning standards.** Drive through uses are not precluded in their entirety, but would have separation requirements. The proposed spacing standard is for no more than one drive through use per Lincoln Way street block face and no drive through uses are permitted along Kellogg Avenue. A drive through would be precluded if any part of the property had frontage along a block face of Lincoln Way that already has a drive through use, regardless of the ingress/egress to the site. The drive through limitation would apply to any type of use, fast food, banks, pharmacies, etc.

**Residential uses for short-term lodging are permitted as a standalone use; however, household living may only be established as part of a mixed-use development.** Major Site Development Plan review is required for any residential mixed-use development. No density standard will apply to the residential development for either a minimum or maximum. The goal is to promote smaller units at higher density and to allow for a limited number of larger units. No more than 25 percent of the total units in a development may exceed two bedrooms. No dwelling units shall exceed four bedrooms.

The proposed zoning standards do not prescribe a minimum total commercial square footage requirement in combination with mixed-use buildings. Specific tenant spaces sizes, orientation, and total square footage in a project will need to be evaluated on a case-by-case basis to determine if a proposed mixed-use design achieves the goals of the Corridor Plan for commercial first development plans that enhance the commercial options for the city and are complimentary to Downtown.

### **Parking**

**The proposed commercial standards are a hybrid of standard parking requirements and the reduced parking standards of Downtown Service**

**Commercial.** Staff did incorporate parking minimums for the district due to the lack of public parking in the immediate area and the desire to ensure that the commercial development was viable for a large range of uses. The proposed parking modifies commercial parking standards by reducing parking for larger sites to promote shared and common parking areas, principally for bar and restaurant uses. Individually developed sites are subject to standard parking requirements for commercial uses. Staff also added a fast food parking standard that is at 9 spaces per 1,000 square feet so as to not incent redevelopment with fast food establishments in this area.

The proposed requirement for commercial parking results in the 100 Block of Kellogg Avenue requiring parking compared the current DSC zoning where none is required. For the HOC zoned properties there is either no change or a potential reduction compared to current standards.

**Residential parking standards are also a hybrid of the standards used in other parts of the City.** The typical apartment standard is one parking space per bedroom. However, Campustown and Downtown only require one space per apartment regardless of the number of bedrooms. In an effort to incentivize smaller apartment units and to recognize the area is highly walkable with multiple transportation options, parking is reduced for smaller units. Staff believes this a balance of allowing for a variety of unit configurations while promoting construction of smaller apartment units.

Apartment	Parking Spaces Required
Studio	0.8 per unit
1 Bedroom	0.8 per unit
2 Bedroom	1.0 per unit
3 Bedroom	2.5 per unit
4 Bedroom	4.0 per unit

**The parking standards also permit additional reductions in parking through Major Site Development Plan approval.** There are allowances for shared parking, remote parking, and collective parking. Reductions of up to 25% of the commercial parking can be approved through these options. Another unique standard relates to allowing for residential to be utilized in a shared or collective parking situation when at least one parking space per dwelling unit is provided on site assigned to the residential use. Typically, shared use of residential parking spaces is not permissible in other zoning districts.

**The parking requirements include a bicycle parking standard for commercial uses. However, there are no mandatory bicycle parking standards for residential uses.** Staff believes that most new residential apartment development accommodates bicycle parking and does not believe a prescribed parking standard is needed. However, for commercial uses visitor parking is not typically addressed by developers. Staff proposes requiring a minimum of four bicycle rack parking spaces with each building and that larger buildings include additional parking. A reduction in vehicle

parking spaces can be accommodated with the provision of bicycle parking, with a maximum reduction of five vehicle parking spaces.

### Lot Standards

**The site development standards are intended to promote property aggregation to take advantage of increased development intensity compared to the current HOC zoning.** Existing sites and buildings will not become non-conforming based upon lot size. Existing sites may be used in their current configuration and buildings can be modified under the new standards. However, mixed-use residential development with reduced parking standards will only apply to larger scale sites.

Minimum Lot Size is 1 acre and 100 feet of frontage on a public street for redevelopment intensification standards. Lots less than 1 acre in size or with less than 100 feet of frontage are subject to a use restriction of commercial uses only and must comply with standard parking requirements. A 1 acre standard means that for almost all properties in the Gateway Area that at least one additional property will need to be combined with another parcel to get to the larger site size for mixed use development. For comparison, if the site size was set at 0.5 acres there would be approximately 22 out of 70 properties that could develop mixed use without property aggregation.

### Building Setbacks

The Downtown Gateway Area consists of a street hierarchy with primary streets of Lincoln Way, Kellogg Avenue, Clark Avenue, and Duff Avenue. Secondary streets include Washington Avenue, Sherman Avenue, Market Avenue, Commerce Avenue, and Gilchrist Street. Additionally there are alleys within most of the block areas. Staff proposes to differentiate setbacks based upon street type and intended design aesthetic for the blocks.

In most cases there are minimal setbacks required to either encourage a building to be built up to the street, as is the case along Kellogg Avenue, or to ensure a site is redevelopable when accounting for lot sizes and restrictions on where parking is permitted on a site. The greatest setback is planned along Lincoln Way. This is due to the intended larger scale of buildings along Lincoln Way and the intent to include widened sidewalks along with redevelopment due to the narrow right-of-way width for Lincoln Way. Setbacks for corner properties can be reduced through design review when the buildings include specific features supportive of a pedestrian design.

There are no proposed minimum side or rear setbacks required for redevelopment projects.

### Building Design

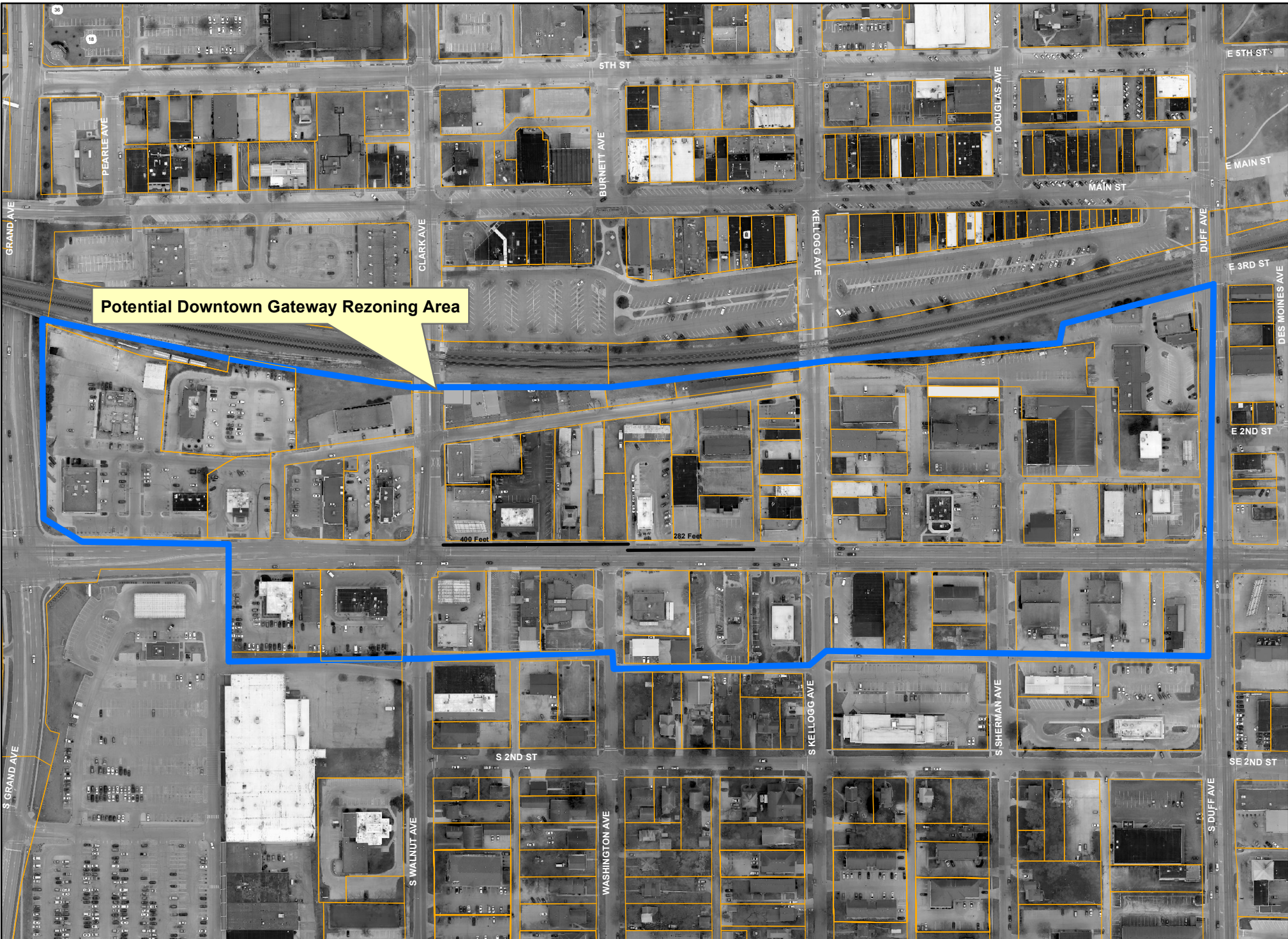
Due to the desired flexibility of uses and redevelopment options for the area, individual design standards are difficult to apply consistently through the district. The intent is to state base design standards and rely upon individual project review to ensure consistency with the overall design intent for the area. The Kellogg Avenue frontage has design preferences for storefront patterns of 25 feet for consistency with Main Street

buildings. However, due to design options to promote gathering areas and entertainment uses, alternative design approaches can be approved that include high activity spaces and pedestrian friendly design features at the ground floor. The other areas in the district do not require a storefront pattern.

Kellogg Avenue includes design standard to act as a transition to historic Downtown with a minimum of two-story buildings, architectural detailing, high levels of glazing, and the use of clay brick façade materials. There are no specified percentages for brick, but it is a required material for each building.

Properties with frontage on other streets do not have as many mandatory standards. The design standards do require façade variation and detailing with use of clay brick without a specified percentage.





Potential Downtown Gateway Rezoning Area

 Ames  
Geographic Information  
Services  
© City of Ames, Iowa makes no warranties, expressed or implied, including without limitation, any accuracy of measurements or fitness for a particular purpose. It is the user's sole responsibility to verify the use of this map.



# Attachment 1: Downtown Gateway Commercial Boundary

## Attachment 2: Draft Ordinance

### ORDINANCE NO.

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING NEW SECTIONS 29.1004 AND 29.1005 THEREOF, FOR THE PURPOSE OF DOWNTOWN GATEWAY COMMERCIAL ZONING; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting new Sections 29.1004 and 29.1005 as follows:

#### **Sec. 29.1004 "DGC" DOWNTOWN GATEWAY COMMERCIAL**

The Downtown Gateway Commercial Zoning District (DGC) is established to implement the vision and objectives of the Lincoln Way Corridor Plan and more specifically for the Downtown Gateway Focus Area.

The City of Ames finds that implementation of the DGC will facilitate redevelopment of the area consistent with the objectives of the Lincoln Way Corridor Plan and create new commercial retail, entertainment, and office uses that are a compliment to the Downtown area north of the Gateway Area. The Gateway Area is a commercial redevelopment area intended to promote an enhanced streetscape, commercial uses complimentary to the broader Downtown area with retail, entertainment, and employment, and in some situations the addition of mixed use residential development.

It is the purpose of the provisions of this Zoning District to promote public health, safety, and general welfare and define development procedures for obtaining the objectives of the Lincoln Corridor Plan with redevelopment of property within the District.

#### **1. Development Process**

Development or redevelopment of site is required to conform to this Chapter and the procedures of Article XV. The approval process within the District has been modified to address site size and the types of uses permitted on each site. A Building Design conformity finding is required with all Site Development Plans.

Major Site Development Plan review is required for mixed-use development. Mixed-use residential development requires a Major Site Development Plan to ensure the primary purpose of commercial development is accomplished in conjunction with the addition of housing. The Major Site Development Plan grants additionally flexibility for the configuration of a site and for the arrangement of uses. No Major Site Development Plan for Mixed-use development shall be approved that does not specify appropriate commercial tenant space sizes, orientation, and total square footage in a project. An appropriate mix of commercial and residential development will be evaluated on case-by-case basis to ensure a mixed-use project fulfills the redevelopment goals of the Lincoln Way Corridor Plan for commercial first redevelopment that incorporates community commercial uses and uses that are complimentary to Downtown.

#### **(a) Standard Site**

A standard site is defined as any site that that is less than one acre in net lot area or as a site that exceeds one acre in net lot area that does not include Household Living Mixed Use. A standard site may be developed or redeveloped consistent with the zone development standards. A standard site review process consists of approval of a Zoning/Building Permit, Minor Site Development Plan or Special Use Permit, as applicable to the principle use and scope of the development project. A standard site may be approved for a plat of survey or subdivision consistent with the standard lot zone development standards.

(b) **Redevelopment Intensification Site**

A Redevelopment Intensification Site is an optional designation requested by a property owner for a site that meets minimum net lot area standards of 1 acre and 100 feet of lot frontage. A Redevelopment Intensification Site designation allows for approval of Household Living Mixed Use development in addition to the other allowed uses of the zoning district. A Redevelopment Intensification Site is subject to a Major Site Development Plan approval.

2. **Parking Standards**

Parking shall be provided in accordance with this Chapter, notwithstanding the modified parking requirements of this zone. Uses not listed below are subject to standard parking requirements of Article IV of this Chapter.

**Table 29.1004(2)  
Downtown Gateway Commercial Parking Standards**

Household Living-Apartments	
1 Bedroom Dwelling Unit (DU)	0.8 spaces/DU
2 Bedroom Dwelling Unit	1 space/DU
3 Bedroom Dwelling Unit	2.5 spaces/DU
4 Bedroom Dwelling Unit	4 spaces/DU
Short Term Lodging	1 space per room/1 space per 2 employees largest shift/accessory uses for meeting areas at 5 spaces /1000 sq. ft.
General Office	3 spaces /1000 sq. ft.
Medical Office	6 spaces /1000 sq. ft.
Retail and Service-Standalone or Existing	3 spaces/1000 sq. ft.
Restaurant or Bar uses with Retail and Service Uses -Redevelopment Site	5 spaces /1000 sq. ft.
Recreation Use- Redevelopment Site	Determined by Major Site Development Plan Review
Restaurant and Fast Food-Standalone or Existing	9 spaces /1000 sq. ft. (gross floor area)

Parking reductions are subject to City Council approval as part of a Major Site Development Plan. Parking requirements may be modified as part of the Major Site Development Plan review process to either reduce parking requirements by twenty percent or to apply a five parking spaces per 1,000 square feet of gross floor area for all Trade Uses. Parking reductions of 25% of the required parking may be approved for a use with shared parking or collective parking allowances for use by other adjacent commercial properties that are also approved for collective parking. Residential parking spaces may be approved as part of a share or collective parking plan for commercial uses when there is at a minimum one parking space available per dwelling unit. City Council may approve use of remote parking or public parking for non-residential uses through the Major Site Development Plan review process.

Parking Decks are subject to Article IV standards with the exception of parking setbacks requirements for decks proposed along Gilchrist, Commerce, and Market. City Council may approve additional setback exceptions through the Major Site Development Plan review.

**Table 29.1004(2)-1  
Downtown Gateway Commercial Bicycle Parking**

Bicycle Parking	
Non-Residential	Provide a minimum of four visitor bicycle parking spaces for the first 10,000 of commercial space. Provide additional visitor bicycle parking at a rate of one space for every 10,000 square feet of floor area.
Residential	Residential development should include secured bicycle parking for residents and provision

	of visitor bicycle parking.
<p>Bicycle parking shall be placed in a visible location that is either adjacent to a primary commercial entrance or within a visitable open area of the site. Bicycle rack parking shall provide adequate space and access to permit use of the rack system with the locking of a wheel and frame to the bicycle rack. A parking reduction of one non-residential parking space for each four bicycle parking spaces is permitted up to a maximum of 5 parking spaces.</p>	

**Table 29.1004(3)**



## Downtown Gateway Commercial Uses

**Downtown Gateway Commercial Development Standards  
Table 29.1004(4)**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
Group Living	N	--	--
Household Living, Mixed Use Development	Y, on sites greater than one acre in combination with non-residential use  Dwelling units shall be configured as studio, one, or two bedroom dwelling units for a minimum of 75% of the total dwelling units within a building. No dwelling unit shall consist of five bedrooms or more within any building.	SDP MAJOR	CITY COUNCIL
Short-term Lodging (stand alone or mixed use)	Y	SDP MAJOR	STAFF
<b>OFFICE USES</b>	Y	SDP MINOR	STAFF
<b>TRADE USES</b>			
Retail Sales and Services - General	Y	SDP MINOR	STAFF
Retail Trade - Automotive, etc.	N	--	--
Entertainment, Restaurant and Recreation Trade	Y	SDP MINOR	STAFF
Catering Establishments	N	--	--
Lodge or Social Club	N	--	--
Wholesale Trade	N	--	--
<b>INDUSTRIAL USES</b>			
Industrial Service	N	--	--
Small Production Facility	Y standalone, if Mixed Use Development SDP Major	SP/ SDP MAJOR	ZBA/ CITY COUNCIL
Warehouse, Mini-storage	N	--	--
<b>INSTITUTIONAL USES</b>			
Colleges and Universities	N	--	--
Community Facilities	Y	SDP MINOR	STAFF
Social Service Providers	N	--	--
Medical Centers	N	--	--
Parks and Open Areas	Y	SDP MINOR	STAFF
Religious Institutions	N	--	--
Schools	N	--	--
Funeral Homes	N	--	--
<b>TRANSPORTATION, COMMUNICATIONS AND UTILITY USES</b>			
Passenger Terminals	N	--	--
Basic Utilities	Y	SDP MAJOR	CITY COUNCIL
Commercial Parking	Y	SDP MINOR	STAFF
Radio and TV Broadcast Facilities	Y	SP	ZBA
Rail Line and Utility Corridors	N	--	--
Railroad Yards	N	--	--
<b>MISCELLANEOUS USES</b>			
Commercial Outdoor Recreation	N	--	--
Child Day Care Facilities	Y	SP	ZBA
Detention Facilities	N		
Major Event Entertainment	Y	SP	ZBA
Vehicle Service Facilities	N	--	--
Adult Entertainment Business	Y, SUBJECT TO ARTICLE XIII	SDP MINOR	STAFF

<b>DEVELOPMENT STANDARDS</b>	<b>Downtown Gateway Commercial</b>
Standard Site, Minimum Lot Area	0.25 net acres
Standard Site, Minimum Lot Frontage	50 feet
Redevelopment Intensification Site	One (1.0) net acres
Redevelopment Intensification Site, Minimum Lot Frontage along at least one of the following streets: Lincoln Way, Clark Avenue, Kellogg Avenue, South Kellogg Avenue, Duff Avenue.	100 feet
Building Design	Building design and material standards described below.
Minimum Street Building Setbacks*: Lincoln Way Kellogg/S Kellogg Clark/Walnut Sherman Gilchrist Washington Duff Commerce and Market	15 feet ground floor/10 feet above ground floor 5 feet 5 feet 10 feet 5 feet (except through lots) 10 feet 15 feet ground floor/10 feet above ground floor 5 feet *Properties on Kellogg and corner properties along Lincoln Way may have reduced setbacks approved with design review of a Major Site Development Plan when buildings include high levels of quality materials, architectural interest, glazing, and a pedestrian oriented design.
Minimum Side and Rear Setbacks	No minimum setbacks required except for utility service separation and access requirements, typically 10 feet or less along a rear property line.
Landscaping in Setbacks Abutting a residential zoned lot or South Lincoln Mixed Use District Zoned Lot with an existing residential use.	High Screen. See Section 29.403
Maximum Building Coverage	100%
Minimum Landscaped Area Percentage	No minimum
Maximum Height	None
Minimum Height	Kellogg Avenue- two (2) stories. No minimum other streets
Parking Allowed Between Buildings and Streets	No, Except Gilchrist, Commerce, and Market
Drive-Through Facilities Permitted	Yes, Major Site Development Plan approval required. Maximum of one facility per Lincoln Way Block Face. No Drive-Through Facilities are permitted for any property with frontage along Kellogg Avenue or S Kellogg Avenue.
Outdoor Display Permitted	Yes. See Section 29.405
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	No

## 5. Building Design Standards

The following development standards apply to all projects subject to a Site Development Plan or Special Use Permit. The intent of the design standards is to promote high levels of architectural interest, enhancement of the pedestrian oriented streetscape, and to accommodate desirable commercial uses as the primary use within the District. Each proposed building shall undergo a design review for conformance to the applicable design standards and objectives for development within the District. Design review will be incorporated into the review of the Site Development Plan or Special Use Permit and require a finding that the proposed project includes conforming design elements that support a high quality building design with architectural interest and enhances the structures appearance in a manner that is compatible with both existing and planned uses adjacent to the site.

(a) **Kellogg Avenue Frontage**

Buildings with facades along the Kellogg Avenue are intended to be designed in a manner that is compatible with the traditional look of Main Street and incorporate architectural elements that support the transition of the uses from Lincoln Way to Main Street. Buildings are required to consist of a minimum of two stories along Kellogg Avenue. Each building shall incorporate the following design elements into the design.

- i. Transparent windows at ground level. Glazing shall consist of a minimum of 40% to 50% of the façade area at the ground level. Commercial retail storefronts require higher levels of glazing than other uses. Glazing requirements apply along street frontages and to designated activity areas or plaza spaces.
- ii. Each tenant space shall have a pedestrian entrance that connects directly to the street. Corner lots may be required to provide an entryway at a corner or to include two entries.
- iii. Minimum ground floor to ceiling height of 15 feet for all buildings.
- iv. Incorporate wall plane changes and variations in the façade to create visual relief along long facades, e.g. 50 feet of facade length. Incorporate store front pattern and rhythm similar to Main Street, e.g. 25 feet.
- v. Clay brick building materials for front and side facades.
  - a. There is an exception for side facades obscured from view by an abutting building located within 5 feet of the property line.
  - b. Accent materials may be approved in addition to the use of clay brick.
  - c. Buildings greater with three or more stories may propose to incorporate a secondary façade material in addition to clay brick.
- vi. The building design shall include architectural details to create visual interest and design diversity, such as transoms, brick soldier course, corbel, cornice, lintels, projecting window bays, inset windows, canopies, parapet variation.
- vii. Alternative high interest architectural building materials, such as stone, glass, steel, architectural metal panels may be approved in lieu of clay brick when approved with a Major Site Development Plan.
- viii. Rear facades may include materials other than clay brick that are compatible with the overall design of the building.
- ix. No balconies are permitted along the perimeter of a building adjacent to a street.
- x. Commercial floor area requires a minimum depth of 60 feet, minor variations allowed through Design Review.

(b) **Other Street Frontages**

Buildings in areas without frontage along Kellogg Avenue may take on a variety of architectural appearances to meet the goals of the District for enhanced architectural design that creates visual interest and identity for the Lincoln Way Corridor. Buildings with facades along streets other than Kellogg shall incorporate the following design elements:

- i. Minimum ground floor to ceiling height of 15 feet.
- ii. Commercial floor area requires a minimum depth of 60 feet, minor variations allowed through Design Review.
- iii. Incorporate pedestrian entrances that lead directly to an abutting street.
- iv. Transparent windows at ground level. Glazing shall consist of a minimum of 30% to 50% of the façade area at the ground level. Commercial retail storefronts require higher levels of glazing than other uses. Glazing requirements apply along primary street frontages and to designated activity areas or plaza spaces.

v. Clay brick shall be used as a primary building material for front and side facades, unless alternative high interest architectural building materials are approved through a Major Site Development Plan review.

vi. Incorporate wall plane changes and variations in the façade to create visual relief along long facades, e.g. 50 feet of facade length.

vii. The building design shall include architectural details to create visual interest and design diversity, such as transoms, brick soldier course, corbel, cornice, lintels, projecting window bays, inset windows, canopies, parapet variation.

viii. Minimize the placement of balconies along Lincoln Way. When balconies are permitted along Lincoln Way, balconies shall not project more than 2-feet from the front primary building facade. Balconies may not project within 5 feet of the right-of-way.

ix. Drive-through facilities may require a covered pick-up window and street screen walls with compatible materials to the principal building.”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

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

Section Four. 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

\_\_\_\_\_  
John A. Haila, Mayor

### Attachment 3: Nonconforming Tables

Property Address	Current Zoning	Use	DSC Conforming Use	DSC Conforming Structure	DSC Conforming Site Development, Other	DGC Conforming Use	DGC Structure*	DGC Site Development, Other
104 KELLOGG AVE	DSC	Office	Y	N, 1 story, FAR	Y	Y	N, 1 story	N, Quantity parking
105 KELLOGG AVE	DSC	Retail	Y	N, FAR	Y	Y	Y	N, Quantity parking
109 KELLOGG AVE	DSC	Retail	Y	N, 1 story, FAR	Y	Y	N, 1 story	N, Quantity parking
110 KELLOGG AVE	DSC	Pet Grooming	Y	N, 1 story, FAR	Y	Y	N, 1 story	N, Quantity parking
111 KELLOGG AVE	DSC	Parking Lot	Y	N, FAR	Y	Y	NA	N, Parking Design
113 KELLOGG AVE	DSC	Retail	Y	N, 1 story, FAR	N, Parking Design	Y,	N, 1 story	N, Parking Quantity & Design
114 KELLOGG AVE	DSC	Martial Art Instruction	Y	N, 1 story, FAR	Y	Y	N, 1 story	N, Quantity parking
117 KELLOGG AVE	DSC	Adult Entertainment Business	N, Separation Requirements	Y	Y	N, Separation Requirements	Y	Y (Off site Parking)
118 KELLOGG AVE	DSC	Office	Y	N, 1 story, FAR	Y	Y	N, 1 story	N, Quantity parking
119 KELLOGG AVE	DSC	Parking Lot (City lot)	Y	N, FAR	Y	Y	NA	Y
120 KELLOGG AVE	DSC	Entertainment/Restaurant Trade	Y	N, 1-story,FAR	Y	Y	N, 1 story	N, Quantity parking
121 KELLOGG AVE	DSC	Parking Lot	Y	N, FAR	Y	Y	NA	Y
124 KELLOGG AVE	DSC	Parking Lot	Y	N, FAR	N, Parking Design	Y	NA	N, Parking Design
213-223 LINCOLN WAY	DSC	Retail	Y	N, 1-story, FAR	Y	Y	N, 1 story	N, Parking Quantity & design
303 LINCOLN WAY	DSC	Retail	Y	N, 1 story, FAR, Front/Rear/Side Setback	N, Parking Design	Y	N, 1 story	N, parking Design

\* 0' Setback approved for pedestrian oriented design assumed.

### Attachment 3 cont'd: Nonconforming Tables

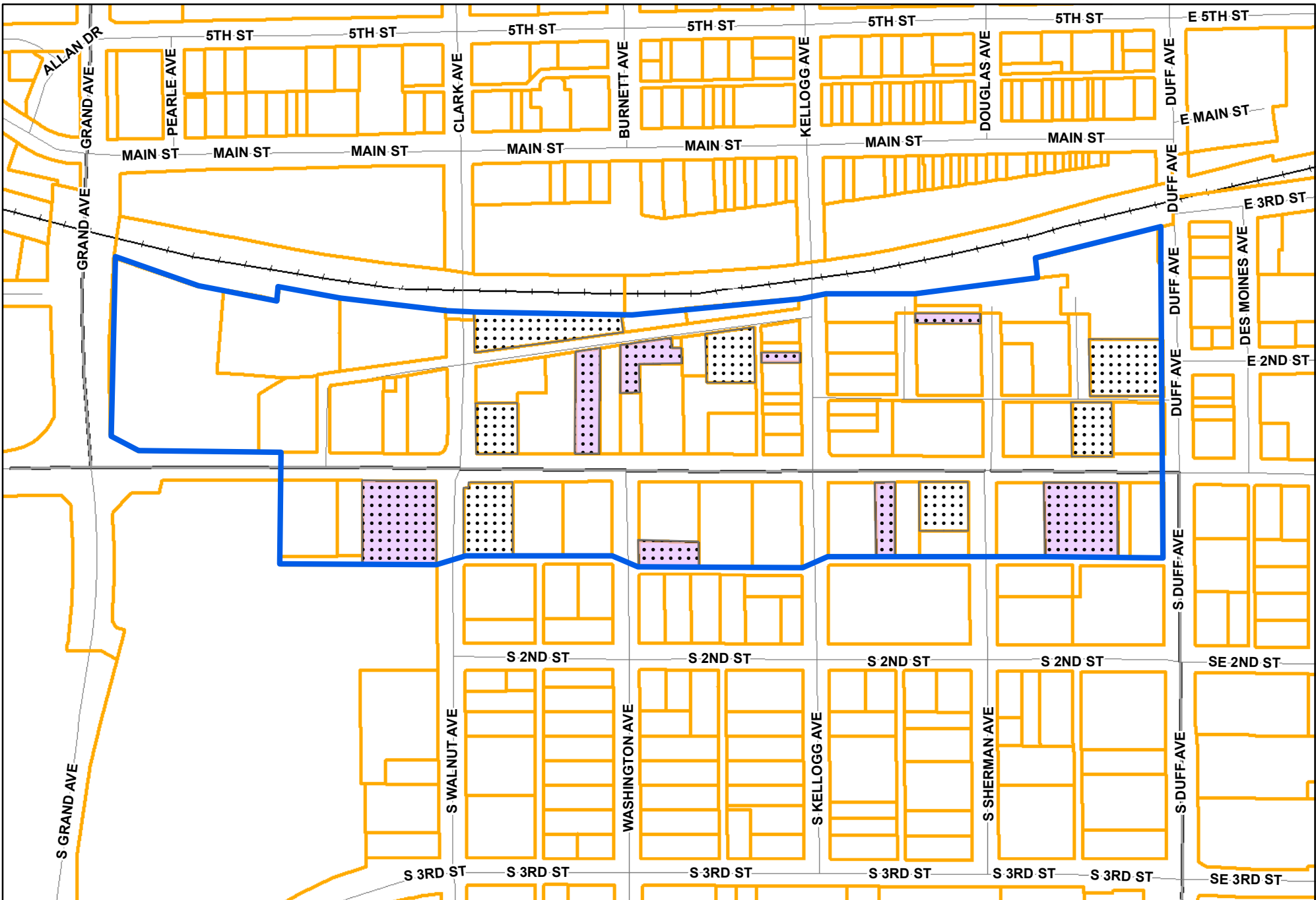
Property Address	Current Zoning	Use	HOC Conforming Use	HOC Conforming Structure	HOC Conforming Site Development, Other	DGC Conforming Use	DGC Structure*	DGC Site Development, Other
104 LINCOLN WAY	HOC	Retail	Y	N, Rear Setback	N, Parking Design	Y	Y	N, Parking Location & Design
105 LINCOLN WAY	HOC	Retail (with drive thru)	Y	Y	Y**	Y	Y	N, Parking Location
108 LINCOLN WAY	HOC	Parking Lot	Y	NA	N, Parking Design	Y	NA	N, Parking Design
110 SHERMAN AVE	HOC	Pet Grooming	Y	N, Front, Rear, Side Setback, FAR	N, Parking Quantity & Design	Y	Y	N, Parking Quantity & Design
111 DUFF AVE	HOC	Vehicle Service Facility	Y	Y	N, Parking Design	N	Y	N, Parking Location & Design
111 S SHERMAN AVE	HOC	Vacant land	NA	NA	Y	NA	NA	Y
111 SHERMAN AVE	HOC	Institutional	Y	N, Front Setback	Y	Y	N, Sherman Ave Setback	Y
113 LINCOLN WAY	HOC	Vehicle Service Facility	Y	N, Front Setback	N, Parking Quantity	N	Y	N, Parking Location & Quantity
114 WASHINGTON AVE	HOC	Janitorial Services	N	N, FAR, Rear/Side setback	N, Parking	N	Y	N, Parking Quantity & Design
116 CLARK AVE	HOC	Office	Y	N, Front/Side Setback	Y	Y	N, Clark Ave	Y
118 LINCOLN WAY	HOC	Vehicle Service Facility/Delayed Deposit Services	N, Delayed Deposit Y, Vehicle repair	Y	N, Parking Design	N, Delayed Deposit N, Vehicle repair	Y	N Parking Location & Design
119 SHERMAN AVE	HOC	Warehouse	N	N, all Setbacks, FAR	N, Parking Quantity	N	N, Market Ave and Sherman Ave Setback	N, Parking Quantity
120 SHERMAN AVE	HOC	Office	Y	N, Front/Side Setback, FAR	N, Parking Quantity & Design	Y	N, Sherman Ave and Commerce	N, Parking Quantity & Design
123 LINCOLN WAY	HOC	Food Sales	Y	N, Front/Side Setback	N, Parking Design	Y	N, Lincoln Way Setback	N, Parking Design
128 LINCOLN WAY	HOC	Retail	Y	N, Front Seback on S Sherman	N, Parking Design	Y	Y	N, Parking Design
129 LINCOLN WAY	HOC	Vacant Building	NA	N, Front, Side Setback	N, Parking Design	NA	N, Lincoln Way Setback	N, Parking Location & Design
202 LINCOLN WAY	HOC	Vehicle Service Facility	Y	Y, Pending Plat of Survey approval	Y	N	Y	Y
203 KELLOGG AVE	HOC	Retail	Y	N, Front, Side Setback, FAR	N, Parking Quantity & Design	Y	N, Gilchrist Setback	N, Parking Quantity, Location & Design

Property Address	Current Zoning	Use	HOC Conforming Use	HOC Conforming Structure	HOC Conforming Site Development, Other	DGC Conforming Use	DGC Structure*	DGC Site Development, Other
204 CLARK AVE	HOC	Car Wash	Y	N, Front Setback	N, Parking Design	N	N, Gilchrist Setback	N, Parking Location & Design
204 MARKET AVE	HOC	Vacant land (paved)	Y	NA	N, Landscaped area	Y	NA	N, Parking Design
205 CLARK AVE	HOC	Office	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
209 LINCOLN WAY	HOC	Fast Food (with Drive Thru)	Y	Y	Y	Y	Y	N, Parking Location
212 LINCOLN WAY	HOC	Parking Lot	Y	Y	Y	Y	Y	N, Parking Design
213 DUFF AVE	HOC	Retail/Restaurant/Office	Y	N, Front/Side/Rear Setback	Y	Y	N, Duff Setback	N, Parking Location & Design
218 LINCOLN WAY	HOC	Residential/Historic Site	N	Y	Y	N	Y	Y
222 LINCOLN WAY STE (232 Lincoln Way)	HOC	Retail	Y	N, Front/Side Setback	N, Parking Quantity	Y	N, Lincoln Way Setback	N, Parking Location
302 LINCOLN WAY	HOC	Retail/Restaurant	Y	Y	Y	Y	Y	N, Parking Location
311 -315 LINCOLN WAY	HOC	Office	Y	N, Rear Setback	Y	Y	Y	N, Parking Location & Design
312 GILCHRIST ST	HOC	Mini Warehouse	Y	N, Front Setback	N, Parking Design	N	Y	N, Parking Design
316 LINCOLN WAY	HOC	Fast Food (with Drive Thru)	Y	Y	Y	Y	Y	N, Parking Location
319 LINCOLN WAY	HOC	Office	Y	N, Side/Rear Setback	Y	Y	Y	N, Parking Location & Design
320 GILCHRIST ST	HOC	Vacant Land	Y	NA	N, Landscape area	Y	NA	N, Parking Design
322 GILCHRIST ST	HOC	City Well	Y	Y	Y	Y	Y	Y
323 GILCHRIST ST	HOC	Vacant Land	Y	NA	Y	Y	NA	Y
326 LINCOLN WAY	HOC	Retail	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
327 LINCOLN WAY	HOC	Fast Food (with Drive Thru)	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
328 GILCHRIST ST	HOC	Warehouse	N	N, Side/Rear Setback	N, Parking Design	N	Y	N, Parking Design
329 LINCOLN WAY	HOC	Vacant Land	Y	NA	NA	Y	NA	NA



Property Address	Current Zoning	Use	HOC Conforming Use	HOC Conforming Structure	HOC Conforming Site Development, Other	DGC Conforming Use	DGC Structure*	DGC Site Development, Other
335 LINCOLN WAY	HOC	Retail	Y	N, Front/Side Setback	N, Parking Quantity	Y	N, Lincoln Way Setback	N, Parking Quantity
402 LINCOLN WAY	HOC	Bank (with Drive Thru)	Y	Y	Y (Off site Parking)	Y	Y	N, Parking Location
403 LINCOLN WAY 401	HOC	Residential	N	N, Front Setback - Garage	Y	N	Y	Y
414 LINCOLN WAY	HOC	Funeral home	Y	Y	Y**	Y	Y	N, Parking Location & Design
415 LINCOLN WAY	HOC	Restaurant	Y	Y	N, Parking Design	Y	Y	N, Parking Location
419 LINCOLN WAY	HOC	Vehicle Service Facility	Y	N, Front Setback - Canopy	Y	N	Y	N, Parking Location & Design
428 LINCOLN WAY	HOC	Vehicle Service Facility	Y	N, Front Setback	Y	N	Y	N, Parking Location & Design
500-510 LINCOLN WAY	HOC	Restaurant (with Drive Thru)/Retail/Laundry	Y, Restaurant (with Drive Thru) & Retail, N, Laundry	Y	Y	Y, Restaurant (with Drive Thru) & Retail, N, Laundry	Y	N, Parking Location & Design
509 LINCOLN WAY	HOC	Restaurant (with Drive Thru)	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
510 GILCHRIST ST	HOC	City Well	Y	Y	NA	Y	Y	NA
511 LINCOLN WAY	HOC	Restaurant	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
516 LINCOLN WAY	HOC	Retail	Y	N, Side Setback	Y	Y	Y	N, Parking Location & Design
517 LINCOLN WAY	HOC	Laundry/Restaurant	Y	Y	Y	Y	Y	N, Parking Location
524 - 526 LINCOLN WAY	HOC	Restaurant	Y	N, Side Setback	N, Parking Quantity	Y	Y	N, Parking Quantity
525 GILCHRIST ST	HOC	Restaurant (with Drive Thru)	Y	Y	Y	Y	Y	Y
533 LINCOLN WAY	HOC	Restaurant (with Drive Thru)	Y	Y	N, Parking Design	Y	Y	N, Parking Location & Design
539 LINCOLN WAY	HOC	Retail/Restaurant	Y	N, Side Setback	Y	Y	Y	N, Parking Location

\*\* Conforming site development/other assumed with prior site plan approval.



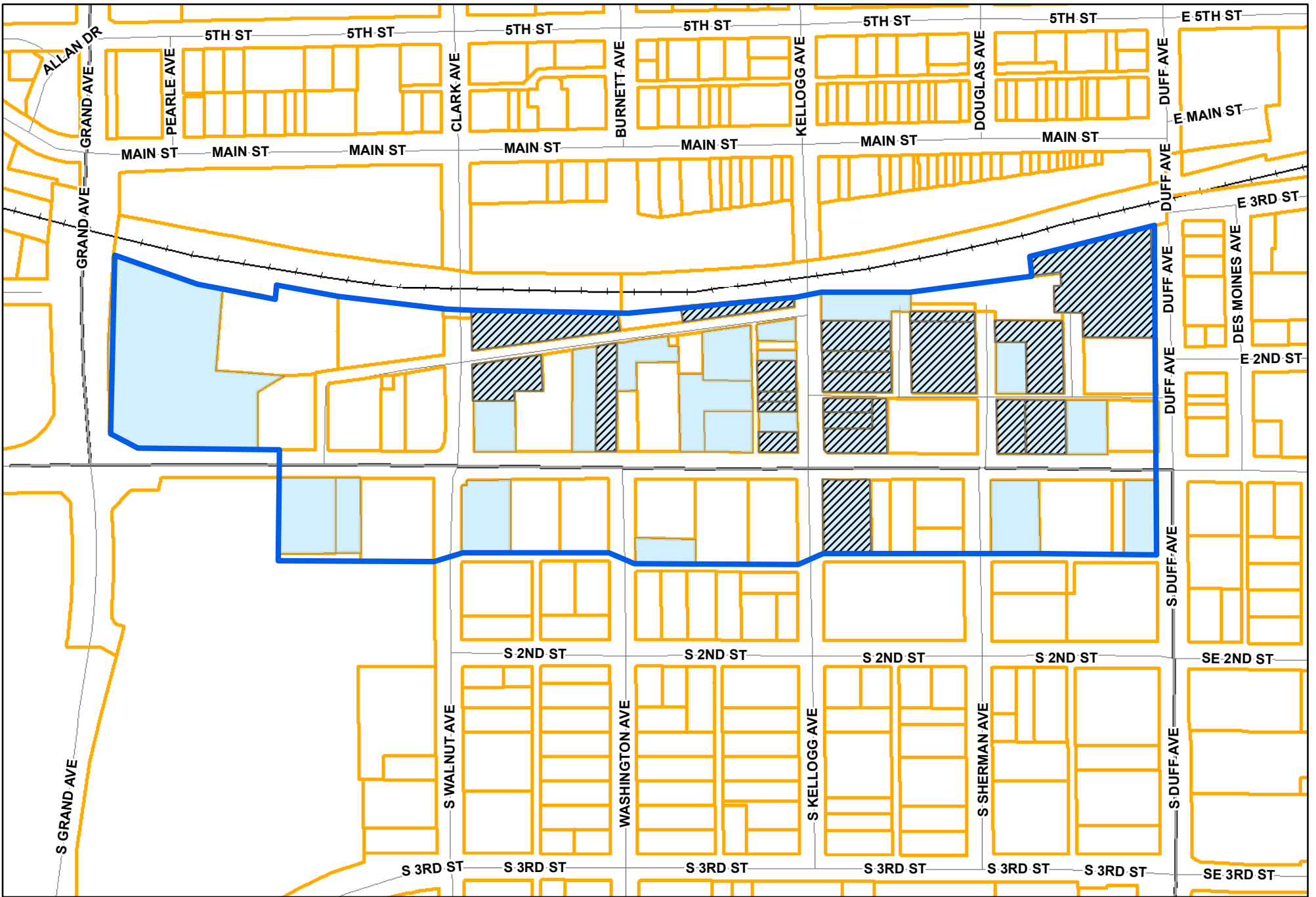


### Nonconforming Uses



-  Nonconforming Uses - Proposed DGC
-  Nonconforming Uses - Existing DSC, HOC

Attachment 4:  
Nonconforming Maps

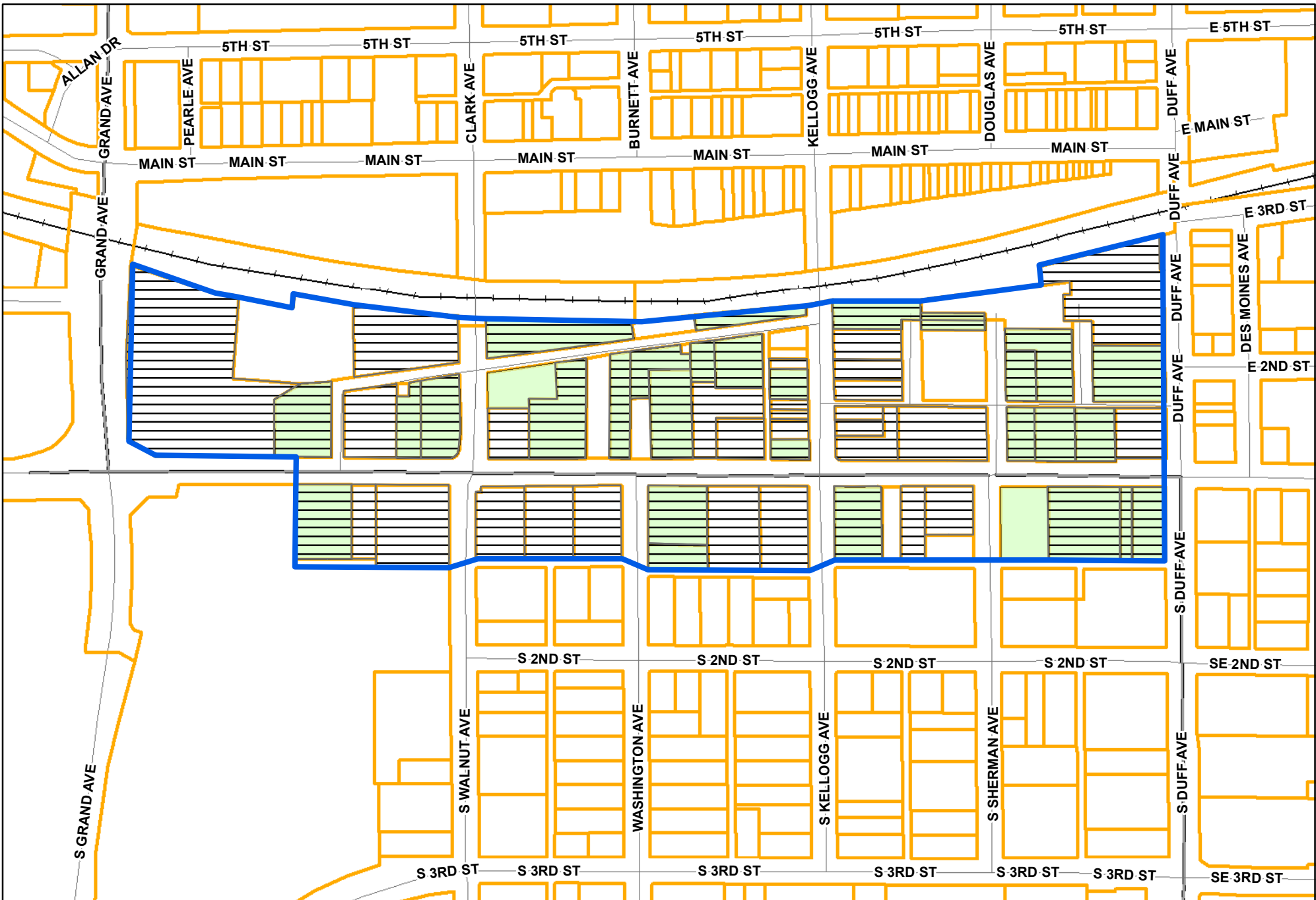




### Nonconforming Structures

-  Nonconforming Structures - Proposed DGC
-  Nonconforming Structures - Existing DSC, HOC

Attachment 4 cont'd:  
Nonconforming Maps



**Nonconforming Site Development/Other**

-  Nonconforming Site Development/Other - Proposed DGC
-  Nonconforming Site Development/Other - Existing DSC, HOC

Attachment 4 cont'd:  
**Nonconforming Maps**

## Attachment 5: Comparison Tables

### Summary Comparison of Allowed Uses

USE CATEGORY	Proposed DGC Status/Approval	DSC Zoning Status/Approval	HOC Zoning Status/Approval
<b>RESIDENTIAL USES</b>			
Group Living	N	N	Y, ZBA
Household Living, Mixed Use Development	Y, CITY COUNCIL	Y, STAFF	N
Short-term Lodging (stand alone or mixed use)	Y, STAFF	Y, STAFF	Y, STAFF
<b>OFFICE USES</b>	Y, STAFF	Y, STAFF	Y, STAFF
<b>TRADE USES</b>			
Retail Sales and Services - General	Y, STAFF	Y, STAFF	Y, STAFF
Retail Trade - Automotive, etc.	N	N	Y, STAFF
Entertainment, Restaurant and Recreation Trade	Y, STAFF	Y, STAFF	Y, STAFF
Catering Establishments	N	Y, STAFF	Y, STAFF
Lodge or Social Club	N	Y, STAFF	Y, STAFF
Wholesale Trade	N	N	Y, STAFF
<b>INDUSTRIAL USES</b>			
Industrial Service	N	N	N
Small Production Facility	Y, ZBA, if Mixed Use Development City Council	Y, ZBA	Y, ZBA
Warehouse, Mini-storage	N	N	Y, ZBA
<b>INSTITUTIONAL USES</b>			
Colleges and Universities	N	Y, ZBA	Y, ZBA
Community Facilities	Y, STAFF	Y, STAFF	Y, STAFF
Social Service Providers	N	Y, ZBA	Y, ZBA
Medical Centers	N	N	Y, ZBA
Parks and Open Areas	Y, STAFF	Y, STAFF	Y, ZBA
Religious Institutions	N	Y, ZBA	Y, ZBA
Schools	N	N	N
Funeral Homes	N	Y, ZBA	Y, ZBA
<b>TRANSPORTATION, COMMUNICATIONS AND UTILITY USES</b>			
Passenger Terminals	N	Y, STAFF	Y, STAFF
Basic Utilities	Y, CITY COUNCIL	Y, CITY COUNCIL	Y, CITY COUNCIL
Commercial Parking	Y, STAFF	Y, STAFF	Y, STAFF
Radio and TV Broadcast Facilities	Y, ZBA	Y, ZBA	Y, STAFF
Rail Line and Utility Corridors	N	Y, ZBA	Y, ZBA
Railroad Yards	N	N	Y, ZBA
<b>MISCELLANEOUS USES</b>			
Commercial Outdoor Recreation	N	N	Y, STAFF
Child Day Care Facilities	Y, ZBA	Y, ZBA	Y, STAFF
Detention Facilities	N	N	Y, STAFF
Major Event Entertainment	Y, ZBA	Y, ZBA	Y, STAFF
Vehicle Service Facilities (includes carwash, gas station, auto repair, etc.)	N	N	Y, STAFF
Adult Entertainment Business	Y, STAFF, SUBJECT TO ARTICLE XIII	Y, STAFF, SUBJECT TO ARTICLE XIII	Y, STAFF, SUBJECT TO ARTICLE XIII
Sports Practice Facility	N	N	Y, STAFF

*Notes- Staff is a Minor Site Development Plan, ZBA is a Special Use Permit for Zoning Board of Adjustment, City Council is a Major Site Development Plan.*

## Attachment 5 cont'd: Comparison Tables

### Summary of Base Zoning District Development Standards

<b>BASE ZONE DEVELOPMENT STANDARDS</b> <i>(Additional citywide standard, such as landscaping and parking, are part of Article IV of the Zoning Ordinance)</i>	<b>Proposed Downtown Gateway Commercial Zoning</b>	<b>Current DSC Zoning</b>	<b>Current HOC Zoning</b>
Parking Required	Yes, modified standards for Redevelopment Site for household living and retail/entertainment	None for commercial, 1 per bedroom for residential	Yes
Standard Site, Minimum Lot Area	0.25 net acres	None, 250 sq. ft. per dwelling unit	None
Standard Site, Minimum Lot Frontage	50 feet	None, mixed use 25 feet	50 feet
Redevelopment Intensification Site (optional standard)	One (1.0) net acres	Not Applicable	Not Applicable
Redevelopment Intensification Site, Minimum Lot Frontage along at least one of the following streets: Lincoln Way, Clark Avenue, Kellogg Avenue, South Kellogg Avenue, Duff Avenue.	100 feet	Not Applicable	Not Applicable
Building Design(materials, window percentages, entryways)	Building design and material standards described below.	None	None
Minimum Front and Street Building Setbacks*: (exceptions permitted by design approval in certain circumstances) Lincoln Way/Duff Kellogg/ S Kellogg Other Streets	15 feet ground floor/10 feet above ground floor 5 feet 5 feet to 10 feet	0 feet	20 feet
Minimum Side and Rear Setbacks	No minimum setbacks (Provide utility access, typical 10 feet)	10 feet, rear only	5 feet side/ 10 feet rear
Landscaping in Setbacks Abutting a residential zoned lot or South Lincoln Mixed Use District Zoned Lot with an existing residential use.	High Screen. See Section 29.403	High Screen. See Section 29.403	High Screen. See Section 29.403
Minimum Floor Area Ratio (FAR)	None	1.0 FAR	None
Maximum Floor Area Ratio (FAR)	None	None	0.5 FAR
Maximum Building Coverage	100%	100%	50%
Minimum Landscaped Area Percentage	No minimum	None	15%
Maximum Height	Ten (10) stories	7 stories	7 stories
Minimum Height	Kellogg Avenue- two (2) stories. No minimum other streets	2 stories	None
Parking Allowed Between Buildings and Streets	No, Except Gilchrist, Commerce, Market, Grand Avenue	No	Yes
Drive-Through Facilities Permitted	Yes, Major Site Development Plan approval required. Maximum of one facility per Lincoln Way Block Face. No Drive-Through Facilities are permitted for any property with frontage along Kellogg Avenue or S Kellogg Avenue. (see also 29.1303)	Yes (see also 29.1303)	Yes (see also 29.1303)
Outdoor Display Permitted	Yes	Yes	Yes
Outdoor Storage Permitted	No	No	Yes
Trucks and Equipment Permitted	No	Yes	Yes

# Attachment 6: Nonconformity FAQ's

## Nonconformity Frequently Asked Questions

1. What is a Nonconformity? A Nonconformity is a situation where a use, structure, lot dimension, or site improvement that was lawfully established previously does not conform to the City's current zoning standards. The Zoning Ordinance (Chapter 29 of the Ames Municipal Code) includes definitions for each situation and standards that attempt to balance allowing for property owners to continue using their property within reasonable limits and ensuring compatibility with the intended zoning standards.

A more in-depth explanation of the types of nonconformities and standards that apply to each type of nonconformity is included within **Section. 29.307. NONCONFORMITIES** of the Ames Municipal Code.

2. Am I allowed to continue my Nonconforming Use? (Section 29.307.1 and 29.307.2)

A nonconforming use is allowed to continue as long as it remains otherwise lawful and in accordance with the requirements of the Nonconformities section of the Zoning Ordinance. The use may continue upon sale or transfer of the property or business to another owner. If the use ends, changes, or is abandoned and the property is used for a more conforming use then the Nonconformity cannot be reestablished. If the use is abandoned for one year it may not be reestablished; however, an owner can appeal to the Zoning Board of Adjustment to demonstrate the use has not been abandoned.

3. Am I allowed to expand my Nonconforming Use? (Section 29.307.2(a))

In most situations the nonconforming use cannot be expanded. The nonconforming use cannot increase in intensity, but under certain conditions it may be modified. A nonconforming use may not be increased in intensity and may not be enlarged, expanded or extended to occupy parts of another structure or portions of a lot that it did not occupy on the effective date of this Ordinance, unless the expansion is approved by a Special Use Permit and the expansion meets all standards of the Zoning Ordinance. Any expansion is limited to an increase of 125% of the floor area.

4. Am I allowed to change to another Nonconforming Use? (Section 29.307.2(b))

A nonconforming use may be changed to another use in the same category of use with the approval of a Special Use Permit. For example, a Trade Use may be approved to change from retail to an entertainment use with approval of a Special Use Permit and conformance to the relevant standards of the Zoning Ordinance for the proposed new use.

5. Am I allowed to expand my Nonconforming Structure? (Section 29.307.3 (d))

Yes, if the structure includes a conforming use and the expansion meets the requirements of the Zoning Ordinance. For example, an addition to a structure for a conforming use would need to meet standards such as setbacks, lot coverage, floor area ratio (minimum and maximum), height (minimum and maximum), quantity of parking spaces, and open space and landscape requirements. The existing nonconforming elements of a structure would not need to be brought into conformance with the addition.

6. Am I allowed to remodel my existing Nonconforming Structure? (Section 29.301.3(b))

Yes, maintenance, remodeling and repair of a nonconforming structure shall be permitted without a variance or a Special Use Permit, provided that such maintenance, remodeling or repair does not increase the degree of nonconformity. In some situations remodeling allows for partial demolition and reconstruction of a structure, for example removing a front façade to install a new storefront window and entry.

7. Am I allowed to rebuild if my building is damaged by a fire or other natural causes? (Section 29.301.3(c))

Yes, a structure may be rebuilt without conforming to the current standards if the damage to the overall structure is less than 70% of its assessed value. Construction must be complete within 18 months from the time of the damage.

Additionally, a structure that is damaged in excess of 70% of its assessed value may be rebuilt if a Special Use Permit is approved by the Zoning Board of Adjustment and that the proposed restoration conforms to the fullest extent possible with the current zoning standards.

8. Am I allowed to reconstruct my parking lot and replace landscaping without complying with zoning? (Section 29.301.5)

Site improvements are categorized as “Other Nonconformities” and distinguished from Nonconforming Uses and Nonconforming Structures, even though they are often related to the other situations. Other Nonconformities are required to be improved as practicable based upon the scope of a project. For example, if a parking lot is reconstructed it must either comply with the current zoning standards for dimensions, landscaping, etc. or, if there is a lack of space to meet all the standards, the project must remedy as many of the nonconformities as can be accomplished without causing a new nonconformity.

10. What does the term Pre-existing Use mean compared to Nonconforming Use?

The term Pre-existing distinguishes a use from Nonconforming by allowing for a continuously operated Pre-existing use to continue its operations and have no predefined limitations on the expansion or other modifications of the use, other than complying with zoning development standards. Pre-existing also prohibits establishment of any new uses of that type. A Pre-existing designation is subject to a 12 month discontinued use standard similar to the 12-month abandoned use nonconforming standard. There is no allowance to change to another Pre-existing use as is permissible for certain nonconforming uses.

Staff Report

**REZONING BOUNDARY OPTIONS FOR NEW DOWNTOWN GATEWAY  
COMMERCIAL ZONING**

April 24, 2018

**BACKGROUND:**

The area generally described as properties along Lincoln Way and between Grand Avenue and Duff Avenue as well as south of the railroad are identified as part of the Downtown Gateway Focus Area within the Lincoln Way Corridor Plan. The first step of implementation of the Corridor Plan is to create a new commercial zoning district with standards that encourage redevelopment for targeted commercial uses and to allow for mixed use residential development. The City has prepared draft Downtown Gateway Commercial (DGC) zoning district standards to implement the vision of the Lincoln Way Corridor Plan for the Downtown Gateway Focus Area. The draft standards are under review as a separate action item from this report.

**The second step in the implementation process is to initiate a rezoning of properties to the new Downtown Gateway Commercial zoning from the current Highway Oriented Commercial (HOC) and Downtown Service Center (DSC) zoning districts. City Council is asked at this time to identify the preferred area of rezoning within the Focus Area. Staff will then initiate property owner notice for public hearings with the Planning and Zoning Commission and for the City Council to adopt a rezoning map amendment for the new Downtown Gateway Commercial.**

As part of the discussion of new standards for the DGC zoning, there has been feedback from a variety of property owners concerned about changes in zoning due to either existing nonconformities or new nonconformities that would occur with the rezoning. The degree of nonconformities related to DGC rezoning is part of the separate report for the draft DGC standards. The primary concerns were changes to allowed uses for the area that would make uses such as gas stations, car washes, automotive repair, warehouses, and funeral homes nonconforming uses in the new zoning. Additionally, some property owners were concerned about changes to parking standards that require parking for uses along Kellogg that are currently zoned DSC and require no parking . Some property owners with HOC zoned property were concerned about nonconformities related to the configuration of parking between the building and the street as well. New drive through uses would also be limited in the proposed DGC zoning, but the current drive through establishments in the area were found to conform to the proposed standards. In general, the concerns for nonconformities under existing conditions and proposed standards apply throughout the Focus Area and are not concentrated in any one area.



## **OPTIONS:**

Part of the consideration of the rezoning boundaries is the vision for change to the area and the considerations of how specific property owners and related businesses could be impacted in the future. **Staff has prepared four rezoning boundary options to help differentiate a rezoning approach that addresses priorities for either long term vision or a more concentrated immediate opportunities approach. Maps for each option are included as an attachment.**

### **Option #1. Full Extent of the Downtown Gateway Focus Area (Grand to Duff and North and south of LW)-**

**This option would include all seventy properties in the area and extend from Grand Avenue to Duff and include properties both north and south of Lincoln Way. This is the broadest approach to rezoning for implementation of the Corridor Plan.** This option would have the most nonconformities in regards to uses and site development conditions due to the greatest number of properties included in the rezoning. The broad rezoning approach would establish a long term view of evolution and redevelopment of the area. Not all of this area would be expected to redevelop in the short term as there are many viable highway oriented commercial businesses throughout the area.

### **Option #2. Central Core Area (Centered upon Kellogg/LW intersection blocks, North and South)**

**This option focuses the rezoning on the area between Clark Avenue and Duff Avenue for properties north and south of Lincoln Way focused on the four primary blocks that meet at the intersection of Kellogg and Lincoln Way.** The Kellogg intersection is viewed as the heart of the Focus Area due to its primary connection to Downtown. This approach concentrates the rezoning on the four most critical blocks for the area and establishes a vision for redevelopment along both sides of Lincoln Way. Development on the north side would be expected to be at larger scale than redevelopment on the south side due to lot sizes and configurations.

This option would leave the periphery areas out of the immediate rezoning actions, which would reduce the number of new nonconformities related to use and site development standards. Many of the periphery areas are not available for redevelopment at this time and could be reconsidered at a later time after the initial redevelopment occurs in the core blocks of the Focus Area.

### **Option #3. Central Core Area, North Only**

**This option would limit the rezoning to the blocks along Lincoln Way between Clark and Duff, but only on the north side.** This approach maintains the two most

critical areas for rezoning at this time and does not change HOC zoning for the periphery area or the properties along the south side of Lincoln Way. The properties on the north side of Lincoln Way are seen as the primary redevelopment opportunities due to potential property aggregation and overall size of the development areas. Properties along the south side are shallower in depth than the north and could be redeveloped with mixed use or commercial uses at a less intense scale than is probable on the north side of Lincoln Way.

Limiting rezoning to the north side of Lincoln Way would reduce many potential conflicts about nonconforming uses, with the exception of the car wash and warehouse uses that exist north of Lincoln Way. Continuing HOC zoning along the periphery and south side of Lincoln Way would allow for the current mix of uses that already exist and for the establishment of new highway oriented commercial uses.

#### **Options #4 Limited Downtown Gateway Zoning North of Lincoln Way with DSC Zoning on Kellogg**

The proposed DGC zoning identifies unique development standards for Kellogg recognizing its context as a connection to Main Street. The current development in the area is also similar to Main Street with buildings up to the street and limited parking on site. However, the proposed zoning has new parking requirements that are not currently the requirement for DSC zoned properties along Kellogg.

This rezoning option allows for the Kellogg block to maintain its current DSC zoning, principally due to no requirement for commercial parking, and establish the DGC zoning to the east and west of Kellogg on the north side of Lincoln Way. DSC zoning is similar to the proposed DGC zoning and compatible in its basic zoning regulations and could be an accommodation for current property owners along Kellogg and create areas for redevelopment adjacent to Kellogg.

#### **STAFF COMMENTS:**

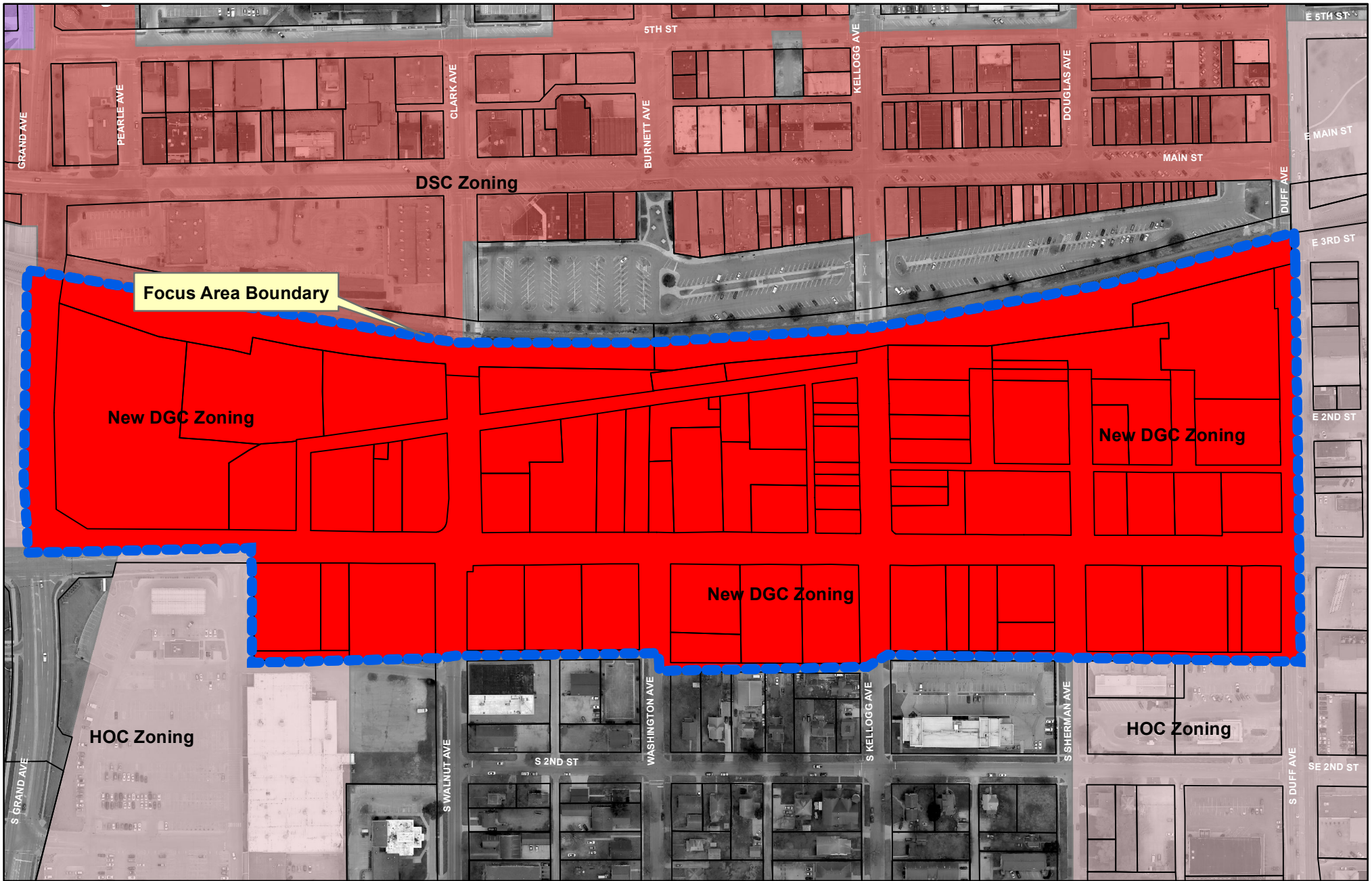
The extent of the rezoning boundaries is coupled with the City Council's related decisions on the proposed standards for the new DGC zoning district. Some of the concerns about nonconformities could be addressed by limiting extent of the rezoning compared to establishing more permissive DGC zoning standards to accommodate a wider range of uses and development situations. Options 1 and 2 of the rezoning boundaries fulfill the most objectives of the Corridor Plan while Options 3 and 4 are moderated approaches to implementing the Corridor Plan.

While there is a strong argument to set a broad area for DGC zoning (Option 1) with clear development expectations, the periphery properties are not critical to the Plan at this time and are unlikely to have redevelopment potential in the short term. If property owners in the periphery are interested in redevelopment they could apply for a rezoning from HOC to DGC at the time of redevelopment. However, the blocks in the Central Core of the focus area (Options 2) are more critical in establishing both redevelopment

opportunities now and ensuring that adjacent development is also compatible with the desired redevelopment in the area. **Therefore, staff supports Option 2 because it fulfills the most immediate needs for implementing the Corridor Plan.**

**However, if the City Council elects to allow for some of the Vehicle Service Facility uses to continue as pre-existing, then applying the DGC zoning to the broad area of Option 1 would be appropriate since the primary use concerns would be resolved.**

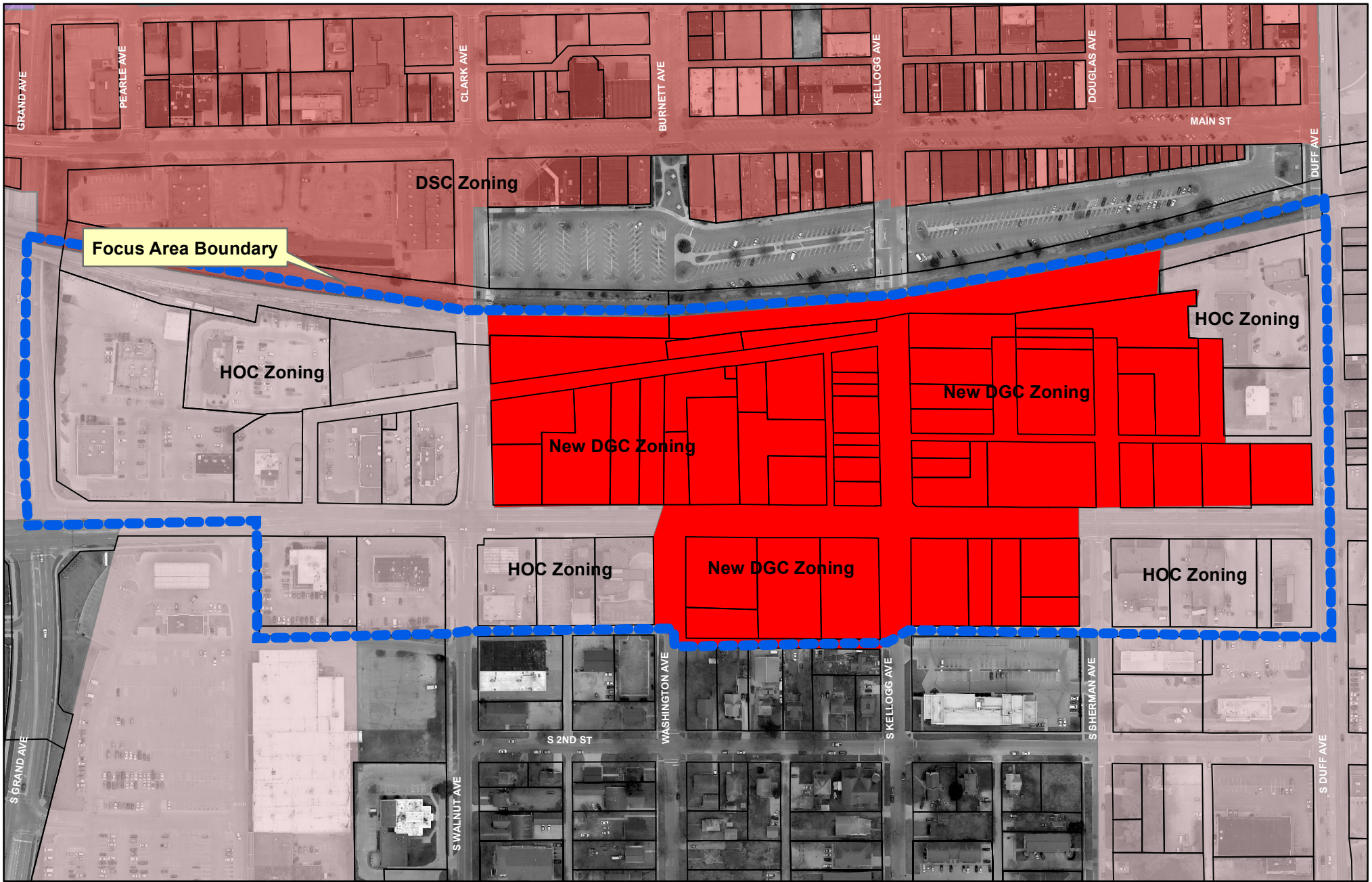
**At this time staff needs direction on the proposed boundaries of the rezoning to initiate the rezoning process within the timeline described at the time the moratorium was adopted on March 27<sup>th</sup>.** With City Council's direction on a preferred area staff would initiate the rezoning public hearing process. Staff would coordinate the first public hearing with the Planning and Zoning Commission on May 16<sup>th</sup> reflecting the Council's action of adopting the new DGC zoning standards on May 8<sup>th</sup>. Upon receiving a recommendation from the Planning and Zoning Commission, the Council would need to hold a public hearing for first reading of the rezoning ordinance on either May 23<sup>rd</sup> or June 12<sup>th</sup>. City Council may need to consider combining second and third readings of the rezoning ordinance to complete the rezoning process prior to the expiration of the moratorium on July 2<sup>nd</sup>.



**Option #1  
Downtown Gateway Rezoning both sides of Lincoln Way**



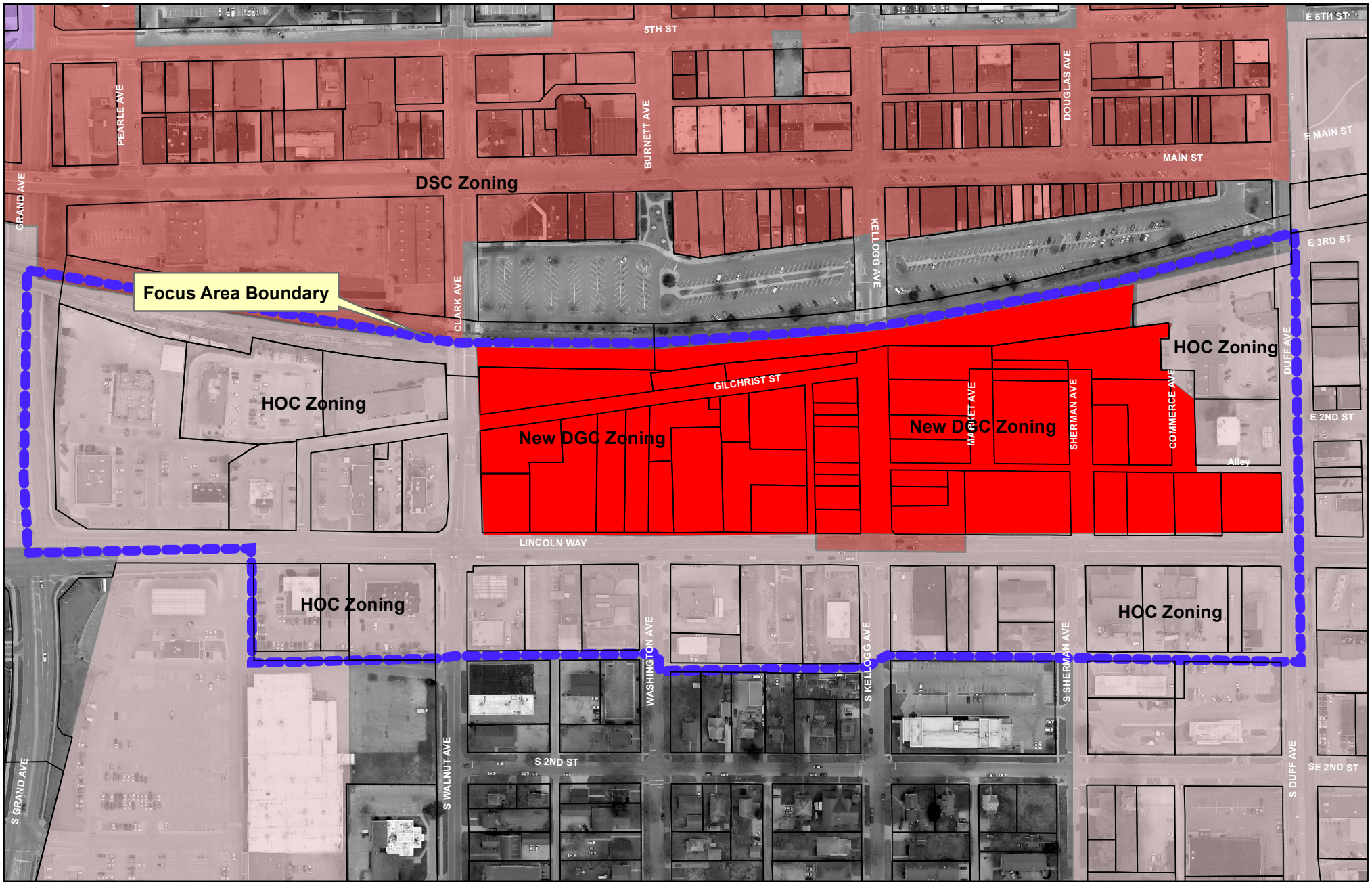




## Option #2 Central Core North and South





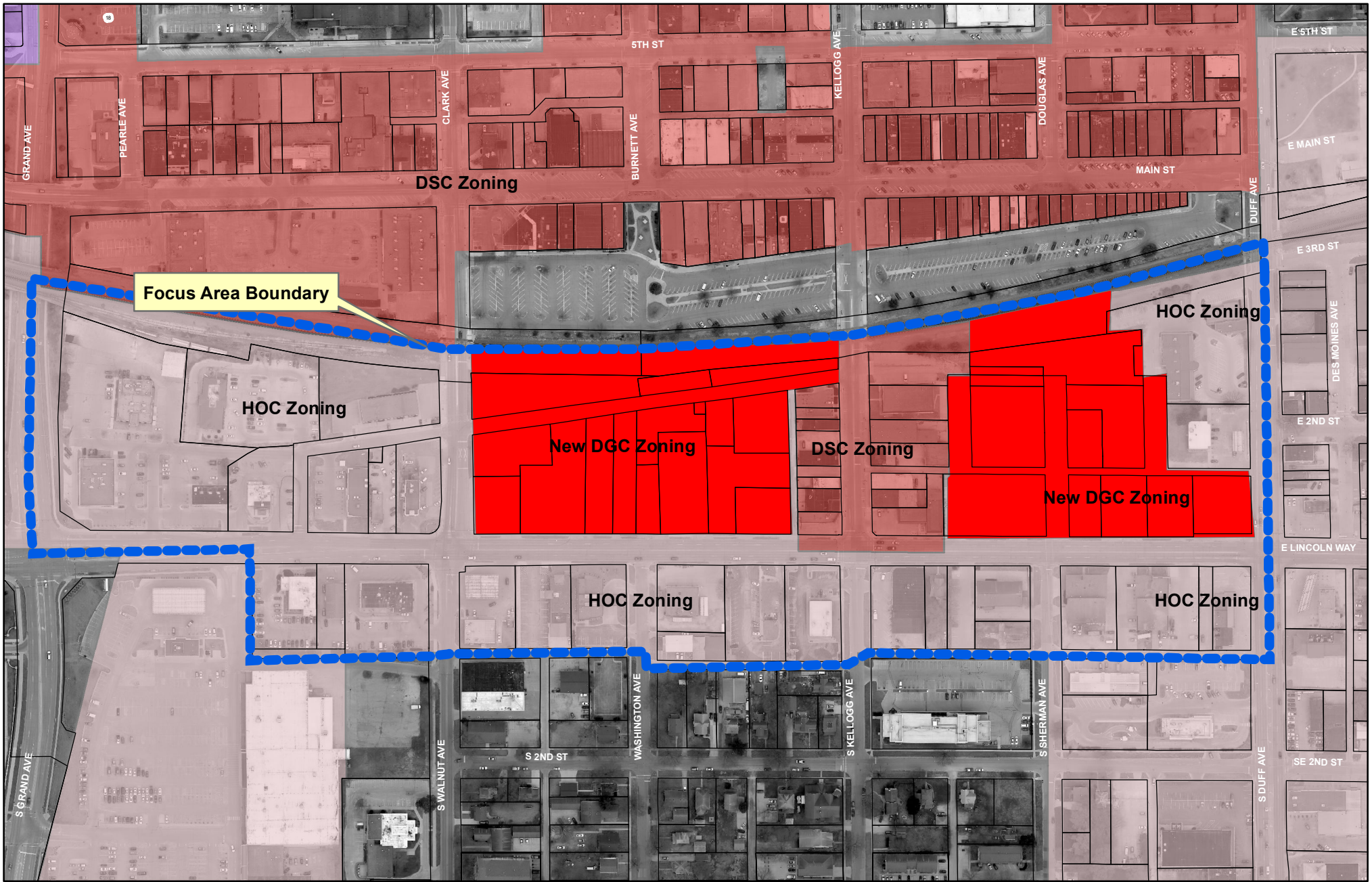


Focus Area Boundary

### Option #3 -Central Core North Only







### Option #4 Central Core North with DSC on Kellogg



**To:** Ames Mayor and City Council

**From:** Mark O. Lambert, City Attorney

**Date:** April 20, 2018

**Subject:** Rental concentration cap ordinance

At the April 10, 2018 Council meeting, the Council directed staff to prepare an ordinance on limiting concentration of rental dwellings to 25% in certain neighborhoods, for first consideration at the April 24 Council meeting.

City Council's direction on drafting a rental concentration ordinance for the April 24 meeting included the following:

1. Calculation of the percentage of existing rentals is based upon properties zoned R-L or UCRM.
2. All properties zoned R-L and UCRM with a registered rental dwelling are calculated in the percentage.
3. A maximum of 25% of R-L and UCRM properties within a defined neighborhood are permitted to have registered rental dwellings.
4. No new rental registrations can be approved if the percentage of rentals would exceed the 25% cap.
5. If a defined neighborhood exceeds the 25% cap, no new single-family rental registrations may be approved.
6. A duplex dwelling may register the second unit of the duplex, regardless of the neighborhood cap percentage.
7. Currently registered rental dwellings may maintain their registration and renew their Letter of Compliance.
8. If a registered rental dwelling ceases to operate as a licensed rental dwelling, the owner cannot seek a new registration if the neighborhood exceeds the 25% cap. *For example, an existing rental dwelling cannot be demolished and rebuilt and then registered as a rental dwelling if in a neighborhood over the 25% cap.*



The Council also directed that the ordinance allow a Transitional Letter of Compliance (LOC) for one year, and have it be renewable for an additional year, but after two years of a Transitional LOC the property owner would have to wait a year before being eligible for another Transitional LOC, and that the Transitional LOC could be issued regardless of whether the neighborhood exceeded the 25% cap.

The Council also decided to apply the 25% rental concentration cap to only four neighborhoods. Those four neighborhoods are College Creek/Old Ames Middle School, SCAN-North, Colonial Village, and Oak-Riverside. Because of the difficulty and time involved in describing boundaries with words, and the fact that placing a map image in the Ames Municipal Code would be difficult to read, staff has chosen to follow the same method used to define the neighborhoods in the Rental Occupancy Ordinance. A definition of a term, "Rental Concentration Cap Neighborhoods," is established by the ordinance in Chapter 13. The definition says that the boundaries of the neighborhoods will be set by a Resolution adopted by the Council; the Resolution will have a map attached to it. **It is staff's intent to bring the Resolution setting the neighborhoods to the Council when the third and final reading of the ordinance takes place. The map that will be attached to the Resolution is attached to this memo.**

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 13.201 RENTAL CONCENTRATION CAP, 13.300 (9) AND AMENDING SECTION 13.301(10) TRANSITIONAL LETTER OF COMPLIANCE THEREOF, FOR THE PURPOSE OF POTENTIAL NEIGHBORHOODS FOR RENTAL CONCENTRATION CAP REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 13.201, 13.300(9) and amending 13.301(10) as follows:

**“Sec. 13.201. TERMS DEFINED**

...

**RENTAL CONCENTRATION CAP NEIGHBORHOODS:** Certain neighborhoods as designated by a Resolution adopted by the City Council, which are subject to the limitation on the number of rental properties established in Section 13.300(9).

...

**Sec. 13.300. GENERAL**

...

**(9) Limitation on number of rental properties in certain neighborhoods.**

For each neighborhood established as a Rental Concentration Cap Neighborhood, the number of rental dwellings allowed shall be no more than 25% of the dwellings in each neighborhood. In each neighborhood, only properties zoned R-L or UCRM will be used in calculating the percentage of rental dwellings to other dwellings in the neighborhood. No new rental registration applications will be accepted or approved in a neighborhood if the neighborhood has 25% or more registered rental dwellings or the application for a new rental registration would cause the ratio of rental dwelling to other dwellings to exceed 25%.

Rental dwellings with a rental registration or Letter of Compliance in place as of the effective date of this ordinance will be allowed to remain as registered rental properties and may renew their registrations and Letters of Compliance even if the number of rental dwellings is above the 25% cap. Additionally, the owner of a duplex may register both legally established units of the duplex, regardless of whether the 25% cap is exceeded in the neighborhood. If a registered rental dwelling ceases to operate as a licensed rental dwelling, the owner cannot subsequently register the dwelling if the registration would cause the ratio of rental dwellings to other dwellings to exceed 25%. Transitional Letters of Compliance may be issued regardless of the 25% cap.

...

**Sec. 13.301 LETTER OF COMPLIANCE (LOC)**

...

**(10) Transitional Letter of Compliance.**

...

A Transitional Letter of Compliance shall be in effect for a maximum of one year and is renewable for a period of time not to exceed one additional year. No more than two Transitional Letters of Compliance may be issued within a 36 month period. If a property is acquired by a new owner, the new owner is eligible for Transitional Letter of Compliance without regard to the prior owner having obtained a Transitional Letter of Compliance.”

*(Ord. No. 4067, 05-24-11)*

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

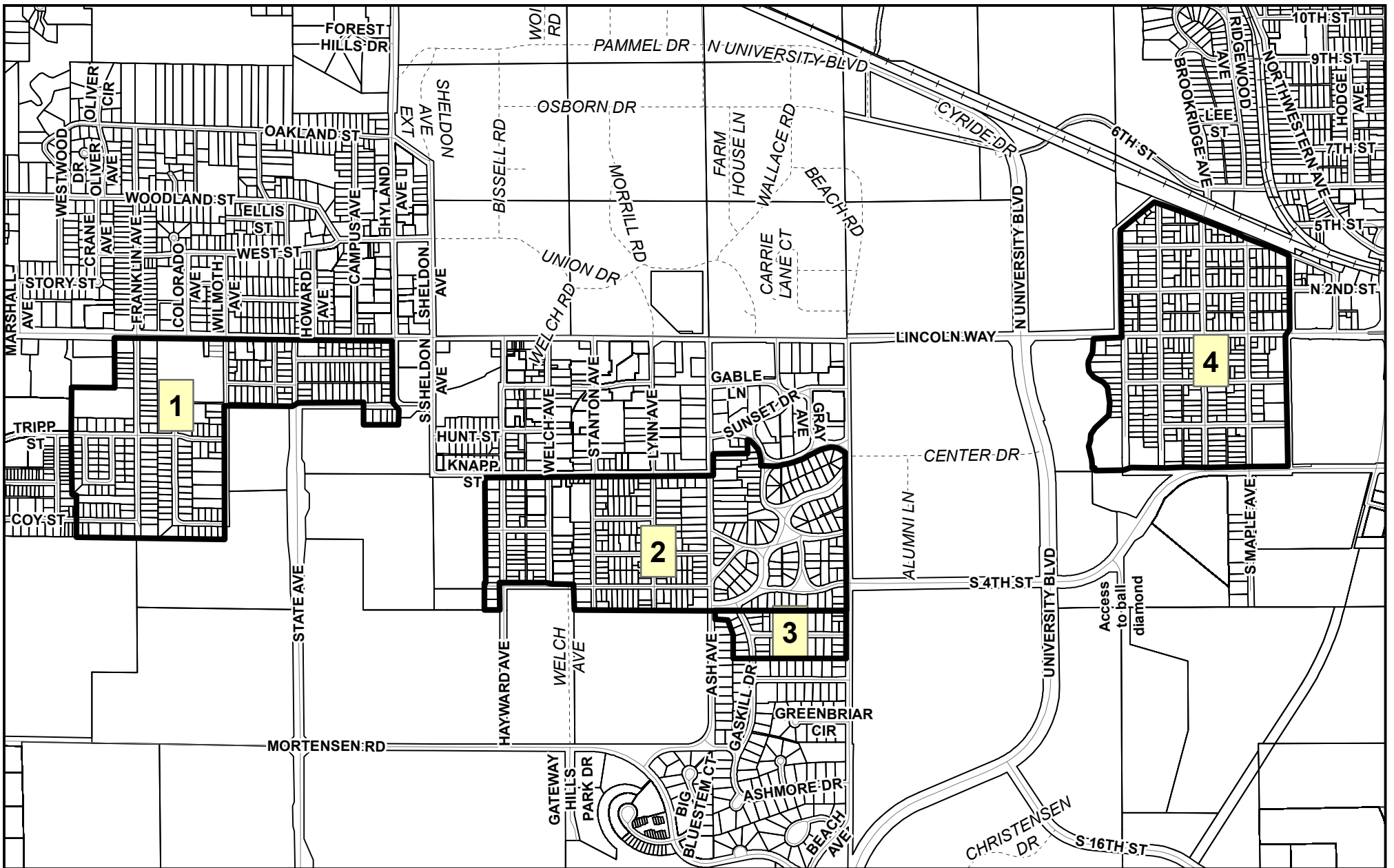
Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. 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

\_\_\_\_\_  
John A. Haila, Mayor



**Rental Concentration Cap Neighborhoods**

	1. College Creek/Old Ames Middle School		3. Colonial Village
	2. SCAN - North		4. Oak-Riverside

**COUNCIL ACTION FORM**

**SUBJECT: COMPREHENSIVE PLAN – REQUEST FOR PROPOSALS**

**BACKGROUND:**

The current Land Use Policy Plan (LUPP) was adopted in 1997 and was designed to be a plan principally concerned with land use and growth of the City through the year 2030. The City has eclipsed many of the growth projections for the City that are part of the current LUPP and the City has altered its growth assumptions and patterns that were part of the Plan as well. As a result of these changes, the age of the Plan itself, and current interest in the policies for community growth and development, the City Council determined in August 2017 that City would pursue the preparation of a new Comprehensive Plan for the City.

City Council held a workshop in August 2017 to receive background information on the various types of Plans and different aspects of Planning that can be included in a new Plan. **The City Council determined in August that a Comprehensive Plan that included land use and growth policies in coordination with a broader range of issues such as development patterns, existing neighborhoods, environmental/sustainability policies, healthy living, transportation, economic development, housing, open space and parks, and public infrastructure capacity would be the basis for a new Plan. The Council did not set out specific issues and requirements for the topics of the Plan and will rely upon the expertise of a consultant in the preparation of the Plan in conjunction with community outreach, work with City staff, and feedback from the City Council. City Council also determined at the workshop that a community engagement strategy would be a required component of the RFP process, but that a steering committee was not a component of the outreach strategy.**

City Council also requested that as part of the Comprehensive Plan process that scenario analysis for growth be included. Scenario analysis would provide some basic information on development issues and costs related to growth in various directions, including the current Southwest and Northwest growth areas, but also other areas to the north, west, east, and southeast. The scenario process will rely principally on technical work and assumptions from City staff provided to the consultants. The scenario analysis is intended to be an interim step in the process of developing a final Comprehensive Plan.

Staff has prepared the attached Request for Proposals (RFP) for City Council's review. The RFP provides a basic framework for an understanding of the desired scope of work for the Comprehensive Plan. The RFP includes background information, objectives for the project, a planning horizon for the year 2040, tentative project timeline, and elements for scoring of proposals. The selection process will include evaluation of proposals and interviews of the most qualified teams by a multi-disciplinary group of staff. The evaluation team will then present its scoring of the consultants' proposals for final selection by the City Council.

The desired project schedule includes selection of a consultant in July 2018 and for initiation of the project in August 2018. The goal is for initial community outreach to occur in the Fall of 2018 and to then provide a summary of initial findings to the City Council in the spring of 2019. The scenario analysis would also be provided in the spring of 2019. With this information the City Council could then provide direction on how to proceed with a preparation of a draft Plan for the fall of 2019 with the goal of adoption of the final Plan in the spring of 2020. Consultants will provide a more detailed project schedule as part of their approach to the project.

**ALTERNATIVES:**

1. Direct staff to issue a formal Request for Proposals (RFP) consistent with attached draft RFP.
2. Direct staff to modify the tasks or approach described within the draft RFP.
3. Direct staff to return with additional information before finalizing the RFP.

**CITY MANAGER'S RECOMMENDED ACTION:**

**The attached draft RFP is designed to provide a basic framework for consultants to propose a scope of work to meet the needs of the City. Staff recommends a planning horizon of 20 years for the Plan to allow for combination of visioning for the future and to allow for the Plan to address reasonable expectations for short term (10 year) needs of the community. The overall schedule to hire a consultant and complete the Comprehensive Plan is anticipated to take approximately two years.**

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby directing staff to prepare and issue a formal Request for Proposals (RFP) consistent with the attached draft proposal.**

# City of Ames

## Comprehensive Plan Request for Proposals

### I. Introduction and Background.

The City of Ames is seeking proposals from qualified consulting firms for the completion of a Comprehensive Plan (hereinafter referred to as the “Project”). The goal of this process would be development of a Comprehensive Plan for the City of Ames looking out to a horizon year of 2040. The new Comprehensive Plan would replace the City’s current Land Use Policy Plan adopted in 1997.

The City of Ames seeks preparation of a new Comprehensive Plan to help guide the City forward in a strategic manner, with goals and guidelines that are tangible and achievable during the planning horizon. The City intends for the Comprehensive Plan to help guide long term policy decisions and be directive to specific development issues when relevant. The goal for the Plan is to garner long term support and commitment of stakeholders and the City Council for realizing the goals and vision of the Comprehensive Plan.

Ames is located in Story County and was established in 1864. The City is located 35 miles north of Des Moines, the state capitol. Ames is the eighth largest city in Iowa with a 2016 population estimate of 66,191 and covers an area of nearly 25 square miles.

Ames offers four seasons of recreational activities through more than 37 parks, 55 miles of bike trails, golf courses, and more. Centrally and conveniently located in the heart of the Midwest and Iowa, Ames is known for its robust, stable economy, flourishing cultural environment, healthy environment, top-quality schools, acres of parks and recreational opportunities, and the world-renowned Iowa State University with its 36,000 students, a growth of over 30% in enrollment in the past 8 years.

Ames residents have a rich history of encouraging innovative and forward-thinking ideas. Ames has been recognized nationally for offering residents a great place to live, work, raise a family, and go to school:

- "Technology Community of the Year" (Technology Association of Iowa, 2017)
- Top 5 Small Metro Areas for Successful Aging (NCOA, 2017) "Top 3 Cities Where Job Growth is Happening" (NationalSwell, 2017)
- Home of the "Best School District in Iowa" (Business Insider, 2017)
- "Best School District in the State" (Niche, 2017)
- "The 25 Best Cities for Entrepreneurs" #8 (Entrepreneur Magazine, 2017)
- "Best Places to Live 2016" (MONEY, 2016)
- "Best Performing Cities" #11 (Milken Institute, 2016)
- "Best Small Cities for New Grads" (OnlineDegrees, 2016)
- #9 "Top 10 College Towns to Live In" (SmartAsset, 2016)
- #3 "The Healthiest Cities in America" (24/7 Wall St., 2016)
- #4 "Best Small Cities for Making a Living" (MoneyGeek, 2016)

## II. Comprehensive Plan Tasks

### A. Community Outreach

The City considers citizen input essential to developing a community vision for the city. The Comprehensive Plan process should be structured to maximize citizen involvement and participation in understanding issues facing the community, visioning for the future, and on the content of the Plan itself. The consultant is encouraged to propose a process that is both creative and interactive for soliciting input from a diverse population and those individuals in the community who do not typically provide input to the City Council, including but not limited to students, long term residents, minority groups, and the business community. Focus should be placed on the development of a holistic approach to public participation in this process, employing multiple techniques to ensure an open public dialogue and participation throughout the development of the Plan through regular meetings and presentations available to the public.

A formal citizen steering committee is not planned for in the Comprehensive Plan process. Rather, the City Council will have the primary responsibility of evaluating concepts, policies, and issues identified in the process and providing direction to the consultant regarding how to proceed.

### B. Themes

The City of Ames is a diverse community with well established thriving neighborhoods, areas of expansion and growth for residential and commercial/industrial uses, infill and redevelopment interests, all serving a mix of short term residents, visitors, and long term residents. The City of Ames also works to coordinate community interest with other governmental institutions such as Story County and Iowa State University. With the broad range of issues affecting the community, the Comprehensive Plan, and the process employed to develop the Plan, will likely include issues or topics related to the following:

- expansion of the city,
- opportunities for infill development,
- future demand for housing and commercial use,
- sustaining neighborhoods ,
- support of social and cultural connections,
- transportation choices,
- sustainability,
- well being and healthy living
- sub-area planning, and
- urban fringe management.

Additional themes or topics will likely be identified in the community outreach steps and through the consultant's professional experience that are relevant to the City. Ultimately, the final Comprehensive Plan may take on any format that appropriately addresses the priority themes for the community and is a well thought out and clear approach to addressing the identified priorities.



### C. Coordination of Other Infrastructure and Planning Documents

The City has evaluated a variety of issues in recent studies. The findings and policies of these recent studies will assist in providing background and policy guidance for the preparation of the new Comprehensive Plan.

Recent plans and data that should be considered or incorporated as part of the Project include:

- Complete Streets Plan (2018, in progress)
- Lincoln Way Corridor Plan (2018)
- CyRide System 2.0
- Ames Mobility 2040 Long Range Transportation Plan
- Land Use Policy Plan (adopted 1997, with amendments)
- Ames Urban Fringe Plan and Agreement (2011)
- Apartment Development Trends past 5 years (2017)
- 2013-2018 Parks Master Plan
- Retail and demographic assessment data from ESRI and Buxton analytics

Copies of these plans are available on the City's website at [www.cityofames.org](http://www.cityofames.org) or they can be provided upon request.

### D. Scenario Analysis

As an interim step in the preparation of the Comprehensive Plan the City desires to review growth assumptions and evaluate development options for directional growth of the City. City staff will provide technical data work with consultant to create an evaluation of the growth scenarios. The scenario analysis may inform components needed for the preparation of the Comprehensive Plan.

## III. Comprehensive Plan Content.

The Project will include assembling and analyzing data regarding all of the existing conditions within the City of Ames and utilizing that data to develop policies, actions and an implementation plan to guide future development and decision making within the community with a horizon year of 2040. It is expected that the Project will include the following specific topics:

1. Demographics
  - a. Population, housing and demographic trends, including projections to 2040. Insight into demographic projections for the future needs.
2. Natural Resources and Stormwater Management
  - a. Incorporate data, policies and action steps related to natural resource protection
  - b. Floodplain management
3. Land Use
  - a. Future land use plan, with an appropriate balance of commercial, industrial, and residential uses. The plan should include policies and action steps for implementation to guide future development and land use decisions, including

proposals and policy for strategic land annexation related to both residential growth and economic development initiatives.

4. Housing
  - a. Analysis of existing conditions, proposals and policies for expansion and development of housing at all price points and housing needs.
5. Economic Development and Business
  - a. Employment trends, including projections to 2040
  - b. Retail and Industrial Sector trends
  - c. Commercial Development
  - d. Industrial Area Expansion
6. Multi-modal Transportation
  - a. Utilize Complete Streets and Long Range Transportation Plan as framework for future transportation needs.
  - b. Identify policies for future integration and improvements to multi-modal needs.
7. Parks and Recreation
  - a. Park and Open Space needs.
8. City Services
  - a. Water System
  - b. Sanitary Sewer System
  - c. Stormwater
  - d. Emergency Services
9. Implementation

### **III. Consultant Responsibilities and Deliverables.**

The selected consultant will work under the direction of the Planning and Housing Department Director.

In addition, the consultant is responsible for the following items:

- General management of the Project
- Data collection, analysis and presentations (with City staff support)
- Content for project webpage hosted on City website (with City staff support)
- Organization and facilitation of public meetings (with City staff support)
- Budgeting project funds
- Drafting and preparation of the plan documents, graphics, mapping, presentation materials, and other support services
- Regular updates and milestone presentations to the Planning and Zoning Commission and City Council

Projects and deliverables shall be as follows:

- Maps and associated data shall be in ARCGIS format and shall be provided to the City (existing City data will be provided to Consultant as needed).
- Text and report files shall be in MS Word and PDF formats, or other agreed upon publishing software format.
- All final reports shall be presented in digital format for archiving and reproduction.

- o Format of the Plan shall be of style, font, and layout conducive to online viewing as a PDF.

It is the City’s intent that upon final payment to the consultant, all final Project documents, studies or graphic materials, drawings, plans and digital files prepared by the consultant shall be deemed property of the City. The consultant shall be permitted to retain copies, including reproducible copies, of the consultant’s documents, studies or graphic materials, drawings, plans and digital files.

**IV. Project Schedule.**

<b>Issue RFP:</b>	<b>May 7, 2018</b>
<b>Final Date to Submit Written Questions:</b>	<b>May 23, 2018</b>
<b>Responses to Questions Posted:</b>	<b>May 31, 2018 or Sooner</b>
<b>Proposals Due:</b>	<b>June 11th, 2018</b>
<b>Evaluation &amp; Interviews:</b>	<b>June 18- 29, 2018</b>
<b>Selection Recommendation to City Council and approve Service Agreement:</b>	<b>July 10, 2018</b>
<b>Initiate Project</b>	<b>August 2018</b>
<b>Begin Community Outreach</b>	<b>September 2018</b>
<b>Present Initial Findings and Policy Options</b>	<b>January 2019</b>
<b>Provide Results of Scenario Analysis and refined option</b>	<b>May 2019</b>
<b>Provide Draft Plan for Public Comment</b>	<b>September 2019</b>
<b>Finalize and Adopt Comprehensive Plan</b>	<b>June 2020</b>

**V. Proposal Submittal Instructions.**

Interested firms shall respond in written form to this RFP and submit documentation substantiating their qualifications to perform the services required. At a minimum, the RFP shall include:

1. Letter of Transmittal

Provide a letter of transmittal briefly outlining the Consultant's understanding of the work and the name, address, telephone number and fax number of the consultant's primary contact person.

2. Profile of Consultant

The proposal shall include general information about the Consultant, the Consultant's scope of expertise related to this RFP, and the Consultant's official name, address, and principal officers, including qualifications of the project manager and other key personnel who would be assigned to the project.

3. Qualifications

- a) The proposal shall include the name of the project manager, his or her qualifications and experience, and the names, qualifications, and experience of other key personnel who would be associated with the project. The selection of a project manager by a consultant will constitute a contractual commitment by that consultant and a substitute manager will not be allowed without prior written approval by the City of Ames.
- b) Name and location of all other key personnel involved in the project if applicable; the type and approximate percentage of the work that would be performed by each of these firms; and the names, qualifications and experience of their personnel who would be associated with this project.
- c) The proposal must clearly describe the relevant experience of the project manager and other key personnel in undertaking and completing project relevant to this RFP.
- d) The proposal shall include at least three references of past clients for projects relevant to this RFP. These projects must have been completed within the past ten years with the same project manager, sub-consultants and other key personnel proposed for this project.
- e) The proposal shall discuss the consultant's ability to integrate this project into the consultant's present workload.

#### 4. Scope of Services / Methodology

Describe the methodology or strategy by which the consultant would satisfy the Scope of Services, and/or an alternative or hybrid strategy recommended by the consultant - what process and outcomes the consultant would suggest to make the Comprehensive Plan a reality. This is the consultant's opportunity to convey ideas and concepts with respect to vision and goals outlined in the Scope of Services. This will help the selection committee better evaluate the consultant's vision, abilities, and interest with respect to the RFP.

#### 5. Proposed Selection Process Schedule

Provide a project schedule outlining the time period and estimated completion date of the proposed scope of work, including a statement on the availability of key personnel of the firm to undertake the proposed project. This should include a schedule for and description of all deliverable products throughout the period. Products should be delivered in hardcopy and electronic formats compatible with the City's computer software and hardware.

#### 6. Certificate of Insurance

The selected firm will be required to meet the City's insurance requirements for professional services. A Certificate of Insurance is optional for inclusion with the proposal. A Certificate of Insurance must be provided upon selection.

#### 7. Fees and Compensation

Provide a proposed cost plus expenses budget for completion of the scope of services with cost breakdowns by scope element. Quotation of fees and compensation shall remain firm for a period of at least 90 days from the proposal submission deadline. The final contract will include compensation based on time and materials, with a not to exceed amount.

#### 8. Contract

A contract for services will be prepared by the City of Ames.

**VI. Evaluation Criteria.**

Proposals will be screened to ensure that they meet the minimum requirements of the RFP. The review committee will review qualifying proposals, and may invite any or all firms to make a presentation on their proposal before making a recommendation on a final selection to the City Council.

A highly qualified consultant will demonstrate experience knowledge and skills in evaluating growth options for the City as wells as potential infill opportunities and needs of existing neighborhoods. A consultant with experience addressing the unique housing and employment considerations associated with a university city are also a plus.

Factors to be considered by the committee in evaluating the proposals will include the following:

- o Clarity and completeness of the proposal
- o Qualifications and experience of the firm and any sub-consultants with similar projects
- o Qualifications and experience of the principal consulting staff and sub-consulting staff that will work on the project
- o Information from references on similar projects,
- o Quality and format of representative work for similar Comprehensive Plan documents
- o Understanding of the community and the project requirements
- o Project approach/methodology in developing a new Comprehensive Plan for the City
- o Proposed schedule required to complete the project
- o Proposed cost to complete the project

**VII. Submittal.**

The City of Ames reserves the right to reject any and all proposals and to negotiate changes with any firms. The City of Ames is not liable for any cost incurred by any firms prior to the execution of an agreement or contract. Nor shall the City of Ames be liable for any costs incurred by the firm that are not specified in the contract. The City of Ames is an Equal Employment Opportunity Employer.

Firms may submit the RFP in person or by mail. In any case, submissions must be received by 4:00 PM on \_\_\_\_\_, 2018 to be considered. Submissions received after the deadline will be returned unopened to the firm and will not be considered.

Five (5) hard copies and one (1) electronic copy of the RFP shall be submitted to:

XXXXXXXXX  
City of Ames  
515 Clark Ave, P.O. Box 811  
Ames, IA 50010

The proposals shall be sealed and be clearly labeled: "City of Ames Comprehensive Plan." Proposed fees and compensation are to be provided under separate cover. Responses received after the deadline will be returned unopened to the respondent. No faxed or emailed responses will be accepted. Each consultant assumes full responsibility for delivery and deposit of the completed proposal package on or before the deadline. The City of Ames is not responsible for any loss or delay with respect to delivery of the proposals.

### **VIII. General Terms and Conditions**

This request is not subject to Iowa public bidding law. The request does not obligate the City of Ames to award a contract to the lowest responsible bidder or any firm, nor to pay any cost incurred in the preparation of the submittals in response to this request.

All data, documents and other information submitted as a result of this request become the property of the City of Ames.

The City reserves the right to waive any informalities or discrepancies in this request.

The City reserves the right, at its sole discretion, to reject any and all responses.

All information contained in this request, including the project scope, schedules and selection process, is subject to change by the City.

**COUNCIL ACTION FORM**

**SUBJECT: AWARD OF CONTRACT FOR THE BROOKSIDE PARK PATH LIGHTING PROJECT**

**BACKGROUND:**

In February, City Council approved plans and specifications for the Brookside Park Path Lighting Project which includes the installation of path lighting adjacent to the shared use paths in Brookside Park, 1325 6<sup>th</sup> St. The paths include the path that runs from 6<sup>th</sup> St. to 13<sup>th</sup> St., the path that enters the park from the east on Ridgewood Ave., and the path that enters the southeast corner of the park at Brookridge Ave. and 6<sup>th</sup> St. These paths are shown on Attachment A. The shared use path system is an integral part of improving mobility and connectivity through Ames and the lighting will assist in increasing safety of the park since the park is heavily populated with trees, which restrict the light that gets into the park. The project is expected to be completed in 2018.

Six companies submitted bids for the project and at Council's March 27 meeting, staff recommended awarding the project contract to Van Maanen Electric as they were the low bidder. At that time, Lori Biederman, a Brookside Park neighborhood resident, expressed concern about installing lights in the park, especially in the wooded area on the northern section of the park, and the negative impact it will have on wildlife. **Council accepted the report of bids and directed staff to do additional research on the impact of the lights on the wildlife.**

**PROJECT DETAIL:**

KCL Engineering, West Des Moines, Iowa, was hired to develop specifications, prepare a cost estimate, and provide project management for the lighting project. KCL was tasked with ensuring lighting components are compliant with City of Ames Outdoor Lighting Code and staff confirmed they are compliant.

LED light fixtures, Attachment B, are to be mounted on top of 15' poles spaced every 75' to 100' and two feet off of the path. The lighting is 4,000 Kelvin (K) which closely resembles moon light. Attachment C shows the difference between varied levels of LED Kelvin temperatures. The path lighting would be on photo cells which means the lights will come on when natural light levels diminish and go off when natural light levels increase.

A total of 60 light poles are in the plans with six being placed on the path from Brookridge to Squaw Creek; eleven on the path from the corner of 6<sup>th</sup> Street and Brookridge to Squaw Creek; and 43 along the path from 6<sup>th</sup> Street to 13<sup>th</sup> Street.

Bids were solicited to provide all labor, equipment, materials, and other components necessary to complete the Brookside Park Path Lighting in accordance with Plans and Specifications. Bid information is as follows:

<b>Bidders:</b>	<b>Bid Amount:</b>
Van Maanen Electric	\$128,700
Nelson Electric	\$136,640
Jasepering Electric	\$158,000
Voltmer, Inc.	\$158,515
NAI Electrical Contractors	\$174,985
Baker Electric Inc.	\$178,885

**Project Cost and Funding:**

Bid Amount	\$ 128,700
Design Fees	\$ 8,000
<b>Total Estimate</b>	<b>\$ 136,700</b>

City Council approved \$150,000 as part of the FY 2016/17 Capital Improvements Plan (CIP). The engineer’s cost estimate for the project was \$144,075. There are sufficient funds to complete the project as specified.

**SAFETY:**

This project was initiated due to safety concerns from park users. These concerns included not being able to see the path, not able to identify obstacles on the path, and personal safety when using the path. According to Ames Police, there is little to no criminal activity in Brookside Park, however, they did indicate that two of the more serious sexual assaults in Ames have occurred in parks with little to no lighting. In addition, there is a current liability claim from an individual who fell on the steps in Brookside Park.

Staff did reach out to the City’s insurance provider, Iowa Communities Assurance Pool (ICAP), to see if there were any standards they use for lighting paths. Below is the response received from ICAP:

*“This is to recap our conversation concerning the lighting of pathways or shared use paths in your city parks. There are no standards that I am aware of concerning the lighting of pathways however from a loss control best practice standpoint I would suggest that the paths be lighted. This will help from a security standpoint as well as reduce the potential for trips and fall.”*

*Daniel Cruse, Loss Control Manager, ICAP*



## **LIGHTING STANDARDS FOR PATHS:**

There is not a significant amount of information specifically related to lighting paths and/or parks. However, multiple sources, including the International Dark-Sky Association (IDA), recommend lighting of 3,000 K or less for outdoor areas.

## **LIGHTING TYPES:**

The light fixture specified for this project is a Type V fixture which means it produces a circular distribution of light that has the same intensity in all directions. Attachment D explains the different LED Lighting Distribution Types. The consultant recommended this type of lighting as it provides light beyond the edge of the path and is better from a security perspective. As a reference, Iowa State University uses Type II lighting on its paths.

## **IMPACT ON WILDLIFE:**

Council directed staff to reach out to Jim Pease and Iowa State University regarding the impact that lighting will have on the wildlife in Brookside Park. Three individuals were contacted and they are listed below along with their comments.

### **Jim Pease**

#### **Professor Emeritus**

#### **Iowa State University**

#### **Area of Expertise: Interpretation, Field Biology, and Ecosystem Biology**

#### **Comments:**

- He read the notes/articles provided by Lori Biederman and won't dispute the research, but can't tell if the methodology used applies to this area in Brookside Park
- Lights installed in what is otherwise a dark and isolated area may impact wildlife uses of the area
- Animals in the City get used to light
- With some modifications, you can both minimize the impacts to wildlife and improve human safety concerns in the area
  - Use of low-sodium lights instead of LED's
  - Lower the pole height from 15' to 8'-10' range
  - Putting timers on the lights would help minimize the impact
  - Making sure the light is concentrated downward
- With these measures, he thinks we can achieve both the park systems' desire for safety for human users and minimize the impacts on wildlife occupants in this important wild area in our city

- Impact on Barred Owls may be minimal as they will feed during the day; Great Horned Owls are pretty adaptable; Screech Owls are very nocturnal and may be impacted the most
- Not sure how much crepuscular animals (most active at dusk and dawn) will be affected

**Brent Danielson**

**Professor**

**Iowa State University**

**Area of Expertise: Small Mammal Ecology and Evolution**

Comments:

- Lighting does nothing good for wildlife; even small amounts of light have an impact
- Lighting adds stress to mammals
- Adding lighting will reduce the number of mammals
- Timers may make sense, but lighting from dusk to 10:30 PM and 6:00 AM to dawn will impact the wildlife which are most active during dusk and dawn
- Lighting will have a moderate to substantial impact on wildlife

**Steve Dinsmore**

**Professor**

**Iowa State University**

**Area of Expertise: Avian Ecology**

Comments:

- Defined light pollution as adding light to areas where it wasn't before
- Lighting will affect birds that migrate (spring and fall) at night
  - Birds coming in for a landing are attracted to the light and there is an increased risk for collision
  - Since birds are attracted to the light, they may be going to areas that is not optimal habitat and thus they may not get the nutrients needed to continue their migration
- Lighting extends activity for daytime birds (i.e. birds may sing well into the night)
  - The physiological response to extending daytime activities is birds use more energy and in turn will have less energy for mating and other functions
- Lights facing downward is good
- Long spacing (75'-100') between poles is good
- Timers make sense as lights are only on when people may be using the paths and timers would help conserve energy
- Pole height of 12'-15' seems appropriate

- Great Horned Owls and Barred Owls are doing well in urban environments and the Barred Owl population is increasing across Iowa
- Screech Owls are more of a conservation concern as they are less adaptable

### **ITEMS TO CONSIDER WITH COST IMPLICATIONS:**

Based on the aforementioned information, there are several issues to consider:

**Complete the project according to plans and specifications?** – This is comprised of 4,000 K lighting, 60 poles spaced 75'-100 feet apart, and photocells so the lights will come on when natural light levels diminish and turn off when natural light levels increase. User safety is the priority with this option. **Project cost is \$136,700.**

**Install 3,000 K fixtures?** – The project could move forward as designed, however, a change order would be issued to install 3,000 K fixtures in place of the 4,000 K fixtures. User safety and reducing the impact on wildlife can be accomplished. **Estimated project cost is \$136,700.**

**Install timers?** – These could be installed so the lights would go off at 10:30 PM and back on at 6:00 AM. This would correspond with park hours. User safety is addressed and lights would be off for a majority of the dark hours. **Cost to add timers to any alternative is estimated at \$2,100.**

**Install Type II lighting in place of Type V?** – This option would concentrate the light on the path with minimal spillover to the adjacent path area. Light fixtures would be 3,000 K. User safety and reducing the impact on wildlife can be accomplished. This option would require a redesign and rebid. **Estimated project cost is \$161,700.**

**Do not light the wooded section?** – Lighting would only be installed in the developed areas of the park. The wooded section would remain unlit. Focus is on minimizing the impact on wildlife and does not address user safety concerns in the wooded section. Redesign and rebid would be necessary. **Estimated project cost is unknown.**

**Install shorter poles?** – If this option is preferred, staff recommends shorter poles are only installed in the wooded section. This option focuses on minimizing the impact on wildlife and may not address user safety concerns. A redesign and rebid would be necessary. **Estimated project cost is unknown.**

## **ALTERNATIVES:**

1. Award the Brookside Park Path Lighting contract to Van Maanen Electric, Newton, IA for the bid amount of \$128,700.

*If Council desires 3,000 K lighting in place of 4,000 K lighting as specified, as well as, timers, a separate motion directing staff to initiate a change order would be needed.*

2. Reject all bids and direct staff to redesign the project utilizing Type II lighting, 3,000 K fixtures, photocells, and timers on all paths as shown in Attachment A.

*If Council prefers this alternative, additional funding will need to be identified.*

3. Reject all bids and direct staff to redesign the project utilizing Type II lighting, 3,000 K fixtures, and photocells for only the paths in the developed areas of the park.

4. Reject all bids and provide direction to staff regarding some other combination of desired changes to the plans and specifications.

*If Council prefers this alternative, the project will most likely need to be redesigned and rebid. Additional funding may need to be identified as well.*

5. Reject all bids and do not pursue this project at this time.

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

The proposed project is an important addition to Brookside Park, because it alleviates safety concerns regarding how dark it gets during certain times of the year due to the tree canopy. Also, it encourages pedestrians and bicyclists to use the park as a safe connection route instead of using a lighted roadway. The proposed lighting is compliant with the City of Ames Outdoor Lighting Code. Van Maanen Electric has successfully completed multiple projects for the City including the River Valley Park Softball Field Lighting, Inis Grove Park Sand Volleyball Court Lighting, and the Ames/ISU Ice Arena Lighting Project.

This project was initiated in response to safety concerns from users and designed with that in mind. However, minimizing the impact on wildlife is also important. Balancing these two concerns can be difficult. The City's liability insurance provider is advocating for path lighting to minimize risk to park users while the experts contacted indicate introducing light pollution will have negative impacts on the wildlife. Installing Type II lighting, 3,000 K fixtures, photocells, and timers may be the best way to balance these two concerns.

**Therefore, should the Council's main emphasis be on human safety, then it is the recommendation of the City Manager that the City Council approve Alternative #1.**

**However, if there is a desire to balance the welfare of the wildlife along with human safety, then it is the recommendation of the City Manager that the City Council adopt Alternative #2 as described above.**

**However, it is important to note that Alternative #2 will require the redesign and rebidding of the project that could add an additional cost of \$25,000.**

ATTACHMENT A



**ATTACHMENT B**







Kelvins Tell You What Color Your LED Is

This is a great photo illustrating the different color temperatures of lighting based on the Kelvin temperature scale. Warmer temperatures are a longer wavelength and also more closely resemble high pressure sodium (HPS) light types prevalent along streets until LEDs started taking over. Cooler tones are shorter wavelengths and more closely resemble direct sunlight.

. Moonlight is 4100 Kelvin - Sunlight ranges between 4,500 and 10,000 Kelvin.

. Lighting in the higher Kelvin range can trigger photoreceptor cells containing a photopigment called melanopsin which helps set your body's daily cycles and can keep you attentive and alert. However, recent studies has also shown that this cooler light (blue light) can adversely affect your circadian rhythm - a term used to indicate your body's natural energy cycles.

Degrees Kelvin is traditionally used to measure temperature on an absolute, thermodynamic scale. **LED color temperature uses measurements in Kelvin related to temperature changes as a piece of metal, specifically a black body radiator**, is heated.

As the metal is heated, the color of light emitted changes from red to orange, and then yellow, white, blue-white, and lastly, deeper shades of blue. Although LEDs do not produce light in the same manner as the heating of metal, the same color scale is used to describe the appearance or quality of light they produce.

When it comes to the Kelvin scale, bulbs with a **low Kelvin value produce a warmer, yellowish, cozier light**, while those with a **higher Kelvin value produce a cool blue**, more energizing light. To help you remember, think:

**'Low equals more golden glow'** and **'high looks like a crisp blue sky.'** **'Low equals more golden glow'** and **'high looks like a crisp blue sky.'**

In addition to factoring in the brightness of an LED bulb (which is measured in lumens), specific color temperatures will provide benefit to different activities, locations, and light fixtures.

**Soft, warm white LED color temperature bulbs...**

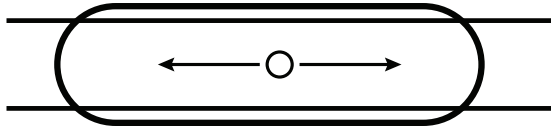
are most similar in light quality to standard incandescent bulbs and measure 2,700 to 3,000K.



# LED Lighting Distribution Types

## Quick Reference Guide

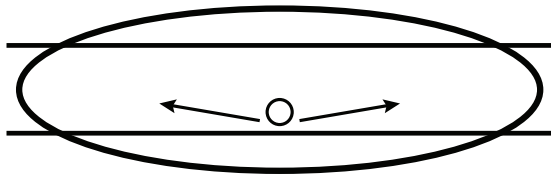
### Type I



The **Type I distribution** is great for lighting walkways, paths and sidewalks. This type of lighting is meant to be placed near the center of the pathway. This provides adequate lighting for smaller pathways.

Type I is a two-way lateral distribution having a preferred lateral width of 15 degrees in the cone of maximum candlepower. The two principal light concentrations are in opposite directions along a roadway. This type is generally applicable to a luminaire location near the center of a roadway where the mounting height is approximately equal to the roadway width.

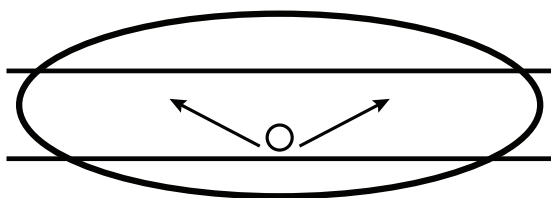
### Type II



The **Type II distribution** is used for wide walkways, on ramps and entrance roadways, as well as other long, narrow lighting. This type is meant for lighting larger areas and usually is located near the roadside. You'll find this type of lighting mostly on smaller side streets or jogging paths.

Type II light distributions have a preferred lateral width of 25 degrees. They are generally applicable to luminaires located at or near the side of relatively narrow roadways, where the width of the roadway does not exceed 1.75 times the designed mounting height.

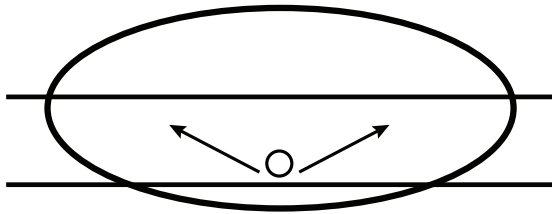
### Type III



The **Type III distribution** is meant for roadway lighting, general parking areas and other areas where a larger area of lighting is required. Type III lighting needs to be placed to the side of the area, allowing the light to project outward and fill the area. This produces a filling light flow.

Type III light distributions have a preferred lateral width of 40 degrees. This distribution is intended for luminaires mounted at or near the side of medium width roadways or areas, where the width of the roadway or area does not exceed 2.75 times the mounting height.

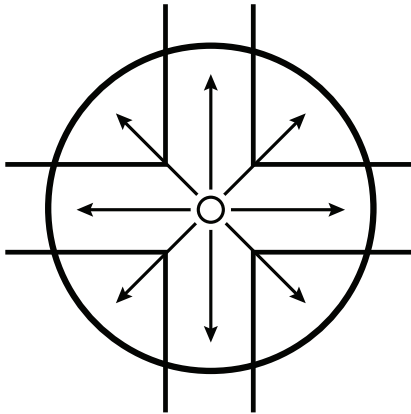
### Type IV



The **Type IV distribution** produces a semi-circular light meant for mounting on the sides of buildings and walls. It's best for illuminating the perimeter of parking areas and businesses. The intensity of the Type IV lighting has the same intensity at angles from 90 degrees to 270 degrees.

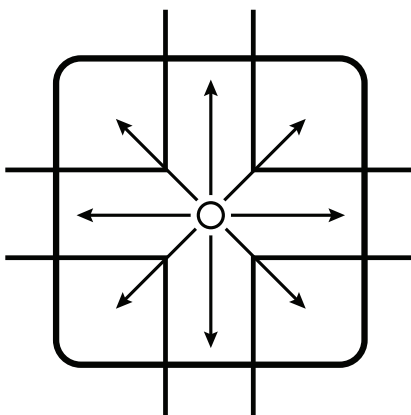
Type IV light distributions have a preferred lateral width of 60 degrees. This distribution is intended for side-of-road mounting and is generally used on wide roadways where the roadway width does not exceed 3.7 times the mounting height.

### Type V



The **Type V distribution** produces a circular distribution that has the same intensity at all angles. This distribution has a circular symmetry of candlepower that is essentially the same at all lateral angles. It is intended for luminaire mounting at or near center of roadways, center islands of parkway, and intersections. It is also meant for large, commercial parking lot lighting as well as areas where sufficient, evenly distributed light is necessary

### Type VS (square)



The **Type VS distribution** produces a square distribution that has the same intensity at all angles. This distribution has a square symmetry of candlepower that is essentially the same at all lateral angles. It is intended for luminaire mounting at or near center of roadways, center is-lands of parkway, and intersections. It is also meant for large, commercial parking lot lighting as well as areas where sufficient, evenly distributed light is necessary. Type VS is used where the light pattern needs a more de-fined edge.

**COUNCIL ACTION FORM**

**SUBJECT: MSCD REQUESTS FOR RAGBRAI ENTERTAINMENT**

**BACKGROUND:**

On Tuesday, July 24, the City will host the Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI) as an overnight stop. Approximately 15,000-20,000 bicycle riders and support individuals will be in Ames for the event. In conjunction with the ride, the Main Street Cultural District (MSCD) is coordinating the downtown entertainment component of the event.

The proposed downtown entertainment will consist of musicians performing on two stages, beer service, food vendors, and carnival-type acts. In addition, a portion of the downtown area will serve as a venue for the bicycle repair shops that follow RAGBRAI across the state and set up temporary tents to facilitate repairs. The entertainment will begin at approximately 3:00 p.m. and continue until midnight. It is anticipated that a total of 8,000 people will attend the downtown event, though the attendance at any one time is expected to be several thousand fewer.

The affected event area is as follows:

- Main Street from Pearle Avenue to Douglas Avenue (Pearle/Main and Douglas/Main intersections to remain open to traffic)
- Clark Avenue from the exit of the CBD lot to Main Street
- Burnett Avenue from Main Street to the alley north of Main Street
- Kellogg Avenue from the CBD lot to Fifth Street
- Tom Evans Plaza

Additionally, organizers are requesting closure of 12 parking spaces in the 400 block of Douglas Avenue to provide parking for the entertainers.

In total, the event will require:

- Closure of the streets indicated above from 6:00 a.m. Tuesday, July 24 through 9:00 a.m. Wednesday, July 25
- Closure of 203 metered parking spaces in the Downtown Business District from 6:00 a.m. Tuesday to 9:00 a.m. Wednesday (A waiver of fees has been requested, which is an estimated \$365 loss to the Parking Fund. **It should be noted that this calculation is based upon current parking meter rates, which are anticipated to increase as of July 1. However, the City Council has not yet formalized that action.**)
- Closure of Depot Lot V
- A blanket Temporary Obstruction Permit for the closed area

- A Special Class C Liquor License with Outdoor Service Privilege (This license allows for beer, wine, and wine coolers, but no liquor)
- Access to City electrical outlets (A waiver of fees has been requested, which is an estimated \$20 loss to the Electrical Fund)
- Suspension of existing sidewalk cafes in the downtown area from 4:00 p.m. July 24 through 2:00 a.m. July 25

The City Council is considering adoption of a separate temporary RAGBRAI ordinance which would address how vending is to be conducted in conjunction with RAGBRAI. Therefore, a Vending License is not anticipated to be required for this event. If the Council does not adopt the proposed temporary RAGBRAI ordinance, then City staff will bring a separate request regarding the Vending License needs to facilitate the downtown entertainment.

## **ALCOHOL ISSUES:**

**This event is unique in that MSCD has requested allowing alcohol consumption anywhere on the streets and sidewalks within the event area. This event area would be open to the public, including to anyone under the age of 21.** According to *Municipal Code* Section 17.16 – Minors Prohibited on Certain Premises, there are limited circumstances in which persons under 21 years of age can be on the premises of an alcohol-dispensing establishment.

If the establishment conducts most of its sales in things such as food rather than alcohol, minors may be allowed on the premises (e.g., a family restaurant that also sells beer is typically selling more food than alcohol, and minors are permitted). If the establishment sells primarily alcohol, however, minors are not permitted on the premises (e.g., if the establishment is a bar or cocktail lounge, minors may not be present).

For a special event such as this, there is no verifiable history of transactions to determine whether the sales of the license-holder are primarily alcohol or not. Additionally, the food vendors taking part in the event are not the alcohol license-holder, and therefore their sales would not count towards non-alcoholic sales. Additionally, with a temporary event there are fewer lasting consequences that can be imposed for poor compliance with alcohol laws compared to a brick-and-mortar alcohol establishment.

MSCD has historically complied with Section 17.16 by establishing a separate fenced area for persons 21 years of age and older, where they may obtain and consume alcohol, but where those under 21 are not allowed. These areas are arranged so that both groups can participate in the entertainment. The standard provided to the organizers is to have fencing in place that is either high enough or wide enough that alcohol cannot be passed from one area to another.

**Section 17.16 of the *Municipal Code* is an important tool to ensure safe and responsible consumption of alcohol in establishments and at events across the City. Allowing minors in licensed premises increases the chances that a person**

**under 21 will be able to access alcohol to consume, either by purchasing it directly or obtaining it from a person who is of legal age.**

**City staff recognizes that the RAGBRAI entertainment events are a unique occurrence in our community. Staff has met with the MSCD and Ames Convention and Visitors Bureau on a number of occasions to discuss the planning for this aspect of RAGBRAI and to identify how to make it as safe and successful as possible.**

Whether those under 21 are allowed on the premises or not, MSCD has the same duty to ensure that persons under 21 do not obtain and consume alcohol. It intends to do this through several means:

- Hiring 20 professional security guards from a private company – These guards will be a visible presence at the entry/exit points of the event area. They will assist in ensuring no alcoholic beverages leave the event area. This includes ensuring that any person who wishes to enter or leave one of the existing bars on Main Street does not bring alcohol with them. Additionally, these guards will patrol through the event area to monitor for issues.
- Having at least 32 peer security volunteers trained in crowd management to assist with entry and exit to the entertainment area, the checking of IDs, and the beverage service. Participants will have IDs checked by trained volunteers upon purchasing drink tickets, and will be required to have a wristband if they consume alcohol. The beverage servers, as always, have the ability to request IDs from those who they suspect of being underage and refuse service if they are not certain that the person buying the alcohol should possess it.
- Coordinating with other licensed establishments that connect to Main Street to ensure they can comply with their obligations to prevent alcohol from traveling with patrons into the event area. Additionally, MSCD has indicated it will provide information and signage to all other businesses (non-bars) in the area that will be open to ensure they can communicate that alcohol is not permitted in their businesses.

Additionally, MSCD will implement the following general safety measures:

- Ending alcohol service at 11 p.m. Although the entertainment will continue until midnight, the alcohol service will end early to ensure participants do not drink alcohol through to the end of the event.
- Establishing a command post in the Chamber of Commerce office to manage the event and handle any major safety concerns.
- Securing the services of a medical team to attend the event to address medical needs of event participants if they arise.

- Providing attendants at the railroad crossings at Clark Avenue and Kellogg Avenue to ensure that those crossing the tracks are doing so in a safe manner as they go to and from the event. This is due to several factors: The rail corridor adjacent to downtown is very active, many of the event participants may not be familiar with Ames' rail crossings, and some event participants may be intoxicated as they leave the event area. Therefore, providing volunteers to ensure pedestrians wait safely for approaching trains seems prudent. These volunteers can also help provide directions or other assistance to participants.
- Preparing an emergency action plan to address communications, roles of staff and volunteers, and additional actions that would be taken in the event of an emergency that would threaten the safety of event participants.

Additionally, MSCD's proposed premises will also include Tom Evans Plaza. Consumption of alcohol in City parks is only allowed in certain designated parks, according to Section 17.17 of *Municipal Code*. Tom Evans Plaza is not one of those designated areas. Therefore, MSCD would require a waiver of this section of *Municipal Code* to allow this area to be used as a component of the alcohol service area.

#### **SIDEWALK CAFÉ ISSUES:**

As of the time of this writing, only two downtown establishments have obtained a Sidewalk Café Permit for the 2018 summer season: Della Viti – 323 Main Street, and Bar La Tosca – 400 Main Street. Whiskey River, 134 Main Street, is in the process of obtaining a Sidewalk Café Permit, but has not yet completed the application.

MSCD is requesting that all sidewalk café operations in the downtown area be suspended from 4:00 p.m. on Tuesday, July 24 through 2:00 a.m. on Wednesday, July 25. **Through conversations with MSCD and ACVB, staff has clarified that sidewalk café proprietors would be permitted to leave their accessories (planters, fencing, etc.) out during this period of time, but would not be able to serve alcohol. It would be up to each proprietor if they would like to serve food items in their sidewalk cafes, but doing so would subject them to the local RAGBRAI organizing committee's rules regarding vendor fees.**

The rationale for this request is to ensure that there is a separation between different licensed establishments where alcohol is being consumed. MSCD has further clarified that to assist in managing the crowds, it would be preferable to suspend operation of those downtown sidewalk cafes that are outside the event area (e.g., Whiskey River).

## ALTERNATIVES:

1. Approve the requests from the Main Street Cultural District for the downtown entertainment area on July 24-25, 2018, including:
  - a. Issuance of a blanket Temporary Obstruction Permit
  - b. Issuance of a Special Class C Liquor License with Outdoor Service Privilege
  - c. Closure of the streets, parking spaces, Depot Lot V, and Tom Evans Plaza as indicated above
  - d. Waiver of fees for lost parking revenue
  - e. Access to City electrical outlets and a waiver of fees for electricity use
  - f. Suspension of sidewalk café operations in the downtown area from 4:00 p.m. July 24 through 2:00 a.m. July 25
  - g. Waiver of enforcement of Section 17.16 of *Municipal Code* related to minors prohibited on certain premises with respect only to the proposed downtown entertainment area
  - h. Waiver of enforcement of Section 17.17 of *Municipal Code* related to alcohol consumption in the parks with respect only to Tom Evans Plaza.
2. Direct staff to work with the requestors to develop a downtown entertainment proposal that does not involve alcohol consumption in an all-ages environment.
3. Do not approve the requests.

## CITY MANAGER'S RECOMMENDED ACTION:

Providing an entertainment area for RAGBRAI participants is an expectation of any community serving as a RAGBRAI overnight stop. Centralizing that entertainment area provides advantages in managing the entertainment and the crowds that will participate. The proposed event provides an opportunity to showcase the Main Street Cultural District area of Ames for RAGBRAI participants.

MSCD has proposed an event where those under 21 would be able to participate in the entertainment aspects of the event alongside those who are 21 and over who can legally consume alcoholic beverages. **Staff is extremely cautious about recommending any waiver of enforcement of Section 17.16 of the *Municipal Code*. However, it is evident that MSCD has taken extraordinary steps to evaluate risks, implement practices that will reduce or minimize those risks, and provide a significant staff, volunteer, and professional security staff presence to manage this event. It is clear that these measures exceed the typical safety measures that would be expected for an event.**

It should be noted that the waiver of enforcement for Section 17.16 related to minors prohibited on certain premises for this time period would only apply to the downtown entertainment area being proposed. It would not apply to other establishments in

downtown or other parts of the City. Those establishments will be required to comply with Section 17.16.

Assuming the City Council is supportive of this limited instance where alcohol would be served in an all-ages entertainment area, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.





# SPECIAL EVENT APPLICATION

## SUMMARY OF EVENT

### DESCRIPTION

Event Name RAGBRAI on Main

#### Description

On July 24, Ames will play host to RAGBRAI as an overnight stop. The entertainment and beer garden will be located in downtown Ames. The event will include two main stages with amplified bands, beer service, food vendors, and carnival type acts (jugglers, stilt walkers, fire walkers, actors).

The event will span from the 500 block of Main to the 200 block of Main, street closures will include Clark, Burnett, and Kellogg. We also request no parking on Douglas. (See Map)

500 Block of Main - Bike parking in Depot Lot, RAGBRAI vendors on street

400 Block of Main - Food vendors (small stage on Burnett)

300 Block of Main - Food vendors, beer sales, (carnival performers on Kellogg)

200 Block of Main - Beer sales and Main Stage

#### Other Requests:

1. 24 hour suspension of sidewalk cafe service (7/24,6am - 7/25,6am)

2. 24 hours suspension of enforcement of ordinance Sec. 17.16 Minors prohibited on certain premises (7/24,6am - 7/25,6am)

3. 24 hour suspension of enforcement of Alcohol in Parks Policy for Tom Evans Park (7/24,6am - 7/25,6am)

#### Event Category

Athletic/Recreation

Concert/Performance

Exhibits/Misc.

Farmer/Outdoor Market

Festival/Celebration

Other (please explain)

Parade/Procession/March

#### Anticipated Attendance

Total 8000

Per Day 8000

### DATE/TIME

#### Setup

Date 7/24/2018 Time 3am

Day of Week Tuesday

#### Event Starts

Date 7/24/2018 Time 3pm

Day of Week Tuesday

#### Event Ends

Date 7/25/2018 Time 12am

Day of Week Wednesday

#### Teardown Complete

Date 7/25/2018 Time 9am

Day of Week Wednesday

Rain Date, if applicable n/a

Rain Location, if applicable \_\_\_\_\_

## LOCATION

- Region**  
(Select one or more)
- Main Street Cultural District (Downtown)
  - Campustown District
  - Iowa State University Property
  - City Parks
  - Other (please explain) \_\_\_\_\_

**Please note** that events occurring in the Downtown, Campustown, in City parks, or on ISU property require prior approvals. A letter of support will be required from CAA if the event occurs in Campustown or from MSCD if the event occurs in Downtown. Please contact the appropriate office well in advance:

-  
Downtown - Main Street Cultural District: (515) 233-3472                      events@amesdowntown.org  
Campustown - Campustown Action Association: (515) 450-8771              director@amescampustown.com  
Iowa State University - Events Authorization Committee: (515) 294-1437      eventauthorization@iastate.edu

## CONTACTS

**Host Organization** Main Street Cultural District

<b>Local Contact</b> (Required)	<b>Name</b>	<u>Cindy Hicks</u>
	<b>Address</b>	<u>304 Main Street</u>
	<b>Telephone</b>	<u>515-233-3472</u>
	<b>Cell Phone</b>	<u>316-871-0837</u>
	<b>Email</b>	<u>director@amesdowntown.org</u>

**At least ten business days prior to the event, Organizer must submit Emergency Contact List, including names and numbers of all coordinators, volunteers, and location assigned to each.**

**Yes No**

- Is this an annual event? How many years have you been holding this event? \_
- Is this event open to the public?
- Is your event being held in conjunction with another event (e.g. *Farmers' Market, 4th of July*, etc.)?

If yes, please list

RAGBRAI Ames overnight stop - Ames Convention and Visitor's Bureau

Contacts:  
Julie Weeks: jweeks@iastate.edu  
Kim Abels: kima@amescvb.com

**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Ames Chamber of Commerce</u>		
<b>Name of Business (DBA):</b> <u>Main Street Cultural District</u>		
<b>Address of Premises:</b> <u>200-400 Main Street</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>
<b>Business</b> <u>(515) 233-3472</u>		
<b>Mailing</b> <u>304 Main Street, amesdowntown.org</u>		
<b>City</b> <u>Ames</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50010</u>

**Contact Person**

<b>Name</b> <u>Cindy Hicks</u>	
<b>Phone:</b> <u>(316) 871-0837</u>	<b>Email</b> <u>director@amesdowntown.org</u>

**Classification** Special Class C Liquor License (BW) (Beer/Wine)

**Term:** 5 days

**Effective Date:** 07/23/2018

**Expiration Date:** 01/01/1900

**Privileges:**

Outdoor Service

Special Class C Liquor License (BW) (Beer/Wine)

**Status of Business**

<b>BusinessType:</b> <u>Municipality</u>	
<b>Corporate ID Number:</b> <u>XXXXXXXXXX</u>	<b>Federal Employer ID</b> <u>XXXXXXXXXX</u>

**Ownership**

**Cindy Hicks**

**First Name:** Cindy

**Last Name:** Hicks

**City:** Ames

**State:** Iowa

**Zip:** 50010

**Position:** Executive Director

**% of Ownership:** 0.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Illinois Union Insurance Company</u>	
<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>



April 12, 2018

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

Dear Honorable Mayor John Haila and Ames City Council,

The Ames Main Street Cultural District is proud to request a special event permit to host RAGBRAI entertainment and beer garden on Main Street on Tuesday, July 24. With three locations for entertainment, a vast diversity in entertainment options, local food vendors, and a beer garden, we anticipate making Ames the best and most memorable stop on the RAGBRAI route.

Events of this nature help the MSCD achieve its vision of making downtown Ames the primary destination of Central Iowa by creating an economically vibrant district with unique living, dining, and entertainment experiences.

We have several special requests for this event:

- Waiver of fees for parking meters.
- Waiver of fees for electric use.
- Suspension of sidewalk café service for the downtown service center area from 4pm to 2am.
- Suspension of enforcement of ordinance 17.16, minors on certain premises.
- Suspension of enforcement of parks policy prohibiting alcohol in Tom Evans Park.

We appreciate your consideration of these requests and look forward to seeing all of you in downtown Ames, on July 24!

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Abrams".

Eric Abrams  
2018 MSCD Board President



45

**To: Mayor, and City Council**

**From: Damion Pregitzer, Traffic Engineer**

**Subject: Progress Update on City of Ames Complete Streets Plan**

On August 8, 2017, the City of Ames hired **Tool Design Group (TDG)** to begin work on a Complete Streets Plan for the City of Ames. TDG specializes in walkable/bikeable design and are considered to be national experts on modern multimodal design.

To guide the project, two committees were established; a **Technical Advisory Committee (TAC)** and a **Community Advisory Committee (CAC)**. The TAC is made up of professional staff from City of Ames Planning, Engineering, Traffic, Operations, CyRide, and Parks & Recreation, as well as, professional staff from Iowa State University and the Ames Area Metropolitan Planning Organization. The CAC is comprised of stakeholders that represent the interests of the Ames community. The committee has representatives from Downtown and Campustown Business Districts, Biking/Walking Advocacy Groups (Ames Bicycle Coalition), Health-Living / Active-Transportation Advocacy (Healthiest Ames), ISU Student Government and Student transportation advisory members, Story County, and Ames Development Community members.

Since the beginning of the project, there has been a Public Open House, and several Committee meetings with City Staff and TDG, while TDG familiarizes themselves with the Ames community. Work on the project to date has focused on educating the community on current Complete Streets design and for TDG to gain input from the committees and community. TDG has also been diligently developing the major technical components of the plan and reviewing them with the Committees for comment and refinement.

**If you will recall, when TDG was hired, City Council expressed concern regarding the potential cost impacts of implementing Complete Streets concepts. Therefore, City Council asked to be updated when the draft technical design standards and associated costs had been developed. Since we are now at that point in the project development, staff will present the draft materials at the April**

**24<sup>th</sup> meeting for concurrence or further direction before the materials are available for public feedback.**

**Final draft materials will incorporate all feedback received from City Council and the advisory committees (which is still underway) before publishing the draft documents for general public comment.** The next Public Meeting is anticipated to be held in June 2018. The overall plan is still on schedule for adoption in Fall 2018.



# Complete Streets **Ames**

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DRAFT STREET DESIGN FRAMEWORK & STREET TYPES

APRIL 2018

# Transportation Function

DRAFT



Transportation function exists on a spectrum between:

**Access** to destinations and individual properties. Typically lower speed with higher levels of foot traffic.



**Throughput**, which means the efficient movement of people. Typically higher speeds with fewer people accessing destinations along the street.



Transportation function is determined by answering several questions:

- Are there many destinations along the street?
- Is there much foot or bike traffic (currently or potentially)?
- Is the street an important link for cross-town travel?



DRAFT

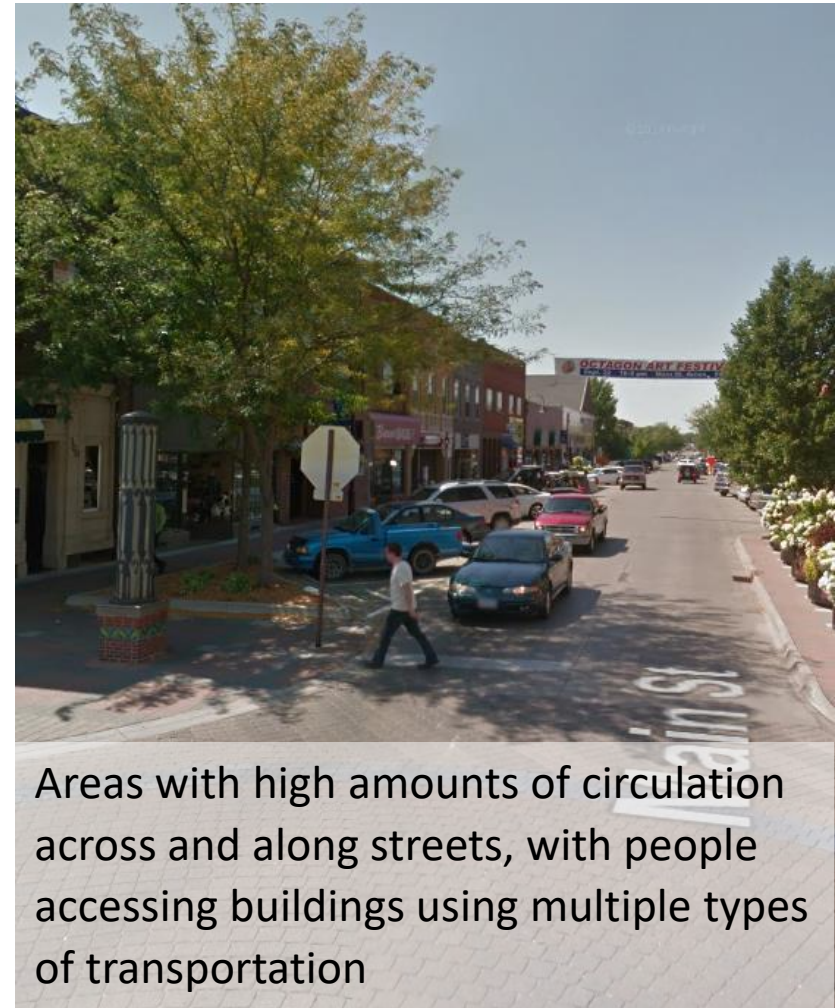
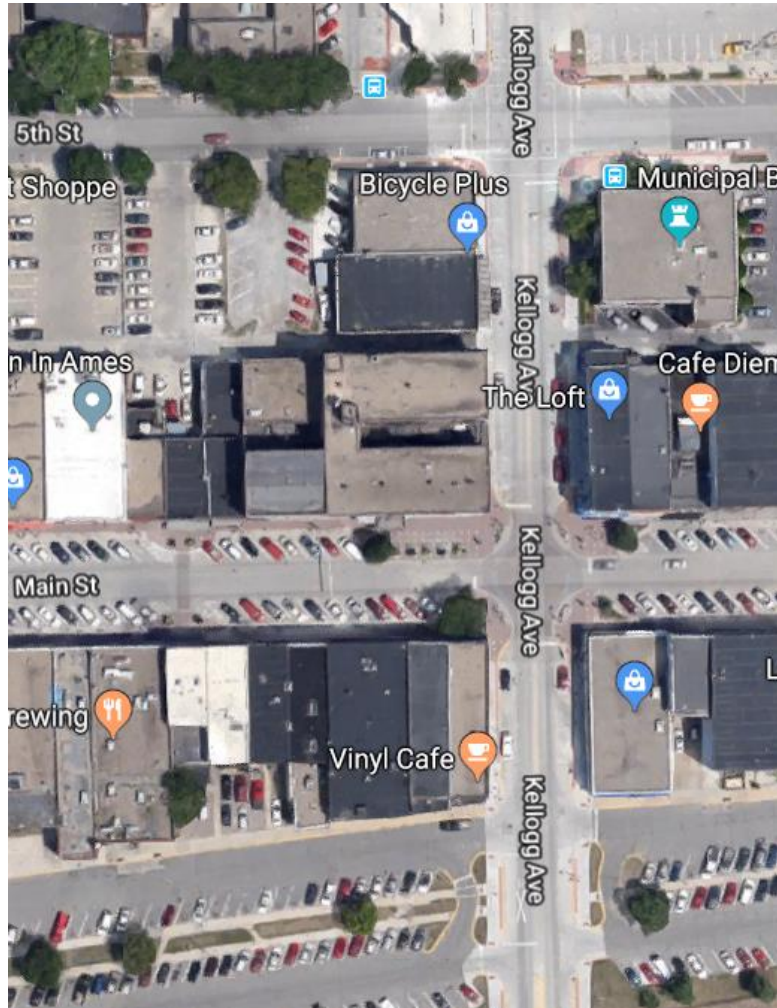
# Place Types

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Common development patterns, land uses, and character of the five place types are illustrated on the following pages, with descriptive summary tables at the end of this section.

# Activity Center

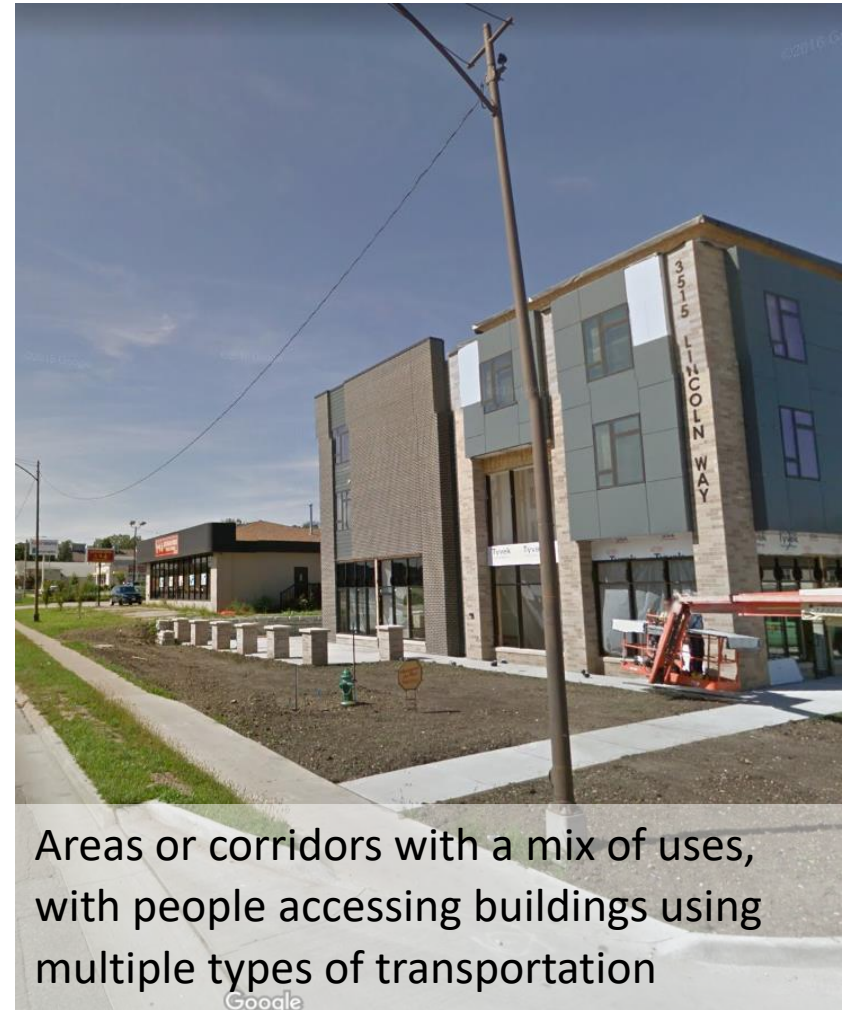
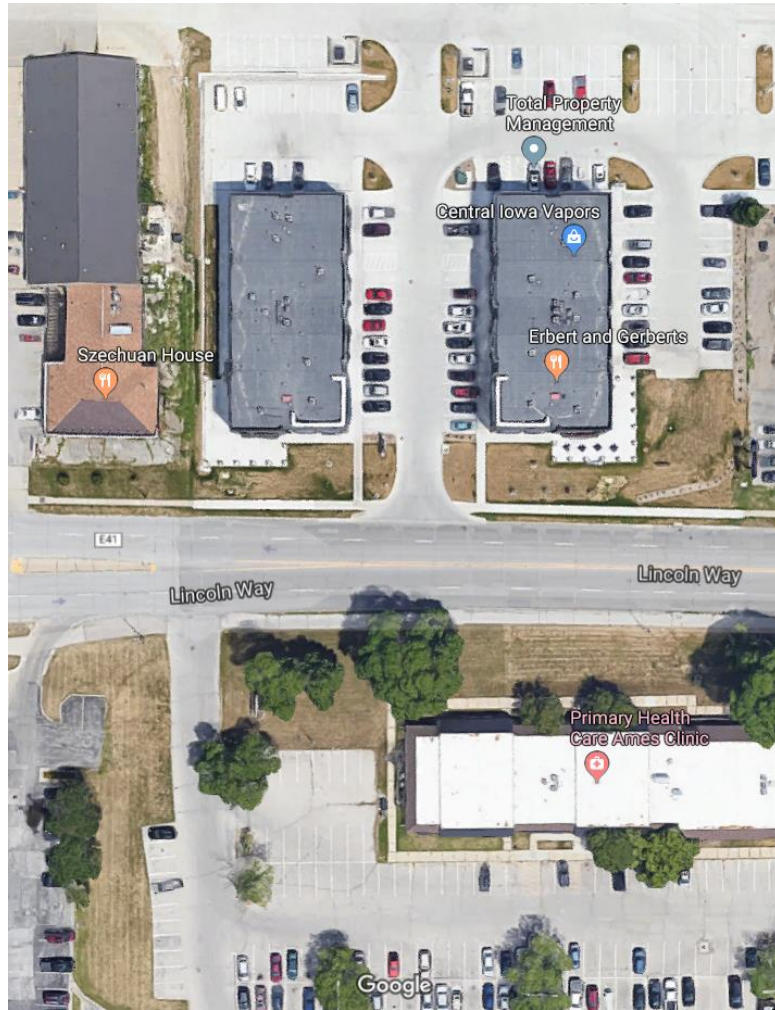
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Areas with high amounts of circulation across and along streets, with people accessing buildings using multiple types of transportation

# Urban Mix

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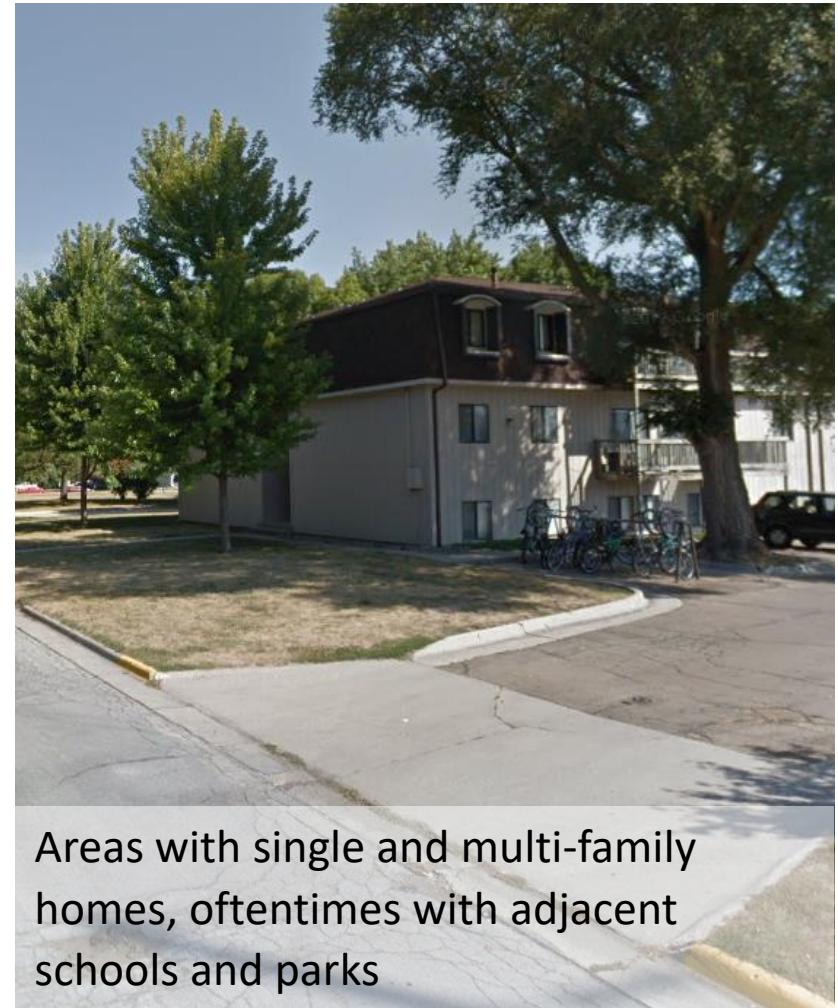


Areas or corridors with a mix of uses, with people accessing buildings using multiple types of transportation



# Residential

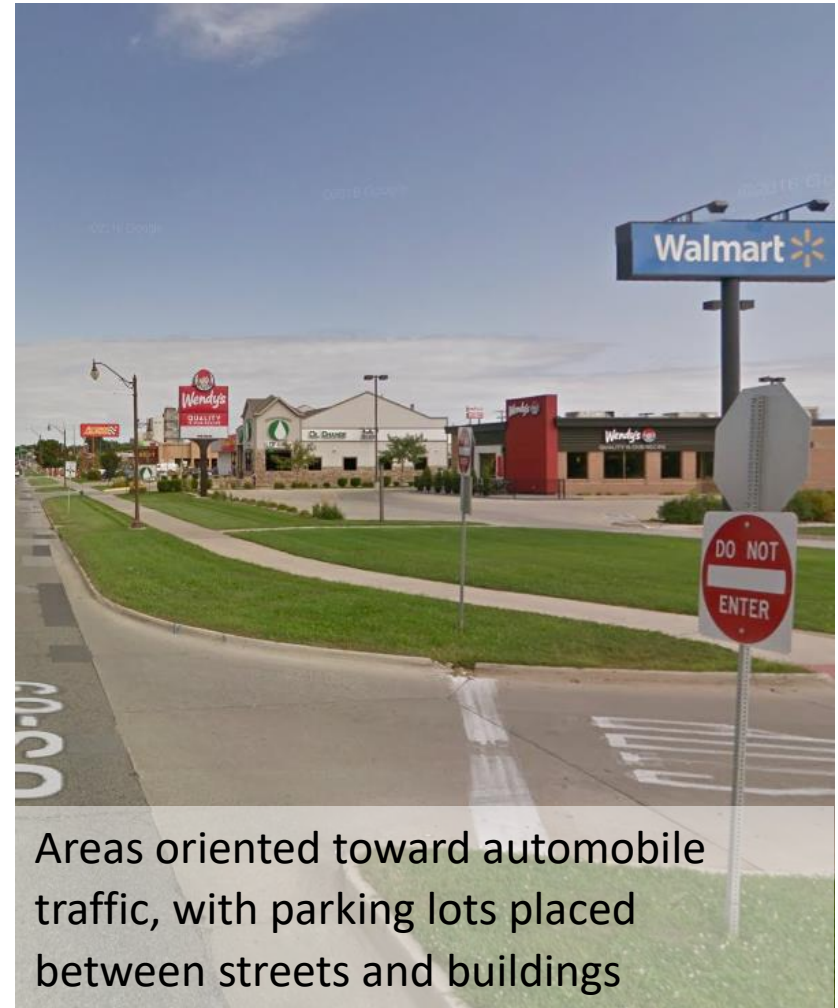
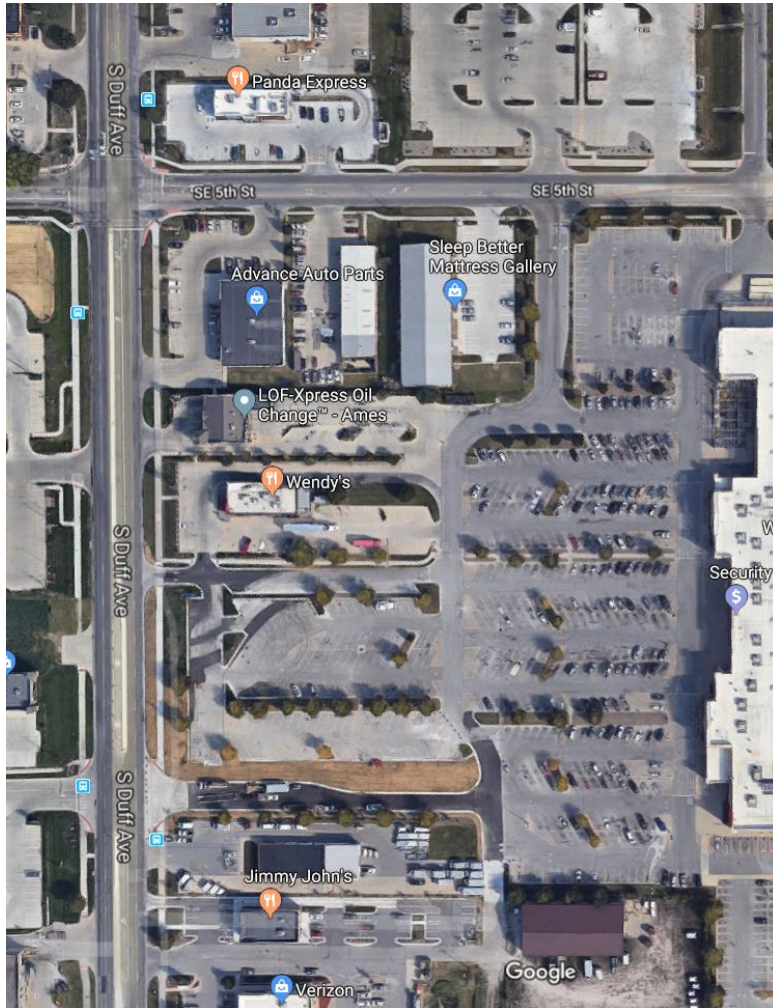
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Areas with single and multi-family homes, oftentimes with adjacent schools and parks

# Large Scale Commercial

DRAFT

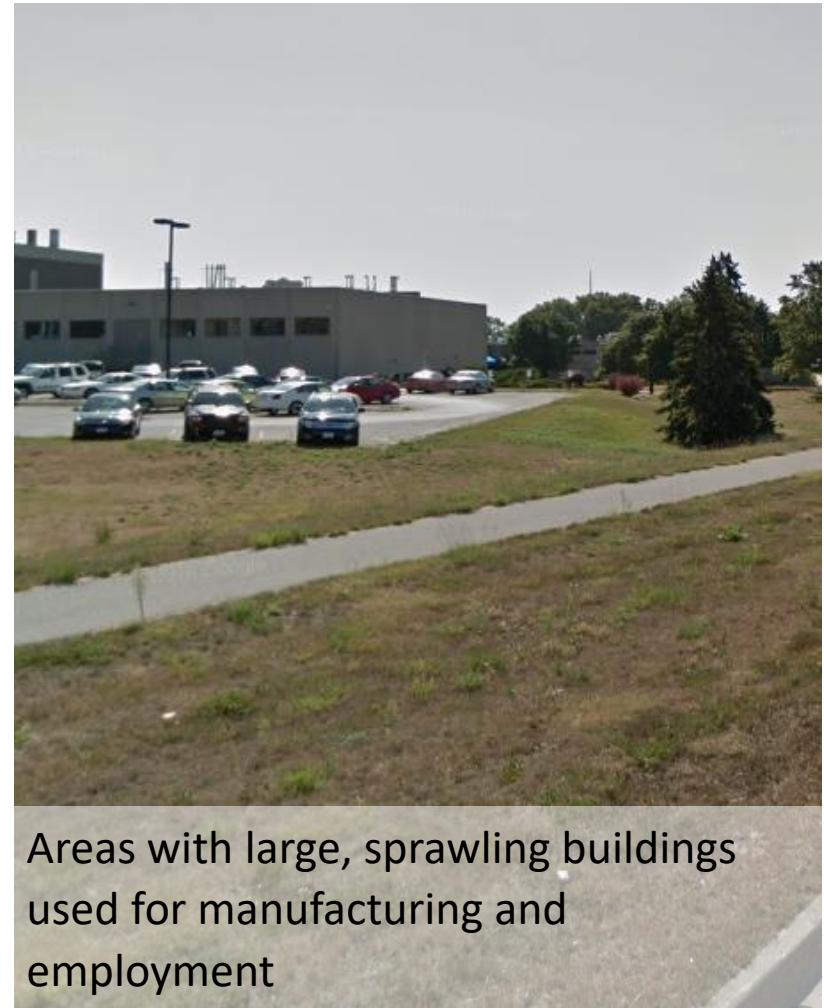
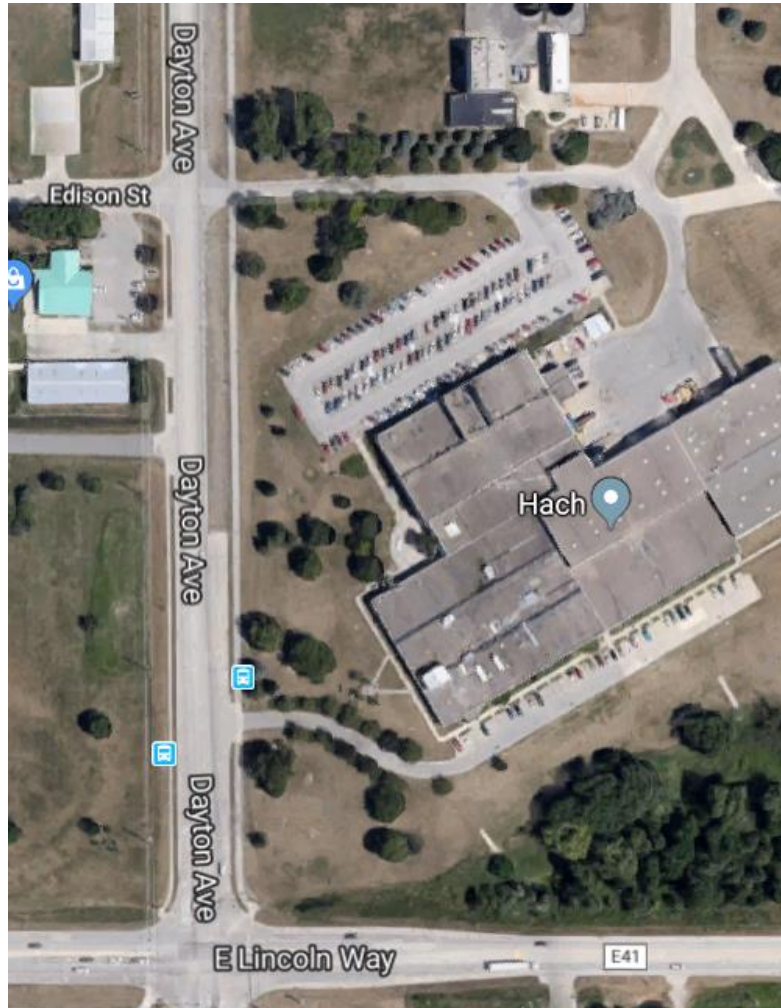


Areas oriented toward automobile traffic, with parking lots placed between streets and buildings



# Industrial

DRAFT



Areas with large, sprawling buildings used for manufacturing and employment

DRAFT

# Street Types

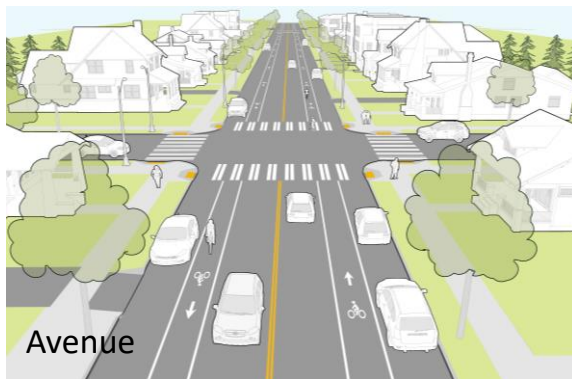
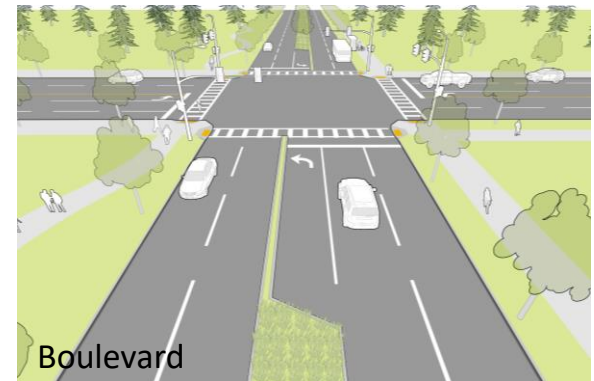
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The street types are illustrated and described on the following pages, with a descriptive summary table at the end of this section.



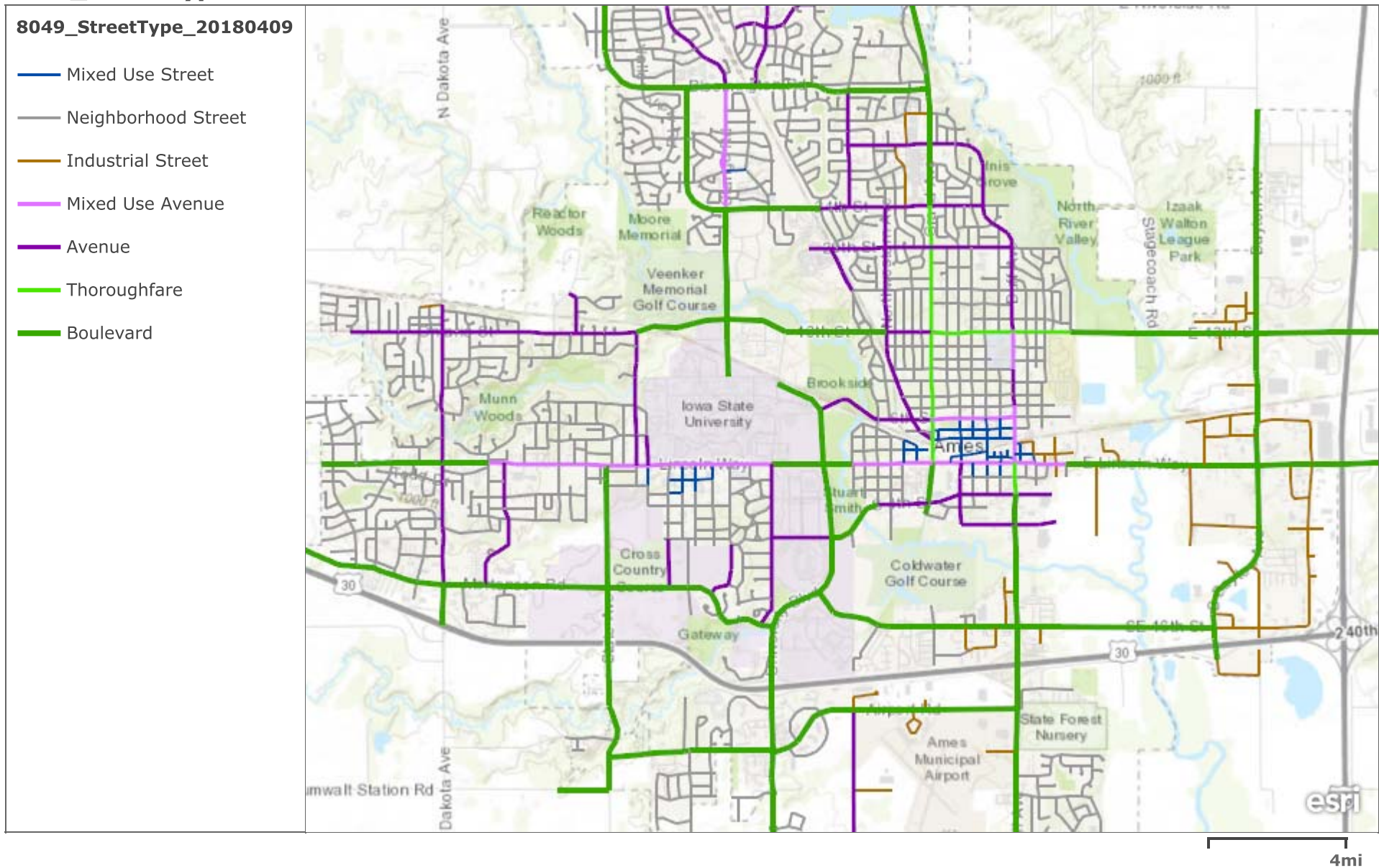
# Street Types

Street types serve as starting points for street design. **Street type is determined by place type and transportation function.** Each street type is flexible, and provides guidance for the overall design of a street.





# 8049\_StreetTypes

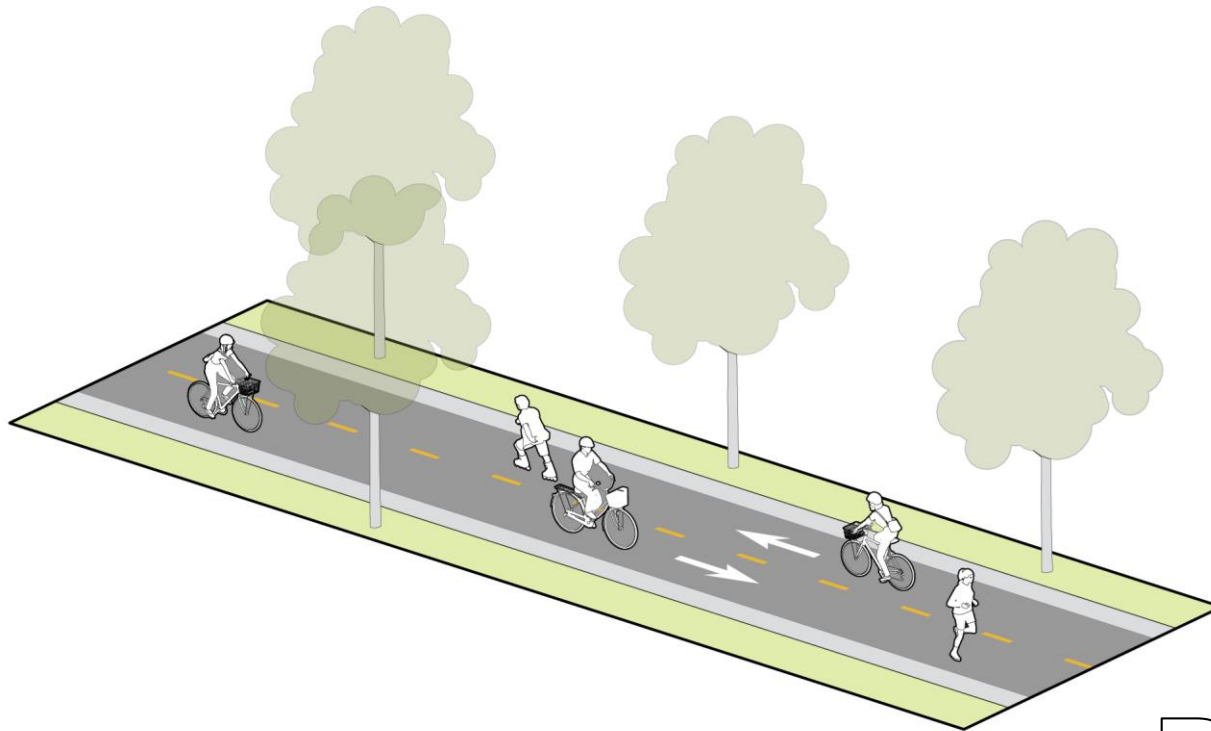


Iowa State University, City of Ames, County of Story, Iowa DNR, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, NGA, EPA, USDA

# Greenway



No anticipated cost impacts



# DRAFT

Description	Transportation Function	Relevant Place Types
Although not actually a type of street, shared use paths in independent alignments are important parts of the multimodal network.	Emphasizes nonmotorized travel; Pedestrian and bicycle only	All

# Mixed Use Street



No anticipated cost impacts

# DRAFT



Description	Transportation Function	Place Types
A street with high amounts of a diverse mix of retail, housing, office and/or education, with people using several types of transportation to circulate.	Emphasizes access	Activity Center, Urban Mix





# Shared Street

No anticipated cost impacts



Description	Transportation Function	Relevant Place Types
A street or alley with no curbs or separate areas for various types of transportation.	Emphasizes nonmotorized access; Pedestrians have priority	Activity Center, Urban Mix, Residential

# Neighborhood Street



No anticipated cost impacts

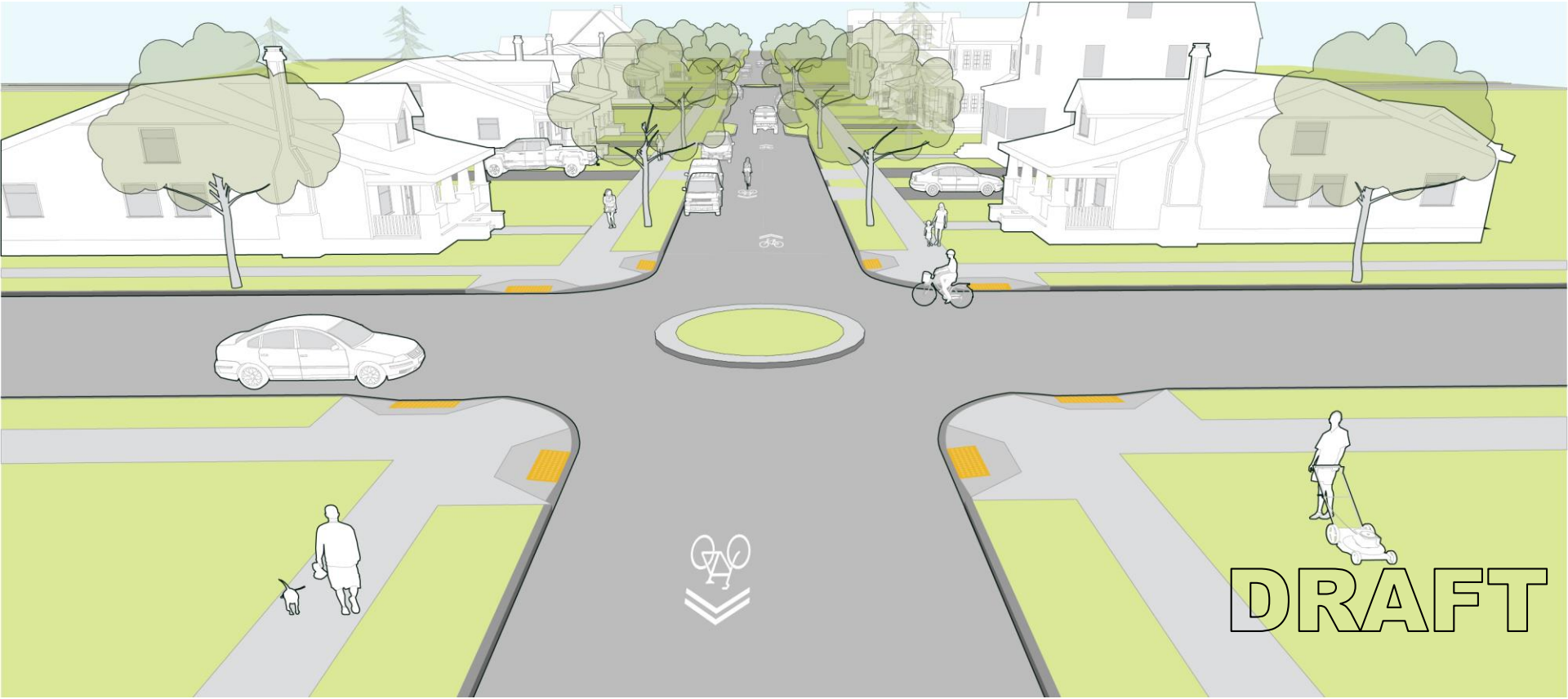


Description	Transportation Function	Place Types
A low traffic street with housing and separated walkways, sometimes with on-street parking.	Emphasizes access	Urban Mix, Residential

# Neighborhood Street (Bicycle Boulevard Variant)



Anticipated cost impacts ~1-2% increase (for curb/median and paint)



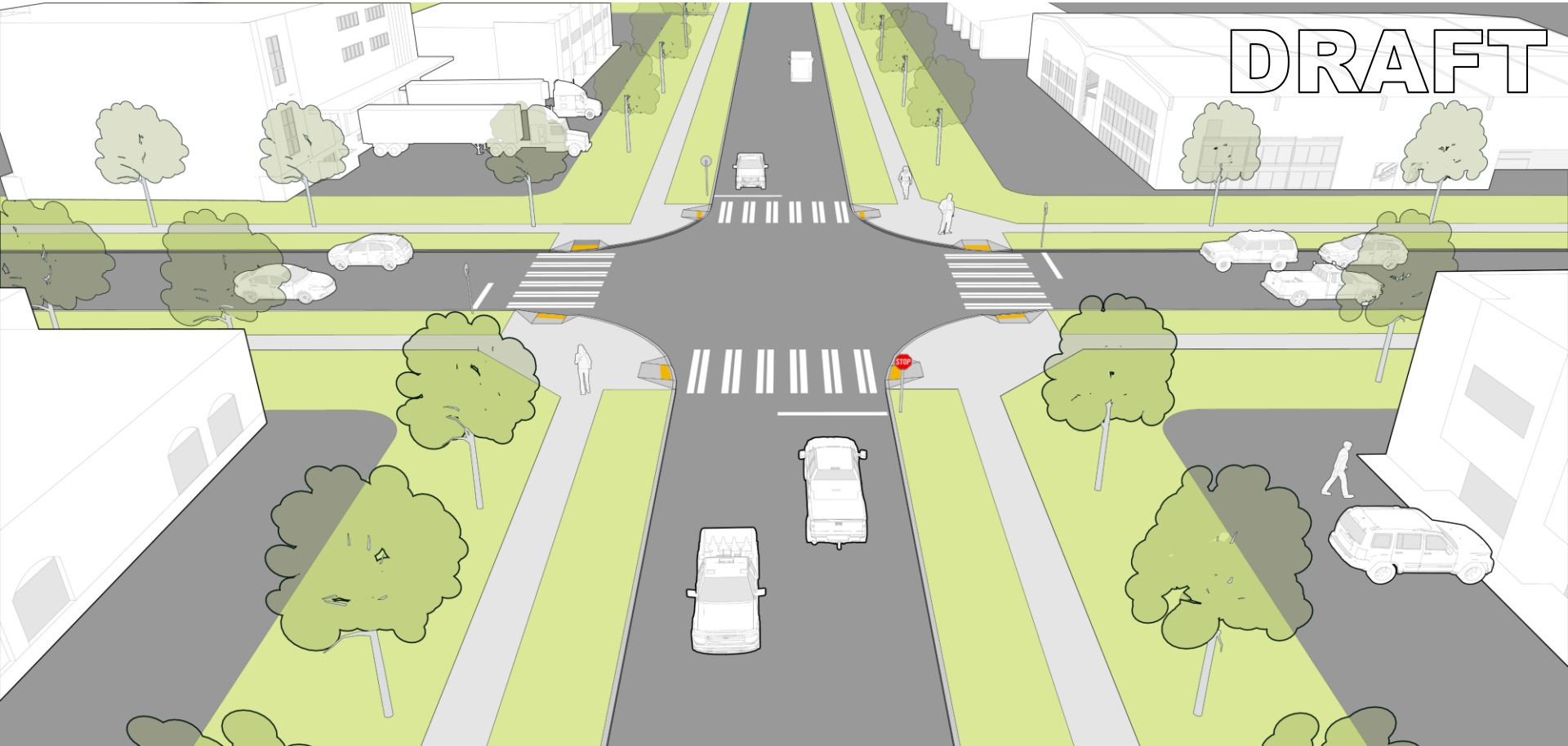
Description	Transportation Function	Place Types
A variation of Neighborhood Street that optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements	Emphasizes access and nonmotorized throughput	Urban Mix, Residential

# Industrial Street



Anticipated cost impacts ~4% increase  
(for walks on both sides)

DRAFT



Description	Transportation Function	Place Types
A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.	Emphasizes access and freight movement	Industrial, Large Scale Commercial

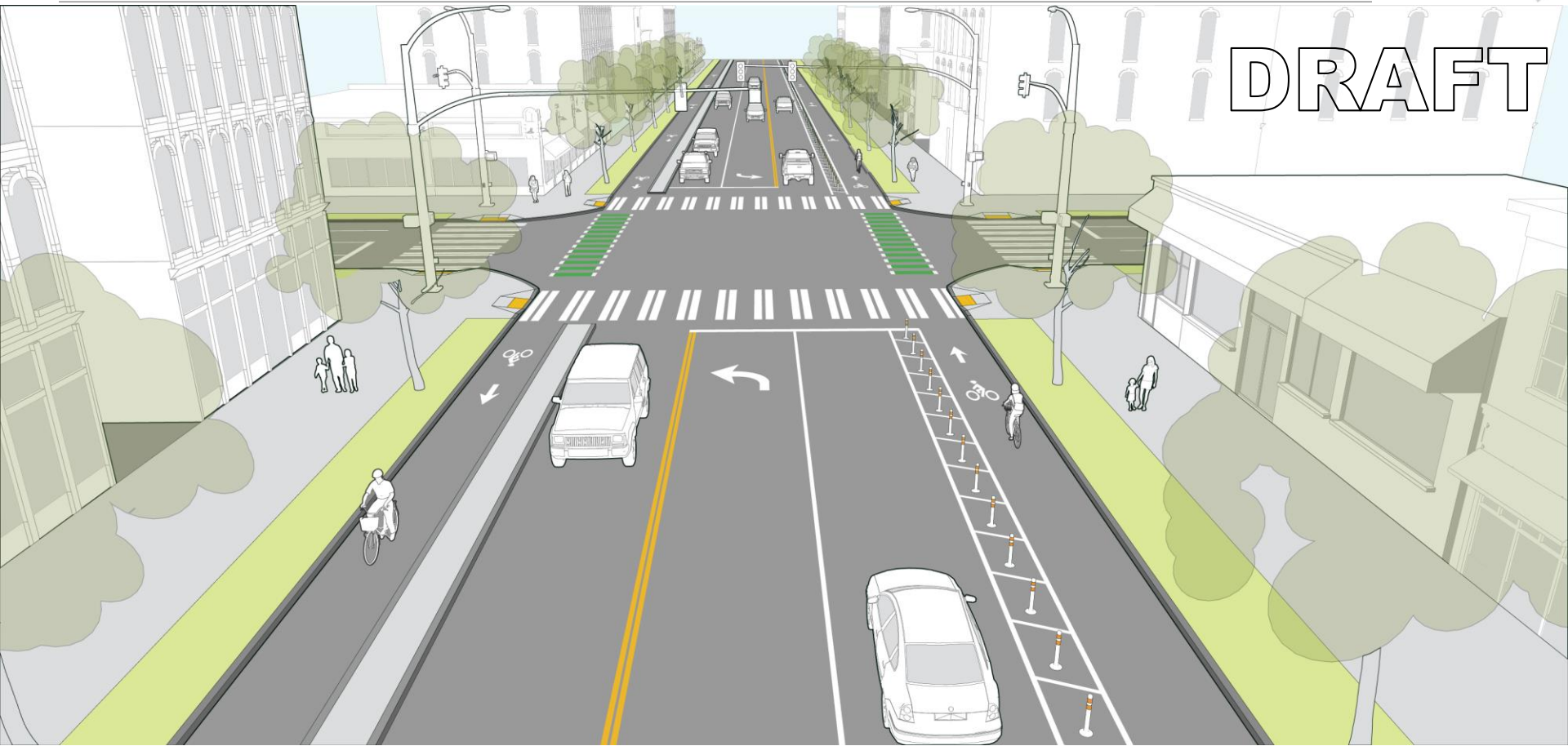


# Mixed Use Avenue



Anticipated cost impacts ~0-30% increase  
(depending on size and location of bike facility)

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Description	Transportation Function	Place Types
A street with high amounts of a diverse mix of retail, housing, office and/or education, with people using several types of transportation to circulate, but with increased transit and motor vehicle demand	Balances access and throughput	Activity Center, Urban Mix

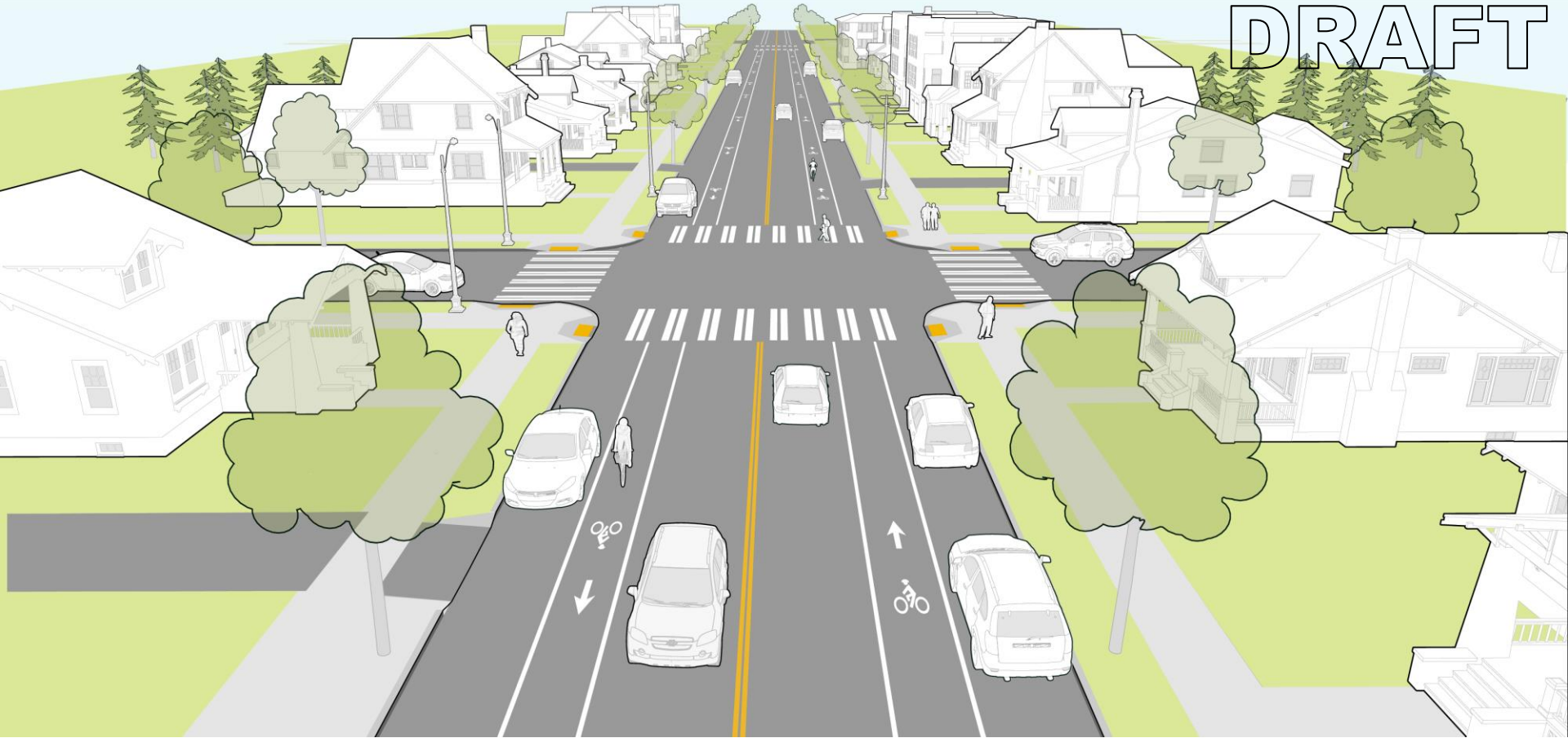


# Avenue



Anticipated cost impacts ~0-19% increase  
(depending on size and location of bike facility)

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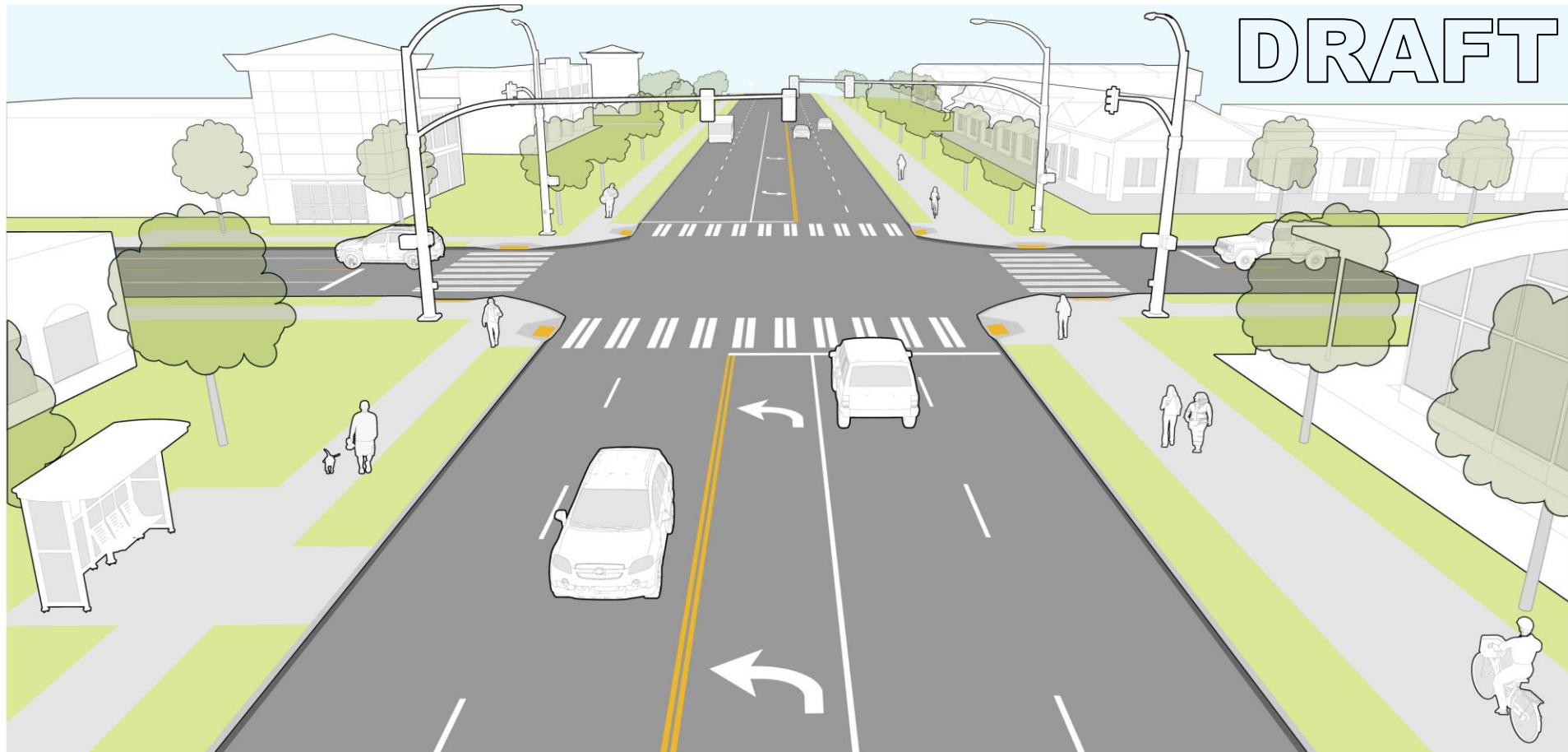
Description	Transportation Function	Place Types
A street with a moderate amount of traffic, wider than a neighborhood residential street. These may include on-street parking and bike lanes.	Balances access and throughput	Residential, Large Scale Commercial

# Thoroughfare



No anticipated cost impacts - Shared-Use path only when planned

# DRAFT

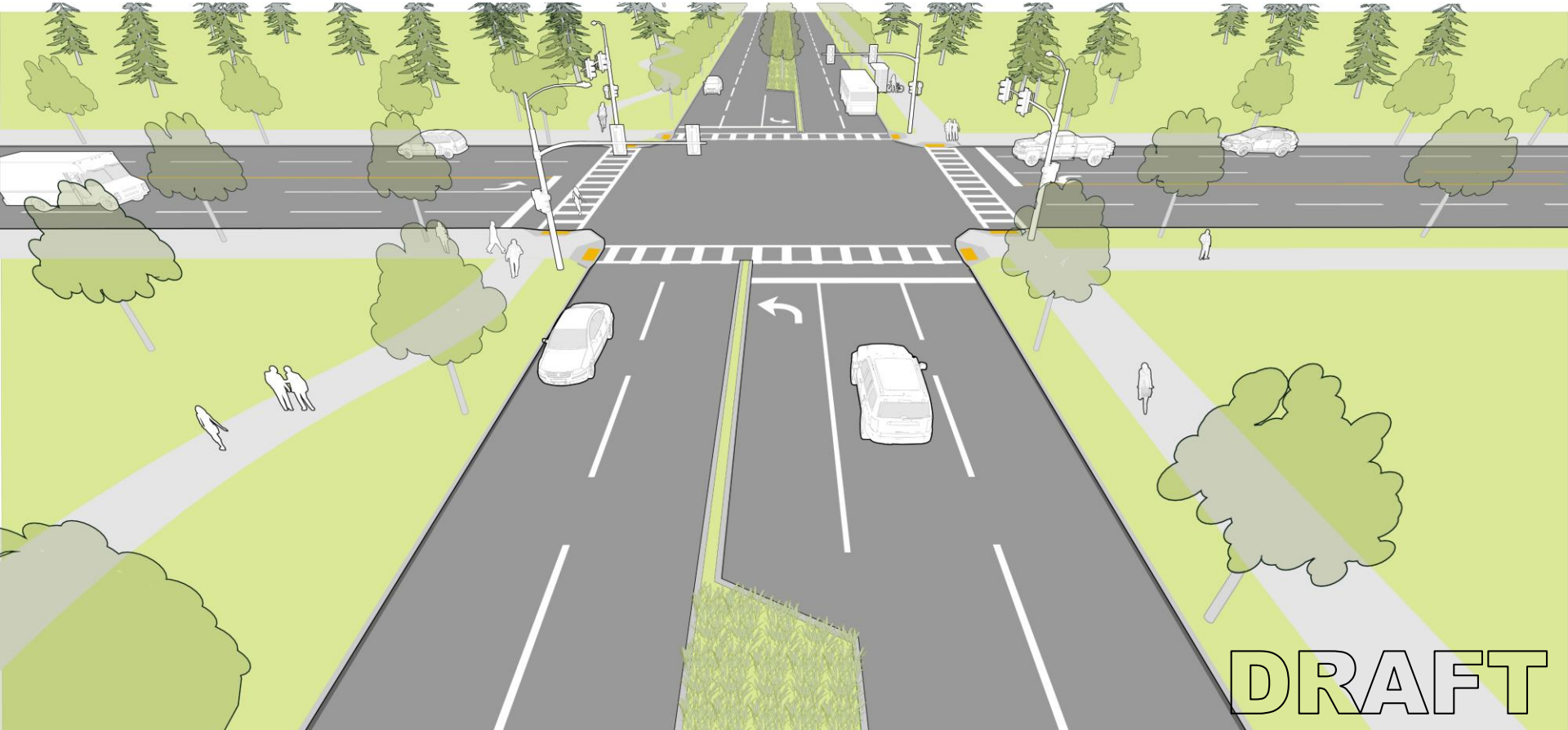


Description	Transportation Function	Place Types
A street with moderate to high amounts of traffic, used most often used for longer distance travel and automobile oriented uses.	Emphasizes throughput	Residential, Large Scale Commercial

# Boulevard



Anticipated cost impacts ~4% increase in Industrial Zones only  
(for walks on both sides): No cost impacts all other zones



Description	Transportation Function	Place Types
A street with moderate to high amounts of traffic, with a landscaped median used to separate lanes of traffic and provide refuge for crossing pedestrian and bicycle traffic.	Emphasizes throughput	Residential, Large Scale Commercial, Industrial



# Draft Street Design Parameters & Priorities



April 11, 2018

## Roadway Parameters

Typology	# of Travel Lanes <sup>1</sup>	Traveled Way / Lane Width <sup>2</sup>				Center Turn Lane / Median <sup>3</sup>	Default Bikeway Type <sup>4</sup>	Default On-Street Parking <sup>5</sup>	Target Speed <sup>6</sup> (miles per hour)	Corner Radii <sup>7</sup>		Typical ADT <sup>8</sup>
		Min.	Bus Route Min.	Preferred	Max.					Preferred	Max.	
<b>Shared Street</b>	No centerline	20' Total	N/A	20-40' Total	N/A	Not compatible	N/A	None	10	0'	10'	<500
<b>Mixed Use Street</b>	No centerline	20' Total	25' Total	25' Total	30' Total	Not preferred	Shared roadway	Parallel preferred, Reverse angled acceptable	20	5'	15'	<3,000
<b>Neighborhood Street</b> (including Bicycle Boulevard variant)	No centerline	20' Total	N/A	25' Total	35' Total	Not compatible	Shared roadway or bicycle boulevard	Non-delineated	20	5'	15'	<3,000
<b>Industrial Street</b>	2	25' Total	25' Total	25' Total	36' Total	Optional	Shared roadway	None	25	20'	35'	<3,000
<b>Mixed Use Avenue</b>	2-4	10' Lanes	11' Outer Lanes	11' Lanes	11' Lanes	Optional	Bike lanes or separated bike lanes	Optional, parallel preferred	25	5'	20'	3,000 to 25,000
<b>Avenue</b>	2	10' Lanes	11' Outer Lanes	11' Lanes	11' Lanes	Optional	Bike lanes	Optional	25	10'	25'	1,000 to 15,000
<b>Thoroughfare</b>	2-4	10' Lanes	11' Outer Lanes	11' Lanes	12' Lanes	Standard	Separated bike lanes or shared use path	None	35	15'	30'	10,000 to 25,000
<b>Boulevard</b>	2-6	11' Lanes	11' Outer Lanes	12' Lanes	12' Lanes	Median standard	Separated bike lanes or shared use path	None	35	15'	30'	>3,000

### <sup>1</sup> Number of Travel Lanes:

- Specified number of travel lanes represents the default or typical configuration. Street designs can deviate (e.g., a four-lane Mixed Use Avenue) if warranted by unique context or constraints. Thorough documentation should be provided for any deviations.

### <sup>2</sup> Lane Width:

- For Mixed Use Street, Neighborhood Street, and Industrial Street, total width is for the traveled way exclusive of on-street parking.
- The bus route minimum width applies to designated bus lanes, the outside lane on bus routes, or the total traveled way width on bus routes along Mixed Use Streets and Industrial Streets.
- The maximum lane width may be used on truck routes. The following typologies are not compatible with truck routes: Shared Street, Neighborhood Street, Mixed Use Street, and Avenue. The Mixed Use Avenue typology may be applied to truck routes with careful consideration of impacts on bicycle and pedestrian modes.

### <sup>3</sup> Center Turn Lane / Median:

- Center turn lanes and medians are not preferred for Mixed Use Streets because they increase crossing distances for pedestrians and consume right-of-way that could otherwise be used for sidewalk cafés, etc. To facilitate intersection operations, on-street parking can be removed to allow left turn lanes as needed in order to maintain LOS E or better during peak periods.
- For typologies in which a median is not preferred or optional, it may still be beneficial to provide crossing islands or non-continuous centerline traffic-calming islands in certain locations.

### <sup>4</sup> Default Bikeway Type:

- The default bikeway type indicated the type of bikeway that is typically most appropriate for the street typology. This does not indicate a minimum or maximum standard. Designers should consider traffic speeds and volumes when selecting a bikeway. If speeds or volumes differ from the ranges identified in the table for the selected street type, alternative bikeway treatments should be considered.
- Shared Streets do not separate modes; therefore, no dedicated bikeway type is needed.
- Shared lanes or bicycle boulevards are generally appropriate on streets with traffic volumes at or below 3,000 vehicles/day and posted speeds at or below 25 mph. These conditions are often comfortable for a wide range of bicyclists and thus they may be designated as bicycle routes to complement or comprise a large percentage of a bicycle network in a community. For the purposes of bikeway selection, it is assumed that posted speeds are approximately the same as operating speeds. If operating speeds differ from posted speeds, then operating speed should be used instead of posted speed. However, dedicated bikeways may be warranted in special circumstances, such as near elementary schools.

- Bike lanes are the preferred facility type when traffic volumes are between 3,000 to 6,000 vehicles/day and posted speeds are 25 to 30 mph. Within this range, buffered bike lanes are preferred in order to provide spatial separation between bicyclists and motorists, especially as volumes or speeds approach the limits. Bike lanes should be a minimum of 6 feet wide where adjacent to on-street parking. Bike lanes may be 5 feet wide where on-street parking does not exist or in constrained environments.
- Separated bike lanes and shared use paths are the preferred facility type as traffic volumes exceed 6,000 vehicles/day or vehicle speeds exceed 30 mph. However, because many higher-traffic streets (especially Thoroughfares) have very constrained rights-of-way, it may be infeasible to provide these facilities. In constrained corridors, the solution will often be to provide parallel routes or Bicycle Boulevards on lower-traffic streets.
- Shared use paths may be acceptable design solutions in lieu of separated bike lanes in land use contexts where both walking and bicycling volumes are relatively low and are expected to remain low. The shared use path may be located on one or both sides of the street, depending upon bicycle and pedestrian network connectivity needs. As volumes increase over time, the need for separation should be revisited. Where land use is anticipated to add density over time, right-of-way should be preserved to allow for future separation of bicyclists and pedestrians.
- If the Ames Mobility 2040 Long Range Transportation Plan or any future bike plans specify a bikeway facility that differs from the default facility shown in the table, then the facility which provides the highest level of service for bicyclists should be provided.

### <sup>5</sup> Default On-Street Parking:

- The table indicates the typical treatment of on-street parking for each typology. Other options for on-street parking can be explored for each typology so long as alternative configurations are compatible with the modal priority and goals for the project.
- The default width for parallel parking lanes is 7 feet. Wider (8-foot) lanes may be appropriate where adequate pavement is available. Decisions regarding parking lane width when adjacent to bike lanes should consider the amount of parking, parking turnover rates, and vehicle types. When parallel parking and bike lanes are provided adjacent to each other, the minimum combined width of the two is 15 feet, with 15 feet preferred.
- Shared Streets may include on-street parking in randomly-spaced stalls. Street designs should avoid continuous rows of cars.
- Avenue streets may include on-street parking if sufficient space is available.
- Thoroughfares and Boulevards may include on-street parking in urban contexts (Activity Center, Urban Mix).

### <sup>6</sup> Target Speed:

- Target speed is the speed at which people are expected to drive. The target speed is intended to become the posted speed limit. Per the Institute of Traffic Engineers (ITE; *Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*, 2010), the target speed should be set at “the highest speed at which vehicles should operate on a thoroughfare in a specific context, consistent with the level of multimodal activity generated by adjacent land uses to provide both mobility for motor vehicles and a safe environment for pedestrians and bicyclists.” In other words, target speeds—and by extension posted speed limits and design speeds—should balance the needs of all anticipated street users based on context.
- Design speed is a tool used to determine the various geometric features of the roadway. When designing a roadway, it is preferable for the design speed to equal the target speed. However, in some cases a design speed higher than the target speed is necessary, whether due to existing roadway geometric features (in the case of reconstruction) or design vehicle requirements. Generally, people will naturally drive at approximately the design speed of the roadway, regardless of the posted speed limit. As is feasible, measures (examples of which are listed below) should be considered to reduce the design speed to match the target speed.
- ITE outlines 10 measures that can be used to lower design speeds and thereby achieve appropriate target speeds:
  - Setting signal timing for moderate progressive speeds from intersection to intersection;
  - Using narrower travel lanes that cause motorists to naturally slow their speeds;
  - Using physical measures such as curb extensions and medians to narrow the traveled way;
  - Using design elements such as on-street parking to create side friction;
  - Minimal or no horizontal offset between the inside travel lane and median curbs;
  - Eliminating superelevation (banking of the roadway);
  - Eliminating shoulders in urban applications, except for bicycle lanes;
  - Smaller curb-return radii at intersections and elimination or reconfiguration of high-speed channelized right turns;
  - Paving materials with texture (e.g., crosswalks, intersection operating areas) detectable by drivers as a notification of the possible presence of pedestrians; and
  - Proper use of speed limit, warning, advisory signs and other appropriate devices to gradually transition speeds when approaching and traveling through a walkable area.

### <sup>7</sup> Corner Radii:

- The values in this column refer to the actual radii of curb returns. In many cases, the effective corner radii will be significantly greater than these values. For example, a street with a 5-foot curb return and on street parking and bike lanes may have an effective corner radius in excess of 25 feet.
- The values in this column assume that right-turn slip lanes are not present. If a radius over the maximum value for a street in the Thoroughfare, Boulevard, or Industrial Street typology is deemed necessary, a right-turn slip lane should be provided and a refuge (or “pork chop” island) should be included. The design of right-turn slip lanes should create a 55 to 60 degree angle between motor vehicle flows and should either be stop-controlled or have a raised crossing.

### <sup>8</sup> Typical ADT:

- The values in this column represent the typical average daily traffic volume (ADT) compatible with each typology.
- These values represent typical applications. Traffic volumes higher or lower than the typical value may be appropriate depending on context and ability to adequately control speeds and maintain operational efficiency. A traffic study should be performed for streets nearing the upper limits of these ranges.

## Pedestrian Zone Parameters

Typology	Frontage Zone <sup>1</sup> Door swings, awnings, café seating, retail signage and displays, building projections, planters, landscape areas		Pedestrian Zone <sup>2</sup> Clear space for pedestrian travel, should be clear of any and all fixed obstacles.		Greenscape / Furnishing Zone <sup>3</sup> Street lights, utility poles, street trees, landscaping, bike racks, parking meters, transit stops, street furniture, signage		Total Width <sup>4</sup> Excluding setback	
	Preferred	Minimum	Preferred	Minimum	Preferred	Minimum	Preferred	Minimum
<b>Greenway</b>	8'	3'	10-12'	8'	8'	3'	26-28'	14'
<b>Shared Street</b>	N/A	N/A	N/A	N/A	N/A	N/A	20-40'	20'
<b>Mixed Use Street</b>	4'	0'	10'	6'	8'	2'	22'	8'
<b>Neighborhood Residential</b>	2'	0'	5'	5'	4'	2'	11'	7'
<b>Industrial</b>	2'	0'	5'	5'	4'	2'	11'	7'
<b>Mixed Use Avenue</b>	4'	0'	10'	5'	8'	2'	22'	7'
<b>Avenue</b>	2'	0'	6'	5'	6'	2'	14'	7'
<b>Thoroughfare</b>	2'	0'	6'	5'	6'	2'	14'	7'
<b>Boulevard</b>	2'	0'	6'	5'	8'+	4'	18'+	9'

### <sup>1</sup> Frontage Zone:

- Frontage zone is measured from edge of right-of-way to the edge of the pedestrian zone.
- Where buildings are located against the back of the sidewalk and constrained situations do not provide width for the Frontage Zone, the effective width of the Pedestrian Zone is reduced by 1 foot as pedestrians will shy away from the building edge.
- Wider frontage zones are acceptable where conditions allow. The preferred width of the Frontage Zone to accommodate sidewalk cafes is 6 to 8 feet.

### <sup>2</sup> Pedestrian Zone:

- In locations with severely constrained rights-of-way, it is possible to provide a narrower Pedestrian Zone. The Americans with Disabilities Act (ADA) minimum 4-foot wide Pedestrian Zone can be applied using engineering judgement and should account for a minimum 1-foot shy distance from any barriers. If a 4-foot wide Pedestrian Zone is used, 5-foot wide passing zones are required every 200'. Driveways meet the criteria of ADA-compliant passing zones.
- Any pedestrian zone intended to also convey bicycle traffic (i.e. shared use path) should be a minimum of 10 feet wide. For short segments through constrained environments, 8-foot wide shared use paths are acceptable.

### <sup>3</sup> Greenscape/Furnishing Zone:

- The minimum width necessary to support standard street tree installation is 6.5 feet.
- Utilities, street trees, and other sidewalk furnishings should be set back from curb face a minimum of 18 inches.
- Green Stormwater Infrastructure (GSI) features typically require a minimum of 7 feet of width. The final dimensions—if GSIs are to be included—will be established based on the context of each landscape area.
- Where on-street parking is not present, a wider Greenscape/Furnishing Zone should be prioritized over the width of the Frontage Zone.
- The preferred width of the Greenscape/Furnishing Zone to accommodate sidewalk cafes is 6 to 8 feet.
- Shared Streets include lighting, landscaping, bike racks, furnishings, and other elements, but not in a defined zone.

### <sup>4</sup> Total Width:

- The minimum total width for any street with transit service is 8 feet (preferably 10 feet) in order to provide space for a minimum 5-foot wide by 8-foot deep landing zone.
- The total width for Shared Streets is from façade to façade and serves pedestrian, bicycle, and motor vehicle traffic.

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# Street Type Priorities

The following matrix provides guidance for designers when weighing tradeoffs when faced with **budgetary constraints, limited right-of-way, and operational challenges**. Judgments regarding the inclusion of certain design elements (e.g., bike lanes) or where to allocate additional width where right-of-way allows should be based on the priorities outlined in this matrix depending on typology. **Features that are indicated to be medium or lower priorities should not be dismissed from inclusion unless constraints make it infeasible to include all default elements for the typology.**

If beneficial, we could add numbers to each cell in the matrix below to indicate a more fine-grained ranking of priorities.

Explains how to use priority table

Typology	Pedestrian Realm & Crossings						Roadway				
	Frontage Zone	Pedestrian Zone	Greenscape / Furnishing Zone	Curb Extensions, Parklets, and other Buffers	Refuge Islands	Marked Crosswalks	Traveled Way / Lane Width	On-Street Parking	Dedicated Bikeway	Median / Center Turn Lane	Traffic Calming / Speed Management Features
Shared Street	Medium	Higher	Medium	Not Compatible	Not Compatible			Not Compatible	Not Compatible	Higher	
Mixed Use Street	Higher	Higher	Higher	Higher		Higher	Higher		Not Compatible	Higher	
Neighborhood Street		Higher	Medium	Higher			Medium		Not Compatible	Higher	
Industrial Street		Higher	Medium	Medium	Medium	Medium	Higher	Medium			
Mixed Use Avenue	Higher	Higher	Medium	Higher	Medium	Higher		Higher	Medium	Medium	
Avenue		Higher	Higher	Medium	Higher	Higher		Higher	Medium	Medium	
Thoroughfare		Higher	Higher		Medium	Higher	Higher		Higher		
Boulevard	Medium	Higher	Higher		Higher	Higher	Higher	Higher	Higher		

Higher Priority
  Medium Priority
  Lower Priority
  Not Compatible

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## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 34 FOR THE PURPOSE OF ASSISTING CITY OFFICIALS AND THE RAGBRAI COMMITTEE IN MANAGING THE PROVISION OF SERVICES TO THE PUBLIC DURING THE OVERNIGHT STOP OF THE DES MOINES REGISTER'S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ON JULY 24, AND 25, 2018, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 34 as follows:

**CHAPTER 34  
RAGBRAI**

**“Sec. 34.1. DEFINITIONS.**

As used herein, the following definitions shall apply:

- (1) “Food” shall include food products of all kind including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.
- (2) “Person” shall include any individual person, club, group, organization, partnership, corporation, or entity of any kind.
- (3) “RAGBRAI Committee” shall be defined as the Advisory Board and the Executive Committee as designated by the City of Ames and the Ames Convention and Visitors Bureau.
- (4) “Vending Booth” shall mean any stand, cart, vehicle, trailer, or other structure at which a person exchanges goods or services for money. An individual person who moves from place to place while exchanging goods or services for money shall also be construed as a vending booth.

**Sec. 34.2. RAGBRAI COMMITTEE POWERS.**

The RAGBRAI Committee is hereby empowered to:

- (1) Issue permits to any person engaged in the sale of food or goods to the public, whether for-profit or non-profit in nature, at any time on July 24, 2018, or July 25, 2018; and,
- (2) Regulate the location, days and times of operation, and goods to be offered for sale at vending booths, and limit the number of permits issued; and,
- (3) Establish appropriate fees, deposit requirements, insurance requirements, enhanced services such as electricity or water access, deadlines, and procedures for the issuance of permits, provided the fee for a person who operates a vending booth on behalf of a non-profit organization for non-profit purposes shall be less than the fee for a person who operates a vending booth on behalf of or as a for-profit entity; and,
- (4) Revoke, deny, or suspend permits for vending, for any of the following reasons:
  - a. Failure to pay required fees; or,
  - b. Failure to comply with the procedures established by the RAGBRAI Committee for the issuance and maintenance of permits; or,
  - c. Failure to comply with applicable state or local public health regulations; or,



d. If, in the judgment of a person designated by the RAGBRAI Committee, the operation or continuing operation of a vending booth would constitute a public nuisance or threaten the safety of the public.

**Sec. 34.3. RAGBRAI COMMITTEE POWERS RESTRICTED.**

The RAGBRAI Committee shall:

(1) Use any funds collected through permits or fees established through this section to provide services to the participants in the RAGBRAI event, including but not limited to: drinking water, toilet facilities, solid waste disposal, security, utilities, entertainment, marketing, and promotion. Any funds collected that are not used for these purposes shall at the conclusion of RAGBRAI be paid to the City of Ames.

(2) Ensure that the issuance, revocation, denial, or suspension of permits shall be conducted in a fair and consistent manner, and in no instance shall be done on the basis of the color, creed, gender identity, national origin, race, religion, sex, or sexual orientation of the applicant or proprietor.

(3) Consult with and obtain approval from the City Manager or designee prior to establishing fees, regulations, and procedures, and prior to the revocation, denial, or suspension of any permit.

**Sec. 34.4. VENDORS – PERMIT REQUIRED.**

(1) No person shall provide or sell food or goods to the public in the City of Ames, Iowa on July 24, 2018, or July 25, 2018, at a location other than their regularly established place of business unless said person shall first obtain a permit from the RAGBRAI Committee, except those individuals who have obtained a Vending License pursuant to Division III of Chapter 22 of the Municipal Code (Vending) on or before April 1, 2018, and who continually maintain said license through July 25, 2018.

**Sec. 34.5. OUTDOOR ALCOHOLIC BEVERAGE SERVICE AREAS.**

The presence of approximately 20,000 additional people in Ames on July 24, 2018, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, to ensure public safety, the City Council determines that after the effective date of this Ordinance there may be accepted and approved by the City no more than one application for a temporary outdoor alcoholic beverage service area within the City of Ames for July 24 through 12:00 noon July 25, 2018. The RAGBRAI Committee, or its designee, shall have the first right to apply to the City for such a license. However, if the RAGBRAI Committee fails to secure such an endorsement by June 30, 2018, the City Council shall have the option to consider applications from other applicants for an outdoor alcoholic beverage service area taking place during those dates. Any establishment that has, prior to the adoption of this Ordinance, obtained a license for an outdoor alcoholic beverage service area, where that license is valid for July 24 or July 25, 2018, shall be permitted to operate that outdoor alcoholic beverage service area pursuant to the terms of its license.

**Sec. 34.6. VIOLATIONS - PENALTIES.**

A violation of this Section shall be a municipal infraction, punishable by a fine of \$250.00 for each violation thereof.

**Sec. 34.7. CERTAIN ORDINANCES AND POLICIES SUSPENDED.**

(1) The provisions of this Ordinance shall supersede the policies of the Parks and Recreation Commission regarding vending in City parks.

(2) The provisions of Division III of Chapter 22 of the Municipal Code (Vending) shall be suspended and not enforced on July 24, 2018, or July 25, 2018, except for those individuals who have obtained a Vending License pursuant to that Division on or before April 1, 2018, and who continually maintain said license through July 25, 2018.

(3) For the purpose of facilitating entertainment activities in the public right-of-way, any Sidewalk Café Permit authorized pursuant to Division VII of Chapter 22 of the Municipal Code (Sidewalk Café Permits), which has been deemed to be in conflict with the entertainment planned by the RAGBRAI Committee, shall be suspended after 4:00 p.m. on July 24, 2018.

(4) For the purposes of providing camping areas and related facilities for RAGBRAI bicyclists staying overnight, Section 19.11 of Municipal Code (Park Hours) shall be suspended and not enforced on July 23, July 24, or July 25, 2018, for Brookside Park and Stuart Smith Park.

(5) For the purpose of facilitating the conveyance of supplies and equipment necessary for camping, vending, and other service functions within the parks, Section 19.9 of Municipal Code (Unlawful to Operate a Motor Vehicle in City Parks; Exceptions) shall be suspended and not enforced with respect only to persons designated by the Parks and Recreation Director on July 24, 2018, or July 25, 2018

**Sec. 34.8. EFFECTIVE DATES.**

(1) The provisions of this Ordinance shall be in effect upon adoption by the Ames City Council and remain in effect until 12:01 a.m. on July 26, 2018.”

Section Two. All previous ordinances or parts of such ordinances in conflict with provisions of this Ordinance are hereby suspended.

Section Three. If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section Four. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

\_\_\_\_\_  
John A. Haila, Mayor

**RESOLUTION NO. 18-\_\_\_\_\_**

**RESOLUTION SETTING BOUNDARIES  
OF THE “NEAR CAMPUS NEIGHBORHOODS”  
FOR THE CITY OF AMES**

WHEREAS, the Ames City Council has adopted Ordinance No. 4343 which amends the Rental Housing Code, Chapter 13 of the Ames *Municipal Code*, to regulate rental occupancy in certain neighborhoods near Iowa State University; and,

WHEREAS, Ordinance No. 4343 defines “Near Campus Neighborhoods” in Ames *Municipal Code* section 13.201 by stating that such neighborhoods will be established by Resolution of the City Council; and,

WHEREAS, the Council has voted to include as “Near Campus Neighborhoods” the neighborhoods commonly known as: Edwards, Oak-Wood-Forest, Westside, SCAN-North, SCAN-South, Colonial Village, College Creek/Old Ames Middle School and Oak-Riverside; and,

WHEREAS, the map attached to this Resolution shows the areas of the City of Ames that shall be the “Near Campus Neighborhoods.”

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa, that establishment of the “Near Campus Neighborhoods,” under Ames *Municipal Code* section 13.201, with the neighborhoods delineated on the attached map, is hereby approved.

ADOPTED THIS 24<sup>th</sup> day of April, 2018.

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

\_\_\_\_\_  
John A. Haila, Mayor

Introduced by:

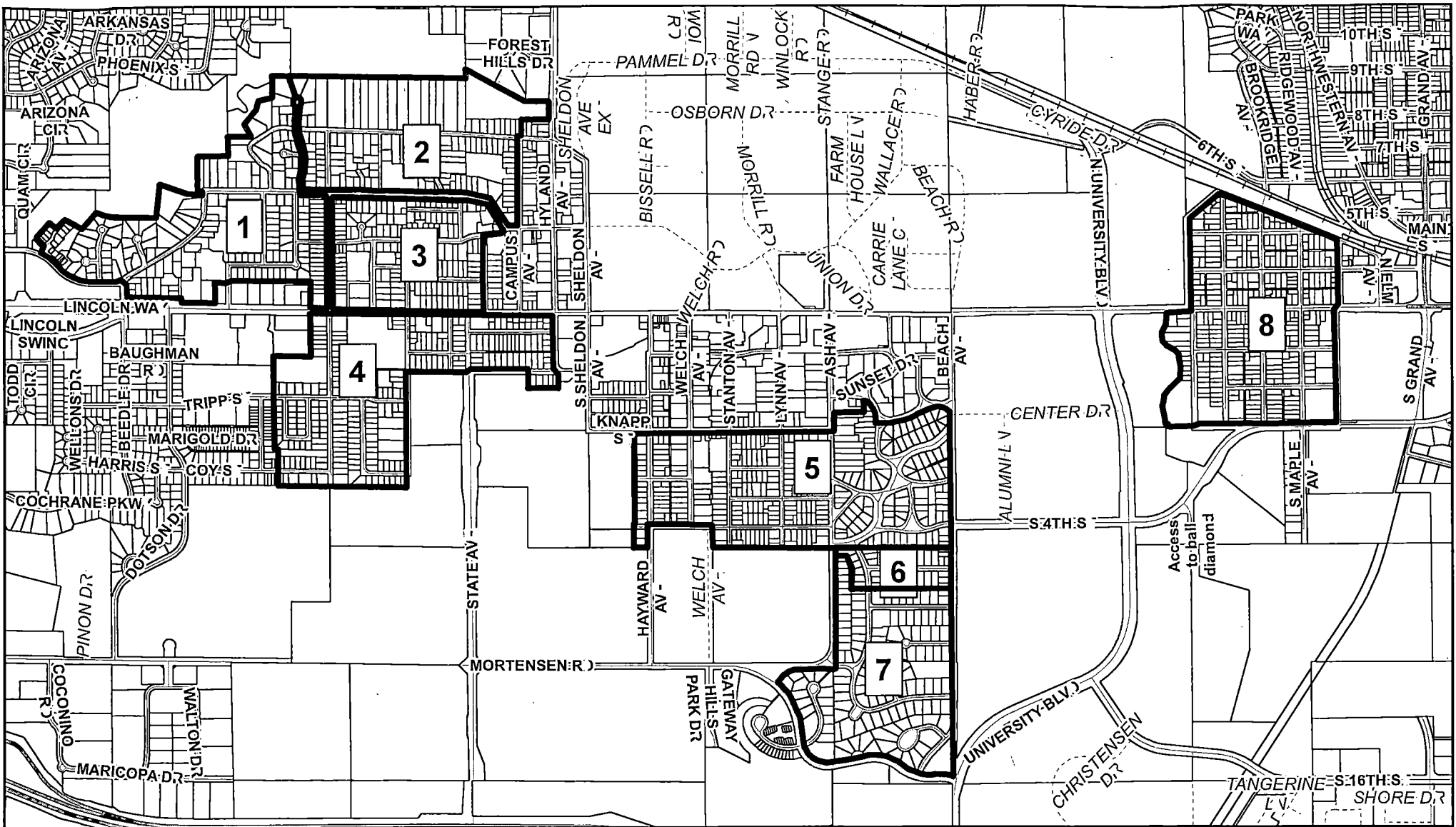
Seconded by:

Voting aye:

Voting nay:

Absent:

Resolution declared adopted and signed by the Mayor this 24<sup>th</sup> day of April, 2018.



### Near Campus Neighborhoods

- |   |  |
|---|--|
| <input type="checkbox"/> 1. Edwards         | <input type="checkbox"/> 6. Colonial Village |
| <input type="checkbox"/> 2. Oak-Wood-Forest | <input type="checkbox"/> 7. SCAN - South     |
| <input type="checkbox"/> 3. Westside        | <input type="checkbox"/> 8. Oak-Riverside    |
| <input type="checkbox"/> 4. CCOAMS          |  |
| <input type="checkbox"/> 5. SCAN - North    |  |



**COUNCIL ACTION FORM**

**SUBJECT: 2018/19 PAVEMENT RESTORATION – SLURRY SEAL PROGRAM**

**BACKGROUND:**

This is an annual program for preventative and proactive maintenance activities on City streets. This program allows for a wide variety of pavement maintenance techniques to preserve and enhance City street infrastructure. The techniques in this program are typically more specialized or larger in scope than can be performed with City street maintenance staff. The goal of projects in this program will be to repair and extend the lifespan of the City streets

This Slurry Seal Program will level dips in joints and provided a new thin wearing surface for traffic. This work will take place predominately in residential areas. Work in all locations will be coordinated with other local projects to minimize traffic disruptions.

On April 18, 2018 bids were received as follows:

<i>Bidder</i>	<i>Bid Amount</i>
Engineer's estimate	\$246,726.90
Midwest Coatings Co, Inc.	\$254,677.60

On March 27, 2018, City Council approved using FY 2017/18 Pavement Restoration project savings of \$97,195 along with the \$250,000 programmed in the FY 2018/19 Pavement Restoration Program bringing **total available funding to \$347,195**, all from Road Use Tax.

Remaining funding will be utilized for other pavement restoration priorities.

**ALTERNATIVES:**

- 1a. Accept the report of bids for the 2017/18 2018/19 Pavement Restoration – Slurry Seal Program.
  - b. Approve the final plans and specifications for this project.
  - c. Award the 2017/18 2018/19 Pavement Restoration – Slurry Seal Program project to Midwest Coatings Co, Inc. of Modale, IA in the amount of \$254,677.60
2. Reject the bids and do not proceed with this project.

**MANAGER'S RECOMMENDED ACTION:**

This project and repair technique will repair and extend the lifespan of the City streets in the program and provide a better traveling experience for users of the corridors.

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

ITEM # ~~21&22~~  
DATE: ~~03-27-18~~

57

### COUNCIL ACTION FORM

**SUBJECT: VACATION AND CONVEYANCE OF APPLE PLACE AND PEACH LANE RIGHT-OF-WAY TO THE OLD ORCHARD/CREEKSIDE MOBILE HOME PARK**

#### **BACKGROUND:**

City of Ames staff has been approached by the owner of the Old Orchard/Creekside Mobile Home Park about vacating and acquiring Apple Place and Peach Lane right-of-way. **These are strictly internal streets to the park that provide access to the residents and an existing electric substation.**

In 1976, Apple Place and the west 203 feet of Peach Lane was dedicated to the City by the owners of the Old Orchard/Creekside Mobile Home Park. That dedication included a 3-foot-wide easement along both sides for snow removal and access to signs (See Attachment A). Since that time, the pavement in these areas has begun to deteriorate and needs repair. The owners of the mobile home park have requested that Apple Place and Peach Lane, along with the 3-foot-wide easement, be vacated and conveyed back to them so that they can repair the street pavement and have access control for parking issues that arise during Iowa State athletic events. They are also asking that the charges normally assessed when acquiring vacated right-of-way be waived.

If approved, the entire vacated area (not including the 3-foot-wide easement), along with additional area to the north and south along former S Riverside Drive, will be retained as a City access and utility easement (See Attachment B). **This easement area would maintain service access to the electric substation and existing utilities.** It is understood that the new easement will need to be signed by the property owner prior recording of this vacation and conveyance request.

Attachment A is the vacation plat and shows the area requested to be vacated. Attachment B shows the proposed access and utility easement that will be acquired upon approval of this street vacation.

#### **ALTERNATIVES:**

1. a. Set the date of public hearing as April 10, 2018 for the first reading to approve the vacation of Apple Place and a portion of Peach Lane.
- b. Set the date of public hearing as April 24, 2018 to approve the conveyance of vacated Apple Place and Peach Lane right-of-way to the owners of the Old Orchard/Creekside Mobile Home Park and waive the applicable charges.

2. a. Set the date of public hearing as April 10, 2018 for the first reading to approve the vacation of Apple Place and a portion of Peach Lane.
  - b. Set the date of public hearing as April 24, 2018 to approve the conveyance of vacated Apple Place and Peach Lane right-of-way to the owners of the Old Orchard/Creekside Mobile Home Park for the amount of \$41,438, as determined by City's standard formula.
3. Reconsider the vacation of Apple Place and Peach Lane.

**MANAGER'S RECOMMENDED ACTION:**

Because this road section is currently City right-of-way, all costs associated with maintenance and repair currently are the responsibility of the City. Vacation of the existing Apple Place and Peach Lane right-of-way and conveyance to the property owners of the Old Orchard/Creekside Mobile Home Park will allow them to make improvements to the existing street pavement and control access to the area during special events at ISU. The value of the vacated land as calculated by the City's standard formula is \$41,438, which is substantially less than the estimated costs for the repairs on these streets of \$433,000. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.**

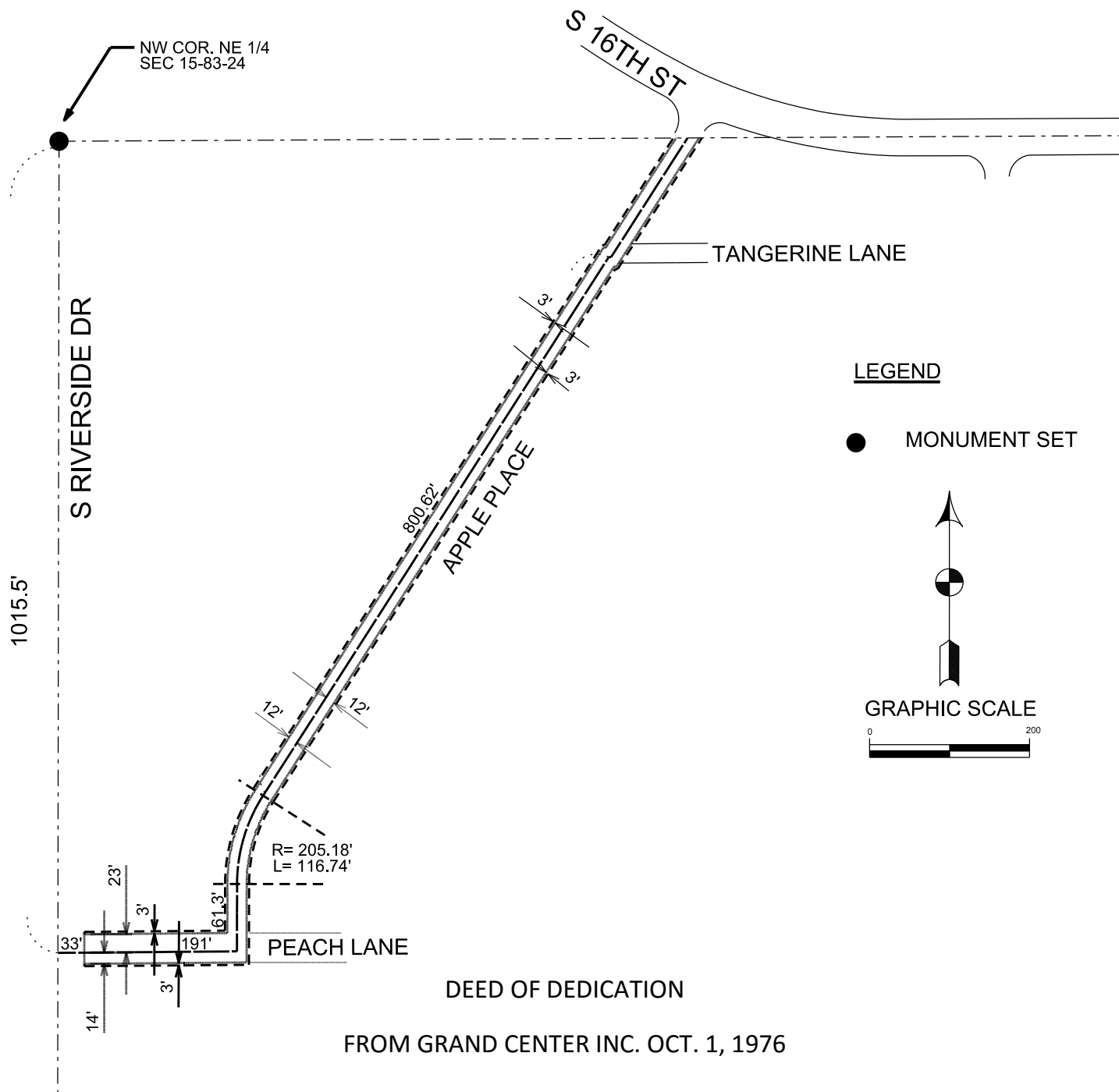
Retaining the vacated area as an access and utility easement will provide the City with continued service access to the existing electric substation and utilities. Therefore, **it important to note that if action is taken on April 24, 2018 to convey the vacated right-of-way, it should be conditioned on receiving a signed new easement from the property owner prior to recording the vacation and conveyance of the current easement area.**



# EXHIBIT 'A'

## VACATION PLAT CITY OF AMES, IOWA ENGINEERING DIVISION

DATE: 2/23/2018



### LEGEND

● MONUMENT SET



GRAPHIC SCALE



A STRIP OF LAND TWENTY-FOUR (24) FEET WIDE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA, THENCE SOUTH 1015.5 FEET; THENCE NORTH 89° 26' EAST 33 FEET TO THE POINT OF BEGINNING; 23 FEET NORTH AND 14 FEET SOUTH OF A LINE DESCRIBED AS FOLLOWS: CONTINUING NORTH 89° 26' EAST 191 FEET; THENCE 12 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE: NORTH 0° 00' EAST 84.3 FEET TO THE POINT OF BEGINNING A 205.18 FOOT RADUIS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 116.74 FEET, THENCE NORTH 32° 36' EAST 800.62 FEET; THENCE NORTH 89° 35' 50" EAST 3.0 FEET; THENCE NORTH 32° 36' EAST TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., IN THE CITY OF AMES, STORY COUNTY, IOWA.

THE UNDERSIGNED DOES FURTHER GRANT TO THE CITY OF AMES, IOWA A PERPETUAL EASEMENT OVER (3) THREE FEET ON EITHER SIDE OF SAID PUBLIC PLACE FOR SNOW REMOVAL USE AND PLACEMENT OF CITY AND TRAFFIC SIGNS.

RECORDED IN BOOK 157, PAGE 271 OF MISC., OCT. 14, 1976.

DATE	2/23/18
SCALE	1" = 200'
DRAWN	MD
FIELD BOOK	1
SHEET	1

# EXHIBIT 'B'

## PERMANENT INGRESS, EGRESS, AND UTILITY EASEMENT CITY OF AMES, IOWA ENGINEERING DIVISION


DATE: 2/23/2018

A PARCEL OF LAND LOCATED IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., IN THE CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

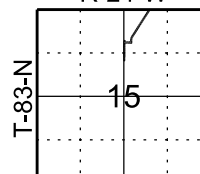
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., CITY OF AMES, STORY COUNTY, IOWA. THENCE S 00°04'55" W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 971.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF THE FORMER C & NW RAILROAD, ALSO BEING THE POINT OF BEGINNING; THENCE N 32°42'23" E ON SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 55.64 FEET; THENCE S 00°04'55" W, A DISTANCE OF 53.78 FEET; THENCE S 87°35'20" E, A DISTANCE OF 157.35 FEET; THENCE 30.95 FEET ALONG A 25 FOOT RADUIS CURVE TO THE LEFT, WITH A CHORD BEARING OF N 44°42'03" E, A CHORD DISTANCE OF 29.01 FEET; THENCE N 04°02'48" E, A DISTANCE OF 35.21 FEET; THENCE 126.92 FEET ALONG A 219.40 FOOT RADUIS CURVE TO THE RIGHT, WITH A CHORD BEARING N 16°27'47" E, A CHORD DISTANCE OF 125.16 FEET; THENCE N 32°39'46" E TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 966.13 FEET; THENCE N 89°41'35" E ON SAID NORTH LINE, A DISTANCE OF 28.60 FEET; THENCE S 32°39'46" W, A DISTANCE OF 981.78 FEET; THENCE 113.16 FEET ALONG A 195.40 FOOT RADUIS CURVE TO THE LEFT, WITH A CHORD BEARING OF S 16°28'08" W, A CHORD DISTANCE OF 111.58 FEET; THENCE S 00°04'50" W, A DISTANCE OF 93.76 FEET; THENCE N 87°35'20" W, A DISTANCE OF 204.21 FEET; THENCE S 00°04'55" W, A DISTANCE OF 429.40 FEET; THENCE N 89°55'06" W, A DISTANCE OF 5.00 FEET; THENCE S 00°04'55" W, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 30, A DISTANCE OF 114.76 FEET; THENCE S 89°31'59" W, ON SAID NORTH RIGHT-OF-WAY, TO A POINT ON SAID WEST LINE OF THE NORTHEAST QUARTER OF SECTION 15, A DISTANCE OF 25.00 FEET; THENCE N 00°04'55" E ON SAID WEST LINE, A DISTANCE OF 587.35 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 52,947.9 SF (1.21 AC)

NOTE: ALL BEARINGS ARE ASSUMED.

	I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.	
	MYRON G DARINGER	DATE
	PRINTED OR TYPED NAME	
	MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019	
PAGES OR SHEETS COVERED BY THIS SEAL: _____		

VICINITY SKETCH  
STORY COUNTY IOWA  
R-24-W

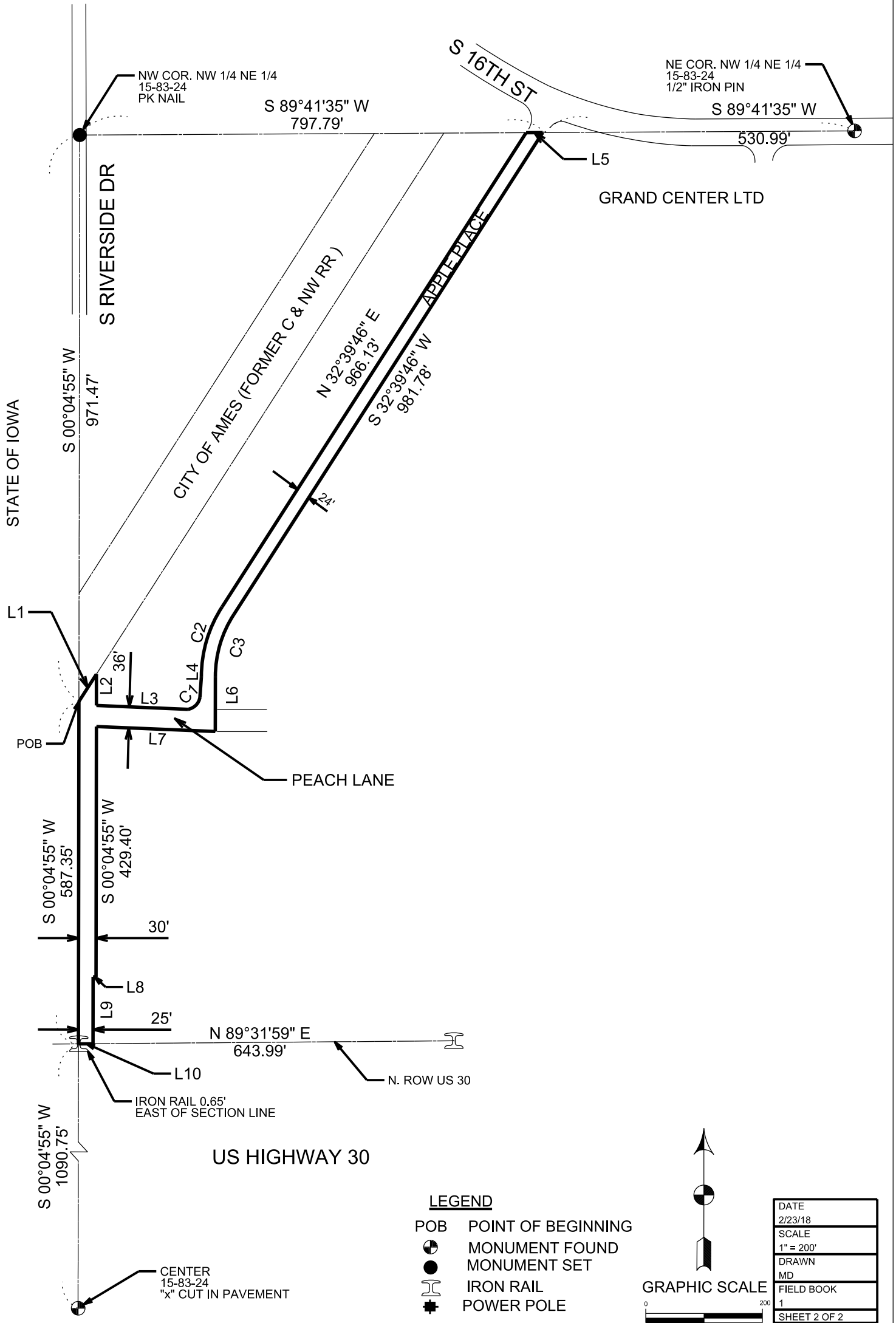


DATE	2/23/18
SCALE	
DRAWN	MD
FIELD BOOK	1
SHEET 1 OF 2	

# EXHIBIT 'B'

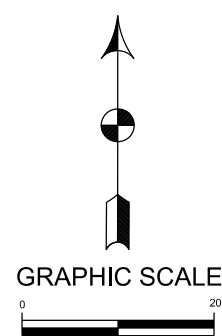
## PERMANENT INGRESS, EGRESS, AND UTILITY EASEMENT CITY OF AMES, IOWA ENGINEERING DIVISION

DATE: 2/23/2018



### LEGEND

- POB POINT OF BEGINNING
- ⊕ MONUMENT FOUND
- MONUMENT SET
- ⌵ IRON RAIL
- ⚡ POWER POLE



DATE	2/23/18
SCALE	1" = 200'
DRAWN	MD
FIELD BOOK	1
SHEET	2 OF 2

**TO:** Mayor and City Council

**FROM:** Kelly Diekmann, Planning & Housing Director

**DATE:** April 18, 2018

**SUBJECT:** Continue public hearing for Major Site Development Plan Amendment for 3305 and 3315 Aurora Avenue

The applicant has proposed changes to the design of the garage buildings that were previously approved by the City Council. The amendment to the Major Site Development Plan has been reviewed by the Planning and Zoning Commission and the applicant is in the process of addressing the Commission's recommendation for the design of the garages. The applicant requests that the public hearing be continued to a later date to complete their evaluation of the Commission's recommendation.

**Therefore, staff requests the City Council continue the public hearing until the May 8 City Council meeting.**