

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
OCTOBER 9, 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 p.m.

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.

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of September 25, 2018
3. Motion approving certification of Civil Service applications
4. Motion approving Report of Contract Change Orders for September 16-30, 2018
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses
 - a. Class E Liquor, C Beer, & B Wine - Hy-Vee Food Store #1, 3800 W. Lincoln Way
 - b. Class C Beer - Doc's Stop No. 5, 2720 East 13th Street
 - c. Class C Liquor, B Native Wine, & Outdoor Service - AJ's Ultra Lounge, 2401 Chamberlain St.
 - d. Class E Liquor, C Beer, & B Wine - Hy-Vee Food & Drugstore #2, 640 Lincoln Way
 - e. Class C Liquor - London Underground, 212 Main Street
 - f. Class C Liquor - Bullseye Restaurant Group LLC, 114 S. Duff Ave. (Boulder Tap House)
6. Motion approving 5-day (Oct 19 - 24) Special Class C Liquor License for Christiani's Events LLC at the ISU Alumni Association, 429 Alumni Lane
7. Resolution approving and adopting Supplement No. 2018-4 to the Ames Municipal Code
8. Resolution authorizing and approving a Loan and Disbursement Agreement and providing for the issuance and securing the payment of \$5,700,000 Taxable Sewer Revenue Bonds, Series 2018-2
9. Resolution approving Intergovernmental Agreement for Police Enforcement of Tobacco, Alternative Nicotine, and Vapor Products with the Iowa Alcoholic Beverages Division
10. Resolution approving Cooperative Agreement between Ames Human Relations Commission and Iowa Civil Rights Commission regarding intake and investigation of Civil Rights complaints
11. Resolution awarding consulting contract to True North Consulting Group of Stillwater, Minnesota, for selection of an Access Management System at City Hall, Power Plant, and Fire Stations in an amount not to exceed \$51,975

12. Resolution approving Professional Services Agreement with Strand Associations of Madison, Wisconsin, for WPC Methane Engine Generator Replacement Project in the amount of \$165,000
13. Resolution awarding contract to WESCO of Des Moines, Iowa, for furnishing 750 KCMIL Cable for Electric Services Department in the amount of \$86,028
14. Resolution approving the requested date changes for the RDF Storage Bin Repair Project and set November 14, 2018, as the bid due date and November 27, 2018, as the date of hearing and award of contract
15. Resolution approving Change Order in the amount of \$20,800 with Gilligan Group for Excellence Through People consulting services
16. Resolution approving Change Order No. 1 with Tri-City Electric Company of Iowa, Davenport, Iowa, for Electrical Maintenance Services Contract for Power Plant in a not-to-exceed amount of \$60,000
17. Resolution accepting completion of 2017/18 Shared Use Path System Expansion (Mortensen Road)
18. Resolution approving Plat of Survey for 304 and 308 E. Lincoln Way

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 three minutes.

PUBLIC WORKS:

19. Presentation of City of Ames Complete Streets Plan:
 - a. Resolution approving City of Ames Complete Streets Plan, as prepared by Toole Design Group
20. Welch Avenue Reconstruction Preferred Cross-Section:
 - a. Motion directing staff to provide direction to an engineering consultant to design the 100 Block of Welch Avenue based on a new cross-section
21. South Grand Avenue Extension Project:
 - a. Resolution declaring City Council's intent to proceed with eminent domain, as necessary, to acquire the property, including leasehold interest, for the construction of the South 5th Street and South Grand Avenue Extension projects
22. Lease with Youth and Shelter Services for Parking Lot P:
 - a. Motion approving the term of the lease and amount to be paid per space
 - b. Resolution setting the date of public hearing for October 23, 2018

PLANNING & HOUSING:

23. Reconsideration of Annexation Petition for three parcels owned by R. Friedrich & Sons., Inc., and Friedrich Land Development Company located along Cameron School Road and George Washington Carver Avenue
24. Zoning Text Amendment to revise the Development Standards of the Neighborhood Commercial Zoning District:

- a. Motion directing staff to finalize the text amendments to the Neighborhood Commercial Zoning District
- 25. Zoning Text Amendment regarding Alternative Landscape Design:
 - a. Motion directing staff to publish Public Notice of Hearing for consideration of a Zoning Text Amendment to grant authority to the Zoning Board of Adjustment to approve alternative landscape plans requiring a Special Use Permit

ADMINISTRATION:

- 26. Iowa State University Research Park, Phase IV:
 - a. Resolution approving Agreement with Iowa State University Research Park for Public Improvements and Other Work
 - b. Resolution approving Minimum Assessment Agreement with Deere & Co. for Building Improvements on Lot 1 in Iowa State University Research Park Phase III, Third Addition
 - c. Resolution approving U. S. Department of Commerce Economic Development Administration (EDA) Grant in the amount of \$1,743,558 and authorizing John Joiner to sign the Financial Assistance Award on behalf of the City

HEARINGS:

- 27. Hearing on WPC Digester Improvements Phase II Project:
 - a. Resolution approving final plans and specifications and awarding contract to Shank Constructors, Inc., of Minneapolis, Minnesota, in the amount of \$2,165,200
- 28. Hearing on Zoning Text Amendment regarding exceptions to Minimum Stories and Minimum Floor Area Ratio for the Downtown Service Center:
 - a. First passage of ordinance

ORDINANCES:

- 29. Second passage of ordinance to allow remote parking as an accessory use in the Neighborhood Commercial Zoning District
- 30. Second passage of ordinance regarding building height/setback for interior climate-controlled mini-storage facilities adjacent to residential uses in the Highway-Oriented Commercial Zoning District

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 MEETING OF THE AMES AREA
METROPOLITAN PLANNING ORGANIZATION (AAMPO)
TRANSPORTATION POLICY COMMITTEE AND
REGULAR MEETING OF THE AMES CITY COUNCIL**

AMES, IOWA

SEPTEMBER 25, 2018

**MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION POLICY COMMITTEE**

The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:00 p.m. on the 25th day of September, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Tim Gartin, City of Ames; David Martin, City of Ames; Chris Nelson, City of Ames; Lauris Olson, Story County; and Bill Zinnel, Boone County Supervisor. Voting member Juan Bibiloni, Transist Representative arrived at 6:03 p.m. and Transit Planner Shari Atwood.

AAMPO Administrator and Ames Public Works Director John Joiner, City of Ames Transportation Planner Tony Filippini, City of Ames. Voting members Amber Corrieri, City of Ames and Jonathan Popp, Gilbert Mayor; were absent.

MOTION APPROVING APPOINTMENT OF PUBLIC WORKS DIRECTOR JOHN JOINER TO STATEWIDE URBAN DESIGN SPECIFICATIONS (SUDAS) BOARD OF DIRECTORS: Moved by Nelson, seconded by Zinnel, to approve appointment of Public Works Director John Joiner to the Statewide Urban Design Specifications (SUDAS) Board of Directors. Vote on Motion: 8-0. Motion declared carried unanimously.

RESOLUTIONS CERTIFYING PROJECTS IN IOWA CLEAN AIR ATTAINMENT PROGRAM ICAAP GRANT APPLICATION CONFORM TO AAMPO'S REGIONAL TRANSPORTATION PLANNING PROCESS: Tony Filippini advised that the ICAAP helps to fund transportation projects and programs that result in attaining or maintaining the national ambient air quality standrds (NAAQS). While the Ames Area MPO is "in attainment" of the NAAQS, ICAAP funds are available for projects in the area that result in reductions in vehicle emissions and traffic congestion.

The AAMPO is required to review all potential ICAAP applications within the area for the following three items: (1) completeness, (2) financial feasibility, and (3) conformity with the AAMPO transportation planning processes and plan. The AAMPO Technical Committee reviewed three applications for approval, all of which were from CyRide. The ICAAP grant application is due to the Iowa Department of Transportation by October 1, 2018.

Moved by Betcher, seconded by Olson, to adopt RESOLUTION NO. 18-530 certifying that the

West Ames changes (#12 Lilac new route & Lilac bus expansion) project, added frequency for service with #1 red, #7 purple, and #11 cherry routes in the Iowa Clean Air Attainment Program grant application conform to the AAMPO's regional transportation planning process.

Vote on Motion: 8-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Betcher, seconded by Olson, to adopt RESOLUTION NO. 18-531 certifying that the #9 plum summers and ISU breakdays for CyRide in the Iowa Clean Air Attainment Program grant application conform to the AAMPO's regional transportation planning process.

Vote on Motion: 8-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Betcher, seconded by Olson, to adopt RESOLUTION NO. 18-532 certifying that the #5 yellow midday service for CyRide route in the Iowa Clean Air Attainment Program grant application conform to the AAMPO's regional transportation planning process.

Vote on Motion: 8-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Transit Representative Juan Bibiloni arrived at 6:03 p.m.

MOTION APPROVING THE FTA TITLE VI PROGRAM FOR SUBMISSION TO THE IOWA DEPARTMENT OF TRANSPORTATION: Tony Filippini stated that, as a recipient of Federal funding, the AAMPO is required to operate its programs and activities in accordance with the Civil Rights Act of 1964 and its amendments, known as Title VI, which prohibit discrimination on the basis of race, color, or national origin. He noted that the Ames Area MPO updates the FTA Title VI program every three years and submits it to the Iowa Department of Transportation to demonstrate compliance. Mr. Filippini stated that this submission is similar to the last one done in 2015, and if approved tonight will be good until 2021.

Council Member David Martin noted that on the Language Communication Guidelines, it states "For the purpose of this Policy, LEP persons are citizen's households who are eligible to participate and/or benefit from the various federally funded programs." He said that he was looking at the word "citizen" and wanted to know if this applies to US citizens or everyone in the community. John Joiner stated that it is just referencing the community. Council Member Tim Gartin stated he would caution changing a word as there may be implications throughout the rest of the document. Mr. Joiner pointed out that the whole point of the document is for equal access. He will look into the wording.

Moved by Beatty-Hansen, seconded by Martin, to approve the FTA Title VI Program for Submission to the Iowa Department of Transportation.

Vote on Motion: 9-0. Motion declared carried unanimously.

MOTION APPROVING PAVEMENT, BRIDGE, SYSTEM PERFORMANCE, AND

FREIGHT PERFORMANCE TARGETS: Mr. Filippini noted that this is a new item that is being presented after a couple years of the service transportation bill and they are finally getting to implementation. He noted that the state is the one who will be providing and reporting these performances to the Federal Highways Administration with two-year and four-year targets. The Ames Area MPO is required within 180 days of the State's Submission of the Pavement bridge, System Performance and Freight performance measures, to adopt safety performance targets. Mr. Filippini stated that upon approving safety measures, the Ames Area MPO will be required to reflect the performance measures and targets in all Long-Range Transportation Plans and Transportation Improvement Programs.

Council Member Tim Gartin asked if this was merely a recording mechanism if it had any implications on how roads would be maintained. Mr. Joiner stated that the two performance measures apply to the National Highway System, which would include I-35, US 30, and US 69. Ms. Betcher inquired if this would also be applied to portions of US 69 that are surface streets. Mr. Joiner stated it would apply.

Moved by Gartin, seconded by Beatty-Hansen, to approve pavement, bridge, system performance, and freight performance targets.

Vote on Motion: 9-0. Motion declared carried unanimously.

MOTION APPROVING FY 2018/19 SAFETY PERFORMANCE TARGETS: Mr. Filippini stated this was the second year in which the MPO has considered the safety targets reported by the Iowa DOT and will become an annual action. Upon approving safety measures, the Ames Area MPO will be required to reflect the performance measures and targets in all Long-Range Transportation Plans and Transportation Improvement Programs. Each update to the Long-Range Transportation Plan will report system performance measure progress towards achieving those targets.

Moved by Betcher, seconded by Olson, to approve the FY 2018/19 Safety Performance Targets.

Vote on Motion: 9-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Bibiloni to adjourn the AAMPO Policy Committee meeting at 6:12 p.m.

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor John Haila at 6:15 p.m. on September 25, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and David Martin. *Ex officio* Member Allie Hoskins was also present.

Mayor Haila stated that he wanted to take a moment to discuss the tragedy from last week and as a City they are still grieving the loss of Celia Barquin Arozamena. He stated that Law Enforcement did an amazing job with communication to the City, partners at ISU, and the school district. He

noted that the City is going to continue to move forward and Ames is still a safe community and will continue to work on ways to enhance safety within the community.

PROCLAMATION: Mayor Haila proclaimed October 5, 2018 as “Manufacturing Day.” Accepting the Proclamation were Dan Culhane, President and Chief Executive Officer of the Ames Economic Development Commission and Drew Kamp, Director, Public Policy & Business Development. Mr. Culhane mentioned that manufacturing is an important part of the economy and within the last week 3M has applied for an expansion. He wanted to raise the profile of how important manufacturing is in the marketplace.

Council Member Amber Corrieri arrived at 6:20 p.m.

CONSENT AGENDA: Council Member Beatty-Hansen requested to pull Consent Item No. 8, Motion approving 5-day (October 17) Special Class C Liquor License for Wheatsfield Cooperative, 2508 Mortensen Road. Council Member Tim Gartin requested to pull item No. 14, Youth and Shelter Services for exclusive use of Municipal Lot P, to be pulled from the Consent Agenda for separate discussion.

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of September 11, 2018
4. Motion approving Report of Contract Change Orders for September 1 - 15, 2018
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor, B Wine, Catering, & Outdoor Service - +39 Restaurant, Market, & Cantina, 2640 Stange Road
 - b. Class C Liquor & Outdoor Service - Wallaby’s Grille, 2733 Stange Road
 - c. Class C Liquor - HyVee #1 Clubroom, 3800 W. Lincoln Way
 - d. Class C Beer and B Wine - HyVee Gas #5018, 636 Lincoln Way
6. Motion approving 5-day (October 3 - 8) Special Class C Liquor License for Gateway Hotel & Conference Center at ISU Alumni Center, 420 Beach Avenue
7. Motion approving 5-day (November 17) Special Class C Liquor License for Gateway Hotel & Conference Center at ISU Alumni Center, 420 Beach Avenue
8. Motion approving 5-day (October 17) Special Class C Liquor License for Wheatsfield Cooperative, 2508 Mortensen Road
9. Resolution approving 2018 Street Finance Report
10. Resolution approving a Memorandum of Understanding with the International Union of Operating Engineers (IUOE) Local 234, which authorizes a hiring bonus and increase in Step A wages for the CyRide Mechanic Assistant classification
11. Resolution approving request from Ames Community Preschool Center to carry over \$54,257.22 in unspent FY 2017/18 ASSET funds to FY 2018/19 and authorizing staff to reimburse services rendered in FY 2017/18 that have not yet been paid
12. Resolution approving Neighborhood Improvement Project Grant to Spring Valley Neighborhood in the amount of \$1,010

13. Resolution approving Purchase Agreement for acquisition of property for the construction of North River Valley Well Field and Pipeline Project
 14. Youth and Shelter Services for exclusive use of Municipal Lot P:
Motion directing staff to draft a 3-year Lease
 15. Outdoor Ice Rink:
 - a. Motion accepting donations from Iowa Wild and Wells Fargo
 - b. Resolution approving Hold-Harmless Agreement
 16. Requests from ISU Homecoming Central Committee for ISU Homecoming Events on Friday, October 26, 2018:
 - a. ExCYtement in the Streets
 - i. Motion approving blanket Temporary Obstruction Permit
 - ii. Resolution approving closure of portions of Sunset Drive, Ash Avenue, Gray Avenue, and Pearson Avenue from 5:00 p.m. to 11:00 p.m.
 - iii. Resolution approving suspension of parking regulations for closed areas from 5:00 p.m. Thursday, October 25, until 11:00 p.m. Friday, October 26
 - b. Central Campus Events
 - i. Motion approving request for Fireworks Permit for display from ISU Central Campus at midnight on Friday, October 26, for Mass Campaniling
 17. Resolution approving closure of and waiver of fees for 33 parking meter fees in Lot Z from 8 AM to 6 PM for Boys & Girls Club of Story County “Over the Edge” event on October 12, 2018
 18. Resolution approving preliminary plans and specifications for Scaffolding and Related Services and Supplies for Power Plant; setting October 24, 2018, as bid due date and November 13, 2018, as date of public hearing
 19. Resolution approving preliminary plans and specifications for 2018/19 Sanitary Sewer Rehabilitation (Wilson and 15th); setting October 31, 2018, as bid due date and November 13, 2018, as date of public hearing
 20. Resolution awarding contract to Alstom Grid, LLC, of Charleroi, Pennsylvania, for 69kV SF6 Circuit Breakers for Haber Road Substation in the amount of \$75,030 (inclusive of Iowa sales tax)
 21. Resolution approving contract and bond for 2017-18 Right-of-Way Restoration Project
 22. Resolution approving contract and bond for Power Plant Maintenance Services Contract, pending receipt of Performance Bond
 23. Resolution approving Change Order No. 2 with Minturn, Inc., for the WPC Structural Rehabilitation Project - Phase 2 in the amount of \$ 36,800
 24. Resolution approving Change Order No. 1 with TEI Construction Services, Inc., for Boiler Maintenance Services Contract for Power Plant in the not-to-exceed amount of \$450,000
 25. Resolution approving Plat of Survey for 1810 and 1920 SE 16th Street
 26. Resolution approving Plat of Survey for 2812 and 2814 West Street
 27. Resolution approving Plat of Survey for 1311 and 1405 Buckeye Avenue
 28. Resolution approving Plat of Survey for 2200, 2210, 2211-2438 Hamilton Drive; 2355, 2351, 2361-2367 Hamilton Circle; 2340-2347 Hilton Court; and, 2205 Green Hills Drive
- Roll Call Vote: 6-0. Motions/Resolutions declared carried/adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

MOTION APPROVING 5-DAY (OCTOBER 17) SPECIAL CLASS C LIQUOR LICENSE FOR WHEATSFIELD COOPERATIVE, 2508 MORTENSEN: Council Member Beatty-Hansen said she pulled this item from consent in order to abstain from the vote due to potential conflict of interest.

Moved by Gartin, seconded by Corrieri to approve 5-day (October 17) Special Class C Liquor license from Wheatsfield, 2508 Mortensen.

Vote on Motion: 5-0-1 Voting aye; Betcher, Nelson, Martin, Gartin, Corrieri. Voting nay: None. Abstaining: Beatty-Hansen. Motion declared carried.

YOUTH AND SHELTER SERVICES FOR EXCLUSIVE USE OF MUNICIPAL LOT P:

Council Member, Tim Gartin said he had sent an email to Council Members proposing that they follow the procedures outlined in the Iowa Code, 364.7, which provides that residents are given notice, have a hearing, and resolution. He would like to treat it the way they would real estate even though by State code, only a lease that exceeds three years would require this. Mr. Gartin noted that he spoke with the City Manager and City Attorney and the cost of doing the notice would be minimal. Mr. Schainker asked Mr. Gartin for clarification if Iowa Code, 364.7 is to be applied to any lease that exceeds three years or just for parking. Mr. Gartin stated he only wanted to apply it at this time to the Youth and Shelter Services and address to change the language at a later time.

Moved by Gartin, seconded by Beatty-Hansen to move forward with the three year lease with Youth and Shelter Services but under the Iowa Code, 364.7.

Mr. Martin asked if there was a time frame that the Youth and Shelter Services needed to have the lease documented. Mr. Schainker stated that even though the lease is expired Youth and Shelter Services are continuing at the rate of \$20 instead of the \$35 that is being proposed. Traffic Engineer, Damion Pregitzer noted that Youth and Shelter Services and will continue under the terms of the old lease until a new one is put in place. Mr. Martin asked if anyone could comment on how long it would take to do publish notices, it was noted that it would take about two weeks.

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

PUBLIC FORUM: Mayor Haila opened Public Forum.

Jon Hunstock, 4142 Eisenhower Lane, stated that this is his second appearance to City Council but the same topic as before. Mr. Hunstock mentioned that he reviewed the report on speeding on Hyde Avenue and based on his experience with experimental Psychology testing and statistics; he feels there is a bias based on the way the study was conducted. He noted that the test does not address if cars are really speeding on Hyde Avenue. Mr. Hunstock explained that previously there were no stop signs at the intersection by where he lives and he constantly heard screeching of tires, honking of car horns, and yelling, subsequently stop signs were put up at the intersection. He noted that for 20 plus years nothing else has been done and with the completion of the concrete road between the City of Ames and Gilbert the problem has increased. Mr. Hunstock stated on behalf of Bloomington Heights Home Owners Association they had

requested to have a study done and when reviewing the study the conclusion was that nothing needed to be done. He explained that there is still speeding and illegal passing being done on Hyde Avenue which is a 25 mph residential zone. Mr. Hunstock requested that a new traffic study be done that would scientifically reveal what is truly happening.

Mayor Haila closed Public forum at 6:34 p.m.

STAFF REPORT REGARDING SAFETY IN PARKS, NATURAL AREAS, AND

TRAILS: Chief of Police, Chuck Cychosz, stated that his purpose this evening is to give an overview of the crime prevention actions that the City of Ames has undertaken since the tragic murder of Celia Barquin Arozamena.

Chief Cychosz went on to explain what their current practices are in relation to natural areas and trails prior to this incident. They respond to public complaints and staff observations of camping in public property and they also assist private property owners with trespassing. Every year they remove campers and camping materials from natural areas. The Police Department also apply the principles of crime prevention through environmental design to the development of their City projects and also provide crime prevention recommendations to private developers that go through their development review process. He gave the following examples of what is currently being done to increase safety:

- Lightening will be done along the Brookside Park path from 6th Street to 13th Street.
- Added or upgraded security lights in various shelters, restrooms, and parking lots throughout the parks.
- Edges of paths/trails are regularly mowed to maintain visibility, which can extend out to a width of 12 feet.
- Created an invasive species task force to review site lines and what areas they are having difficulty monitoring.
- Park Watch program that encourages the public to provide concerns or suggestions with park properties.

Chief Cychosz asked the public to call the Police Department or Parks and Recreation with their concerns.

Chief Cychosz then noted the following examples of immediate changes they have made to their day to day practice:

- An action team was assemble with Parks and Recreations, Iowa State University, and Ames schools to review maintenance practices in public natural areas and to make an initial identification of other areas of concern.
- In Squaw Creek Park they have already done some brush clearing and cleaned up camping materials from two individuals and will continue to monitor the area.
- Bike trail connecting South Fourth Street to the ISU Veterinary Medicine Complex will have the brush cleared.
- Police are also doing extra patrols in the area and will continue to do so for the next several weeks.

Chief Cychosz stated they have worked with the Emergency Residence Project to offer access to alternative housing and services in the community. The Emergency Residence Project is a gateway to a range of support services that are available to the homeless. He noted that the Ames Police Department has a mental health advocate on their staff and they work with the Eyerly Ball Regional Crisis Intervention team. Emergency Residence Project is also working on developing a homeless outreach process.

Chief Cychosz noted that not all camps are on public property and when camps are done on private property the City can assist the homeowners that are having difficulty removing trespassers from their property. He explained they are still doing further review and it is possible that they may bring back more recommendations to City Council.

Chief Cychosz wanted the public to know that not all homeless people are dangerous and asked that the public not stereotype a group of people. He asked that a broader discussion on safety be done within the community. There are currently security cameras being placed in Campustown and also several private entities have installed cameras. Safety walks are done by Iowa State University Police and the Ames Police Department on Campus to help identify safety issues, these reviews look at lightening, vegetation, and other safety issues.

Chief Cychosz noted safe transportation is always a concern for residents and CyRide is a prominent provider of safe transportation and works on getting citizens home safely. The City of Ames Police and Iowa State University Police offer public education, safety training, website materials, presentations, and other resources.

Council Member, Gloria Betcher asked if work was going to be done on the bike path between South 4th and South 16th. Chief Cychosz stated they will be starting work at South 4th Street and continue down South 16th Street by Vet Med. Joshua Thompson stated a press release will be going out in a day or two letting citizens know when the bike path will be closed and when it will reopen.

Holly Varnum, 2403 Ferndale Avenue mentioned she is here tonight to speak about safety, as she is concerned about someone being murdered in broad daylight and right now she doesn't feel safe. She feels more Police escorts need to be available throughout the City and not just with students on Campus at ISU. She noted that she walks everywhere in Ames and has started to carry a whistle with her. Ms. Varnum stated there needs to be more resources for people with disabilities like herself and people need to know how to defend themselves no matter if it is day or night. She also would like to see transportation provided to people who need it. She noted that she has a tough time talking to authorities but has been getting help from the mental health advocate with the City of Ames Police Department to help her approach authorities. She asked how they should confront a homeless person or if they see someone taken away, what is the

appropriate action someone should take. She asked if authorities should be called first or should they approach the person in question.

Mayor Haila encouraged Ms. Varnum that if she sees something to say something to the Police Department.

Mayor Haila closed public input at 7:00 p.m

DISCUSSION ON OPTIONS FOR RENOVATION OF AND FUNDING FOR BROOKSIDE PARK RESTROOMS: Parks and Recreation Superintendent, Joshua Thompson stated that in the City Councils packet, there are five options for the Brookside restroom renovation which are:

- A. Keep the current structure, replace the roof, keep the men's and women's restroom, and add an ADA compliant/gender neutral restroom with a cost of \$152,096.
- B. Keep the current structure, replace the roof, and renovate the interior to include four gender neutral restrooms with a cost of \$210,262.
- C. Demolish the current structure, build a new building using conventional construction which would include four gender neutral restrooms with a cost of \$309,553
- D. Demolish the current structure and replace with a prefab structure which would include four gender neutral restrooms with a cost of \$265,164.
- E. Demolish the current structure and contract with a vendor to provide portable restrooms in Brookside Park (four standard and two ADA complaint portables) with a cost of \$12,000.

Mr. Thompson stated that the Parks and Recreation Commission met last week and voted on Option B.

Council Member Beatty-Hansen asked if the bathroom would double as a storm shelter. Mr. Thompson stated that has not been discussed but something they could look into when doing further development. Mr. Schainker mentioned in order to accomplish this project they would need to authorize funds from two other projects be reallocated to this project and use savings from completed CIP projects.

Moved by Beatty-Hansen, seconded by Corrieri, to approve Alternative 2, directing staff to develop plans and specifications to renovate the current Brookside restroom to include the current men's and women's restrooms and one ADA compliant gender neutral restroom; use savings from completed CIP projects as listed above for the Brookside Project; and use funds from the Ames High Tennis Court Repair Project and the North River Valley Park Restroom Renovation Project for the Brookside Restroom Project.

Council Member Tim Gartin asked if the bathrooms would contain changing tables. Mr. Thompson stated they have not gotten into the design details yet but the initial design did show two changing tables. Mayor Haila asked about security with doors to the restroom. Mr. Thompson stated that currently the restrooms do not have doors and this is something they will be reviewing with the plans and specifications. Council Member Chris Nelson asked if the canopy is going to be replaced. Mr. Thompson stated that the outside of the structure has not been planned yet but City Council will see the plans and specifications in the future.

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

MOTION DIRECTING STAFF TO PUBLISH NOTICE FOR A ZONING TEXT AMENDMENT TO DOWNTOWN SERVICE CENTER ZONING FOR EXCEPTION TO MINIMUM STORIES AND MINIMUM FLOOR AREA RATIO:

Planning and Housing Director Kelly Diekmann noted that back on June 9th a workshop was held about Downtown related issues, including development standards and one of those directions was to review a request from Kurt Friedrich to discuss an option for exceptions to the minimum floor area ratio (FAR) and height requirements. He mentioned that in July, staff reported back to City Council offering some alternatives and after discussion, City Council initiated a consideration of a change to modify the exception criteria for the perimeter of Downtown, specifically the 6th Street area. Mr. Diekmann stated they have prepared an exception option and would like City Council to give direction to publish notice. The Planning and Zoning Commission reviewed the proposed text amendment and recommended adopting new exception criteria for building additions on sites with frontage along 6th Street.

Council Member, Gloria Betcher asked to clarify that on the portions of the draft where the DSC is crossed out and only the CSC is left, was this done because the DSC language has more specific language in the draft. Mr. Diekmann stated that in the Exceptions in Section 29.1506, she is correct as CSC has its own version of an exception process.

Council Member Chris Nelson stated before when they discussed DSC there were concerns about the peak height and the roof massing and would this introduce the potential for more of this or not even addressed. Mr. Diekmann stated they attempted to cover this in Standard (b)4 which reads “The proposed project demonstrates a height and building placement that emphasizes an urban design of Main Street style characterized by height, compatible with buildings downtown, and maintaining or creating a street edge with buildings.” He noted that the Zoning Board of Adjustment will have to determine if someone has a tower element that is a compatible height or not.

Council Member David Martin asked what the theory is on having the exception only for existing buildings. Mr. Diekmann stated that there is already an exception for new construction that are set up that addresses this same concern.

Council Member Tim Gartin asked if there has been any feedback from architects or contractors that would have an interest in these types of changes. Mr. Diekmann stated that they do not have any feedback and their notification process is to send an email to a “Developers List” who get a notice prior to a Planning & Zoning Commission meeting letting them know what is going to be discussed. Mr. Gartin noted he appreciates knowing that more outreach is being done to make sure everyone is aware of potential changes. Mayor Haila wanted to know if it would be beneficial to use the “Developers List” to attach the council action form with proposed changes emailed out to them.

Moved by Beatty-Hansen, seconded by Corrieri to approve Alternative 1 stating; City Council can direct staff to finalize the attached zoning text amendment for minimum number of stories and floor area ratio exceptions for additions within the DSC zoning district and publish notice for a public hearing on adopting and ordinance.

Further discussion was started by Council Member David Martin questioning why they would want to apply this change to only existing buildings as he would opt for Alternative 2. Council Member Beatty-Hansen noted that the effect would be very minimal.

Vote on Motion: 5-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Gartin. Voting nay: Martin. Motion declared carried.

MOTION DIRECTING STAFF TO PUBLISH NOTICE FOR ZONING TEXT AMENDMENT TO REDUCE FRONT-YARD TREE PLANTING REQUIREMENTS BY 50%: Planning and Housing Director Kelly Diekmann stating this item is seeking direction from City Council if to proceed with a text amendment. Staff was asked if they would be interested in looking at corner lots for reducing tree planting requirements. He noted that two options were prepared and presented to the Planning and Zoning Commission. The Commission determined that after only one year of implementation of the landscape standards it was premature to reduce the planting standards and recommended that City Council decline to approve a zoning text amendment. As a separate motion, the Planning and Zoning Commission voted to recommend that City Council initiate a review of the landscape ordinance in greater depth at an appropriate time in the future to determine what is working well and what is not.

Council Member Chris Nelson stated that some sketches were sent to City Council showing different frontage examples. Mr. Diekmann stated that attachment B was the current standard and the first page of Attachment C was to reduce the front yard by 50% and the second page was to reduce the parking lot ratio. Mr. Nelson stated they had previously discussed corner lot properties and when looking at the sketches there is still good coverage and leaning towards Alternative One.

Justin Dodge, Hunziker Companies, 105 S 16th Street asked for a little more relief in reduction as the amount of vegetation they have to install with the new ordinance is significantly higher and if staff is recommending some reduction they are fully supportive of that.

Scott Renaud, Fox Engineering, 414 S. 17th Street, Suite 107, stated he spoke a lot during the last Planning & Zoning Commission meeting and his main point was they needed to go back and refine the ordinance as he feels there are a few areas that need to be improved. Mr. Renaud stated that cost is a big issue as he has done three hotels with the new ordinance and the budget would normally be within the \$15,000 to \$20,000 range and now it is in the \$80,000 to \$100,000 range. He noted that they have too many trees which makes it hard for them to do the appropriate lighting for safety issues. Mr. Renaud mentioned between himself and a few other Engineers they have a list of some recommended changes to help refine the ordinance.

Council Member Tim Gartin asked Mr. Renaud if he has provided these recommended refinements to Mr. Diekmann. Mr. Renaud stated they have not but has been working on a list to present to staff. Mr. Gartin wanted to know if Mr. Renaud has worked in other Cities to see what they are doing and would appreciate knowing what they are doing. Mr. Renaud stated he has worked on site plans for Clive and they have too many trees as well as it is hard to see where the building is as the signs are covered and it feels like a forest at times.

Moved by Nelson, seconded by Corrieri to approve Alternative 1 stating; City Council can direct staff to publish hearing notice for consideration of a Zoning Text Amendment to reduce front yard tree planting requirements by 50%.

Council Member, Gloria Betcher stated that she had concerns about these changes last time and still has concerns; she would like to go back and re-look at the entire ordinance instead of going piece by piece. Council Member, Brownyn Beatty-Hansen stated that she is sympathetic to Planning and Zoning's concerns but she does not want to dive into the whole Landscape Ordinance again. Further discussion was had about how the Council Members felt about how to make changes to the Landscape Ordinance.

Vote on Motion: 3-3. Voting aye: Nelson, Gartin, Corrieri. Voting nay: Betcher, Beatty-Hansen, Martin. Mayor opted to not vote. Motion failed.

Moved by Betcher, seconded by Beatty-Hansen to approve Alternative 4 stating; City Council can direct staff to not proceed with a Zoning Text Amendment.

Council Member Nelson asked that they not do anything and just wait to have the bigger conversation at a later time. Council Member Martin stated that if they don't do anything then

staff will proceed with Alternative 4 anyway and not proceed with a Zoning Text Amendment.

Council Member Betcher withdrew her motion.

Mr. Gartin wanted to know what the next step would be as the changes were done because it needed to be done.

Moved by Gartin, seconded by Nelson, to direct staff to begin work on a solicitation of opinions regarding what recommended changes need to be done to the Landscape Ordinance.

Mr. Diekmann asked Council when this would need to be done as they just did a staff prioritization just a few weeks ago. He noted that this can be done however, it would not be addressed until at least December 2018.

Council Members had more discussion about giving the Landscape Ordinance more time as it has been in effect for just a little over a year.

Vote on Motion: 3-3. Voting aye: Nelson, Gartin, Corrieri. Voting nay: Betcher, Beatty-Hansen, Martin. Mayor opted to not vote. Motion failed.

Mayor Haila noted No Action taken at this time.

STAFF REPORT REGARDING SOUTHWEST GROWTH AREA INFRASTRUCTURE AND DEVELOPMENT AGREEMENT REQUEST FROM LANDMARK

DEVELOPMENT: Planning and Housing Director, Mr. Diekmann presented a location map for the Southwest Growth Area. He stated he is responding to a letter that City Council received in August from Landmark Development to support infrastructure extensions for development of approximately 170 acres of land along 240th Street in the Southwest Growth Area. The City's Land Use Policy Plan identifies the location of the proposed site as part of the Southwest Incentivized Growth Area. The City studied a number of sewer options as part of the Worle Creek Sanitary Sewer Extension Study in 2005 and later incorporated into a 2006 City report on the costs of Growth Priority Analysis. The 2006 report was later updated in 2008 along with the Land Use Policy Plan amendments changing the description of growth area terminology from Priority Growth Area to Allowable Growth Areas and incentivized and non-incentivized. Mr. Diekmann noted that a prior Council had identified a two sewer systems to serve the area rather than a single service in the Worle Creek area which divided the Southwest area into the north half and south half; the utility infrastructure is different for both. He mentioned that one issue is that Iowa State controls land in-between the two halves so there is a gap in-between

institutionally land and no expansion opportunity further south.

Mr. Diekmann stated if City Council is interested in supporting the development of the Southwest, it would indicate to the developer that Council would prioritize the Planning and Development Agreement process for this fall and winter and commit staff time to work with the developer to define the concept further. He noted that one thing they do not have is the understanding of the scope of the project in regards to the number of housing units or configuration.

Mr. Diekman mentioned there are two questions before City Council tonight which are:

1. Does the Council want to consider paying for the extension of the sanitary sewer line from State Avenue to the South Dakota?

2. Is the Council willing to consider amending the current budget and next year's CIP to finance the sewer extension and infrastructure oversizing.

Council Member Amber Corrieri noted that they are being asked to indicate whether they would consider paying for the extension and consider amending the current budget but it is hard to say without more information. Mr. Diekmann agreed that City Council does not have enough information to make a full decision tonight as staff would need to work with the developer to define the scope of the project, refine the infrastructure cost estimates, complete a traffic study, and prepare terms for a development agreement regarding assignment of costs, phasing, and development obligations. Staff would also need to work with ISU to determine the feasibility and timing of securing an easement for the north sewer line.

Phil Iasekoli, 3108 South Dakota Avenue, pointed on the map where his house is located and noted that he has spoken before to City Council on the Worle Creek Study. He stated that the amount of buildable land is 1700 acres but does not take into account the land that is controlled by ISU and several single family homes with several acres. Mr. Iasekoli noted that the land itself for development is not buildable ground as it is in the flood plain area and the soil is not able to be built on. He is concerned with the egress along Hwy 30 with what is already being done as there has been a lot of growth with apartments, Iowa Attack volleyball/basketball, and Tennis courts. He mentioned that when there are activities going on, traffic is backed up on Hwy 30 almost to State street. If development occurs than additional egress is going to be needed, especially if fire needs to get through since there is not a fire station on the west side of town. Mr. Iasekoli stated that the speed limit is 40 mph but people are constantly speeding through this area. He also wanted to mention that a large area is within the United Community School District.

Christine Hausner, 3505 245th Street, stated that her parents live off Dartmoor and she is speaking on behalf of the Champlin area and there is no one that would voluntarily go into the City. She agrees with what Mr. Iasekoli stated earlier that there is not a lot of developable land.

Ms. Hausner stated that if the City is going to build they need to be aware of the creek, and would be destroying native pristine timber as there will be an issue. She also mentioned that there is a snake on the endangered species list that lives by the creek. She stated that they are willing to make a compromise but not willing to be annexed in.

Kim Christiansen, 2985 South Dakota Avenue, wanted to know if it is a precedent for the City to spend three to four million dollars to have a developer do what they want to do. Mr. Christiansen stated that anything in the United School District would be a problem as some would need to do open enrollment and the school does not want to allow that. He brought in a print out showing what areas are able to be developed and what is not and gave it to Mr. Diekmann.

Council Member Tim Gartin asked how long the area has been in the Southwest Growth area. Mr. Diekmann stated that it was identified in 1997. Ms. Corrieri noted that the area in discussion has been targeted for incentives for several years. Mr. Schainker stated the real issue tonight would be if Council wants to invest staff time to keep discussing plans with the developer to bring back information to Council.

Futher discussion ensued on the Southwest Growth area. Ms. Betcher asked to what extent could ISU play a spoiler in all this regardless of their intentions. Mr. Diekmann stated if ISU did not grant the easement there was another option done from their sewer study to run sewer on 240th and South Dakota going south and connecting to the Dartmoor area and going east but would be more costly as would have to create a lift station.

Nick Halfhill, Landmark Development Services, 9550 Hickman Road, Clive, stated they had been doing research in the area for about a decade looking for a piece of land in Ames to develop. They are poised and ready to hit the ground running but want to make sure there is a desire to have a discussion with staff to bring back the answers that City Council is looking for.

Moved by Corriei, seconded by Beatty-Hansen to have staff continue discussions with Landmark and provide more information on the extension of Sanitary Sewer line.

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

The meeting recessed at 8:26 p.m. and reconvened at 8:32 p.m.

HEARING ON AMENDMENTS TO FISCAL YEAR 2018/19 BUDGET REGARDING CARRY-OVERS: Budget Officer, Nancy Masteller stated that they are bringing the first

amendment to the 2018/19 budget and it is a little over \$70 million and consists primarily of carry over items. These are CIP projects that were approved during the last fiscal year and are uncompleted and the departments are carrying them forward so the budget needs to be amended.

Mayor Haila opened the public hearing. The hearing was closed after no one requested to speak.

Moved by Gartin , seconded by Corrieri, to adopt RESOLUTION NO. 18-554 approving the amendments to Fiscal Year 2018/19 Budget regarding carry-overs:

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

HEARING ON PROPOSAL TO ENTER INTO A SEWER REVENUE LOAN AND DISBURSEMENT AGREEMENT AND TO BORROW MONEY IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,700,000: Finance Director, Duane Pitcher stated that these funds have been in the budget for some time and have been funded by the State Revolving Fund (SRF) which is the same fund that was used for the new Water Treatment Plant.

The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Betcher , seconded by Beatty-Hansen, to adopt RESOLUTION NO. 18-555 approving the Sewer Revenue Loan and Disbursement Agreement and to borrow money in a principal amount not to exceed \$5,700,000.

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

ORDINANCE TO ALLOW REMOTE PARKING AS AN ACCESSORY USE IN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Corrieri, seconded by Betty-Hansen, to pass on first reading an ordinance to allow remote parking as an accessory use in the Neighborhood Commercial Zoning District.

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

ORDINANCE REGARDING BUILDING HEIGHT/SETBACK FOR INTERIOR CLIMATE-CONTROLLED MINI-STORAGE FACILITIES ADJACENT TO RESIDENTIAL USES IN THE HIGHWAY-ORIENTED COMMERCIAL ZONING

DISTRICT: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance regarding building height/setback for interior climate-controlled mini-storage facilities adjacent to residential uses in the Highway-Oriented Commercial Zoning District.

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

HEARING ON MAJOR SITE DEVELOPMENT PLAN AMENDMENT FOR 2151 COTTONWOOD ROAD: The public hearing was opened and closed by Mayor Haila since there was no one wishing to speak.

Moved by Corrieri , seconded by Betcher, to adopt RESOLUTION NO. 18-533 approving the Major Site Development Plan for 2151 Cottonwood Road, as proposed, to allow for revisions to the garage siding material, and changes to the dimensions of each garage.

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

ORDINANCE REVISING PARKING REGULATIONS ON MCKINLEY DRIVE:

Moved by Corrieri, seconded by Gartin to pass on third reading and adopt ORDINANCE NO. 18-4370 revising park regulations on McKinley Drive.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Moved by Corrieri, seconded by Gartin to refer the letter from Chuck Winkleblack on the issue of the Carney's properties on South Duff back to staff to bring back as an action item.

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

Moved by Betcher, seconded by Nelson to have staff write a memo regarding the letter from Carson Sinclair about the complaint against the City for failing to make sure a property was complying with code and was requesting a payment for \$5900.

Vote on Motion: 4-2, voting aye; Betcher, Nelson, Martin, Gartin. Voting nay: Beatty-Hansen, Corrieri. Motion declared carried.

Moved by Martin, seconded by Beatty-Hansen to schedule a workshop in early 2019 with an invitation to hear from the community, anti-trafficking agencies, massage therapists regarding the possibility of adopting a City ordinance to address the problem of illicit massage businesses and human trafficking.

Vote on Motion: 3-3, voting aye: Betcher, Martin, Beatty-Hansen. Voting nay: Corrieri, Gartin, Nelson. Mayor Haila voted aye. Motion declared carried.

Council members elected to take no action on the staff report from Damion Pregitzer regarding the speed study results on Hyde Avenue (Bloomington Heights)

Mr. Diekmann explained to Council members stated that after speaking with Mr. Grandon the cities zoning ordinance defines funeral homes and funeral facilities and if they don't have the elements of the definition you are not defined as a funeral home and this is different from the States. He stated that Council is being asked for the local definition to match the states definition. A discussion was had by Council to discuss the differences between funeral homes and funeral facilities.

Moved by Beatty-Hansen, seconded by Gartin, for the Mayor to communicate to Mr. Grandon that the Council is not interested in pursuing the issue at this time.

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

Moved by Betcher, seconded by Corrieri to not move forward with the email from Ludmila Scott requesting to consider the removal of parking meters by the library and to replace with free 20 minute parking.

Vote on Motion: 5-1, voting aye: Betcher, Nelson, Martin, Beatty-Hansen, Corrieri. Voting nay: Gartin. Motion passes.

Moved by Nelson, seconded by Martin to refer to staff to send a memo to Justin Dodge regarding his request to consider a minor text amendment that would allow trading out shrubs/grasses for trees for property located at the corner of Dayton and Lincoln Way.

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

Moved by Beatty-Hansen, seconded by Martin to refer to staff to send a memo in regards to a letter received by Justin Gersema requesting to consider installing a sidewalk from Kellegg Avenue to Duff Avenue on the north side of 14th Street.

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

Mayor Haila asked that any communications to be given no later than the Friday before a City Council meeting and if comes in after that it will be added to the next council meeting.

COUNCIL COMMENTS: Council Member Gloria Betcher hoped that the Council members going to Bloomington, IN bring back some good information.

Council Member Brownyn Beatty-Hansen noted that this weekend is Ames Pride and there will be several representatives from the City there.

Moved by Gartin, seconded by Beatty-Hansen asking staff to come back to City Council with recommendations for City Procedures on leasing of all city owned real estate pursuant to Iowa Code 364.7.

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

Moved by Gartin, seconded by Nelson to move forward with reconsidering the annexation and to put it back on the next agenda.

Further discussion was had regarding involuntary annexation.

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

Ex officio, Allie Hoskins wanted to thank the Ames Police Department, Mayor Haila, and City Staff to update the public as to what all was going on and the community effort to make Ames safe. She also noted that there are a few possible dates for the annual Joint Student Government and City Council Meeting and will have further discussion with Diane Voss to arrange.

CLOSED SESSION: Council Member Gartin asked City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative, citing *Code of Iowa* Section 21.5(1)c, to discuss matters presently in or threatened to be in litigation.

Moved by Gartin, seconded by Beatty-Hansen, to go into Closed Session under Section 21.5(1)c, Code of Iowa, to discuss matters presently in or threatened to be in litigation.

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

The meeting recessed at 9:08 p.m. and reconvened in Closed Session at 9:10 p.m.

The Council returned to Regular Session at 9:43 p.m.

Moved by Betcher, seconded by Gartin, to have staff come back with updated language for the non-conforming section of article three of the zoning code.

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

Moved by Nelson, seconded by Betcher, to approve the settlement with Kylee Ploessl.

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

ADJOURNMENT: Moved by Betcher to adjourn the meeting at 9:46 p.m.

Amy L. Colwell, Recording Secretary

John A. Haila, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

SEPTEMBER 27, 2018

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on September 27, 2018, in the Council Chambers of City Hall, 515 Clark Avenue. Because it was impractical for the Commission members to be present in person, Commission Members Mike Crum, Harold Pike, and Charlie Ricketts were brought into the meeting telephonically. Interim Human Resources Director Bob Kindred also attended the meeting.

APPROVAL OF MINUTES: Moved by Pike, seconded by Ricketts, to approve the Minutes of the August 23, 2018, Civil Service Commission meeting, as written.

Vote on Motion: 3-0. Motion declared carried unanimously.

CERTIFICATION OF ENTRY-LEVEL APPLICANTS: Moved by Crum, seconded by Pike, to certify the following individuals to the Ames City Council as Entry-Level Applicants:

Electric Lineworker	Kelly Kopaska	72
Mechanic Assistant	Cody Wilson	70
Process Maintenance Worker	Jacob Slotter	85
	Christopher Ryerson	75
Water Plant Assistant Operator	Eric Nosalek	91*
	Nick Obermolte	81
	Kenneth Buske	80
	Chad Ford	80
	Mark Reynolds	75
	*Includes Veteran preference points	
Water Plant Operator	Gered Burkhardt	82
WPC Plant Assistant Operator	Jereme Cox	83*
	Steve Welch	83
	Shelby Perrin	82
	Trevor Hoyle	73
	Rick Breault	70
	Bret Womeldorf	70
	*Includes Veteran preference points	
WPC Plant Operator	Mark Wild	83
	Chris Day	77
	Heith Hofmeyer	75

Vote on Motion: 3-0. Motion declared carried unanimously.

CERTIFICATION OF PROMOTIONAL-LEVEL APPLICANTS: Moved by Ricketts, seconded

by Crum, to certify the following individuals to the Ames City Council as Promotional-Level Applicants:

Police Sergeant	Amber Christian	87
	Clint Hertz	82*
	Ashley Hochberger	82
	Eric Snyder	82
	Adrienne Johnson	78
	Ryan Hauge	76
	Cole Hippen	75
	John Barney	72
	Lane Thayer	72
	Andrej Klaric	70
	Patrick O'Bryan	70

*Includes Veteran preference points

Vote on Motion: 3-0. Motion declared carried unanimously.

COMMENTS: Interim Human Resources Director Kindred shared that Bethany Jorgenson has been hired as the City's Human Resources Director. She will begin her employment on November 1, 2018.

Mr. Kindred informed the Commissioners that the City will be issuing a Request for Proposals to hire an outside legal firm to assist with the updating of the Civil Service Policies and Procedures. He will be sending information in the near future to the Civil Service Commission regarding the Engagement Plan, which will outline the proposed project process. Mr. Kindred asked the Commissioners to hold an in-person "kick-off" meeting to begin this process in the next month or so. He would like for them to review the current Policies to identify any issues or areas they believe should be changed. Discussion ensued as to whether or not the Commission could hold this discussion as part of its next regularly scheduled meeting on October 25. Mr. Crum informed the others that he might have a conflict with holding a longer meeting on that date, but would check and inform Civil Service Clerk Diane Voss.

The next regularly scheduled Civil Service Commission meeting will be October 25, 2018, at 8:15 a.m. If that date does not work to have the kick-off discussion of the Policies, a special meeting will be set.

ADJOURNMENT: Moved by Pike to adjourn the meeting at 8:26 p.m.

Michael R. Crum, Chairman

Diane R. Voss, City Clerk



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	September 2018	
For City Council Date:	October 9, 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)
Water & Pollution Control	WPCF Structural Rehabilitation Phase 2	1	\$558,600.00	Minturn, Inc.	\$0.00	\$22,230.00	J. Dunn	MA
Public Works	2017/18 Shared Use Path System Expansion (Mortensen Road)	1	\$128,280.00	Con-Struct, Inc.	\$0.00	\$-(9,442.66)	J. Joiner	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		



MEMO

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Dan Walter, Ames Police Department
Date: October 3, 2018
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for October 9, 2018, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, & B Wine - LE0000085 - Hy-Vee Food Store #1, 3800 W. Lincoln Way
- Class C Beer - BC0021209 - Doc's Stop No. 5, 2720 East 13th Street
- Class C Liquor, B Native Wine, & Outdoor Service - LC0039552 - AJ's Ultra Lounge, 2401 Chamberlain St.
- Class E Liquor, C Beer, & B Wine - LE0000095 - Hy-Vee Food & Drugstore #2, 640 Lincoln Way
- Class C Liquor - LC0034931 - London Underground, 212 Main Street
- Class C Liquor - LC0043994 - Bullseye Restaurant Group LLC, 114 S. Duff Ave. (Boulder Tap House)

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.

Applicant License Application ()

Name of Applicant:	<u>Christiani's Events LLC</u>				
Name of Business (DBA):	<u>Christiani's Events</u>				
Address of Premises:	<u>429 Alumni Lane</u>				
City	<u>Ames</u>	County:	<u>Story</u>	Zip:	<u>50011</u>
Business	<u>(515) 360-8069</u>				
Mailing	<u>1150 E. Diehl</u>				
City	<u>Des Moines</u>	State	<u>IA</u>	Zip:	<u>50315</u>

Contact Person

Name	<u>Peter Worsham</u>				
Phone:	<u>(515) 360-8069</u>	Email	<u>peter@christianicatering.com</u>		

Classification Class C Liquor License (LC) (Commercial)

Term:5 days

Effective Date: 10/19/2018

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType:	<u>Limited Liability Company</u>				
Corporate ID Number:	<u>XXXXXXXXXX</u>	Federal Employer ID	<u>XXXXXXXXXX</u>		

Ownership

Carol Christiani

First Name: Carol

Last Name: Christiani

City: DesMoines

State: Iowa

Zip: 50315

Position: member

% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company:	<u>Illinois Union Insurance Company</u>				
Policy Effective Date:	<u>10/19/2018</u>	Policy Expiration	<u>10/24/2018</u>		
Bond Effective	Dram Cancel Date:				
Outdoor Service Effective	Outdoor Service Expiration				
Temp Transfer Effective	Temp Transfer Expiration Date:				

RESOLUTION NO. _____

**RESOLUTION APPROVING AND ADOPTING
SUPPLEMENT NO. 2018-4 TO THE AMES MUNICIPAL CODE**

BE IT RESOLVED, by the City Council for the City of Ames, Iowa, that in accordance with the provisions of Section 380.8 Code of Iowa, a compilation of ordinances and amendments enacted subsequent to the adoption of the Ames Municipal Code shall be and the same is hereby approved and adopted, under date of October 1, 2018, as Supplement No. 2018-4 to the Ames Municipal Code.

Adopted this _____ day of _____, 201_.

John A. Haila, Mayor

Attest:

Diane R. Voss, City Clerk

COUNCIL ACTION FORM

**SUBJECT: APPROVAL OF LOAN AGREEMENT FOR STATE REVOLVING FUND
CLEAN WATER DEBT IN AN AMOUNT NOT TO EXCEED \$5,700,000 FOR
SANITARY SEWER SYSTEM IMPROVEMENTS**

BACKGROUND:

The City's Capital Improvements Plan includes an ongoing program for rehabilitation and reconstruction of deficient sanitary sewers and deteriorated manholes at various locations throughout the City. This program will reduce the amount of inflow and infiltration (I & I) that must be treated at our Water Pollution Control Facility. The program is expected to continue for at least the next six to seven years; and State Revolving Fund (SRF) Clean Water Loans are the annual funding source for these improvements.

A SRF Clean Water Loan in the amount of \$5,700,000 is needed to finance the next phase of these improvements. Repayment of the loan will be from wastewater utility revenues. A public hearing was held on September 25, 2018, and a Council resolution is now required to enter into the agreement and receive the funds for the project.

ALTERNATIVES:

1. The City Council can approve the State Revolving Fund Clean Water Loan agreement in an amount not to exceed \$5,700,000.
2. The Council can deny approval of the loan agreement and direct City staff to identify other sources to fund the project.

CITY MANAGER'S RECOMMENDED ACTION:

Approval of this loan agreement will ensure that funding is available to carry out the rehabilitation and reconstruction of deficient sanitary sewers and deteriorated manholes as previously approved by Council.

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

COUNCIL ACTION FORM

SUBJECT: INTERGOVERNMENTAL AGREEMENT FOR POLICE ENFORCEMENT OF TOBACCO, ALTERNATIVE NICOTINE AND VAPOR PRODUCTS REGULATIONS

BACKGROUND:

The Police Department is requesting permission to renew a 28E intergovernmental agreement with the Iowa Alcoholic Beverages Division for enforcement of tobacco, alternative nicotine and vapor product laws. This agreement provides that the Alcoholic Beverages Division will pay the City of Ames \$75 for each compliance check conducted by the Police Department.

The Police Department will use this funding to continue compliance checks with local retailers related to underage tobacco and alternative nicotine and vapor products enforcement activities.

No matching funds are required with this grant.

ALTERNATIVES:

1. Approve the renewed 28E Agreement for Tobacco, Alternative Nicotine and Vapor Product Enforcement between the Police Department and the Iowa Alcoholic Beverages Division.
2. Do not approve the renewed the 28E Agreement for Tobacco, Alternative Nicotine and Vapor Products Enforcement between the Police Department and the Iowa Alcoholic Beverages Division.

CITY MANAGER'S RECOMMENDED ACTION:

This state grant provides an outside source of funding to facilitate tobacco, alternative nicotine and vapor products regulations compliance within the community.

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

COUNCIL ACTION FORM

SUBJECT: COOPERATIVE AGREEMENT BETWEEN AMES HUMAN RELATIONS COMMISSION AND IOWA CIVIL RIGHTS COMMISSION

BACKGROUND:

The City has regularly contracted with the Iowa Civil Rights Commission (ICRC) to manage the intake and resolution of civil rights complaints. The ICRC offers funds to cities willing to enter into these agreements on a fee-per-case basis. **The agreement allows the City to use its resources to assist complainants with obtaining and filling out complaint forms and ensuring they are complete and valid. The forms are then forwarded to the ICRC for investigation.**

The agreement also provides for the City to handle the resolution of complaints, including the investigation and conclusion of the cases. Neither participating in the intake or investigation process is mandatory under the cooperative agreement. It simply provides a procedure if the City wishes to perform either of these functions.

ICRC has presented a new agreement for the year ending June 30, 2019. The Ames Human Relations Commission has reviewed the agreement and recommended its approval.

ALTERNATIVES:

1. Approve the cooperative agreement between the Ames Human Relations Commission and the Iowa Civil Rights Commission.
2. Do not approve the cooperative agreement.

CITY MANAGER'S RECOMMENDED ACTION:

This agreement formalizes the mechanism that may be used by the City to transfer civil rights investigations to the Iowa Civil Rights Commission for investigation. The ICRC will compensate the City for acting as the intake agent under this agreement. The City and ICRC have maintained this arrangement for many years.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the cooperative agreement between the Ames Human Relations Commission and the Iowa Civil Rights Commission.

COOPERATIVE AGREEMENT
Between Ames Human Relations Commission
&
IOWA CIVIL RIGHTS COMMISSION

1. **Definitions:** As used in this Cooperative Agreement the following terms are defined as follows:
 - a) “ICRC” means the Iowa Civil Rights Commission.
 - b) “Local agency” means Ames Human Relations Commission and must comply with the requirements of Iowa Code §216.19
 - c) “Fiscal Year 2019” runs from July 1, 2018 to June 30, 2019.
2. **Authority:** In order to effectuate the purposes of the “Iowa Civil Rights Act,” (ICRA) the ICRC now enters into a Cooperative Agreement with the Ames Human Relations Commission. Iowa Code §216.19.
3. **Purpose:** Our purpose is to assist local agencies in resolving discrimination complaints and to reduce case backlogs without compromising quality or the integrity of the system. We have designed criteria to ensure an efficient, effective, and coordinated effort between the ICRC and local agencies.
4. **Scope:** Under this Cooperative Agreement, ICRC contracts with the Ames Human Relations Commission for the satisfactory intake and resolution of complaints whose allegations fall within the prohibitions of Iowa Code §§216.6, 216.6A, 216.7, 216.8, 216.8A, 216.9, 216.10 and 216.11. This Cooperative Agreement does not cover complaints that do not fall within these sections of the Iowa Code.
3. **Period:** This Cooperative Agreement will run during Fiscal Year 2019. There is no commitment on the part of ICRC to contract with the Ames Human Relations Commission for the resolution of complaints after June 30, 2019.
4. **Total Amount:** The total amount ICRC can be required to spend, as aggregate compensation to all contracting local commissions for work performed under cooperative agreements for Fiscal Year 2019 is \$33,000.00 maximum. If insufficient funds exist for payment of all cases tendered for payment by the contracting Local Commissions, payment shall be allocated on a first-come first-served basis, according to the date of submission of the intakes or resolutions to the ICRC.
5. **Payment Date:** ICRC agrees to provide payment on a quarterly basis based upon satisfaction of the conditions established in this agreement. Payment will be provided for work performed and accepted under this Agreement by the ICRC, and in the case of cases cross-filed with the EEOC or HUD, when credit has been approved by that agency. Payment will be provided only for cases that are determined by the ICRC to be jurisdictional under the ICRA, if the complaints are timely received by the ICRC, and in the case of cases cross-filed with the EEOC or HUD, credit has been approved by that agency. In the case of payment for intake services, ICRC accepts the work if/when ICRC opens the case file corresponding to the intake. Payment is conditioned upon execution of this contract which must be accomplished and returned to the

ICRC no later than November 1, 2018. Agreements presented after that date will be rejected by the ICRC absent prior written approval for late submission by the Director of the ICRC.

6. Payment Schedule*:**

(a) Intakes: See attached Schedule A for breakdown of reimbursement rates based on the timing of receipt of the complaint for housing and non-housing referrals to the ICRC. For purposes of the contract, intake is defined as receipt by the ICRC of a completed, signed, jurisdictional complaint in any area covered by the ICRA, including housing, that are forwarded to the ICRC for processing and investigation, with accompanying release, contact information and jurisdictional review documentation. If the ICRC complaint form is used, it will not be necessary to submit the jurisdictional review documentation. All information noted on the jurisdictional review documentation must be provided to the ICRC with the intake documentation. No payment will be made for non-housing intakes that are more than 60 days old or housing intakes that are more than 30 days old on the date received by the ICRC.

(b) Resolutions: See Schedule A (attached) for definitions and rate of payment based on time received. For purposes of the contract, resolution includes case closures resulting in Satisfactory Adjustments, Administrative Closures for reasons *other than* failure to cooperate or unable to locate, No Probable Cause Orders, Probable Cause Orders or closures after Public Hearings. In the case of administrative closures for failure to cooperate or failure to locate complainant, no reimbursement will be provided. Further, this clause does not apply to resolutions submitted by the local agency to the EEOC or HUD for contract credit or payment by the federal agencies, in which case, the ICRC will provide no payment. Settlement agreements for cross-filed EEOC cases **cannot include** a no-rehire clause or global release and **must indicate** in the agreement itself that the agreement was signed voluntarily. These are EEOC requirements that will not be waived by the EEOC and cannot be waived by the ICRC. Any agreements with language that includes the impermissible language or that is missing the required EEOC voluntary settlement language will be rejected by the ICRC (and EEOC) and no payment will be made until the settlement agreements are revised accordingly. Resolution date shall be the date of receipt of the case closure by the ICRC. In the case of resolutions on complaints cross-filed with the EEOC, if the EEOC refuses credit for the resolution, the ICRC's payment obligations under this agreement shall be extinguished. HUD prohibits ICRC from seeking credit for housing complaints cross-filed with HUD, and any such complaints should be referred to the ICRC for investigation after intake.

(c) Jurisdictional: Any and all complaints submitted for credit and payment must be jurisdictional, including meeting the 300 day limit when the complaint **is received by the ICRC**, and must be a claim under the Iowa Civil Rights Act.

7. Maintenance of Effort: Iowa Code §216.19(2) provides that a city with a population of 29,000 or greater shall to maintain an independent local civil/human rights agency, shall structure and adequately fund

the local human/civil rights agency in order to effect cooperative undertakings with ICRC and to aid in effectuating the purposes of the “Iowa Civil Rights Act,” and when staff is provided, the local agency or commission shall have control over such staff. The ICRC reserves the right to deny payment for closures which appear to have been adversely affected by a failure to comply with this code section or any other reasonable indication of lack of independence or neutrality by the local agency in its investigation of the complaint, and such may serve as grounds justifying termination of this agreement.

8. **Information Sharing:** Pursuant to I.A.C r. 161—11.10, the filing of a complaint or confidential information pertaining to a complaint covered by this agreement may be shared between the parties to this agreement as part of the routine use of such records, to administer the program for which the information is collected.

9. **Confidentiality:** Pursuant to I.A.C r. 161—1.6(4)(e)(4) and Iowa Code Section 215.15(5), the Ames Human Relations Commission agrees not to disclose the filing of a complaint or confidential information pertaining to a complaint covered by this agreement until the complaint has been officially set for public hearing. Once a complaint has been officially set for public hearing, the Ames Human Relations Commission agrees not to disclose confidential information pertaining to the complaint that is not publically available, except as allowed by ICRC’s rules.

10. **Reports:** The local agency agrees to submit quarterly reports on the electronic templates provided by the ICRC to ICRC listing each intake and resolution submitted for contract credit or payment under this Agreement. Quarterly Reports are due, as applicable, on **October 5, 2018** (for July 1 – September 30, 2018 activity); **January 5, 2019** (October 1 – December 31, 2018); **April 5, 2019** (for January 1 - March 31, 2019 activity), and **July 15, 2019** (for April 1 - June 30, 2019 activity). Payments under this contract will be made after the Quarterly Reports are completed and submitted to the ICRC. Failure to provide Quarterly reports within 30 days of due date will result in forfeiture of funds for the quarter for which the quarterly report is not timely filed. As a condition of final payment, the local commission must submit, and ICRC must have received, all cases no later than July 15, 2019. Cases submitted after July 15, 2019 will not be paid.

11. **Training.** ICRC and the local agency will cooperate in planning, sponsoring, and conducting necessary complaint processing training for staff and commissioners.

12. This contract recognizes the 300-day filing period for initial complaints, as set forth in Iowa Code Ch. 216, is measured by the day the complaint *is received by the ICRC*, not the day received by the local commission. Therefore, local commissions **are responsible for ensuring that cases are received by the ICRC within 300 days of the date of the last incident of discrimination.** The local agency agrees that complaints that are not received by the ICRC within the 300 day time limit **are not jurisdictional** on their face and **no payment will be made in that case.** To be considered received by the ICRC, the complaint must be physically received by the ICRC either through mail, fax, personal delivery or by email, by 4:30 pm,

Monday through Friday. The ICRC prefers email (icrc@iowa.gov) over fax, as email has historically been more reliable. Complaints received (or sent by email) after 4:30 pm will be considered filed on the next business day.

13. **Closures.** Closure submissions for case resolutions must include the following closing documents from the local commission: Copies of closures notices sent to all parties by the local commission and a copy of the local commission’s findings/decision. ***All closure documents including settlement agreements and withdrawals must include local and state case numbers, and when cross-filed with EEOC, federal case number.*** Payment may be denied if closure papers or settlement agreements do not include case numbers, or if any case number is incorrect. ICRC may be required to obtain a full copy of the case file maintained by the local commission. The copies should be provided to ICRC at no cost and within two weeks of request.

If required by your local protocol, ordinance or practice, separate signature lines have been provided for your Mayor and Commission Chair.

Mayor

Date

Chairperson, Ames Human Relations Commission

Date

Kristin H. Johnson, Director, Iowa Civil Rights Commission

Date

SCHEDULE A

*****The following summarizes the payment schedule.**

Intake: (See definition for Intake below)	Complaint sent to ICRC for processing and investigation within 7 days (housing) or 30 days (non-housing) of initial filing date with local agency.	\$500 for housing cases eligible for cross-filing with HUD; \$250 for employment cases eligible for cross-filing with EEOC; \$125 for cases not eligible for cross-filing
	Complaint sent to ICRC for processing and investigation greater than 7 days but within 30 days (housing); greater than 30 days but within 60 days (non-housing) of initial filing date with local agency.	\$250 for housing cases eligible for cross-filing with HUD; \$150 for employment cases eligible for cross-filing with EEOC; \$75 for cases not eligible for cross-filing
	Complaint sent to ICRC for processing and investigation greater than 30 days (housing) or 60 days (non-housing) of initial filing date with local agency.	\$0
Resolutions for Non-housing Cases: (See definition for Resolutions below)	Complaint Resolutions sent to ICRC for closure processing within 180 days of initial filing date with local agency.	\$325 for cases eligible for cross-filing with EEOC; \$100 for cases not eligible for cross-filing
	Complaint Resolutions sent to ICRC for closure processing greater than 180 days but within 600 days of initial filing date with local agency.	\$200 for cases eligible for cross-filing with EEOC; \$50 for cases not eligible for cross-filing
	Complaint Resolutions sent to ICRC for closure processing greater than 600 days of initial filing date with local agency.	\$0

For the purpose of this contract the definition for the terms of payments are as follows:

“INTAKE”

A completed and signed complaint that meets the jurisdictional requirements of ICRA and forwarded to the ICRC for initial processing and investigation with accompanying release, contact information and jurisdictional review documentation.

“RESOLUTIONS”

Case closures resulting in an administrative closure (except for failure to cooperate or locate Complainant); conciliated and settled cases; satisfactory adjustments; No Probable Cause Orders; Probable Cause Orders; and closures after Public Hearing.

“INITIAL FILING”

Initial filing date will be determined by local file-stamp receipt date shown on the complaint. All complaints must show a local file-stamp receipt date. Credit may be rejected for complaints without a local file-stamp receipt date.

COUNCIL ACTION FORM

SUBJECT: **AWARD OF PROFESSIONAL SERVICES CONTRACT FOR
SELECTION OF AN ACCESS MANAGEMENT SYSTEM**

BACKGROUND:

City staff is implementing an access management system for City Hall, the City's Power Plant and associated grounds, and the City's three fire stations. Access management is a combination of door hardware, software and typically proximity cards that control the locking and unlocking of doors at a facility. The intent of the access management system is to provide increased security, improve customer service, and keep public areas readily accessible to the public.

The Capital Improvements Plan includes funding for access management systems in the Power Plant (\$150,000 in the FY 2017/18 CIP) and at the City's three fire stations (\$39,000 in the FY 2019/20 CIP). Additionally, \$250,000 in one-time General Fund savings will be used to pay for consultant fees and installation for City Hall.

Staff issued a Request for Proposals (RFP) for Professional Services for the Selection of an Access Management System on June 15, 2018 with a due date of July 18, 2018. Requested services included evaluation of existing facilities, meeting with staff to discuss goals and objectives including design alternatives and options, and provision of a written report of findings and recommendations. The consultant will also provide the necessary plans and specifications for bidding the projects, services during the bidding phase, and construction phase services.

The RFP was issued to seven interested consultants and two bidding services with responses received from four firms. An evaluation committee comprised of representatives from Facilities, Police, Electric Production and Fire ranked the proposals based on the matrix provided in the RFP.

Each proposal was evaluated based on a combination of cost of services, the consulting team's understanding of the project, key personnel, previous experience with similar projects, technical support and training proposed, references, and proposed timeline and work plan. The maximum possible score was 2,000 points. The qualifications, experience, proposed completion date, similar projects, and project understanding related scores represented 80% of the RFP score, and proposed costs accounted for 20%.

The ranking and costs related to the RFP proposals are listed below:

Consulting Firm	Proposal Score	Rank	Fee Proposal
True North Consulting Group, Stillwater, MN	1,280	1	\$51,975
KCL Engineering, West Des Moines, IA	1,260	2	\$53,000
IP Design Group, Omaha, NE	1,185	3	\$51,975
IMEG Corporation, Urbandale, IA	1,170	4	\$59,428

The top two scoring firms were invited for interviews. Each firm provided a brief presentation introducing their team members and their roles and demonstrating their understanding of the scopes of services. Interviews were evaluated based on a clear understanding of the project and scope of services, their previous experience on previous projects, ability to complete the proposed scope of services by a date acceptable to the City, methods for achieving desired outcomes, and what sets them apart from the other firms. As with the proposal scoring, each criterion was weighted and given a score based on a scale of 1 to 5, with a maximum possible score of 2,000 points.

Based on the interviews, responses to follow up questions, and the determination of the best value to the City, the evaluation committee ranked the final two firms as follows:

Firm	Proposal Score	Interview Score	Total Score	Rank	Fee Proposal
True North Consulting Group, Stillwater, MN	1,280	1,710	2,990	1	\$51,975
KCL Engineering, West Des Moines, IA	1,260	1,425	2,685	2	\$53,000

Both True North Consulting Group and KCL Engineering presented an ability to provide the services requested by the City. However, True North Consulting Group was able to articulate a better understanding of the project goals, and also has team members with vast experience directly related to a variety of Access Management Systems.

ALTERNATIVES:

1. Award a contract to True North Consulting Group, Stillwater, MN, for Professional Services for the Selection of an Access Management System in an amount not to exceed \$51,975.
2. Direct staff to negotiate a contract for consulting services with one of the other firms that submitted a proposal to the City.

3. Do not award a contract for the Professional Services for the Selection of an Access Management System.

CITY MANAGER'S RECOMMENDED ACTION:

True North Consulting Group is well known regionally as a leader in Access Management and has assembled a capable team to provide the services requested by the City. Awarding this contract will provide the best value to the City.

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

COUNCIL ACTION FORM

SUBJECT: ENGINEERING SERVICES FOR WATER POLLUTION CONTROL FACILITY METHANE ENGINE GENERATOR REPLACEMENT PROJECT

BACKGROUND:

In 2017, an evaluation of the digesters and the high strength waste receiving system at the Water Pollution Control Facility was performed. The City Council adopted the recommendation of replacing one of the methane engine generators with a dual fuel boiler, primarily to provide a backup heating system for the digesters, but also for a potential decrease in maintenance costs. The installation of a new boiler also requires piping and controls upgrades to address safety issues. Based on the recommendation, funds were designated in the Capital Improvements Plan to address the methane engine generators in the Total Energy building.

In July 2018, a request for proposals (RFP) was issued for design engineering services for the WPC Facility Methane Engine Generator Replacement project. On August 10, 2018, staff received three proposals from the following firms:

Firm Name	Fee Proposal
Strand Associates, Inc.	\$238,600
FOX Engineering	\$342,220
Black and Veatch	\$229,000

Staff utilized a “two-envelope” selection process for professional services, where the firm’s qualifications and proposed scope of work is submitted in one envelope and their proposed fee is submitted in a second envelope. This process allows staff to first review the submitted proposals in order to identify the firm whose qualifications and proposed scope of work are most appropriate. Then, after selecting the preferred firm, staff opens the proposed fee envelopes to confirm that the selected firm is proposing a fee that is in line with what other firms would propose for a similar scope of work. In all cases, the final scope of work and fee is negotiated with the firm identified as having submitted the most appropriate submittal.

After a thorough review of each firm’s qualifications, Strand Associates was selected as the most qualified firm. Strand’s scope and fee included design, bidding, and construction phase services. At staff’s request, Strand has removed these from the scope for now. After a design has been finalized and the level of effort needed from the consultants during bidding and construction is known, staff will negotiate an amendment

to include those services. After removing the bidding and construction phase services, **Strand's proposal for design-related services was reduced to a lump sum of \$165,000.**

The FY 18/19 budget includes \$1,515,000 for design and construction of replacement of methane engine 1 with a boiler. Included in that amount is \$227,000 for engineering services.

ALTERNATIVES:

1. Award a contract for engineering services to Strand Associates, Inc. of Madison, Wisconsin for design-phase services on the WPCF Methane Engine Generator Replacement Project in an amount not to exceed \$165,000.
2. Award the contract for engineering services to another firm.
3. Do not award a contract to Strand Associates, Inc. and do not complete the project at this time.

CITY MANAGER'S RECOMMENDED ACTION:

The Water Pollution Control Facility's methane engines are almost 30 years old. Replacement of this equipment is necessary to maintain the integrity of the treatment facility and to continue to burn methane generated as part of the treatment process.

Council gave direction in a 2017 workshop to move forward with replacing one of the methane engines with a new, dual fuel boiler. After soliciting proposals, staff performed a thorough review of the proposing engineering firms' qualifications and determined that Strand Associates, Inc. of Madison, Wisconsin is the most qualified firm for this project.

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

COUNCIL ACTION FORM

SUBJECT: AWARD OF CONTRACT TO FURNISH 750 KCMIL CABLE FOR THE ELECTRIC SERVICES DEPARTMENT

BACKGROUND:

This bid is for the purchase of 6,000 feet of 15kV 750 KCMIL copper cable to replenish inventory for the Electric Services Department. This cable is kept on hand to ensure availability for the department's needs. This cable is typically used to provide service for commercial and residential applications and is necessary to meet the anticipated needs of the Electric Services Department for new construction and maintenance projects.

On September 19, 2018, an invitation to bid document was issued to 64 vendors. The invitation to bid was advertised on the Current Bid Opportunities section of the Purchasing webpage.

On October 2, 2018, two bids were received as shown below:

BIDDER	TOTAL COST
WESCO Des Moines, Iowa	\$86,028.00
RESCO Ankeny, Iowa	\$103,875.60

Staff has reviewed the bids and concluded that the apparent low bid in the amount of \$86,028.00 (inclusive of Iowa sales tax) submitted by WESCO, Des Moines, Iowa, is acceptable.

The City Council should note that because of the metal content of this product, and due to the volatile market for metal, WESCO has attached a metal escalation/de-escalation clause. This may adjust the price on the day the cable is ordered. While this uncertainty is not an ideal situation for the City, this cable is necessary to the efficient operation of the utility.

ALTERNATIVES:

1. Award a contract to WESCO, Des Moines, Iowa, for the purchase of 750 KCMIL cable, in the amount of \$86,028.00 (inclusive of Iowa sales tax), subject to metals adjustment at time of order.
2. Award the contract to the other bidder.

3. Reject all bids and attempt to purchase 15kV 750 KCMIL copper cable on an as needed basis.

MANAGER'S RECOMMENDED ACTION:

It is important to purchase cable at the lowest possible cost with minimal risk to the City. It is also imperative to have this cable available to meet customer needs. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: REFUSE DERIVED FUEL STORAGE BIN REPAIR PROJECT

BACKGROUND:

The Refuse Derived Fuel Storage Bin receives fuel from the City's Resource Recovery Plant after it converts municipal solid waste (MSW) into refuse derived fuel (RDF). The RDF Storage Bin provides storage for the RDF and provides the method of transport and metering of the RDF to the Power Plant's boilers.

The existing RDF Storage Bin has been in service since 1996. The bin was primarily constructed of COR-TEN steel, a weathering steel designed to initially rust and build up an oxide layer that then prevents further rusting of the steel from occurring. The use of COR-TEN steel to construct the RDF Storage Bin has proven to be problematic where the COR-TEN steel is in regular contact with the RDF. The RDF removes the oxide layer meant to protect the steel underneath, causing the exposed steel to rust anew. This cycle repeated over and over eventually removes enough steel that it deteriorates the walls of the bin to the point that they need to be repaired or replaced. The RDF Storage Bin has reached the point that the containment's confining walls are in dire need of being replaced and certain structural steel supports need to be repaired or replaced.

Funding for this project in an amount of \$2,800,000 is included in the Council-approved Capital Improvements Plan for FY 2017/18. On August 28, 2018 the City Council approved plans and specifications for the RDF Storage Bin Repair Project and set October 10, 2018, as the bid due date and October 23, 2018, as the date of hearing and award of contract.

As a result of questions raised by potential bidders during mandatory site visits, several design and engineering changes are being made to simplify and improve the constructability of the repairs to the bin. **These changes include simplification of the roof design and wall panel design.** Additionally, the scope of work to repair the RDF Storage Bin is very complicated. Therefore, it is in the City's best interest to extend the bid due date to allow interested bidders sufficient time to process the design changes and to better cope with the complexity of the project in order to be able to assemble a quality comprehensive bid.

ALTERNATIVES:

1. Approve date and specification /changes for the RDF Storage Bin Repair Project and set November 14, 2018 as the bid due date and November 27, 2018 as the 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 to allow the potential bidders to better comprehend the work scope and the specification for the repair of RDF Storage Bin will likely improve the quality and pricing of the bids the City receives.

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

COUNCIL ACTION FORM

**SUBJECT: EXCELLENCE THROUGH PEOPLE CONSULTING CONTRACT
CHANGE ORDER**

BACKGROUND:

Under the City Manager's leadership, for over 20 years the City's internal organization has been committed to implementing our *Excellence Through People (ETP)* culture development initiative. This initiative reinforces a values-driven culture that is dedicated to providing exceptional customer service to our citizens and customers at the best price, while assuring that our employees experience an enjoyable and stimulating work environment from which personal and professional growth can occur.

ETP is built on three pillars. The first is for employees to *bring our 13 values to life each day*. These values include continuous improvement, creativity and innovation, customer driven, data driven decision making, employee involvement in decision-making, excellence, fiscal stewardship, honesty and integrity, leadership, positive attitude, respecting one another, safety and wellness, and teamwork.

The second pillar recognizes the vital role formal leaders play in achieving *ETP's* goals. Leaders are thus taught to *Create the Culture* where our values can be brought to life. They do this through modeling the way, inspiring a shared vision, challenging the process, enabling others to act, and encouraging the heart.

The third pillar – *Total City Perspective* – encourages all City staff to routinely use all resources from throughout the entire organization to provide exceptional customer service.

Since the inception of *ETP* in the 1990's we have relied heavily on current employees to help lead the initiative. While these employees performed these duties quite admirably, this assignment became more and more difficult, given that they needed to perform their permanent work assignments at the same time. Like most organizational initiatives, we have reached a critical time where our efforts have plateaued. Therefore, in order to continue the success of *ETP*, the City Manager felt it was time to designate one person whose sole responsibility would be to coordinate our *ETP* efforts. A professional services contract was thus developed to secure the services of a qualified individual to temporarily assume these coordinating responsibilities.

In June the City Manager's Office contracted with Donna Gilligan of The Gilligan Group to serve as our *ETP* Coordinator. Ms. Gilligan has extensive experience assisting organizations with their culture development efforts; and has also contributed to the

development and implementation of *ETP* since its inception. This contract included services to address eight key goals:

1. Work with all members of the Executive Leadership Team to identify key areas and concerns for development of the organizational culture, teams and individuals.
2. Through one-on-one interviews with 41 employees and focus groups with formal leaders, assess the current state of *ETP* as a means of developing a comprehensive plan for future support and engagement.
3. Deliver one session of *Creating the Culture I*, a multi-day leadership development course offered annually to all new formal leaders.
4. Develop and begin delivering a *Creating the Culture II* course to deepen all formal leaders' understanding of their key roles in leading *ETP*.
5. Work with key leaders to ensure the ongoing establishment of *Bringing Our Values to Life*. This organization-wide initiative seeks to constantly refresh employees' commitment to our 13 values and their understanding of how to apply the values in the specific services they provide.
6. Develop a roadmap for development of new employees, first time supervisors and senior leaders to ensure the ongoing development of employees, leaders and the organization.
7. Support the effective development of both departmental and City-wide teams.
8. Increase the leadership effectiveness and performance of key formal leaders through individual coaching.

In order to initiate Ms. Gilligan's work, an original purchase order for these services was administratively approved in the amount of \$42,950. In order to move forward on the eight goals and complete the desired services during 2018/19, it is now proposed that Council approve a change order increasing this amount by \$20,800 to \$63,750.

A total of \$22,600 was included in the Adopted 2018/19 Budget for *ETP*. Due to a lengthy vacancy in our Human Resources Director position, sufficient funds have been accumulated to allow us to fund this contract. In addition to this City-wide contract, individual departments also periodically contract with Ms. Gilligan to facilitate team-building or leadership coaching within their respective departments.

This contract allows the City administration to contract for temporary assistance to coordinate and strengthen *ETP* across the organization. If this initiative is successful, sometime in the future there may be a budget recommendation for a permanent position to perform these very important duties.

ALTERNATIVES:

1. Authorize the \$20,800 change order to the existing contract with The Gilligan Group for *Excellence Through People* consulting services.

2. Do not authorize this change order, thus limiting the *ETP* services available to the City organization.

CITY MANAGER'S RECOMMENDED ACTION:

The services provided by Donna Gilligan are playing a major role in strengthening *Excellence Through People* throughout the City organization. Since existing City staff do not have adequate time to lead and coordinate this effort, contracting with an experienced organizational development expert provides the most effective way to help us progress in achieving *ETP's* two purposes.

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

COUNCIL ACTION FORM

SUBJECT: **ELECTRICAL MAINTENANCE SERVICES CONTRACT FOR POWER PLANT– CHANGE ORDER NO. 1**

BACKGROUND:

The approved FY 2018/19 operating budget for Electric Production includes \$135,000 for relay and breaker maintenance. On May 22, 2018, the City Council awarded a contract to Tri-City Electric Company of Iowa, Davenport, IA, for the Electrical Maintenance Services Contract for Power Plant for the one-year period from July 1, 2018, through June 30, 2019 in the amount not to exceed \$135,000. This contract consists of regular professional maintenance and repair to numerous circuit breakers, relays, and electrical circuits located Plant-wide. In addition to regularly planned repairs and services during scheduled outages, this contract also covers emergency services.

The action being requested is to approve Change Order No. 1 to the Electrical Maintenance Services Contract. This change order will add an additional \$60,000 to the current contract for FY 2018/19, bringing the total contract amount to \$195,000.

This Change Order is needed to increase the amount of funds in the current fiscal year contract. As a result of recent inspections and breaker maintenance, the Power Plant is going to perform additional cleaning in electrical cabinets and continue additional breaker maintenance. Tri City will also be used to install additional communication wire to the new Continuous Monitoring System being installed this Fall. The Council should understand the additional funds authorized in this change order will not be spent unless needed. Invoices will be based on contract rates for time and materials for services actually received.

The funding for Change Order No. 1 will come from the Unit 7 Auxiliary Equipment account. There is approximately \$105,000 in funding available in this account. Maintenance projects funded from this account, including pump repairs and relay replacements, will be delayed to next year.

ALTERNATIVES:

1. Approve contract Change Order No. 1 with Tri-City Electric Company of Iowa, Davenport, IA for the Electrical Maintenance Services Contract for Power Plant in the not-to-exceed amount of \$60,000. This will bring the total FY 2018/19 contract value to a not-to-exceed amount of \$195,000.
2. Do not approve the change order.

MANAGER'S RECOMMENDED ACTION:

This work is necessary to properly maintain relays, circuit breakers and electrical circuits and install necessary communication cable. This contract would establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service and controlling the Plant's costs. 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.

ITEM # 17
DATE: 10-09-18

COUNCIL ACTION FORM

SUBJECT: 2017/18 SHARED USE PATH SYSTEM EXPANSION – MORTENSEN ROAD

BACKGROUND:

This annual program provides for construction of shared use paths on street rights-of-way and through greenbelts. **The location for this project was along Mortensen Road, east of South Dakota, through the Crane Farm Subdivision.** This path was identified in the Long Range Transportation Plan (LRTP) and is also an important component for continuing a Complete Streets approach along this corridor.

On January 23, 2018 City Council awarded this project to Con-Struct, Inc. of Ames, Iowa in the amount of \$128,280. One balancing change order was administratively approved by staff in the amount of \$9,442.66 in savings to reflect field measurements of the bid items. Thus, construction was completed in the amount of \$118,837.34.

Revenue and expenses for the project are summarized below:

<u>Revenues</u>		<u>Expenses</u>	
Local Option Tax Fund	\$210,000	Design & Admin.	\$30,470.07
		Construction	\$118,837.34
Total	\$210,000	Total	\$149,307.41

Unspent funding will be used for other Shared Use Path System Expansion projects.

ALTERNATIVES:

1. Accept the 2017/2018 Shared Use Path System Expansion – Mortensen Road project as completed by Con-Struct, Inc. of Ames, Iowa, in the amount of \$118,837.34.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the approved plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY (BOUNDARY LINE ADJUSTMENT) FOR 304 & 308 E. LINCOLN WAY

BACKGROUND:

The City's subdivision regulations found in Chapter 23 of the Ames Municipal Code 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 for the consolidation of conveyance parcels and for a boundary line adjustment.

This Plat of Survey is a boundary line adjustment that consolidates two parcels addressed as 304 E. Lincoln Way and 308 E. Lincoln Way (as Parcel 'A'). (See Attachment B – Proposed Plat of Survey.)

The proposed "Parcel A" will include approximately 13,862 square feet or 0.32 acres of lot area. The parcels are currently vacant and are zoned Highway-Oriented Commercial (HOC). The properties previously contained nonconforming single family homes. Approval of a Plat of Survey requires conformance to all standards of the Zoning Ordinance and the Subdivision Code.

The site was reviewed to ensure that proposed lot dimensions complied with requirements found in the zone development standards of the Highway-Oriented Commercial District (HOC). Boundary line adjustments do not trigger additional infrastructure improvements, unless partial infrastructure improvements exist and are required to be extended across a property. There are no infrastructure gaps across the property.

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 Plat of Survey consistent with the standards of Chapter 23 for approval of a boundary line adjustment.

2. The City Council can deny the proposed Plat of Survey if the City Council finds that the requirements for plats of survey for design and improvements 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 Subdivision Code requirements for a boundary line adjustment of existing parcels and has made a preliminary decision of approval. The resulting parcel is designed to be conforming to underlying design standards and building setbacks of Highway-Oriented Commercial (HOC) zoning. The boundary line adjustment does not trigger infrastructure requirements unless there is a gap in completion of existing infrastructure.

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 304 & 308 E LINCOLN WAY**

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)

Owners: K & M Real Estate, LC (Monte Gibbs)
Parcel ID: 0911202060 and 0911202070

New Legal Description:

Parcel 'A': The East 60 feet of Lot 3, the West 6 feet of Lot 3, except the South 49 feet thereof and Lot 4, except the South 49 feet thereof, all in Block B. Kingsbury's Second Addition to the City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the Northeast Corner of said Lot 3; thence S00°19'24"W, 132.03 feet to the Southeast Corner thereof: thence N89°00'46"W, 59.34 feet along the south line of said Lot 3 thence N00°07'22"E, 48.9B feet: thence N89°01'43"W, 72.47 feet to the west line of said Lot 4; thence N00°20'20"E, 82.94 feet to the Northwest corner thereof: thence S89°04'16"E, 131.96 feet to the point of beginning, containing 0.32 acres.

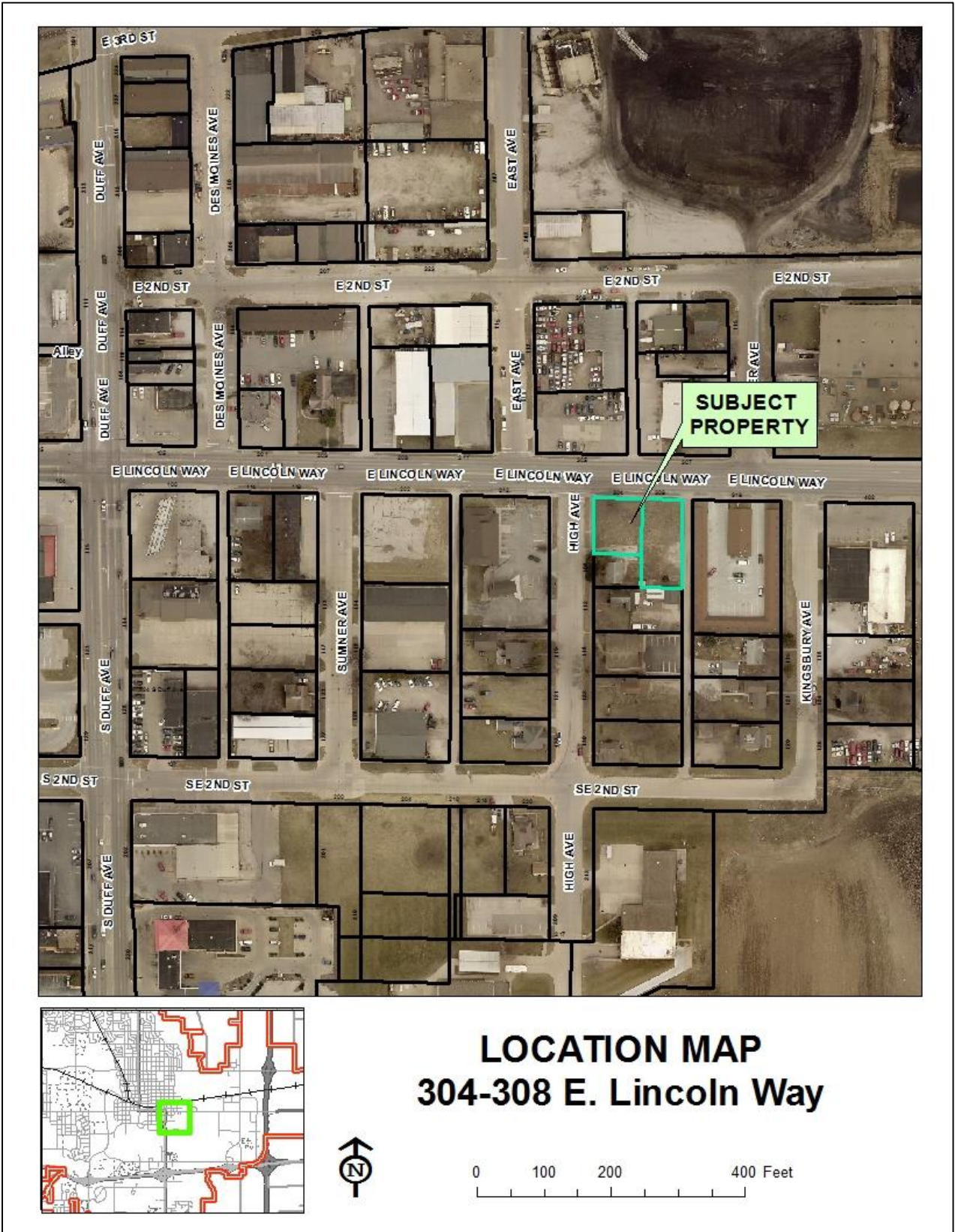
Public Improvements:

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. (no additional improvements required)

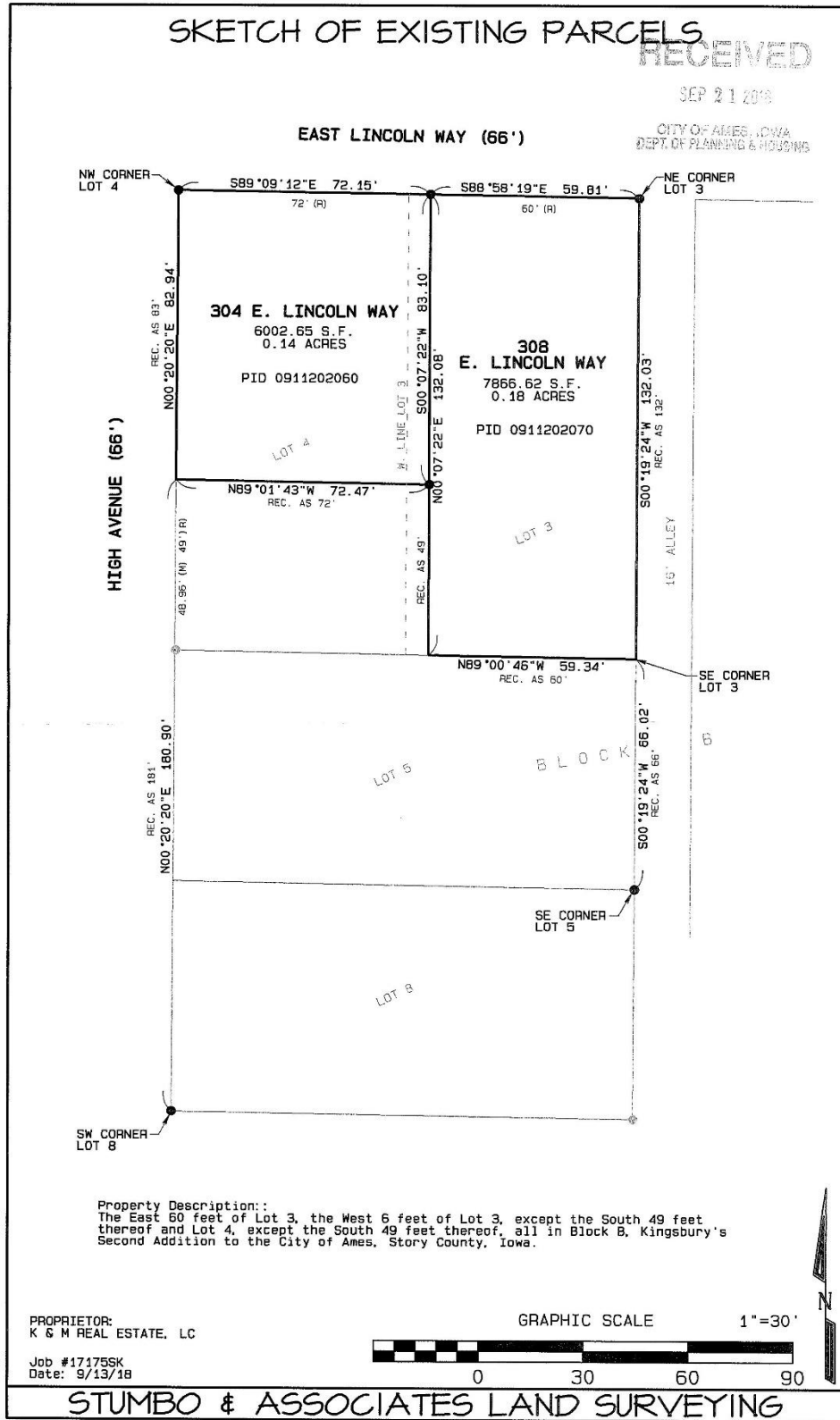
Note: The official Plat of Survey is not recognized as a binding Plat of Survey for permitting purposes until a copy of the signed and recorded Plat of Survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

Attachment A- Location Map



LOCATION MAP
304-308 E. Lincoln Way

Attachment B- Existing Conditions



Attachment C- Proposed Plat of Survey

PLAT OF SURVEY	
<p>LOCATION: IN LOTS 3 & 4, BLOCK B, KINGSBURY'S 2ND ADDITION TO AMES, STORY COUNTY, IOWA</p> <p>PROPRIETOR: K & M REAL ESTATE, LC</p> <p>REQUESTED BY: SCOTT RENAUD, FOX ENGINEERING</p> <p>SURVEYOR: R. BRADLEY STUMBO, PLS #17161 STUMBO & ASSOCIATES LAND SURVEYING P.O. BOX 1664 AMES, IA 50010 515-233-3689</p>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="font-size: 1.2em; font-weight: bold; margin: 0;">RECEIVED</p> <p style="margin: 0;">SEP 21 2018</p> <p style="font-size: 0.8em; margin: 0;">CITY OF AMES, IOWA DEPT. OF PLANNING & HOUSING</p> </div>
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> <p>NW COR. LOT 4 FOUND 1/2" REBAR W/ YELLOW CAP #6586</p> </div> <div style="width: 60%; text-align: center;"> <p>EAST LINCOLN WAY (66')</p> <p>S89°04'16"E 131.96'</p> <p>72' (R) 60' (R)</p> </div> <div style="width: 20%; text-align: right;"> <p>NE COR. LOT 3 FOUND 1/2" REBAR</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 20%;"> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">HIGH AVENUE (66')</p> <p>REC. AS 83°</p> <p>N00°20'20"E 82.94'</p> </div> <div style="width: 60%; text-align: center;"> <p>PARCEL A</p> <p>13862.43 S.F. 0.32 ACRES</p> <p>LOT 4</p> <p>LOT 3</p> <p>FOUND 1" GAS PIPE</p> <p>N89°01'43"W 72.47' REC. AS 72°</p> <p>N00°07'22"E 48.98' REC. AS 49°</p> <p>16' ALLEY</p> <p>SE COR. LOT 3 SET 1/2" REBAR W/ YELLOW CAP #17161 (TYPICAL)</p> <p>N89°00'46"W 59.34' REC. AS 60°</p> <p>SE COR. LOT 5 FOUND 1/2" REBAR W/ YELLOW CAP #6586</p> <p>S00°19'24"W 132.03' REC. AS 132°</p> <p>S00°19'24"W 66.02' REC. AS 66°</p> <p>LOT 5</p> <p>BLOCK B</p> </div> <div style="width: 20%; text-align: right;"> <p>SW COR. LOT 8 FOUND 1/2" REBAR W/ YELLOW CAP #6586</p> </div> </div> <div style="margin-top: 10px;"> <p>GRAPHIC SCALE 1"=30'</p> </div>	
<p>Survey Description-Parcel 'A': The East 60 feet of Lot 3, the West 6 feet of Lot 3, except the South 49 feet thereof and Lot 4, except the South 49 feet thereof, all in Block B, Kingsbury's Second Addition to the City of Ames, Story County, Iowa, all together being more particularly described as follows: Beginning at the Northeast Corner of said Lot 3; thence S00°19'24"W, 132.03 feet to the Southeast Corner thereof; thence N89°00'46"W, 59.34 feet along the south line of said Lot 3; thence N00°07'22"E, 48.98 feet; thence N89°01'43"W, 72.47 feet to the west line of said Lot 4; thence N00°20'20"E, 82.94 feet to the Northwest Corner thereof; thence S89°04'16"E, 131.96 feet to the point of beginning, containing 0.32 acres.</p> <p>The Ames City Council approved this Plat of Survey on _____, 2018, with Resolution No. _____ I certify that it conforms to all conditions for approval.</p> <p>_____ Planning and Housing Director</p>	
<p>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.</p> <p style="text-align: right;">Date: _____</p> <p>R. Bradley Stumbo License #17161 My license renewal date is December 31, 2019 Job #17175 Date: 9/13/18 Fieldwork Completed: 9/13/18 Page 1 of 1</p>	
<p style="font-size: 1.2em; font-weight: bold; margin: 0;">STUMBO & ASSOCIATES LAND SURVEYING</p>	

COUNCIL ACTION FORM

SUBJECT: CITY OF AMES COMPLETE STREETS PLAN

BACKGROUND:

On August 8, 2017, the City Council approved a contract with Toole Design Group (TDG) of Madison Wisconsin to develop a Complete Streets Plan (CS Plan) that included a complete streets policy and a street design guide to meet the goals of the policy. Since August 2017, staff has worked with TDG to establish two steering committees to support development of the plan: 1) the first committee was made from professional staff across the many City and County disciplines and jurisdictions, and 2) a citizen advisory committee that represents a cross-section of constituencies in our community. A member list of those committees has been provided below:

Technical Advisory Committee (TAC)

Citizen Advisory Committee (CAC)

Name	Organization/Group	Name	Organization/Group
Damion Pregitzer	City of Ames/Traffic	Carol Williams	ABC/Bicycling
Tracy Warner	City of Ames/Engineering	Elizabeth Wentzel	ABC/Walking
Justin Clausen	City of Ames/Operations	Justin Dodge	Hunziker/Development
Kelly Diekmann	City of Ames/Planning	Cindy Hicks	Downtown/Business
Mike Brown	City of Ames/Electric	Karin Chitty	Campustown/Business
Kyle Jacobson	City of Ames/Parks & Rec	Sheri Kyras	CyRide/Riders
Darren Moon	Story County/Engineering	Stephanie Downs	ISU/Public Health
Barb Neal	CyRide/Operations	John Shierholz	Healthiest Ames/Transportation
Cathy Brown	ISU/FPM	Gail Johnston	Healthiest Ames/Schools
		Christopher Strawhacker	ISU/Planning
		Mark Miller	ISU/Parking
		Bridget Williams	ISU/Student
		Trent Taglauer	ISU/Student
		Sydney Dunphy	ISU/Student
		Brian Vanderheyden	ISU/Student Wellness

On September 19, 2017, City Council held a workshop where TDG gave Council and the public a more detailed understanding of complete streets and national best practices in this area. TDG also provided City Council with a schedule for the CS Plan development, including where there would be opportunities for public input into the plan along the way.

On November 2, 2017, TDG and staff held an open-house style public meeting at the Ames Public Library. TDG had developed several posters showing the various type of

travel (modes) and examples of street design being used nationally for each mode. The public was able to write comments on post-it notes to provide feedback on how they prefer to travel, what they believe Ames is doing well in transportation planning/design, and where they felt the community had opportunities to improve. This public feedback was then summarized and provided to the project team and the TAC and CAC members.

November 8, 2017, was the first meeting of the TAC and CAC members with TDG and staff members of the project team. The purpose of this meeting was to introduce members of the committees to the consultants working on the project and to describe the project scope of work. Also, this meeting was an opportunity to get initial input on the key street-related issues and objectives that the Complete Streets Plan (CS Plan) should address. The consultant gave a brief presentation about the CS Plan, which focused on the following topics:

- Why Complete Streets?
- What Complete Streets Are and Aren't
- Complete Streets Program
- Complete Streets Plan Elements
- Project Timeline.

Then on February 22, 2018, the second meeting of the TAC and CAC members was held where the purpose of this meeting was to review current national design standards, street classifications, and land use categories, as well as the competing principles of street access versus throughput. Also, a proposed classification system for the street design was reviewed. The system is based on five "place types" (activity center, mixed-use, residential, large-scale commercial, and industrial) and transportation functions (e.g., access or throughput). The core of the system is a collection of nine "street types," each of which represents a different combination of place type and transportation function.

On April 12, 2018, the third meeting of the TAC and CAC members was held where TDG presented draft CS Plan elements in detail to get feedback from the committee members. The purpose of this meeting was to make sure the plan development was moving in the right direction and there weren't any parts of the plan that needed to be redone before presenting the draft CS Plan to the public.

After comments from the committees were incorporated, staff presented a CS Plan update to City Council on April 24, 2018. At that meeting, staff went through the draft Place Types (Place Types represent the context of the surrounding area and are simplified categories that combine land use, development patterns, and density) and the draft Street Types. Some Street Types prioritize different modes of travel but ensure that all modes are safely accommodated. The Street Types provide guidance for the overall design of a street but retain some flexibility for designers to adapt to particular circumstances.

At this April 24, 2018 meeting, City Council was presented an estimated cost impact for each of these new design standards. In general, staff estimates that the overall impact of the CS Plan results in an increase to infrastructure costs of approximately 3% to 4%. Most of these costs will occur during the reconstruction of existing streets, and therefore will be costs borne by the City of Ames during capital projects. The only cost impact to private development would be in areas where there is Industrial Zoning on both sides of the street or if development includes a collector or arterial street. In the Industrial zoning case, the CS Plan would require pedestrian facilities on both sides of the street. These cases would also reflect an increase in costs of approximately 3% to 4% as noted on the City projects.

After the April meetings with City Council and the TAC/CAC committees, TDG worked to finalize the CS Plan. On June 18, 2018, an open-house style Public Meeting was held in the Farewell T. Brown meeting space in the Ames Public Library. TDG printed several poster boards with every major piece of the CS plan (policy, project development schedule, Place Types, Street Types, etc.). Also, there were print copies of the full draft final CS Plan for the public to look through. City staff and TDG staff answered several of questions about how the plan would affect/change the street design for Ames and what changes the public could expect moving forward. Overall, the public meeting was well attended and appeared to be a success based upon public comment received by staff.

Since early 2017, the development and adoption of the City of Ames CS Plan has involved two (2) open house meetings with the public, three (3) City Council meetings/workshops, and three (3) TAC and CAC meetings. Throughout the process the City maintained a project website where citizens could go to sign up for and gain status updates (www.cityofames.org/completestreets). It has been a goal of City Staff and TDG to make this process as inclusive as possible.

ALTERNATIVES:

1. Adopt the City of Ames Complete Streets Plan as prepared by Toole Design Group.
2. Adopt the City of Ames Complete Streets Plan with minor modifications as specified by City Council.
3. Direct Staff to work with Toole Design Group to make major modifications to the plan and return to City Council at a specified date for adoption of the revised plan.

MANAGER'S RECOMMENDED ACTION:

The development of a Complete Streets Plan for the City of Ames has been a positive and inclusive process for the community. Staff has received significant input from community stakeholders throughout the last year and a half. At every stage of the process, Toole Design Group staff demonstrated their expertise and national

experience in multimodal design, which is reflected in the information and guidance of the plan.

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



COMPLETE STREETS PLAN

Executive Summary

City of Ames
Adopted October 2018

T'OOLE
DESIGN

Contents

Introduction	1
Complete Streets Policy.....	3
How to use the Complete Streets Plan	6
Street Types	7



Complete Streets Ames

Disclaimer: Information contained in this document is for planning purposes and should not be used for final design of any project. All results, recommendations, concept drawings, and commentary contained herein are based on limited data and information, and on existing conditions that are subject to change. Further analysis and engineering design are necessary prior to implementing the recommendations contained herein.

Executive Summary



Introduction

Ames has a well-established transportation system, made up of interconnected networks of streets, shared use paths, freeways, and railroads. This system accommodates—to varying degrees—people walking, biking, driving, and using transit for a variety of reasons. Whether commuting to work, running errands, or meeting friends at a sidewalk cafe, the transportation system is critical to most functions of life in Ames. In short, the transportation system moves people and fosters commerce while also enabling civic engagement and enhancing quality of life.

Over time, a complex system of travel patterns has emerged to connect people to destinations and to each other using these networks. These patterns continually evolve based on changes in seasons, whether school is in session, shifts in technology and preferences, changes in the economy, the opening of new businesses and employers, and development of new neighborhoods.



Until recently, the approach to addressing these complex and evolving travel patterns in Ames and most cities across the country has been to plan and design the transportation system first and foremost for motor vehicle travel. However, many cities (including Ames) have recently seen the strong need and public desire to balance transportation priorities so that convenience, safety, and access are improved for people walking, biking, and using transit. These needs are based on growing awareness of the role transportation plays in public health, quality of life, environmental, fiscal, and equity considerations.

Paradigm Shift in Planning and Design

The conventional approach to street design is based primarily on a roadway's functional classification (arterial, collector, local, etc.), which is a surrogate for motor vehicle traffic volume and speed. Higher classifications (e.g., arterial streets) tend to carry higher volumes of traffic at higher speeds, whereas lower classifications (e.g., local streets) tend to carry lower volumes of traffic at lower speeds. There are several limitations to this approach:

- **The conventional approach is not context sensitive** – The conventional approach lacks a consistent method for adjusting street designs to the surrounding context. South Duff Avenue and Lincoln Way at Campustown are both classified as arterial streets but exist in vastly different contexts and should thus be designed differently. Under the current approach, it can be challenging to design major streets that support walkable, vibrant places.
- **The conventional approach couples traffic volume with design speed** – The conventional approach assumes a constant relationship between the amount of car traffic and the function of the street. However, two streets can carry the same amount of traffic but serve different functions. An arterial street through downtown might emphasize access and lower speeds, while a suburban arterial might emphasize throughput (the quick and efficient movement of people) at somewhat higher speeds.
- **The conventional approach is not compatible with Ames' future** – As Ames continues to grow, it is important that streets are designed to be compatible with new development types, such as walkable mixed use, that are promoted by the Comprehensive Plan and other plans for corridors and districts across the city. The current street design approach is less conducive to designing streets that respond to and support such development patterns.

The New Complete Streets Approach

Moving forward, the City of Ames has adopted a context-sensitive Complete Streets approach to planning and designing the street network to be safer, more comfortable, and more useful for all modes. In the past, the City of Ames has informally incorporated aspects of the Complete Streets approach into transportation planning and design. This has included consistently providing sidewalks along streets and, more recently, including bike lanes when resurfacing or restriping streets.

This Complete Streets Plan and Policy formalizes the City’s approach to Complete Streets; shifts priorities so that biking, walking, and transit use are safer and more attractive choices; guides street design decisions; and increases consistency in transportation design.

What are Complete Streets?

First and foremost, Complete Streets is a **process** that entails planning and designing streets that support the surrounding context—e.g., the destinations and character of development along the corridor—and adequately serve all anticipated users and uses. Complete Streets is not a prescribed one-size-fits-all solution. In fact, a variety of designs and treatments can and should be employed to serve all users and uses in a variety of land use and traffic contexts.



Complete streets typically have space for people driving, bicycling, and walking. Complete Streets in urban settings (left) look different than Complete Streets in suburban and rural settings (right).

There is no specific type of infrastructure—e.g., bike lanes, transit shelters, or street furnishings—that is prerequisite for Complete Streets. For example, many streets without bike lanes can be considered Complete Streets if they have low motor vehicle speeds and low traffic volumes. Similarly, neither streetscape nor aesthetic enhancements are required for Complete Streets, although they may add greatly to the character and experience of a street. On the other hand, the presence of neither bike lanes nor streetscaping automatically qualify a street as a Complete Street.



Context is important in Complete Streets design. Although an attempt at improving conditions for walking and biking have been made in example streets on the left (from another city), it is probable the street cannot be considered complete. Traffic volumes and speeds are too high for the unprotected bike lane to serve most people bicycling.

Complete Streets Policy

The Complete Streets Policy provides guiding principles, defines authority and applicability, identifies areas of flexibility, and commits the City of Ames to designing streets that serve all anticipated users and uses of a street.

Purpose & Vision

The City of Ames will design, build, maintain, reconstruct, and resurface public streets in order to provide for the safety and comfort of all users of a corridor. This includes pedestrians, bicyclists, users of mass transit, people with disabilities, motorists, freight providers, emergency responders, and adjacent land users; regardless of age, ability, income, or ethnicity.

The values promoted by the City of Ames Complete Streets Policy include safety, connectivity, access, fiscal responsibility, and quality of life. Complete Streets enhance the environment, economy, sense of place, preservation of historic resources, and aesthetics of the community, making Ames a healthier, more sustainable, and equitable place to live.

Complete Streets are not one-size-fits-all. They are designed through a flexible process that considers the surrounding character of the built environment, the street's role within the transportation network, and input from people that use the transportation system. The Complete Streets approach demands careful evaluation of the needs of all users for all transportation corridors and integration with actions and strategies for achieving the planned land use density, character, and development pattern for the city.

Complete Streets Principles

Complete Streets are based on four principles, which guide the City of Ames' planning, design, and budgeting for transportation projects.

- Complete Streets **serve all users and modes**, including pedestrians, bicyclists, users of mass transit, people with disabilities, motorists, freight providers, emergency responders, and adjacent land users; regardless of age, ability, income, or ethnicity.
- Complete Streets **emphasize safety for all users**, and do not trade the safety of one mode for the convenience of another.
- Complete Streets form **connected multimodal networks** that provide safe, convenient access to neighborhoods and destinations for all modes. This policy recognizes that all modes do not receive the same type of accommodation or amount of space on every street, but that the street network should allow everyone to safely and conveniently travel across the community.
- Complete Streets are **context-sensitive**, and are designed to support the current and future local land use and development context while considering impacts to surrounding streets and neighborhoods. Similarly, land use and development plans should support Complete Streets and interconnected multimodal networks.

Jurisdiction

The Complete Streets Policy applies to all transportation infrastructure projects carried out within the City of Ames, whether by the City of Ames, Story County, Boone County, CyRide, or Iowa DOT. Iowa State University is also encouraged to follow this policy, although the City of Ames does not have jurisdiction over Iowa State University Institutional Roads. This policy is meant to guide the decisions of the City of Ames and its partners.

Applicability

The Complete Streets Policy applies to:

- All streets, existing and future; and
- All transportation infrastructure projects, regardless of funding source, including these five phases of a project:
 - Project identification;
 - Scoping procedures and design approvals, including design manuals and performance measures;
 - Construction/reconstruction;
 - Repaving and rehabilitation; and
 - Operations and maintenance, including restriping and signal design.

The Complete Streets Policy does not apply to:

- Iowa State University Institutional Roads;
- Streets ultimately to be privately owned and maintained;
- Streets where specified users are prohibited by law;
- Emergency street reconstruction; or
- Maintenance activities such as mowing, cleaning, sweeping, crack sealing, and spot repair.

Exceptions to the application of this Complete Streets Policy include instances where the City identifies issues of safety that cannot be mitigated or absence of need. The Public Works Director shall document and explicitly explain why a transportation project is exempt from this policy.

Flexibility

This Complete Streets Policy allows flexibility to accommodate different types of streets and users, and to promote Complete Streets design solutions that fit within the context(s) of the community.

In some cases, the most appropriate design solutions may not be feasible due to right-of-way or budgetary constraints. In such cases, alternative design solutions will be considered. The Public Works Director shall document and explicitly explain how the alternative solutions adequately accommodate all anticipated users of the street.

Cost

Complete Streets are not necessarily more expensive—they often cost the same as or marginally more than a conventional street. However, there are occasionally projects in which the additional cost for adding bicycle, pedestrian, or transit accommodations is significant.

In order to minimize impacts on the City's budget, the Complete Streets Policy establishes the following annual program-level cost threshold for Complete Streets projects: the cumulative cost increase of incorporating bicycle, pedestrian, and transit accommodations as part of Complete Streets projects may not exceed 22 percent of the City of Ames' annual transportation capital improvement budget.

Existing Policies and Regulations

City staff will review existing policies, plans, and regulations when planning and designing streets, including:

- Land Use Policy Plan
- Ames Mobility 2040 Long Range Transportation Plan
- Small area and neighborhood plans
- Corridor plans
- Development/redevelopment plans

Executive Summary

- Traffic studies
- Iowa State University master plans
- CyRide transit plans and studies
- Subdivision code
- Manuals of practice
- Impact assessments
- Departmental policies and procedures
- Any other applicable transportation, land use, or development plans
- Any other applicable procedures and standards

Latest Standards

In furthering Complete Streets principles, City staff will make use of the latest and best design standards, policies, and guidelines, including the latest edition of the Complete Streets Plan and the following:

- General Street Design
 - Designing Walkable Urban Thoroughfares: A Context Sensitive Approach: An ITE Recommended Practice (Institute of Transportation Engineers)
 - Urban Street Design Guide (National Association of City Transportation Officials; NACTO)
 - SUDAS Design Manual (Iowa Statewide Urban Design and Specifications)
 - A Policy on Geometric Design of Highways and Streets (American Association of State Highway and Transportation Officials; AASHTO)
 - Manual on Uniform Traffic Control Devices (Federal Highway Administration)
- Bicycle and Pedestrian Design
 - Guide for the Development of Bicycle Facilities (AASHTO)
 - Urban Bikeway Design Guide (NACTO)
 - Guide for the Planning, Design, and Operation of Pedestrian Facilities (AASHTO)
 - Public Rights-of-Way Accessibility Guidelines (United States Access Board)
 - SUDAS Design Manual

Performance Measures

The City of Ames will measure the effectiveness of the Complete Streets Policy and associated implementation steps using various performance measures that align with related transportation planning efforts, particularly the Ames Area MPO Long Range Transportation Plan. Performance measures should relate to the transportation objectives of connectivity, safety, access, efficiency, reliability, facilitation of economic exchange, and asset management.

Recommended performance measures can be found in Chapter 4.

Implementation

Implementation of this policy will be carried out cooperatively among all departments in the City of Ames with multi-jurisdictional cooperation, and to the greatest extent possible, among private developers and state, regional, and federal agencies.

The City will take specific steps to implement this policy, including:

1. Implement the Complete Streets Plan, which includes a process, procedures, classifications, and design guidance for Complete Streets.

2. Establish or designate a Complete Streets Advisory Committee or Subcommittee. City staff will be assigned to the committee and will report the committee's input to Council regularly. The Complete Streets Advisory Committee will:
 - a. Meet at least annually and up to quarterly;
 - b. Review individual street projects pre- and post-construction (including projects excepted from this policy along with justifying documentation) for conformance with the Complete Streets Plan and other City plans and objectives;
 - c. Assist in completing the annual Complete Streets Program Review, including setting program performance goals;
 - d. Suggest program/policy revisions; and
 - e. Recommend projects for the next funding cycle.
3. Prepare an Annual Complete Streets Program Review to document compliance with the policy. The review will compile evaluation metrics for individual transportation projects as well as overall program assessment.
4. Update the Supplemental Specifications to the Iowa Statewide Urban Design and Specifications to reflect the current state of best practices in bicycle and pedestrian design.
5. Restructure or revise related procedures, plans, regulations, and other processes to conform to and support the Complete Streets Policy and guidance contained within the Complete Streets Plan.
6. Offer opportunities for City staff, community leaders, and the general public to participate in workshops and other training opportunities to increase understanding of the Complete Streets vision, process, and design approach.

How to Use the Complete Streets Plan

The Complete Streets Policy contained earlier in this chapter serves as the mandate for a new approach to street design and provides a framework by which to evaluate the success of implementation by the City of Ames. Also included in this chapter are discussions regarding the relationship between this Plan, previous City plans, and state and national standards and design guides. The remainder of this Plan includes tools designed to facilitate the implementation of Complete Streets in order to meet the policy's goals and objectives. The Plan is structured around the major steps in the Complete Streets design process:

Select a street type – Chapter 2 outlines the approach for selecting a street type based on context and transportation function. It also describes each street type in terms of character and typical configuration.

Determine design criteria – Chapter 3 includes parameters for various roadway and right-of-way design criteria (e.g., maximum lane width and minimum sidewalk width) as well as guidance on selecting criteria and prioritizing elements when tradeoffs must be made.

Incorporate these steps into the project development process – Chapter 4 provides an overview of the City of Ames' project development process and guidance on how to implement the Complete Streets Plan in individual projects.

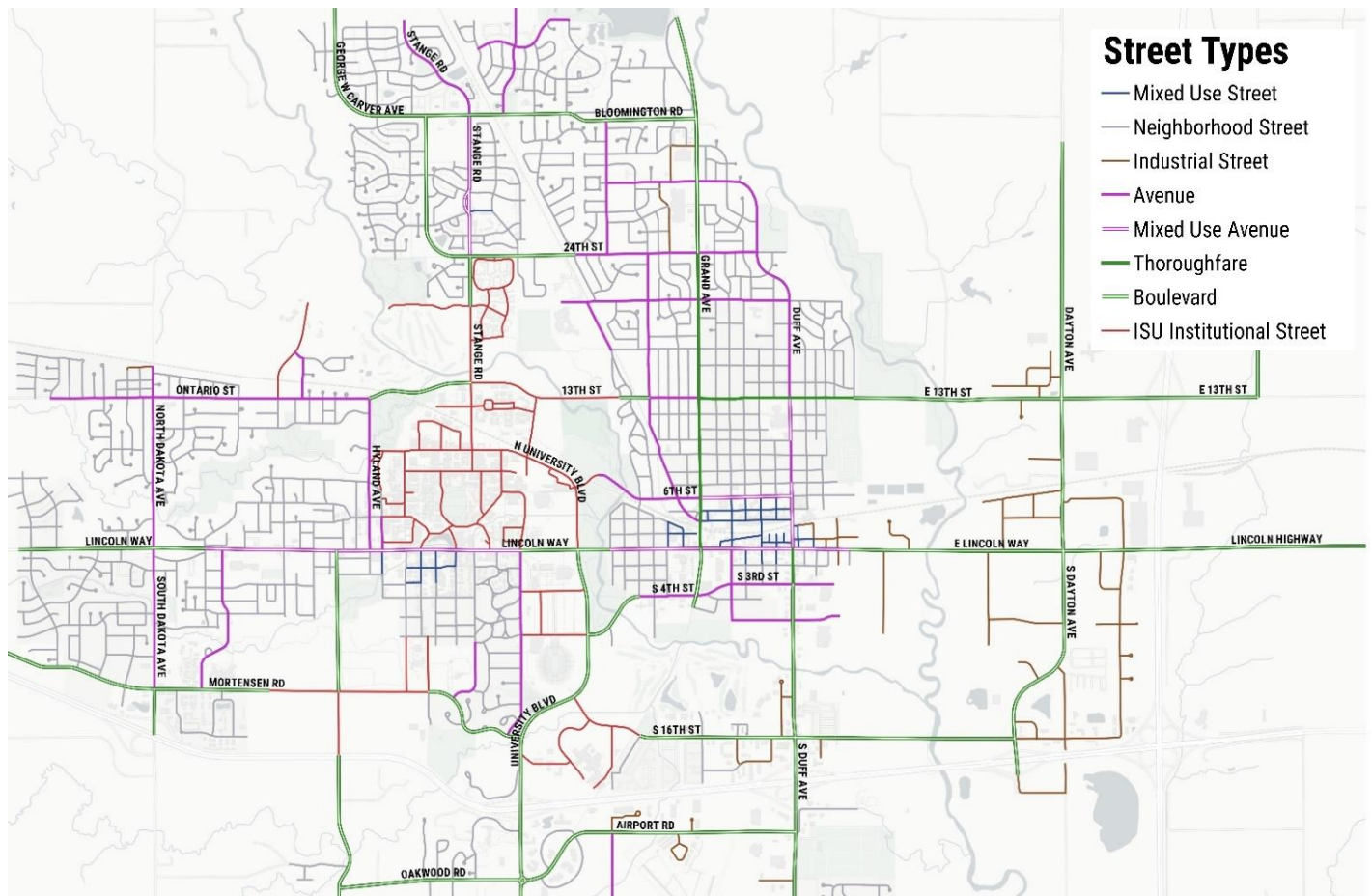
Street Types

Once the place type and transportation function of a street corridor are determined, a street type can be selected. Street types are unique to the conditions and contexts of Ames and provide a starting point for street designs that implement the objectives of the Long Range Plan, Comprehensive Plan, individual area or corridor plans, and urban design goals. The street types ensure that all modes of travel are safely accommodated, while some prioritize different modes. For example, Mixed Use Streets prioritize walking while Thoroughfares prioritize transit and driving.

Because land use contexts (and therefore place types) can change throughout the length of a corridor, multiple street types may be applied to different segments of a single roadway project. For example, a corridor may be categorized primarily as an Avenue, however a commercial node along it may result in a segment being classified as a Mixed Use Avenue. Street design elements will change accordingly, reflecting the designated street type and its economic and mobility objectives.

Conceptual Street Type Application

The map below was developed to illustrate how street types could be applied to existing public streets (excluding ISU’s institutional streets). Street types were assigned to streets based on existing and planned development patterns, current traffic speeds and volumes, and estimated bicycle and pedestrian demand. This map is illustrative and not a regulatory document.



Overview of Street Types

There are eight street types used as starting points for street design projects as well as a companion supporting infrastructure type (Greenway). Each street type is flexible and provides guidance for the overall design of a street. The Greenway street type is included because—although it is not a type of street—greenways are important elements of Ames’ multimodal transportation system.

Table 1: Street Type Overview

	Street Type	Description	Relevant Place Types
<i>Access Emphasis</i>	Shared Street	A street or alley with no curbs or separate areas for various types of transportation. Emphasizes nonmotorized movement and pedestrians have priority.	Activity Center, Urban Mix, Residential
	Mixed Use Street	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.	Activity Center, Urban Mix
	Neighborhood Street (including Bicycle Boulevard variant)	A low traffic street with housing and separated walkways, sometimes with on-street parking. A variation called “Bicycle Boulevard” is available, which optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements	Urban Mix, Residential
	Industrial Street	A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.	Industrial, Large Scale Commercial
<i>Balance of Access and Throughput</i>	Mixed Use Avenue	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 compared to that of a Mixed Use Street	Activity Center, Urban Mix
	Avenue	A street with a moderate amount of traffic, wider than a Neighborhood Street. These may include on-street parking and bike lanes.	Residential, Large Scale Commercial
<i>Throughput Emphasis</i>	Thoroughfare	A street with moderate to high amounts of traffic, used most often used for longer distance travel and automobile oriented uses.	Residential, Large Scale Commercial
	Boulevard	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.	Residential, Large Scale Commercial, Industrial
<i>Supporting Infrastructure</i>	Greenway	A shared use path in an independent alignment, exclusively for the use of bicyclists and pedestrians. Greenways provide connections that supplement the street network.	All

Streets that Emphasize Access

Access-oriented streets emphasize peoples' ability to reach destinations and individual properties along a street by any mode. Access-oriented streets are typically lower-speed with higher levels of foot traffic.

Shared Street

A street or alley with no curbs or separate areas for various types of transportation. Emphasizes nonmotorized access; pedestrians have priority.



A Shared Street has a continuous surface that is shared by people using all modes of travel at slow speeds. Curbs are removed, and the sidewalk is blended with the roadway. Speeds are slow enough to allow for pedestrians to intermingle with bicycles, motor vehicles, and transit. Shared Streets can support a variety of land uses, including commercial and retail activity, entertainment venues, restaurants, offices, and residences. They are unique spaces where people can slow down to enjoy the public realm.

When designing Shared Streets, special consideration must be given to accommodating pedestrians with disabilities. To facilitate navigation for people with visual impairments, materials can vary and street furnishings such as bollards, planters, street lights, and benches can be strategically placed to define edges. These streets are often surfaced with pavers or other types of decorative surface treatments.

Overall, the primary design consideration for Shared Streets is maintaining slow motor vehicle speeds (no more than 15 mph) in order to minimize the potential for conflicts with pedestrians. Entrances to Shared Streets are often raised and narrowed to one lane to force drivers to slow before entering. Chicanes can be used to help regulate vehicular speeds along the length of the street, and can be formed using trees, benches, plantings, play areas, and parking areas that are laid out in an alternating pattern to deflect and slow traffic.

Mixed Use Street

A street with a diverse mix of retail, housing, office and/or educational uses, with people using several types of transportation to circulate.



Mixed Use Streets are typically found in areas with a high density of small commercial and retail businesses and have an emphasis on walkability. Mixed Use Streets are often concentrated in an area only a few blocks long, such as downtown. The curbside uses on Mixed Use Streets prioritize walking, bicycling, transit, and short-term parking for local shops and restaurants.

Because these streets are a meeting ground for residents, they should be designed to support gathering and community events such as farmers' markets and festivals. In addition, they are characterized by public facilities such as libraries, as well as community and health centers.

Mixed Use Streets have many similarities to Mixed Use Avenues. However, Mixed Use Streets have lower target speeds, somewhat higher volumes of people biking and walking, lower volumes of motor vehicle traffic, and more storefronts. Mixed Use Streets also more often have unique aesthetic branding and design elements that reflect the area's cultural or historic past.

Neighborhood Street

A low traffic street with housing and separated walkways, sometimes with on-street parking. A variation called “Bicycle Boulevard” is available, which optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements



Neighborhood Streets provide immediate access to Ames’ multifamily and single-family homes. They are used primarily for local trips and are characterized by lower motor vehicle traffic volumes and speeds. The emphasis is on pedestrian safety, space for children to play, ample street trees, and well-defined walking and bicycling connections to nearby parks, bus stops, transit stations, community centers, and libraries. The primary role of Neighborhood Streets is to contribute to a high quality of life for residents of the city.

The design of Neighborhood Streets focuses on encouraging slow speeds. Typically, they do not have more than two travel lanes (one in each direction). They often have on-street parking and some existing Neighborhood Streets in Ames are so narrow that two-way traffic is limited when cars are parked on the street. This effectively slows and calms traffic in these neighborhoods.

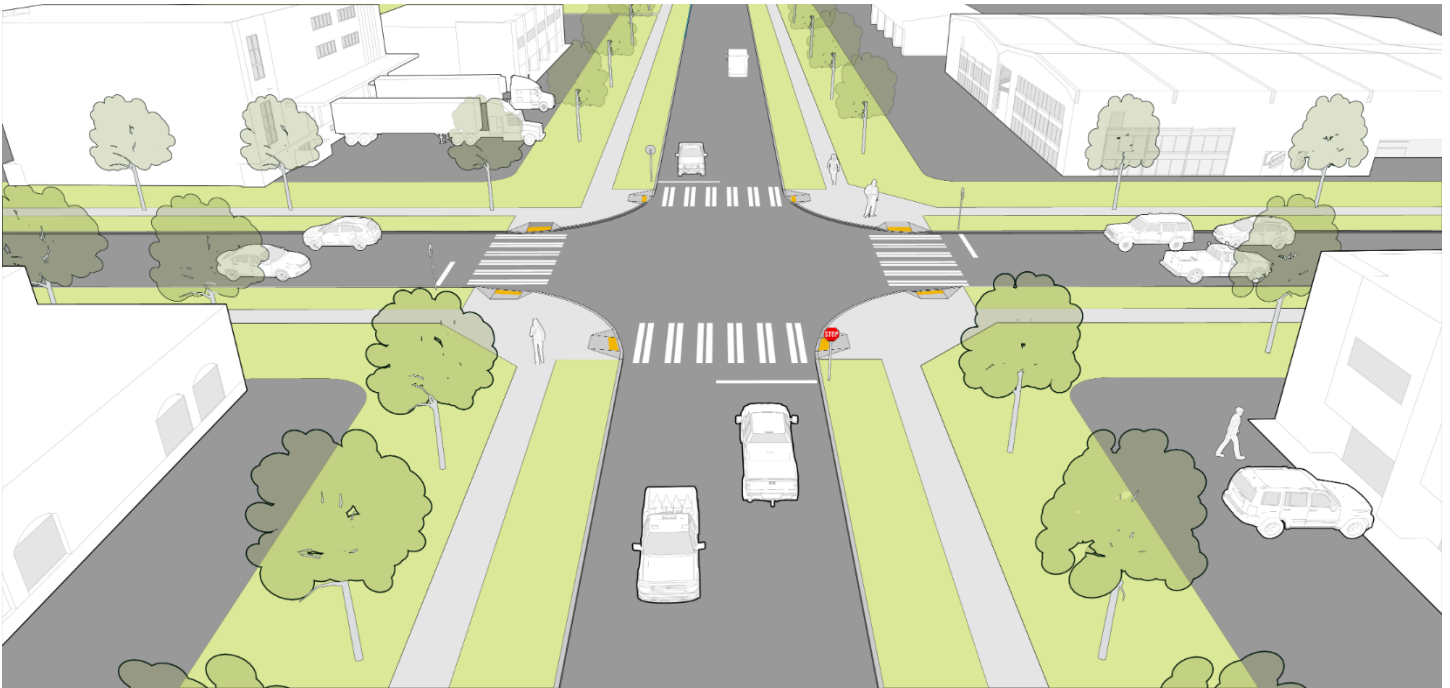
Bicycle Boulevard Variant

While not intended for motor vehicle through-traffic, making longer connections for people biking via Neighborhood Streets is encouraged. A Bicycle Boulevard is a variant of the Neighborhood Street type intended to achieve this outcome. This variant can be implemented to enhance bike routes on low-speed, low-traffic streets—sometimes to provide parallel alternatives to providing bikeways on nearby high-traffic streets. Bicycle Boulevards are designated and designed to give bicycle travel priority and discourage through trips by motor vehicles and create safe, convenient bicycle crossings of busy arterial streets. Treatments vary depending on context, but often include traffic diverters, speed attenuators such as speed humps or chicanes, pavement markings, and signs.



Industrial Street

A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.



Industrial Streets support the manufacturing, research, and scientific facilities that form Ames' industrial base. These streets support truck traffic and accommodate the loading and distribution needs of wholesale, construction, commercial, service, and food-processing businesses. They typically connect directly to the regional highway system and distribution hubs. Industrial streets also serve large-scale and auto-oriented commercial areas, providing access for people driving personal vehicles and for deliveries via large trucks.

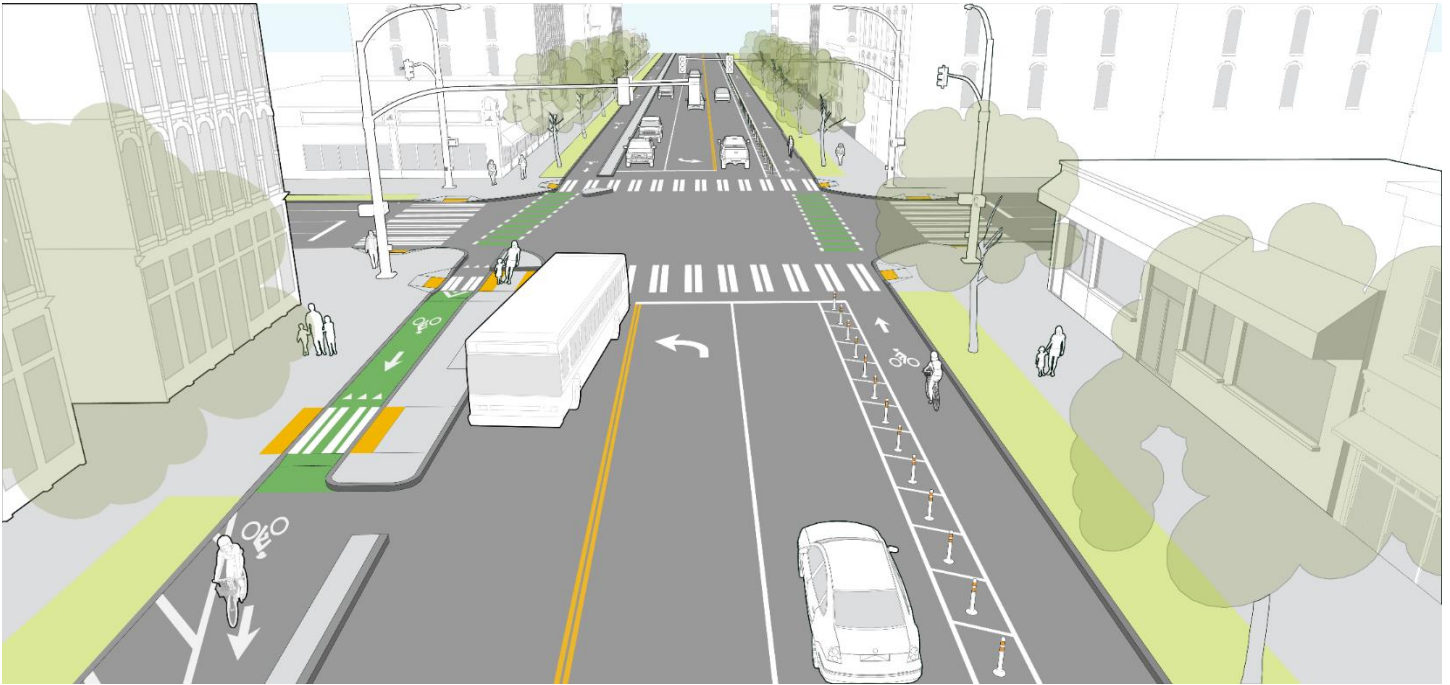
Accommodation of truck traffic, including providing adequate turning radii at intersections, is a primary design consideration for these streets. While pedestrian use may be relatively low, sidewalks and accessible accommodations are provided. When designing Industrial Streets as part of the interconnected street network, consideration should be given to designs that discourage truck traffic from using residential streets in the surrounding neighborhoods.

Streets that Balance Access and Throughput

Streets that balance access and throughput accommodate a reasonable level of motor vehicle throughput while maintaining a high level of comfort and convenience for people using transit, walking, and biking.

Mixed Use Avenue

A street with a diverse mix of retail, housing, office and/or educational uses, with people using several types of transportation, but with increased transit and motor vehicle demand compared to that of a Mixed Use Street.



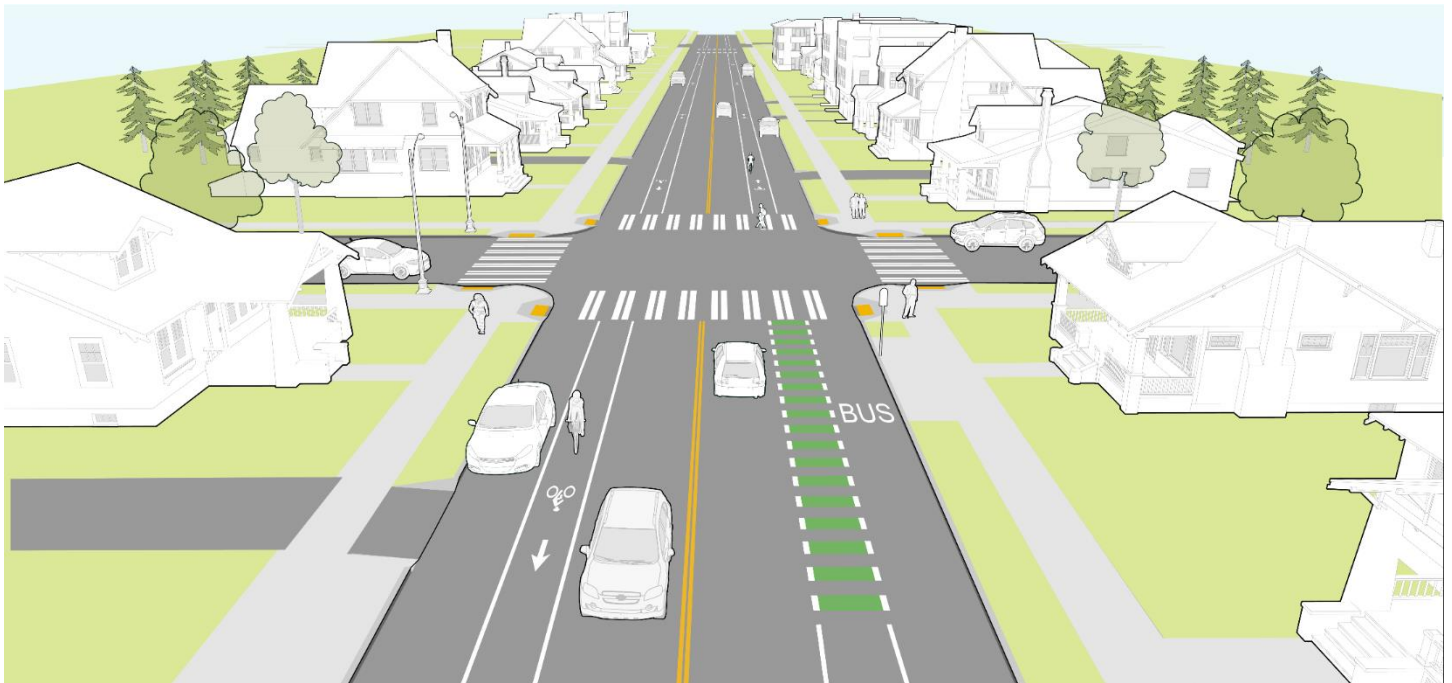
Mixed Use Avenues serve a diverse variety of land uses and high development densities. Appropriate in downtown, Campustown, and other existing and future higher-density urban areas, these streets support a lively mix of retail, residential, office, and entertainment uses. These streets serve residents, visitors, and workers by supporting high levels of walking, bicycling, and transit.

On Mixed Use Avenues, a lively and visually stimulating public realm should be supported by landscaping, street furniture (i.e., benches, information kiosks, trash and recycling receptacles, etc.), outdoor cafés, plazas, and public art. In short, these streets are where people work, play, shop, eat, and gather to enjoy city life.

Mixed Use Avenues have many similarities to Mixed Use Streets. However, Mixed Use Avenues have slightly higher target speeds, higher motor vehicle traffic volumes, and—most importantly—place greater emphasis on facilitating throughput while also supporting access. These streets typically serve transit and people bicycling, and therefore often include bus stops or shelters and higher-level bikeways (such as separated bike lanes). On-street parking is an optional addition to this type of street if space is available after transit, bicycling, and motor vehicle throughput needs are met.

Avenue

A street with a moderate amount of traffic, wider than a Neighborhood Street. These may include on-street parking and bike lanes.



Avenues are streets that balance access and throughput and often traverse large-scale commercial areas and neighborhoods. They provide continuous walking and bicycling routes and often include bus routes. While they are essential to the flow of people across the city, the needs of people passing through must be balanced with the needs of those who live and work along the street.

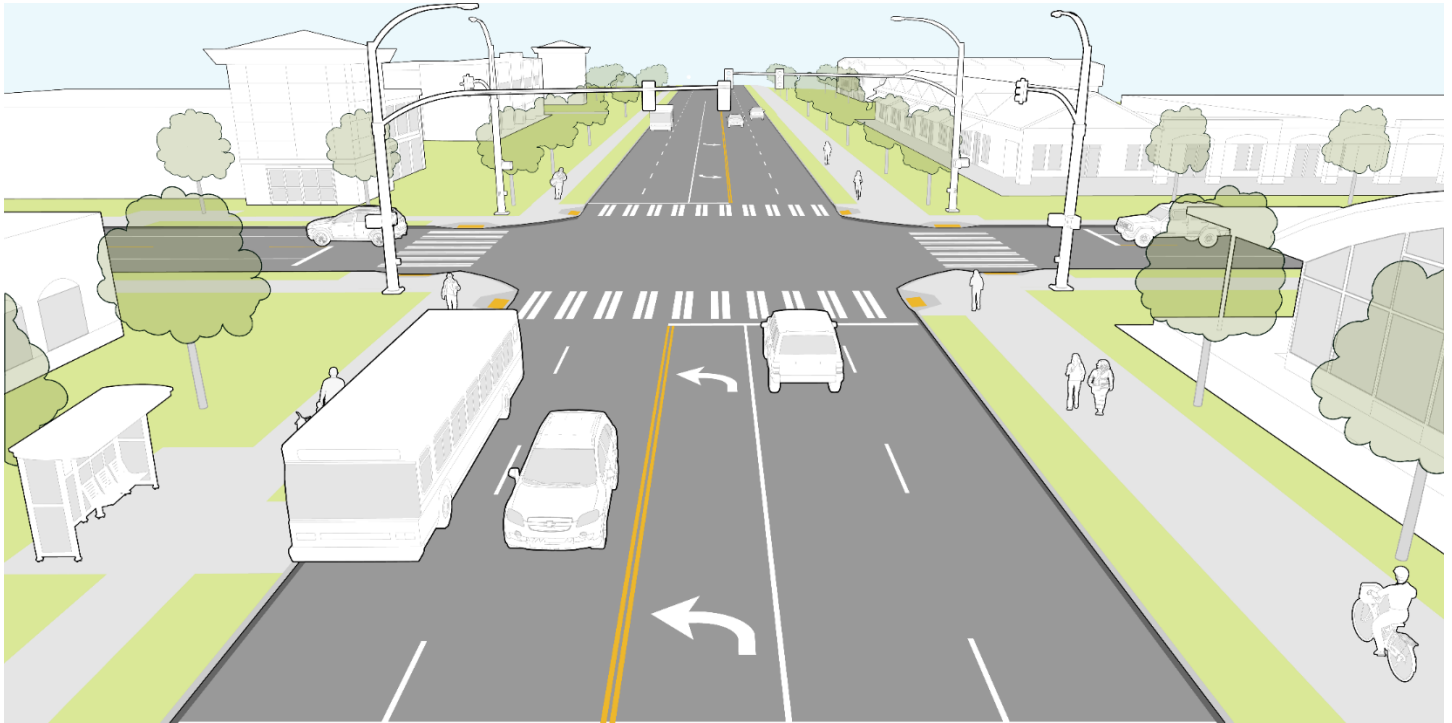
Land uses, right-of-way widths, and the presence of on-street parking can vary along Avenues. Design considerations include encouraging efficient movements of vehicle and transit traffic, continuous and comfortable bicycle facilities, wide sidewalks with sufficient buffers to motor vehicle traffic, and safe pedestrian crossings at intersections. Street lighting, tree plantings, street furniture, and other urban design elements should create a unifying identity for the entire street.

Streets that Emphasize Throughput

Throughput-oriented streets emphasize the efficient movement of people across greater distances, often at higher speeds. Safely maximizing throughput typically requires physically separating modes and limiting the number of intersections and driveways.

Thoroughfare

A street with moderate to high amounts of traffic, most often used for longer distance travel and automobile-oriented uses. Thoroughfares are often state highways.



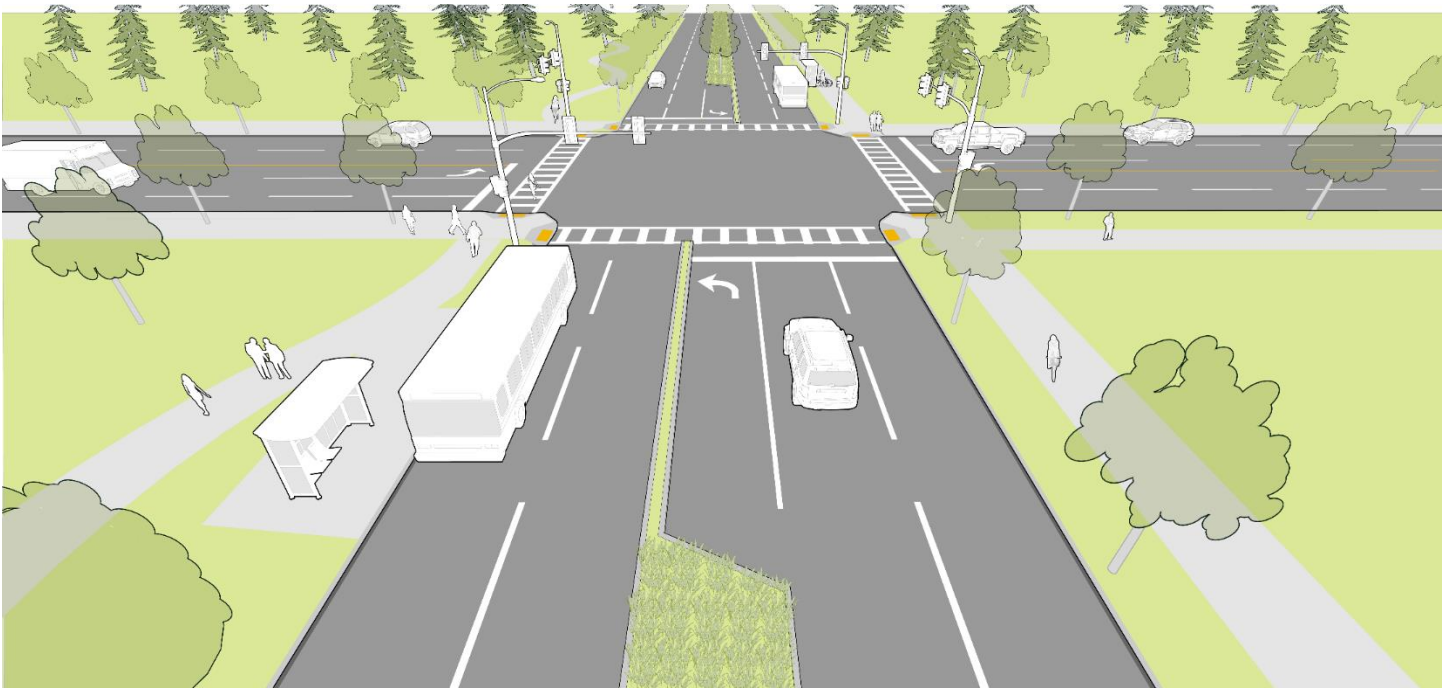
Thoroughfares are throughput-oriented streets that connect commercial areas, employment centers, civic and institutional areas, and neighborhoods. Along with Boulevards, they have the highest volumes of motor vehicles and transit service as well as moderate to high volumes of pedestrian activity. The demand for bicycling along Thoroughfares may be moderate to high, but because of the constrained environments in which this street type is found, bicycle traffic is often encouraged to use parallel low-traffic streets.

While target speeds are slightly higher on this street type than most other types, the design of Thoroughfares balances the needs of mobility and safety. Safety for pedestrians and bicyclists is emphasized by focusing on providing appropriate sidewalks and bikeways (sidepaths or separated bike lanes preferred), opportunities for pedestrians and bicyclists to safely cross the street, and separation from high volumes of traffic. Where bicyclists cannot be accommodated, facilities are provided on nearby parallel streets to create a “complete corridor.”

Right-of-way is very constrained along Thoroughfare street corridors. As such, focus should be on providing separation between motor vehicle traffic and the sidewalk (this can be achieved with bike lanes, the amenity zone, or occasionally with on-street parking). In addition, clear sight lines at unsignalized intersections should be provided.

Boulevard

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.



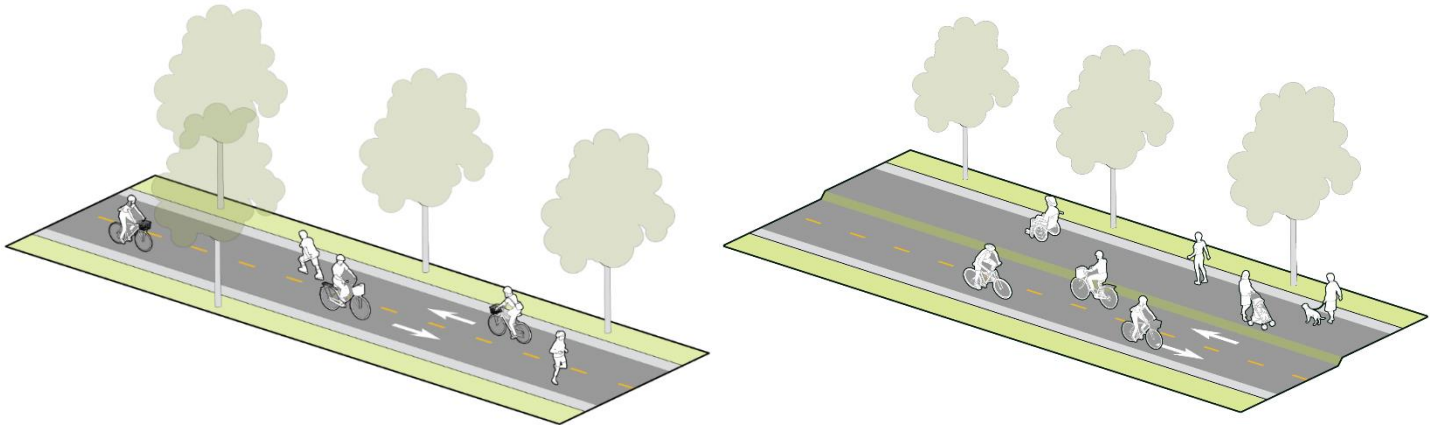
Boulevards are throughput-oriented streets that connect commercial areas, employment centers, civic and institutional areas, and neighborhoods. Along with Thoroughfares, they have the highest volumes of motor vehicles and transit service. Boulevards have low to moderate volumes of pedestrian activity, depending on the land use composition of nearby development. Bicycle activity is moderate to high along Boulevards with sidepaths, which provide longer-distance throughput for bicyclists.

Boulevards can accommodate the highest target speeds of any Complete Street type and on-street parking and traffic calming are not typically compatible. Access to adjacent properties is managed by requiring greater distances between driveways and encouraging shared driveways.

Safety for pedestrians and bicyclists is emphasized by focusing on providing appropriate sidewalks or sidepaths, opportunities for pedestrians and bicyclists to safely cross the street, and separation from high volumes of traffic. Bicyclists are typically accommodated on a separated sidepath shared with pedestrians.

Greenways

Shared-use paths in independent alignments, such as through parks, along waterways, or rail trails.



Greenways are important parts of the multimodal network. They provide non-motorized connections where streets do not or should not connect, such as through a park or conservation area. Numerous greenways exist in Ames today and the Ames Mobility 2040 plan includes additional Greenway corridors for future development. The volume and composition of non-motorized traffic should be analyzed when determining the width and configuration of shared use paths. The minimum width of shared use paths is 10 feet (8 feet is acceptable for short distances in constrained environments). Where a high level of pedestrian activity is likely, wider shared use paths (12 to 14 feet or wider) or separate paths for people walking and people biking should be considered.



COMPLETE STREETS PLAN

City of Ames
Adopted October 2018

T'OOLE
DESIGN

Contents

- 1: Overview & Policy 1
 - Complete Streets Policy 4
 - How to use the Complete Streets Plan 7
 - Relationship to Other Plans and Policies 8
 - State and National Guidelines 9
 - Terminology and Acronyms 12

- 2: Street Classification 14
 - Place Types 15
 - Transportation Function 21
 - Street Types 22
 - Intersections and Street Types 33

- 3: Design Criteria Parameters & Guidelines 34
 - Roadway Design Criteria 35
 - Supporting Transit in Complete Streets 42
 - Pedestrian Zone Criteria 44
 - Street Element Priorities 48

- 4: Implementation 49
 - Roles and Responsibilities 50
 - Project Development Process 52
 - Project Evaluation 59
 - Complete Streets Program Performance Measures 62

- Appendices
 - A: Plans & Policies 63
 - B: Transportation Profile 70
 - C: Analysis Methodologies 84



Complete Streets Ames

Disclaimer: Information contained in this document is for planning purposes and should not be used for final design of any project. All results, recommendations, concept drawings, and commentary contained herein are based on limited data and information, and on existing conditions that are subject to change. Further analysis and engineering design are necessary prior to implementing the recommendations contained herein.

Chapter 1: Overview & Policy

Ames has a well-established transportation system, made up of interconnected networks of streets, shared use paths, freeways, and railroads. This system accommodates—to varying degrees—people walking, biking, driving, and using transit for a variety of reasons. Whether commuting to work, running errands, or meeting friends at a sidewalk cafe, the transportation system is critical to most functions of life in Ames. In short, the transportation system moves people and fosters commerce while also enabling civic engagement and enhancing quality of life.

Over time, a complex system of travel patterns has emerged to connect people to destinations and to each other using these networks. These patterns continually evolve based on changes in seasons, whether school is in session, shifts in technology and preferences, changes in the economy, the opening of new businesses and employers, and development of new neighborhoods.



Until recently, the approach to addressing these complex and evolving travel patterns in Ames and most cities across the country has been to plan and design the transportation system first and foremost for motor vehicle travel. However, many cities (including Ames) have recently seen the strong need and public desire to balance transportation priorities so that convenience, safety, and access are improved for people walking, biking, and using transit. These needs are based on growing awareness of the role transportation plays in public health, quality of life, environmental, fiscal, and equity considerations.

Paradigm Shift in Planning and Design

The conventional approach to street design is based primarily on a roadway's functional classification (arterial, collector, local, etc.), which is a surrogate for motor vehicle traffic volume and speed. Higher classifications (e.g., arterial streets) tend to carry higher volumes of traffic at higher speeds, whereas lower classifications (e.g., local streets) tend to carry lower volumes of traffic at lower speeds. There are several limitations to this approach:

- **The conventional approach is not context sensitive** – The conventional approach lacks a consistent method for adjusting street designs to the surrounding context. South Duff Avenue and Lincoln Way at Campustown are both classified as arterial streets but exist in vastly different contexts and should thus be designed differently. Under the current approach, it can be challenging to design major streets that support walkable, vibrant places.
- **The conventional approach couples traffic volume with design speed** – The conventional approach assumes a constant relationship between the amount of car traffic and the function of the street. However, two streets can carry the same amount of traffic but serve different functions. An arterial street through downtown might emphasize access and lower speeds, while a suburban arterial might emphasize throughput (the quick and efficient movement of people) at somewhat higher speeds.
- **The conventional approach is not compatible with Ames' future** – As Ames continues to grow, it is important that streets are designed to be compatible with new development types, such as walkable mixed use, that are promoted by the Comprehensive Plan and other plans for corridors and districts across the city. The current street design approach is less conducive to designing streets that respond to and support such development patterns.

The New Complete Streets Approach

Moving forward, the City of Ames has adopted a context-sensitive Complete Streets approach to planning and designing the street network to be safer, more comfortable, and more useful for all modes. In the past, the City of Ames has informally incorporated aspects of the Complete Streets approach into transportation planning and design. This has included consistently providing sidewalks along streets and, more recently, including bike lanes when resurfacing or restriping streets.

This Complete Streets Plan and Policy formalizes the City’s approach to Complete Streets; shifts priorities so that biking, walking, and transit use are safer and more attractive choices; guides street design decisions; and increases consistency in transportation design.

What are Complete Streets?

First and foremost, Complete Streets is a **process** that entails planning and designing streets that support the surrounding context—e.g., the destinations and character of development along the corridor—and adequately serve all anticipated users and uses. Complete Streets is not a prescribed one-size-fits-all solution. In fact, a variety of designs and treatments can and should be employed to serve all users and uses in a variety of land use and traffic contexts.



Complete streets typically have space for people driving, bicycling, and walking. Complete Streets in urban settings (left) look different than Complete Streets in suburban and rural settings (right).

There is no specific type of infrastructure—e.g., bike lanes, transit shelters, or street furnishings—that is prerequisite for Complete Streets. For example, many streets without bike lanes can be considered Complete Streets if they have low motor vehicle speeds and low traffic volumes. Similarly, neither streetscape nor aesthetic enhancements are required for Complete Streets, although they may add greatly to the character and experience of a street. On the other hand, the presence of neither bike lanes nor streetscaping automatically qualify a street as a Complete Street.

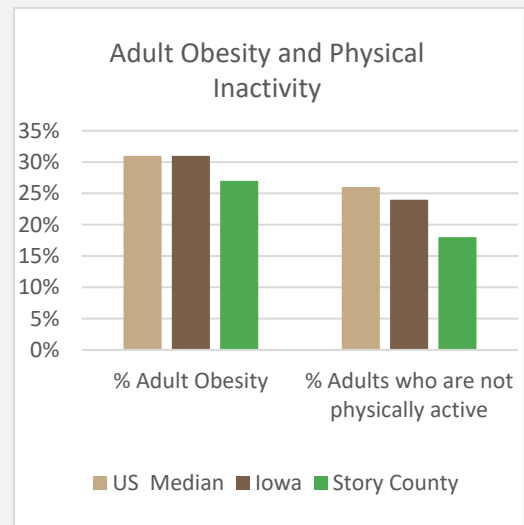


Context is important in Complete Streets design. Although an attempt at improving conditions for walking and biking have been made in example streets on the left (from another city), it is probable the street cannot be considered complete. Traffic volumes and speeds are too high for the unprotected bike lane to serve most people bicycling.

Transportation and Public Health

Public health is significantly affected by the transportation system and peoples' travel choices. Complete Streets can provide many public health benefits including:

- **Encouraging active lifestyles** – Complete Streets create opportunities for people to exercise for recreation, and to build physical activity into their daily routine. By providing and improving bicycle and pedestrian facilities on streets, more people might bike or walk to work, shops, and services. About 18% of adults in Story County report that they are physically inactive. Sedentary lifestyles contribute to obesity and other chronic diseases.¹
- **Reducing crashes and crash severity** – Motor vehicle collisions are one of the leading causes of unintentional death in the United States (and Iowa and Story County)². Transportation agencies can use Complete Streets policies to reduce injuries and deaths by designing safer streets that protect all users of the transportation system, particularly vulnerable users such as people walking and biking.
- **Providing cleaner air** – Motor vehicles are a leading source of air pollutants that affect human health. Diesel particulate matter (for which freight vehicles are a major source) is of particular concern. Scientific studies have shown a relationship between asthma, bronchitis, and heart attacks and traffic-related air pollution around major streets.³ Complete Streets can help mitigate air pollution around streets by encouraging cleaner travel options like bicycling and walking.
- **Access to food, healthcare, jobs, and education** – Access to destinations is one of the key factors to improving health.^{4,5} People need to access grocery stores for healthy food, health clinics for regular check-ups, and jobs or education that contribute to psychological and economic well-being. Complete Street design, the presence and quality of bicycle and pedestrian infrastructure, and the connectedness of the street grid influence how easy it is for people to access those destinations.⁶
- **Increased equity** – The most vulnerable members of the community often experience the most negative health effects related to the transportation system. Low income households typically have fewer vehicles, longer commutes, and higher transportation costs.⁷ Many of the Complete Streets policies that improve safety, air quality, and connectivity can also improve equity if they are targeted in low-income and minority communities.



¹ CDC Diabetes Interactive Atlas. Retrieved November 27, 2017, from <https://www.cdc.gov/diabetes/atlas/countydata/atlas.html>

² Webb, C. Motor vehicle traffic crashes as a leading cause of death in the United States, 2012–2014. Traffic Safety Facts Crash•Stats. Report No. DOT HS 812 297. Washington, DC: National Highway Traffic Safety Administration. 2016

³ HEI Panel on the Health Effects of Traffic-Related Air Pollution. 2010. Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects. HEI Special Report 17. Health Effects Institute, Boston, MA.

⁴ Hoehner C, Barlow C, Allen P, Schooman M. Commuting distance, cardiorespiratory fitness, and metabolic risk. American Journal of Preventive Medicine 2012;42(6):571-578.

⁵ Inagami S, Cohen DA, Finch BK, Asch SM. You are where you shop: grocery store locations, weight, and neighborhoods. American Journal of Preventive Medicine 2006;31(1):10-17.

⁶ <https://www.ncbi.nlm.nih.gov/pubmed/16777537>

⁷ Equity: Relationship to public health. Retrieved November 27, 2017, from <https://www.transportation.gov/mission/health/equity>

Complete Streets Policy

The Complete Streets Policy provides guiding principles, defines authority and applicability, identifies areas of flexibility, and commits the City of Ames to designing streets that serve all anticipated users and uses of a street.

Purpose & Vision

The City of Ames will design, build, maintain, reconstruct, and resurface public streets in order to provide for the safety and comfort of all users of a corridor. This includes pedestrians, bicyclists, users of mass transit, people with disabilities, motorists, freight providers, emergency responders, and adjacent land users; regardless of age, ability, income, or ethnicity.

The values promoted by the City of Ames Complete Streets Policy include safety, connectivity, access, fiscal responsibility, and quality of life. Complete Streets enhance the environment, economy, sense of place, preservation of historic resources, and aesthetics of the community, making Ames a healthier, more sustainable, and equitable place to live.

Complete Streets are not one-size-fits-all. They are designed through a flexible process that considers the surrounding character of the built environment, the street's role within the transportation network, and input from people that use the transportation system. The Complete Streets approach demands careful evaluation of the needs of all users for all transportation corridors and integration with actions and strategies for achieving the planned land use density, character, and development pattern for the city.

Complete Streets Principles

Complete Streets are based on four principles, which guide the City of Ames' planning, design, and budgeting for transportation projects.

- Complete Streets **serve all users and modes**, including pedestrians, bicyclists, users of mass transit, people with disabilities, motorists, freight providers, emergency responders, and adjacent land users; regardless of age, ability, income, or ethnicity.
- Complete Streets **emphasize safety for all users**, and do not trade the safety of one mode for the convenience of another.
- Complete Streets form **connected multimodal networks** that provide safe, convenient access to neighborhoods and destinations for all modes. This policy recognizes that all modes do not receive the same type of accommodation or amount of space on every street, but that the street network should allow everyone to safely and conveniently travel across the community.
- Complete Streets are **context-sensitive**, and are designed to support the current and future local land use and development context while considering impacts to surrounding streets and neighborhoods. Similarly, land use and development plans should support Complete Streets and interconnected multimodal networks.

Jurisdiction

The Complete Streets Policy applies to all transportation infrastructure projects carried out within the City of Ames, whether by the City of Ames, Story County, Boone County, CyRide, or Iowa DOT. Iowa State University is also encouraged to follow this policy, although the City of Ames does not have jurisdiction over Iowa State University Institutional Roads. This policy is meant to guide the decisions of the City of Ames and its partners.

Applicability

The Complete Streets Policy applies to:

- All streets, existing and future; and
- All transportation infrastructure projects, regardless of funding source, including these five phases of a project:
 - Project identification;
 - Scoping procedures and design approvals, including design manuals and performance measures;
 - Construction/reconstruction;
 - Repaving and rehabilitation; and
 - Operations and maintenance, including restriping and signal design.

The Complete Streets Policy does not apply to:

- Iowa State University Institutional Roads;
- Streets ultimately to be privately owned and maintained;
- Streets where specified users are prohibited by law;
- Emergency street reconstruction; or
- Maintenance activities such as mowing, cleaning, sweeping, crack sealing, and spot repair.

Exceptions to the application of this Complete Streets Policy include instances where the City identifies issues of safety that cannot be mitigated or absence of need. The Public Works Director shall document and explicitly explain why a transportation project is exempt from this policy.

Flexibility

This Complete Streets Policy allows flexibility to accommodate different types of streets and users, and to promote Complete Streets design solutions that fit within the context(s) of the community.

In some cases, the most appropriate design solutions may not be feasible due to right-of-way or budgetary constraints. In such cases, alternative design solutions will be considered. The Public Works Director shall document and explicitly explain how the alternative solutions adequately accommodate all anticipated users of the street.

Cost

Complete Streets are not necessarily more expensive—they often cost the same as or marginally more than a conventional street. However, there are occasionally projects in which the additional cost for adding bicycle, pedestrian, or transit accommodations is significant.

In order to minimize impacts on the City's budget, the Complete Streets Policy establishes the following annual program-level cost threshold for Complete Streets projects: the cumulative cost increase of incorporating bicycle, pedestrian, and transit accommodations as part of Complete Streets projects may not exceed 22 percent of the City of Ames' annual transportation capital improvement budget.

Existing Policies and Regulations

City staff will review existing policies, plans, and regulations when planning and designing streets, including:

- Land Use Policy Plan
- Ames Mobility 2040 Long Range Transportation Plan
- Small area and neighborhood plans
- Corridor plans
- Development/redevelopment plans
- Traffic studies

- Iowa State University master plans
- CyRide transit plans and studies
- Subdivision code
- Manuals of practice
- Impact assessments
- Departmental policies and procedures
- Any other applicable transportation, land use, or development plans
- Any other applicable procedures and standards

Latest Standards

In furthering Complete Streets principles, City staff will make use of the latest and best design standards, policies, and guidelines, including the latest edition of the Complete Streets Plan and the following:

- General Street Design
 - Designing Walkable Urban Thoroughfares: A Context Sensitive Approach: An ITE Recommended Practice (Institute of Transportation Engineers)
 - Urban Street Design Guide (National Association of City Transportation Officials; NACTO)
 - SUDAS Design Manual (Iowa Statewide Urban Design and Specifications)
 - A Policy on Geometric Design of Highways and Streets (American Association of State Highway and Transportation Officials; AASHTO)
 - Manual on Uniform Traffic Control Devices (Federal Highway Administration)
- Bicycle and Pedestrian Design
 - Guide for the Development of Bicycle Facilities (AASHTO)
 - Urban Bikeway Design Guide (NACTO)
 - Guide for the Planning, Design, and Operation of Pedestrian Facilities (AASHTO)
 - Public Rights-of-Way Accessibility Guidelines (United States Access Board)
 - SUDAS Design Manual

Performance Measures

The City of Ames will measure the effectiveness of the Complete Streets Policy and associated implementation steps using various performance measures that align with related transportation planning efforts, particularly the Ames Area MPO Long Range Transportation Plan. Performance measures should relate to the transportation objectives of connectivity, safety, access, efficiency, reliability, facilitation of economic exchange, and asset management.

Recommended performance measures can be found in Chapter 4.

Implementation

Implementation of this policy will be carried out cooperatively among all departments in the City of Ames with multi-jurisdictional cooperation, and to the greatest extent possible, among private developers and state, regional, and federal agencies.

The City will take specific steps to implement this policy, including:

1. Implement the Complete Streets Plan, which includes a process, procedures, classifications, and design guidance for Complete Streets.
2. Establish or designate a Complete Streets Advisory Committee or Subcommittee. City staff will be assigned to the committee and will report the committee's input to Council regularly. The Complete Streets Advisory Committee will:
 - a. Meet at least annually and up to quarterly;

- b. Review individual street projects pre- and post-construction (including projects excepted from this policy along with justifying documentation) for conformance with the Complete Streets Plan and other City plans and objectives;
 - c. Assist in completing the annual Complete Streets Program Review, including setting program performance goals;
 - d. Suggest program/policy revisions; and
 - e. Recommend projects for the next funding cycle.
3. Prepare an Annual Complete Streets Program Review to document compliance with the policy. The review will compile evaluation metrics for individual transportation projects as well as overall program assessment.
4. Update the Supplemental Specifications to the Iowa Statewide Urban Design and Specifications to reflect the current state of best practices in bicycle and pedestrian design.
5. Restructure or revise related procedures, plans, regulations, and other processes to conform to and support the Complete Streets Policy and guidance contained within the Complete Streets Plan.
6. Offer opportunities for City staff, community leaders, and the general public to participate in workshops and other training opportunities to increase understanding of the Complete Streets vision, process, and design approach.

How to Use the Complete Streets Plan

The Complete Streets Policy contained earlier in this chapter serves as the mandate for a new approach to street design and provides a framework by which to evaluate the success of implementation by the City of Ames. Also included in this chapter are discussions regarding the relationship between this Plan, previous City plans, and state and national standards and design guides. The remainder of this Plan includes tools designed to facilitate the implementation of Complete Streets in order to meet the policy's goals and objectives. The Plan is structured around the major steps in the Complete Streets design process:

Select a street type – Chapter 2 outlines the approach for selecting a street type based on context and transportation function. It also describes each street type in terms of character and typical configuration.

Determine design criteria – Chapter 3 includes parameters for various roadway and right-of-way design criteria (e.g., maximum lane width and minimum sidewalk width) as well as guidance on selecting criteria and prioritizing elements when tradeoffs must be made.

Incorporate these steps into the project development process – Chapter 4 provides an overview of the City of Ames' project development process and guidance on how to implement the Complete Streets Plan in individual projects.

Relationship to Other Plans and Policies

The Complete Streets Plan builds upon years of prior studies and policies that have shaped and will continue to guide decision-making, priorities, land use patterns, and transportation investments in Ames. Multiple plans, studies, and policies shaped the development of the Complete Streets Plan and will continue to be consulted as the Plan is implemented. They include:

Land Use and Development Plans

- **Land Use Policy Plan** (1997, revised 2011) – Ames’ Comprehensive Plan, which guides land use decision-making and heavily shapes the City’s zoning ordinance.
- **Lincoln Corridor Plan** (2017) – A plan for land use and redevelopment along Lincoln Way.
- **South Lincoln Way Mixed Use Plan** – A plan to guide future redevelopment in the area south of Lincoln Way, between South Grand Avenue and South Duff Avenue (also known as the South Lincoln Way Sub-Area Plan)

Transportation Plans

- **Ames Mobility 2040** (2015) – The long-range, multi-modal transportation plan for the Ames Area Metropolitan Planning Organization (AAMPO), which establishes a vision and goals for multimodal roadways that serve people walking, biking, driving, and using transit and prioritizes projects for receiving federal transportation funding.
- **Capital Improvements Plan** (CIP; updated annually) – The CIP is a five-year plan that identifies funding sources and amounts to be spent on infrastructure, facilities, and equipment throughout the city.
- **CyRide System Redesign** (2017) – A study that includes recommended modifications to selected bus routes in order to increase the efficiency and capacity of the transit system.

Engaging Ames in Complete Streets (2016)

The Iowa State University Community Design Lab, in conjunction with Healthiest Ames, undertook an initiative to develop a proposed Complete Streets policy and recommendations for implementing Complete Streets in Ames. This effort involved members of Healthiest Ames, the City of Ames, Ames Bicycle Coalition, and the Iowa State University Community Design Lab. The project team engaged with the broader community through four Open Streets events.

The report includes an analysis of existing conditions, including identification of which modes are served by which streets. A significant portion of the report is dedicated to analyzing connections and the quality of Ames’ trail and sidepath network. One of the more valuable maps in the report identifies trails and routes that are most heavily utilized by people biking and identifies which routes are leisure-oriented and which are commuting-oriented. This map was considered with determining priorities for the new street types developed for the Complete Streets Plan.

Engaging Ames in Complete Streets presents a variety of best practices and a vision of how Complete Streets could be realized in Ames. However, for several reasons the City of Ames embarked on creating its own Complete Streets Plan to build upon the momentum created by the Engaging Ames in Complete Streets project:

- To develop a Complete Streets Policy that meets the needs of the City of Ames.
- To create street types that better account for the variation of constraints and contexts across the community.
- To develop a process for making design decisions, accepting public input on individual street projects, and provide for more flexibility.
- To provide a process for judging tradeoffs when constraints preclude the ability to incorporate all desired street elements.
- To create design guidelines that tie together and define the compatibility and appropriate use of various street design elements.

State and National Standards and Guidelines

Street design is influenced by multiple standards and guidelines at the state and national levels. Some of these documents have a higher level of authority than others. SUDAS, the MUTCD, and the AASHTO Green Book include standards that engineers are required to follow (or otherwise document variations from the standard). On the other hand, numerous guidelines—such as the NACTO suite of design guides—are intended to help designers make decisions and implement innovative designs.

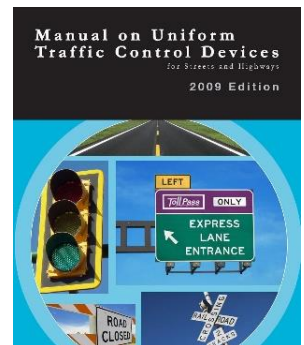
The most relevant standards and guidelines, from a Complete Streets perspective, are described below.

Statewide Urban Design and Specifications (SUDAS)

Unlike most other states, Iowa has an established statewide road design manual that was developed specifically for use by local jurisdictions. In many ways, SUDAS mirrors the Iowa DOT Office of Road Design’s Design Manual—in fact, the sections relating to ADA compliance and shared-use path design are identical between the two manuals. This provides a major benefit to users and designers alike as it ensures consistency across the state and between jurisdictions. SUDAS also includes a section for the design of on-street bicycle facilities (Section 12B-3). This section is based on the 2012 edition of AASHTO’s *Guide for the Development of Bicycle Facilities*.

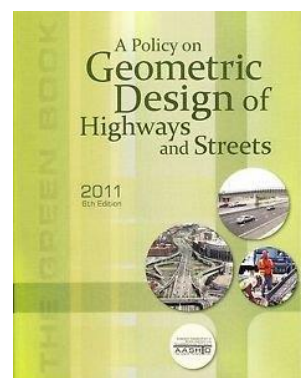
Manual on Uniform Traffic Control Devices (MUTCD)

The MUTCD is issued by the Federal Highway Administration of the U.S. Department of Transportation to specify the standards by which traffic signs, road surface markings, and signals are designed, installed, and used. These specifications include the shapes, colors, fonts, sizes, etc., used in road markings and signs. In the United States, all traffic control devices must generally conform to these standards. The manual is used by state and local agencies and private design and construction firms to ensure that the traffic control devices they use conform to the national standard.



AASHTO Green Book

The American Association of State Highway and Transportation Officials’ (AASHTO) Policy on Geometric Design of Highways and Streets, 6th Edition, 2011, commonly referred to as the “Green Book,” contains the current design research and best practices for highway and street geometric design. The document provides guidance to engineers and designers who strive to make unique design solutions that meet the needs of roadway users while maintaining the integrity of the environment. Design guidelines are included for freeways, arterials, collectors, and local roads, in both urban and rural locations, paralleling the functional classification used in highway planning.

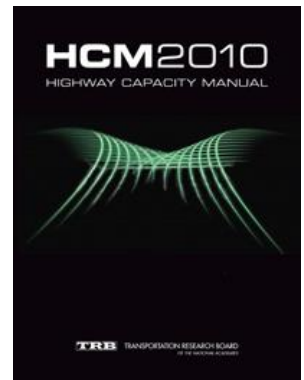


Highway Capacity Manual

The Highway Capacity Manual contains concepts, guidelines, and computational procedures for computing the capacity and quality of service of various roadway facilities, including freeways, highways, arterial roads, roundabouts, signalized and unsignalized intersections, rural highways, and the effects of mass transit, pedestrians, and bicycles on the performance of these systems.

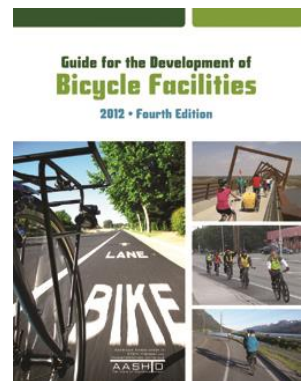
The latest edition of the Highway Capacity Manual (2010) significantly updates the methodologies that engineers and planners use to assess the traffic and environmental effects of highway projects. Most notably, the manual includes an integrated multi-modal approach to the analysis and evaluation of urban streets from the points of view of automobile drivers, transit passengers, bicyclists, and pedestrians. This multi-modal approach is known as Multi-modal Level of Service or Quality of Service.

Building on previous research (NCHRP Report 616, NCHRP 3-70) the 2010 Highway Capacity Manual enables agencies to balance the level of service needs of auto drivers, transit riders, bicycle riders, and pedestrians in their street designs by providing agencies with a tool for testing different allocations of scarce street right-of-way to the different modes using the street. It is anticipated that quality of service analysis will continue to improve as the understanding of various roadway user characteristics and perceptions improves and microsimulation analyses are calibrated accordingly.



AASHTO Guide for the Development of Bicycle Facilities

The AASHTO Guide for the Development of Bicycle Facilities is a resource for the design, development, and maintenance of safe on- and off-street bicycle facilities. The Guide presents a set of best practices for designing roadways that comfortably accommodate a variety of user types. The information in the Guide is not intended serve as design standards, nor is it all encompassing. Rather, it aims at providing guidance that should be used in conjunction with other regulations such as the Manual on Uniform Traffic Control Devices (MUTCD). The guide is undergoing a substantial revision and expansion, expected to be completed in 2018.



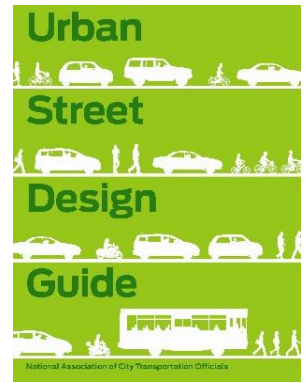
FHWA Separated Bike Lane Planning and Design Guide

The Separated Bike Lane Planning and Design Guide is issued by the Federal Highway Administration (FHWA) and provides guidelines for one- and two-way separated bike lanes, including options for intersections, driveways, transit stops, accessible parking and loading zones. Recognizing this is a developing facility type, the guide provides case studies to aid in implementation. The guide also identifies data to collect before and after separated bike lane projects and potential future research to refine and improve the practice.



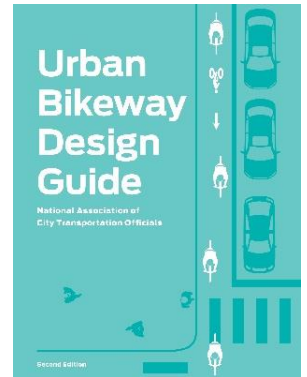
NACTO Urban Street Design Guide

The purpose of the NACTO Urban Street Design Guide is to provide cities with state-of-the-practice solutions that can help to design complete streets in urban settings. The NACTO Urban Street Design Guide recognizes the direct relationship between street design and economic development and emphasizes safety for all traffic modes. The NACTO Urban Street Design Guide is not intended to be a comprehensive guide for the geometric design of the street, rather it covers design principles to meet the complex needs of cities. It builds off the street design manuals adopted by several cities since 2009. The NACTO Urban Street Design Guide references the MUTCD.



NACTO Urban Bikeway Design Guide

The purpose of the NACTO Urban Bikeway Design Guide is to provide cities with state-of-the-practice solutions that can help create complete streets that are safe and enjoyable for bicyclists. Most treatments included in the NACTO Urban Bikeway Design Guide are not directly referenced in the current (2012) version of the AASHTO Guide for the Development of Bicycle Facilities, although they are virtually all (with two exceptions) permitted under the MUTCD. The NACTO Urban Bikeway Design Guide is not intended to be a comprehensive guide for the geometric design of bikeways, rather it covers certain types of on-road bikeway designs, specifically bike lanes and several new and innovative types of on-street bikeway design treatments, but does not cover shared use paths, signal design, and many other relevant topics. In most cases, the NACTO Urban Bikeway Design Guide should be used in tandem with the AASHTO Bike Guide.



NACTO Transit Street Design Guide

The purpose of the National Association of City Transportation Officials (NACTO) Transit Street Design Guide is to provide design guidance for the development of transit facilities, and for the design and engineering of city streets to prioritize transit, improve transit service quality, and support other goals related to transit. Included is guidance on integrating transit with other modes (most notably the integration of transit stops and bike lanes) and the design of specialized transit street elements.



Terminology and Acronyms

The following is a list of phrases and acronyms used throughout this document and commonly used by City of Ames planners, designers, and officials.

Terms

85th percentile speed – the speed at which 85 percent of motor vehicle traffic travels at or below. This is a common measurement used to determine whether people are driving at or near the intended speed of a street and to the set speed limit; see *target speed*

city (uncapitalized) – the geographic area known as Ames; this term is used when referring to Ames as a place

City (capitalized) – short for City of Ames; this term is used when referring to the City government, which is responsible for planning, designing, constructing, and maintaining Ames' transportation system

Guide – a non-binding document that provides best practices (or a summary of standards) for planning and design; see *standard*

Mode shift – a shifting of trips from one mode to another, typically from motor vehicle to transit, walking, or biking

Person miles traveled (PMT) – a measurement of how many cumulative miles individuals travel in a given period of time; one person driving one mile equates to one person mile traveled, while 25 people riding a bus one mile equates to 25 person miles traveled; see *vehicle miles traveled*

Right-of-way (ROW) – land owned or granted by easement to the City for transportation purposes; this term is often used to refer to the public land outside of the roadway in which sidewalks, landscaping, and set-backs are present

Roadway – the paved or unpaved area meant for conveying motor vehicles and bicycles, including all through lanes, turn lanes, bike lanes, paved shoulders, medians, curbs, and gutters

Standard – usually a non-binding parameter (or set of parameters) that specifies the typical treatment for a design feature (such as bike lane width); non-binding standards can be deviated from so long as adequate documentation and justification is provided

Street – the entirety of a transportation corridor, including the roadway, pedestrian spaces, landscaped areas, and even building facades; a holistic concept in which transportation, land use, character, economics, and quality of life should be considered equally

Street Type – a defined street type (whether existing or potential) in Ames used to describe the general design, function, and character of a street design; the Plan includes eight street types

Target Speed - the speed at which people are expected to drive; the target speed is intended to become the posted speed limit; see Chapter 3

Vehicle miles traveled (VMT) – a measurement of how many cumulative miles are traveled by motor vehicles; one person driving one mile and 25 people riding a bus one mile each equates to one vehicle mile traveled; see *person miles traveled*

Acronyms

AAMPO – Ames Area Metropolitan Planning Organization; the regional transportation planning body

AASHTO – American Association of State Highway and Transportation Officials; AASHTO has produced numerous design guides and standards

CSP – Complete Streets Policy

FHWA – Federal Highway Administration; a division of the US Department of Transportation

Iowa DOT – the Iowa Department of Transportation

ISU – Iowa State University

NACTO – National Association of City Transportation Officials; NACTO has produced multiple design guides that incorporate innovative and sometimes experimental approaches to street design

Chapter 2: Street Classification



During the transportation planning process and prior to the design of an individual project, streets are classified based on function and context. The classification of a street guides its design and which elements—and therefore uses and users—are prioritized when tradeoffs must be made. The City’s Complete Streets approach requires the context of the surrounding area and the intended function of the street to be taken into account, resulting in streets designed to serve all anticipated users. Street classification follows a three-step approach:

1. **Identify place type** – Place types represent the context of the surrounding area and are simplified categories that combine land use, development patterns, and density. Although not tied to zoning, each place type encompasses several zoning and future land use categories. Place types influence transportation function. For example, in dense mixed-use areas, transportation function emphasizes access and circulation over throughput.
2. **Determine transportation function** – Transportation function exists on a spectrum with one end emphasizing throughput and the other end emphasizing local access and small-scale, localized circulation. Transportation function is determined first and foremost by place type and secondarily by conventional factors (e.g., traffic demand). Transportation function is a continuum but is divided into three categories for simplicity.
3. **Select street type** – Street types represent common combinations of place types and transportation functions in Ames. Street types serve as starting points for street design and include a range of design parameters and set of priorities for the inclusion of various street elements (e.g., bike lanes versus on-street parking).

Figure 1: Street Type Selection Matrix

		Transportation Function			Types
		Emphasizes Access	Balances Access and Throughput	Emphasizes Throughput	
Place Type	Activity Center	Shared Street, Mixed Use Street	Mixed Use Avenue	n/a*	Street
	Urban Mix	Shared Street, Mixed Use Street, Neighborhood Street	Mixed Use Avenue	n/a*	
	Residential	Shared Street, Neighborhood Street	Avenue	Thoroughfare, Boulevard	
	Large-Scale Commercial	Industrial Street	Avenue	Thoroughfare, Boulevard	
	Industrial	Industrial Street	Avenue	Boulevard	

The classification approach is shown in **Error! Reference source not found..** Street types are selected by first identifying the relevant place type for the context, choosing the appropriate transportation function, and then selecting the resulting street type produced by the matrix. In some situations, multiple street type options are appropriate. Selecting between the multiple options requires considering the fine-grained context and constraints within the corridor.

Place types, transportation function categories, and street types are discussed in detail in this chapter.






*Throughput-oriented streets are incompatible with the Activity Center and Urban Mix place types.

Place Types

Place types represent the context of the surrounding area and are simplified categories that combine land use, development patterns, and density. Identifying the most appropriate place type—considering the existing and future context of an area—is the first step in selecting an appropriate street type. Individual projects may pass through multiple place types, which may require transitioning between multiple street types along the corridor.

Common development patterns, land uses, and character of the five place types in Ames are illustrated in the table below. These place types relate to, but do not replace, the City’s zoning classification system.

Table 1: Place Type Overview

Place Type	Description	Development Density	Typical Land Uses	Building Distance from Street	Walking, Bicycling, and Transit Trip Generation	Examples
 Activity Center	Areas with high amounts of circulation across and along streets, with a high proportion of people accessing buildings by walking or on bike	Moderate to High	Housing Retail Education Office Parking	Close Buildings attached or detached and 1-10 stories	High	Downtown, Campustown, Somerset Village
 Urban Mix	Areas or corridors with a mix of uses, with people accessing buildings using multiple modes of transportation	Moderate	Housing Retail Education Office Parking	Close to Moderate Buildings attached or detached and 1-3 stories	Moderate to High	Lincoln Way Corridor, Hospital/Medical District, ISU Research Park
 Residential	Areas with single and multi-family homes, oftentimes with adjacent schools and parks	Low to Moderate	Housing Education Parks	Close to Moderate Setbacks between buildings	Moderate	Numerous neighborhoods throughout Ames
 Large Scale Commercial	Areas oriented toward automobile traffic, with parking lots placed between streets and buildings	Low to Moderate	Retail Office Parking	Moderate to Far Setbacks between buildings	Low to Moderate	North Grand Mall, South Duff Corridor
 Industrial	Areas with small to large, often sprawling buildings used for manufacturing and employment	Low	Industrial Retail Office Parking	Far Large setbacks between buildings	Low	East Side Employment District / Dayton Avenue Corridor

A Activity Center

Activity centers are characterized by dense building placement, high amounts of circulation across and along streets, and a high proportion of people accessing buildings by walking or on bike.

Example Places

Downtown, Campustown, Somerset Village

Development Density

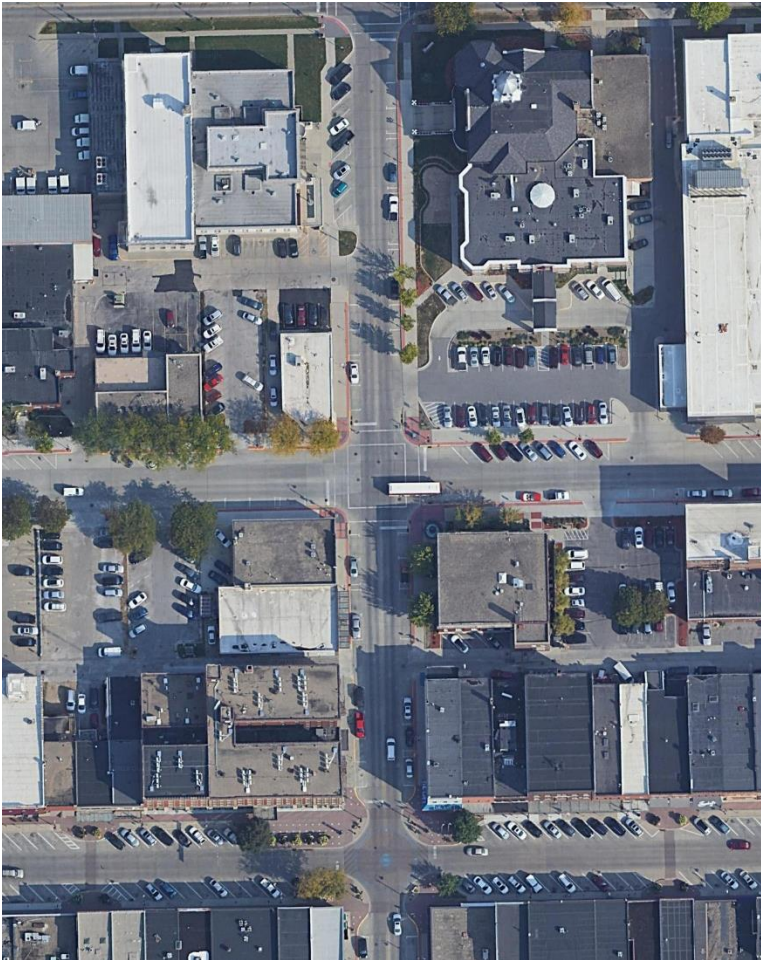
Moderate to high

Typical Land Uses

Housing, retail, education, office, parking

Building Distance from Street

Close; buildings attached or detached and 1-10 stories



Compatible Street Types



*Shared Street
(access-oriented)*



*Mixed Use Avenue
(balances access and throughput)*



*Mixed Use Street
(access-oriented)*

U Urban Mix

Urban mix places are areas or corridors with a mix of uses, with people accessing buildings using multiple modes of transportation.

Example Places

Lincoln Way Corridor, Hospital/Medical District, ISU Research Park

Development Density

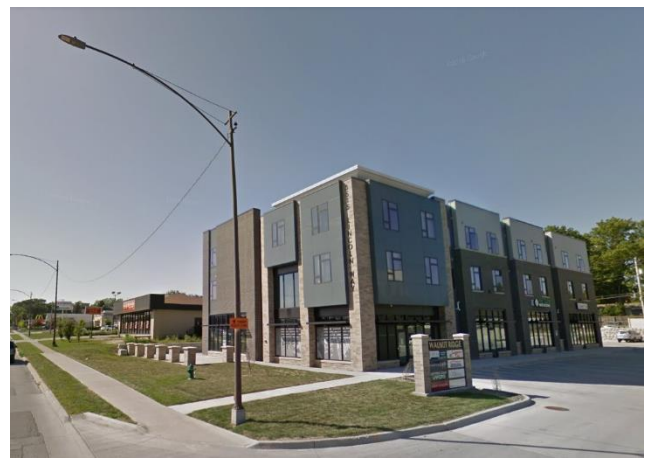
Moderate

Typical Land Uses

Housing, retail, education, office, parking

Building Distance from Street

Close to moderate; buildings attached or detached and 1-3 stories



Compatible Street Types



*Shared Street
(access-oriented)*



*Neighborhood Street
(access-oriented)*



*Mixed Use Street
(access-oriented)*



*Mixed Use Avenue
(balances access and throughput)*

R Residential

Residential places are areas with single and multi-family homes, often with adjacent schools and parks.

Example Places

Numerous neighborhoods throughout Ames

Development Density

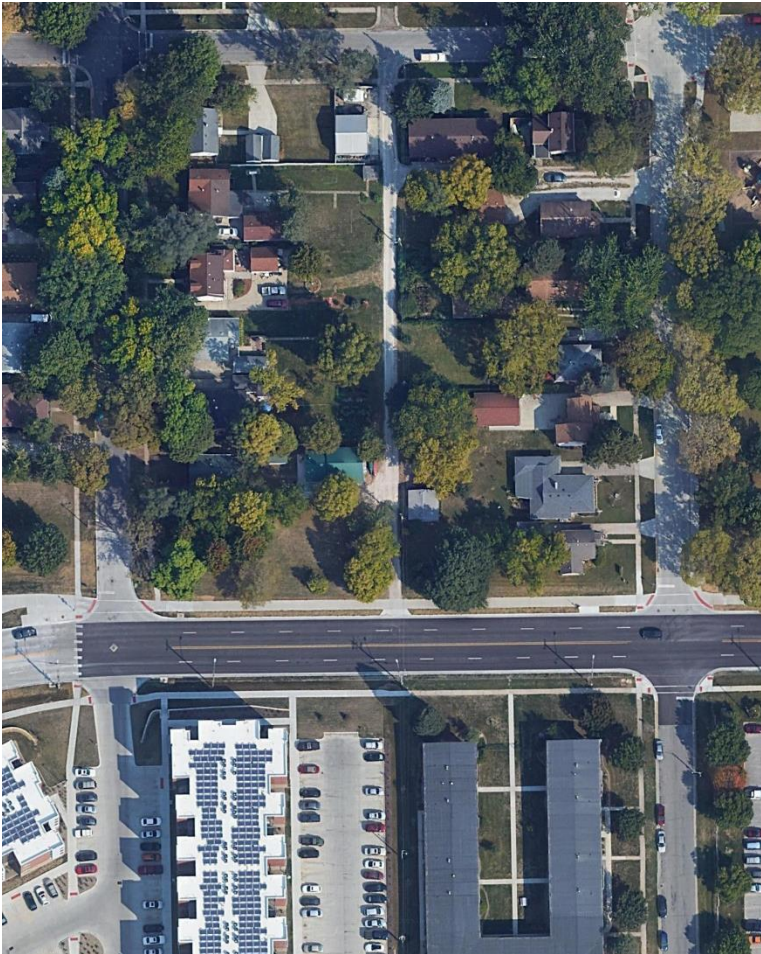
Low to moderate

Typical Land Uses

Housing, education, parks

Building Distance from Street

Close to moderate; setbacks between buildings



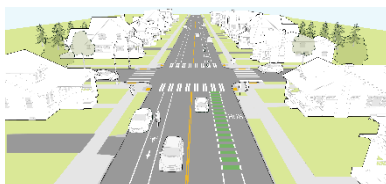
Compatible Street Types



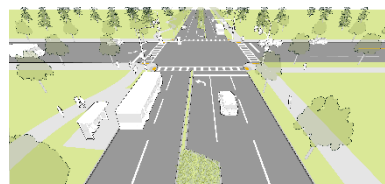
*Neighborhood Street
(access-oriented)*



*Thoroughfare
(throughput-oriented)*



*Avenue
(balances access and
throughput)*



*Boulevard
(throughput-oriented)*

C Large Scale Commercial

Large scale commercial areas are oriented toward automobile traffic, with parking lots placed between streets and buildings.

Example Places

North Grand Mall, South Duff Corridor

Development Density

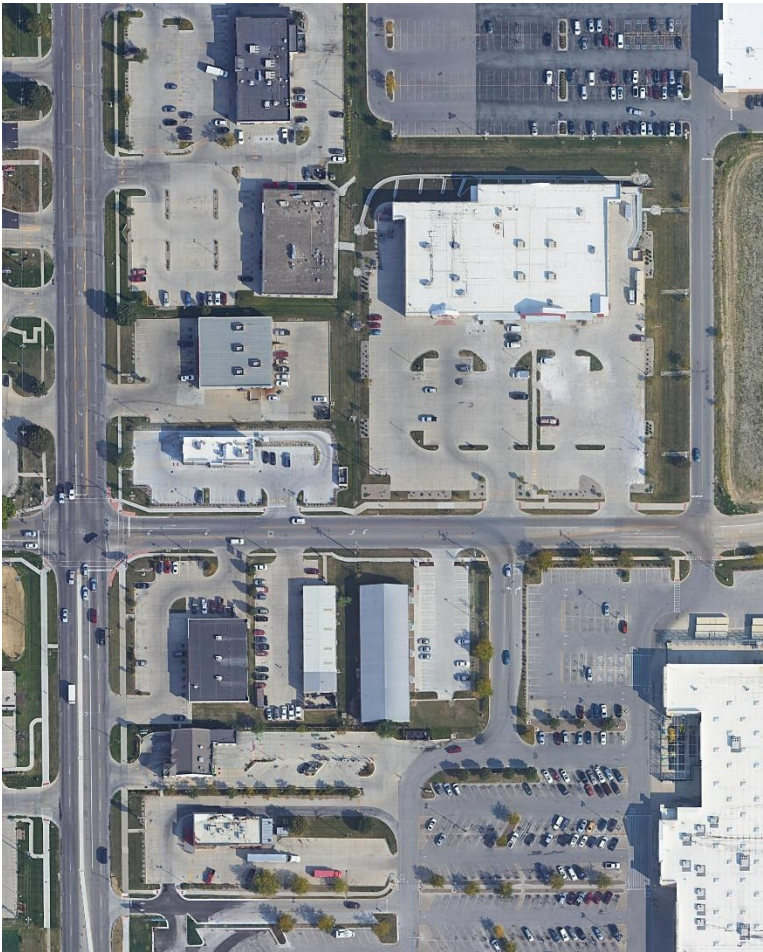
Low to moderate

Typical Land Uses

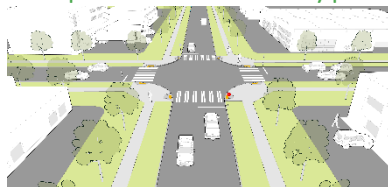
Retail, office, parking

Building Distance from Street

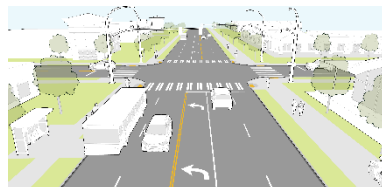
Moderate to far; large setbacks between buildings



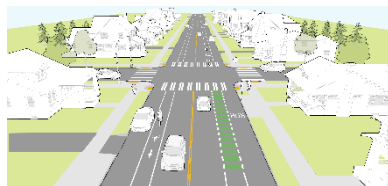
Compatible Street Types



*Industrial Street
(access-oriented)*



*Thoroughfare
(throughput-oriented)*



*Avenue
(balances access and
throughput)*



*Boulevard
(throughput-oriented)*

I Industrial

Industrial areas have small to large buildings used for manufacturing and employment.

Example Places

East Side Employment District, East Lincoln Way

Development Density

Low

Typical Land Uses

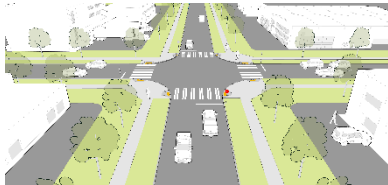
Industrial, retail, office, parking

Building Distance from Street

Far; large setbacks between buildings



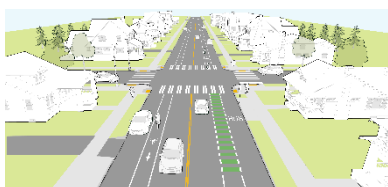
Compatible Street Types



*Industrial Street
(access-oriented)*



*Boulevard
(throughput-oriented)*



*Avenue
(balances access and
throughput)*

Transportation Function

All streets facilitate the movement of people, but different streets emphasize different aspects of transportation. Some streets are designed for very slow movement where people walking, biking, and even driving share the same space and intermingle. Other streets and roads—such as expressways—are intended to move people and goods quickly without providing access to adjacent properties.

For simplicity, the spectrum of transportation function is divided into three categories:

- **Access-oriented streets** focus on increasing peoples' ability to reach destinations and individual properties along a street by any mode. Access-oriented streets are typically lower-speed with higher levels of foot traffic.
- **Streets that balance access and throughput** provide moderate levels of access and throughput and therefore tend to have speeds that are lower than those on throughput-oriented streets but higher than those on access-oriented streets. They tend to have moderate to high traffic volumes.
- **Throughput-oriented streets** facilitate the efficient movement of people at greater distances, often at higher speeds. Safely maximizing throughput typically requires physically separating modes and limiting the number of intersections and driveways.

Dense, active places (e.g., downtown) should be primarily served by access-oriented streets while throughput-oriented streets are appropriate in lower-density places. Once place type is considered, additional factors should be considered in order to select the preferred street type:

- Are there many destinations along the street? A high density of destinations suggests an access-oriented street type.
- Is there much foot or bike traffic (currently or potentially)? High numbers of non-motorized trips within a corridor suggests an access-oriented or balanced street type.
- Is the street an important link for cross-town travel? Demand for longer-distance trips suggests a throughput-oriented street. While balanced street types can efficiently convey high volumes of motor vehicle traffic, throughput-oriented streets can do so more quickly.

It is important to realize that the characteristics of streets that facilitate access often conflict with the characteristics that facilitate throughput. **Street designs that attempt to simultaneously increase access and throughput often result in increased conflicts between modes, increased crash rates, and operational challenges that increase traffic congestion.**

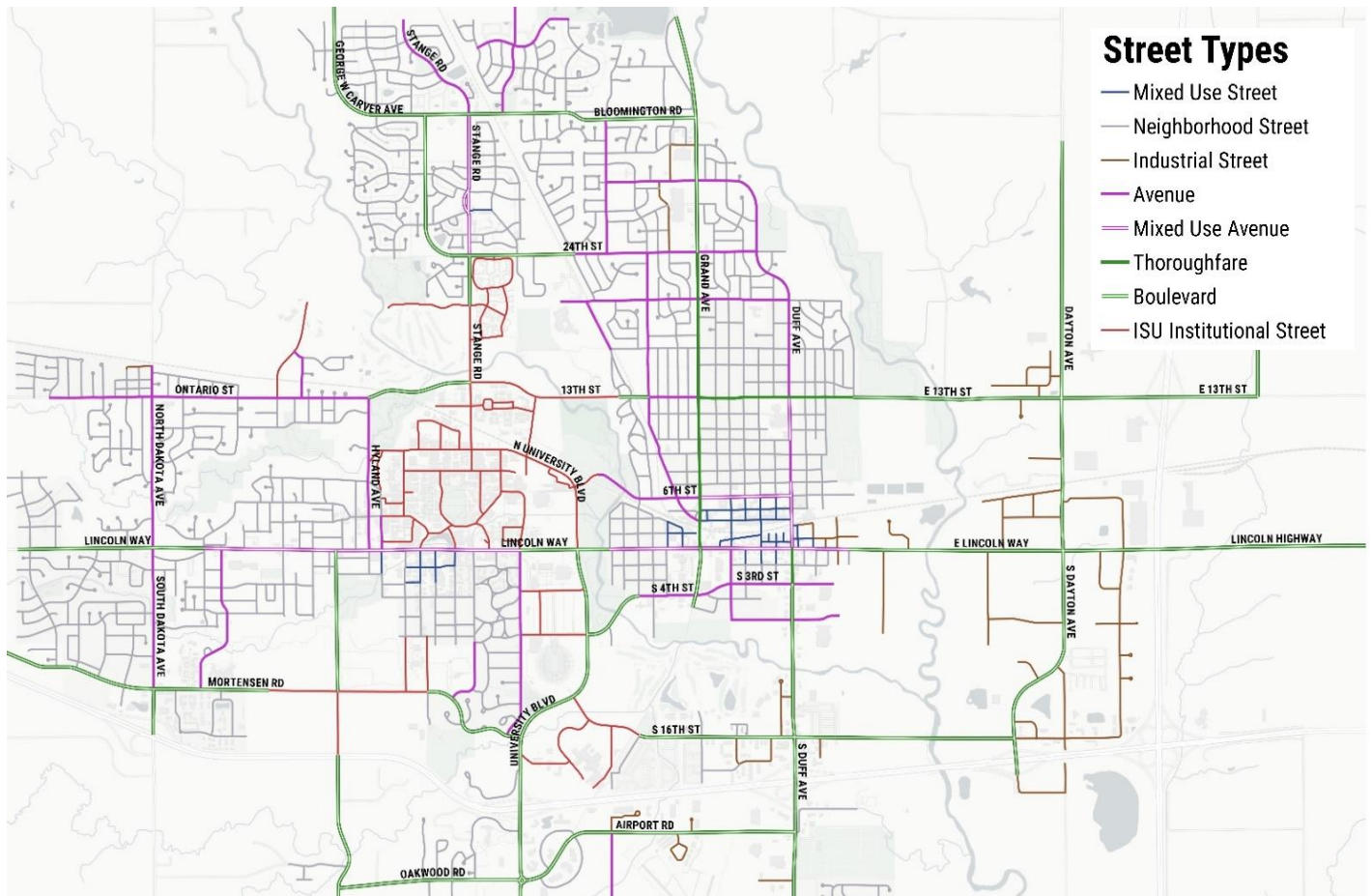
Street Types

Once the place type and transportation function of a street corridor are determined, a street type can be selected. Street types are unique to the conditions and contexts of Ames and provide a starting point for street designs that implement the objectives of the Long Range Plan, Comprehensive Plan, individual area or corridor plans, and urban design goals. The street types ensure that all modes of travel are safely accommodated, while some prioritize different modes. For example, Mixed Use Streets prioritize walking while Thoroughfares prioritize transit and driving.

Because land use contexts (and therefore place types) can change throughout the length of a corridor, multiple street types may be applied to different segments of a single roadway project. For example, a corridor may be categorized primarily as an Avenue, however a commercial node along it may result in a segment being classified as a Mixed Use Avenue. Street design elements will change accordingly, reflecting the designated street type and its economic and mobility objectives.

Conceptual Street Type Application

The map below was developed to illustrate how street types could be applied to existing public streets (excluding ISU’s institutional streets). Street types were assigned to streets based on existing and planned development patterns, current traffic speeds and volumes, and estimated bicycle and pedestrian demand. This map is illustrative and not a regulatory document.



Overview of Street Types

There are eight street types used as starting points for street design projects as well as a companion supporting infrastructure type (Greenway). Each street type is flexible and provides guidance for the overall design of a street. The Greenway street type is included because—although it is not a type of street—greenways are important elements of Ames’ multimodal transportation system.

Table 2: Street Type Overview

	Street Type	Description	Relevant Place Types
<i>Access Emphasis</i>	Shared Street	A street or alley with no curbs or separate areas for various types of transportation. Emphasizes nonmotorized movement and pedestrians have priority.	Activity Center, Urban Mix, Residential
	Mixed Use Street	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.	Activity Center, Urban Mix
	Neighborhood Street (including Bicycle Boulevard variant)	A low traffic street with housing and separated walkways, sometimes with on-street parking. A variation called “Bicycle Boulevard” is available, which optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements	Urban Mix, Residential
	Industrial Street	A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.	Industrial, Large Scale Commercial
<i>Balance of Access and Throughput</i>	Mixed Use Avenue	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 compared to that of a Mixed Use Street	Activity Center, Urban Mix
	Avenue	A street with a moderate amount of traffic, wider than a Neighborhood Street. These may include on-street parking and bike lanes.	Residential, Large Scale Commercial
<i>Throughput Emphasis</i>	Thoroughfare	A street with moderate to high amounts of traffic, used most often used for longer distance travel and automobile oriented uses.	Residential, Large Scale Commercial
	Boulevard	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.	Residential, Large Scale Commercial, Industrial
<i>Supporting Infrastructure</i>	Greenway	A shared use path in an independent alignment, exclusively for the use of bicyclists and pedestrians. Greenways provide connections that supplement the street network.	All

Streets that Emphasize Access

Access-oriented streets emphasize peoples' ability to reach destinations and individual properties along a street by any mode. Access-oriented streets are typically lower-speed with higher levels of foot traffic.

Shared Street

A street or alley with no curbs or separate areas for various types of transportation. Emphasizes nonmotorized access; pedestrians have priority.



Relevant Place Types



A Shared Street has a continuous surface that is shared by people using all modes of travel at slow speeds. Curbs are removed, and the sidewalk is blended with the roadway. Speeds are slow enough to allow for pedestrians to intermingle with bicycles, motor vehicles, and transit. Shared Streets can support a variety of land uses, including commercial and retail activity, entertainment venues, restaurants, offices, and residences. They are unique spaces where people can slow down to enjoy the public realm.

When designing Shared Streets, special consideration must be given to accommodating pedestrians with disabilities. To facilitate navigation for people with visual impairments, materials can vary and street furnishings such as bollards, planters, street lights, and benches can be strategically placed to define edges. These streets are often surfaced with pavers or other types of decorative surface treatments.

Overall, the primary design consideration for Shared Streets is maintaining slow motor vehicle speeds (no more than 15 mph) in order to minimize the potential for conflicts with pedestrians. Entrances to Shared Streets are often raised and narrowed to one lane to force drivers to slow before entering. Chicanes can be used to help regulate vehicular speeds along the length of the street, and can be formed using trees, benches, plantings, play areas, and parking areas that are laid out in an alternating pattern to deflect and slow traffic.

Mixed Use Street

A street with a diverse mix of retail, housing, office and/or educational uses, with people using several types of transportation to circulate.



Relevant Place Types



Mixed Use Streets are typically found in areas with a high density of small commercial and retail businesses and have an emphasis on walkability. Mixed Use Streets are often concentrated in an area only a few blocks long, such as downtown. The curbside uses on Mixed Use Streets prioritize walking, bicycling, transit, and short-term parking for local shops and restaurants.

Because these streets are a meeting ground for residents, they should be designed to support gathering and community events such as farmers' markets and festivals. In addition, they are characterized by public facilities such as libraries, as well as community and health centers.

Mixed Use Streets have many similarities to Mixed Use Avenues. However, Mixed Use Streets have lower target speeds, somewhat higher volumes of people biking and walking, lower volumes of motor vehicle traffic, and more storefronts. Mixed Use Streets also more often have unique aesthetic branding and design elements that reflect the area's cultural or historic past.

Neighborhood Street

A low traffic street with housing and separated walkways, sometimes with on-street parking. A variation called “Bicycle Boulevard” is available, which optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements



Relevant Place Types



Neighborhood Streets provide immediate access to Ames’ multifamily and single-family homes. They are used primarily for local trips and are characterized by lower motor vehicle traffic volumes and speeds. The emphasis is on pedestrian safety, space for children to play, ample street trees, and well-defined walking and bicycling connections to nearby parks, bus stops, transit stations, community centers, and libraries. The primary role of Neighborhood Streets is to contribute to a high quality of life for residents of the city.

The design of Neighborhood Streets focuses on encouraging slow speeds. Typically, they do not have more than two travel lanes (one in each direction). They often have on-street parking and some existing Neighborhood Streets in Ames are so narrow that two-way traffic is limited when cars are parked on the street. This effectively slows and calms traffic in these neighborhoods.

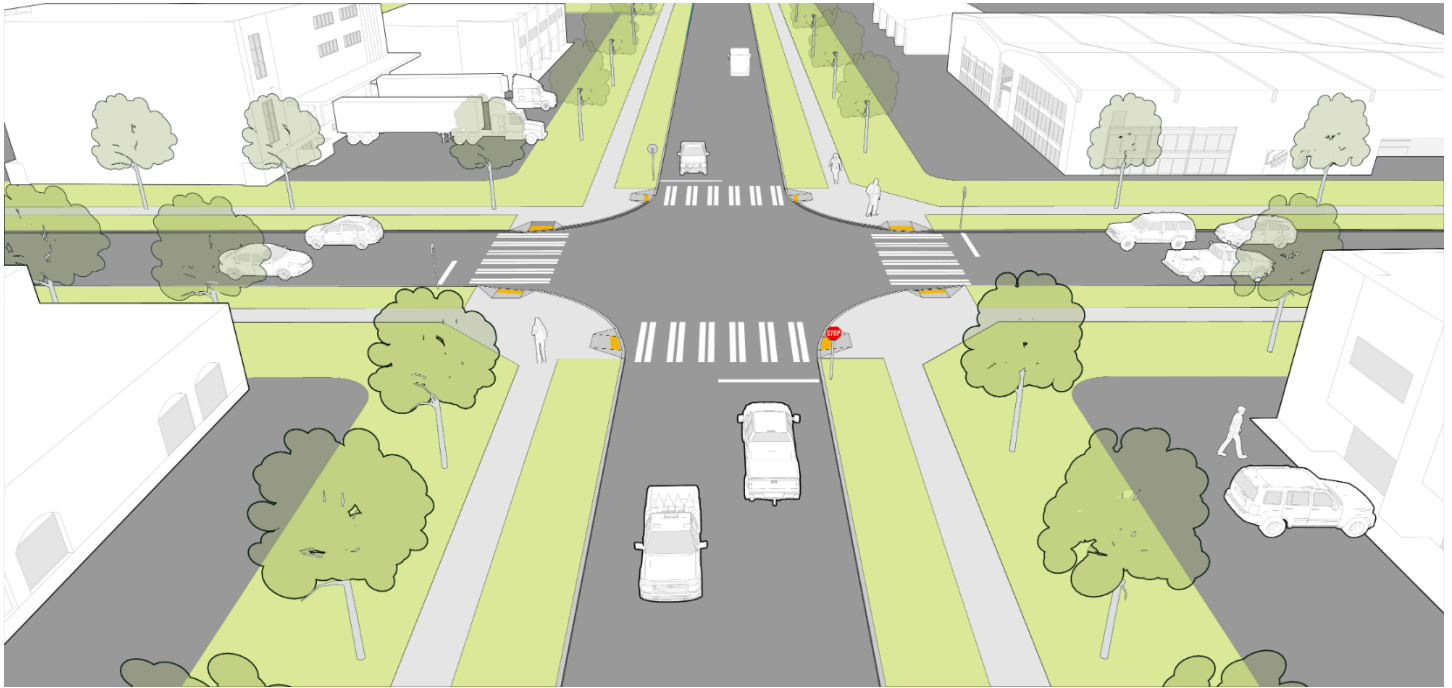
Bicycle Boulevard Variant

While not intended for motor vehicle through-traffic, making longer connections for people biking via Neighborhood Streets is encouraged. A Bicycle Boulevard is a variant of the Neighborhood Street type intended to achieve this outcome. This variant can be implemented to enhance bike routes on low-speed, low-traffic streets—sometimes to provide parallel alternatives to providing bikeways on nearby high-traffic streets. Bicycle Boulevards are designated and designed to give bicycle travel priority and discourage through trips by motor vehicles and create safe, convenient bicycle crossings of busy arterial streets. Treatments vary depending on context, but often include traffic diverters, speed attenuators such as speed humps or chicanes, pavement markings, and signs.



Industrial Street

A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.



Relevant Place Types



Industrial Streets support the manufacturing, research, and scientific facilities that form Ames' industrial base. These streets support truck traffic and accommodate the loading and distribution needs of wholesale, construction, commercial, service, and food-processing businesses. They typically connect directly to the regional highway system and distribution hubs. Industrial streets also serve large-scale and auto-oriented commercial areas, providing access for people driving personal vehicles and for deliveries via large trucks.

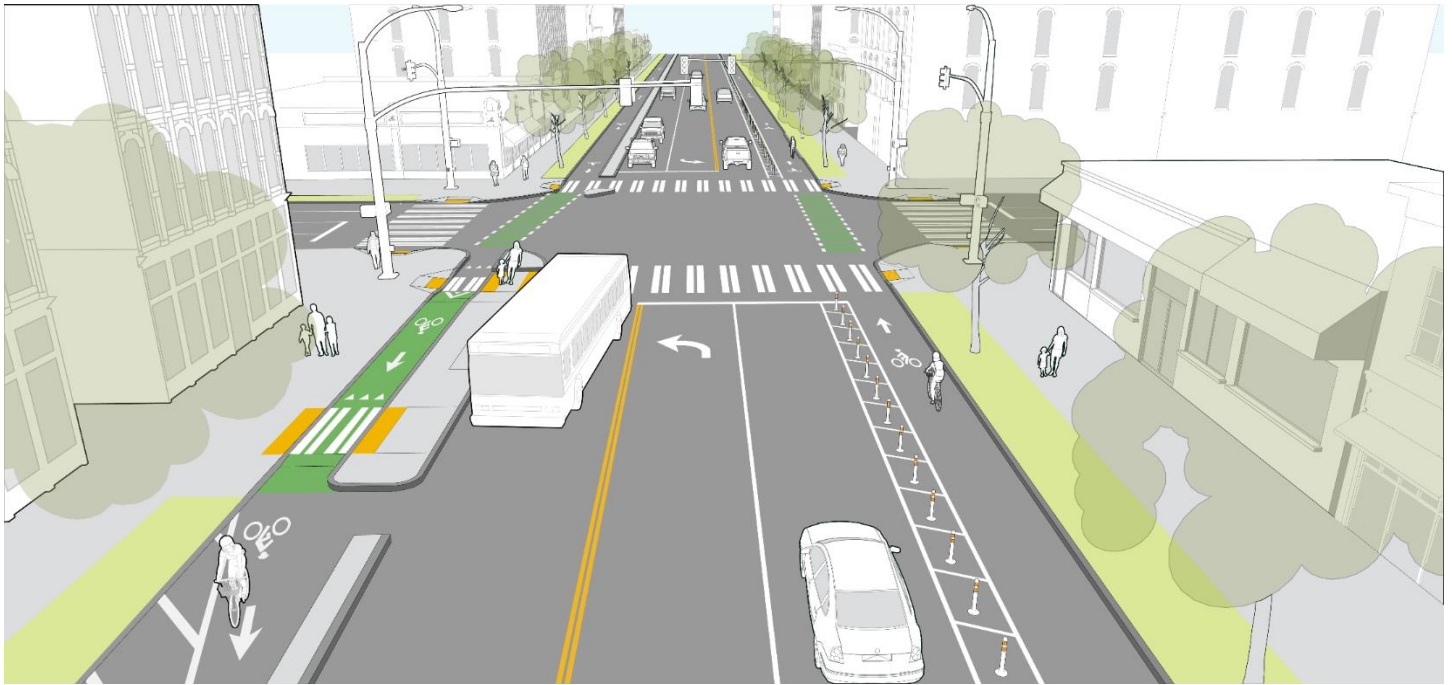
Accommodation of truck traffic, including providing adequate turning radii at intersections, is a primary design consideration for these streets. While pedestrian use may be relatively low, sidewalks and accessible accommodations are provided. When designing Industrial Streets as part of the interconnected street network, consideration should be given to designs that discourage truck traffic from using residential streets in the surrounding neighborhoods.

Streets that Balance Access and Throughput

Streets that balance access and throughput accommodate a reasonable level of motor vehicle throughput while maintaining a high level of comfort and convenience for people using transit, walking, and biking.

Mixed Use Avenue

A street with a diverse mix of retail, housing, office and/or educational uses, with people using several types of transportation, but with increased transit and motor vehicle demand compared to that of a Mixed Use Street.



Relevant Place Types



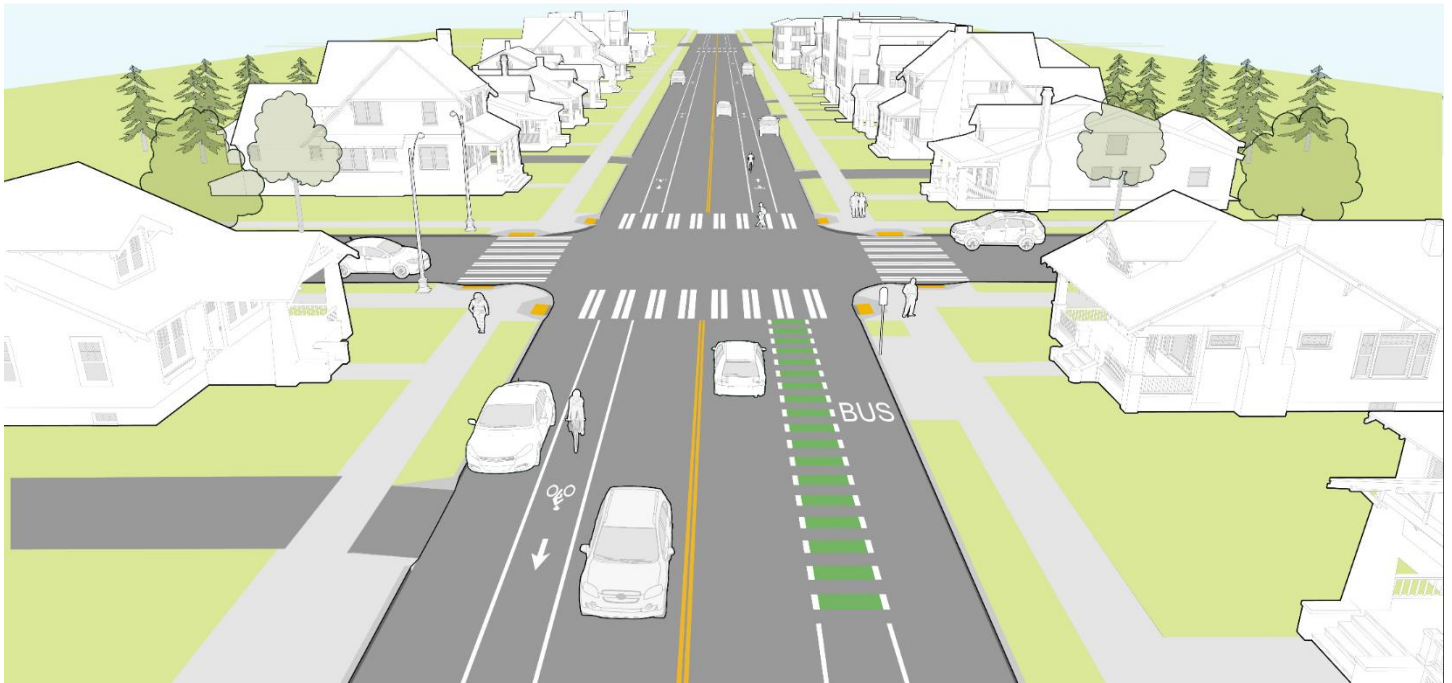
Mixed Use Avenues serve a diverse variety of land uses and high development densities. Appropriate in downtown, Campustown, and other existing and future higher-density urban areas, these streets support a lively mix of retail, residential, office, and entertainment uses. These streets serve residents, visitors, and workers by supporting high levels of walking, bicycling, and transit.

On Mixed Use Avenues, a lively and visually stimulating public realm should be supported by landscaping, street furniture (i.e., benches, information kiosks, trash and recycling receptacles, etc.), outdoor cafés, plazas, and public art. In short, these streets are where people work, play, shop, eat, and gather to enjoy city life.

Mixed Use Avenues have many similarities to Mixed Use Streets. However, Mixed Use Avenues have slightly higher target speeds, higher motor vehicle traffic volumes, and—most importantly—place greater emphasis on facilitating throughput while also supporting access. These streets typically serve transit and people bicycling, and therefore often include bus stops or shelters and higher-level bikeways (such as separated bike lanes). On-street parking is an optional addition to this type of street if space is available after transit, bicycling, and motor vehicle throughput needs are met.

Avenue

A street with a moderate amount of traffic, wider than a Neighborhood Street. These may include on-street parking and bike lanes.



Relevant Place Types



Avenues are streets that balance access and throughput and often traverse large-scale commercial areas and neighborhoods. They provide continuous walking and bicycling routes and often include bus routes. While they are essential to the flow of people across the city, the needs of people passing through must be balanced with the needs of those who live and work along the street.

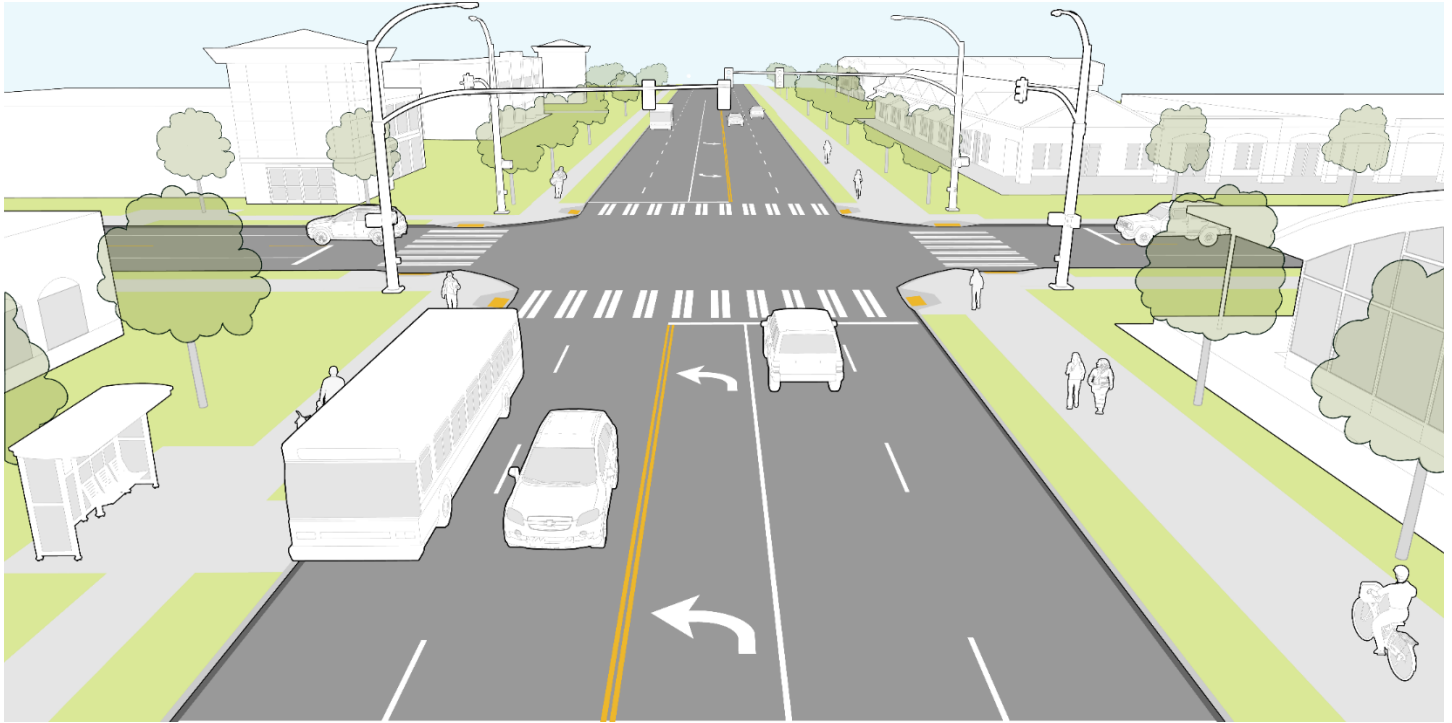
Land uses, right-of-way widths, and the presence of on-street parking can vary along Avenues. Design considerations include encouraging efficient movements of vehicle and transit traffic, continuous and comfortable bicycle facilities, wide sidewalks with sufficient buffers to motor vehicle traffic, and safe pedestrian crossings at intersections. Street lighting, tree plantings, street furniture, and other urban design elements should create a unifying identity for the entire street.

Streets that Emphasize Throughput

Throughput-oriented streets emphasize the efficient movement of people across greater distances, often at higher speeds. Safely maximizing throughput typically requires physically separating modes and limiting the number of intersections and driveways.

Thoroughfare

A street with moderate to high amounts of traffic, most often used for longer distance travel and automobile-oriented uses. Thoroughfares are often state highways.



Relevant Place Types



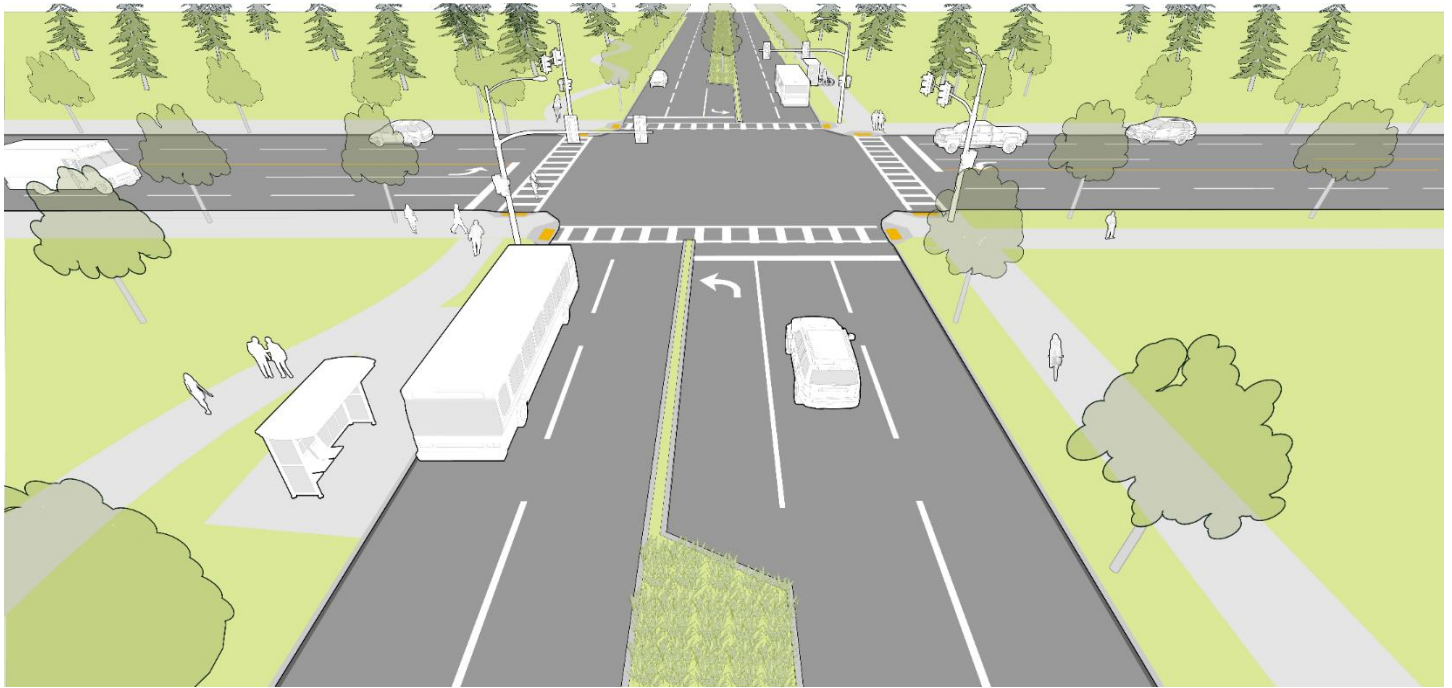
Thoroughfares are throughput-oriented streets that connect commercial areas, employment centers, civic and institutional areas, and neighborhoods. Along with Boulevards, they have the highest volumes of motor vehicles and transit service as well as moderate to high volumes of pedestrian activity. The demand for bicycling along Thoroughfares may be moderate to high, but because of the constrained environments in which this street type is found, bicycle traffic is often encouraged to use parallel low-traffic streets.

While target speeds are slightly higher on this street type than most other types, the design of Thoroughfares balances the needs of mobility and safety. Safety for pedestrians and bicyclists is emphasized by focusing on providing appropriate sidewalks and bikeways (sidepaths or separated bike lanes preferred), opportunities for pedestrians and bicyclists to safely cross the street, and separation from high volumes of traffic. Where bicyclists cannot be accommodated, facilities are provided on nearby parallel streets to create a “complete corridor.”

Right-of-way is very constrained along Thoroughfare street corridors. As such, focus should be on providing separation between motor vehicle traffic and the sidewalk (this can be achieved with bike lanes, the amenity zone, or occasionally with on-street parking). In addition, clear sight lines at unsignalized intersections should be provided.

Boulevard

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.



Relevant Place Types



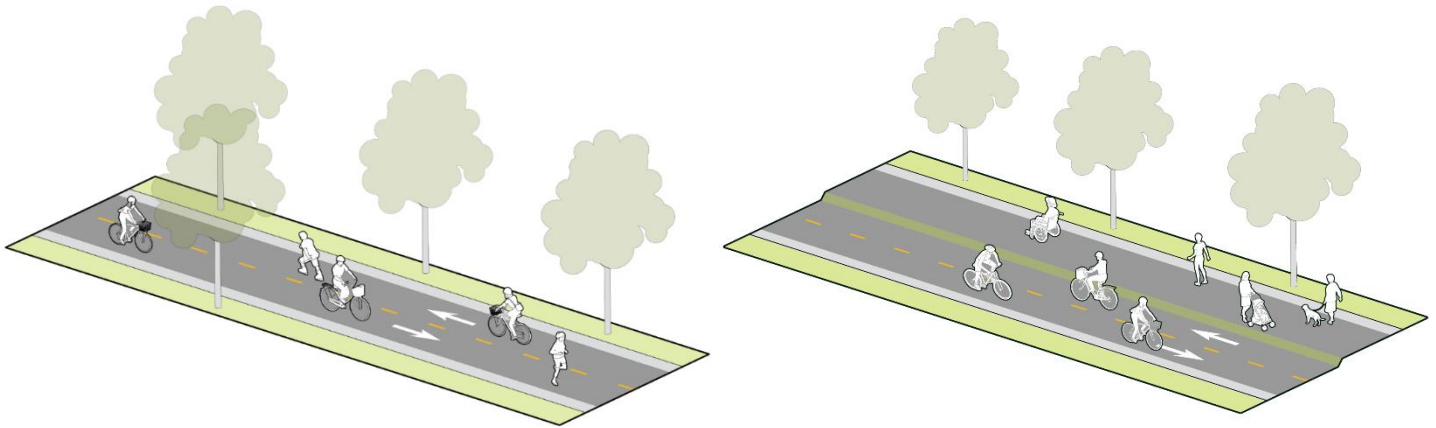
Boulevards are throughput-oriented streets that connect commercial areas, employment centers, civic and institutional areas, and neighborhoods. Along with Thoroughfares, they have the highest volumes of motor vehicles and transit service. Boulevards have low to moderate volumes of pedestrian activity, depending on the land use composition of nearby development. Bicycle activity is moderate to high along Boulevards with sidepaths, which provide longer-distance throughput for bicyclists.

Boulevards can accommodate the highest target speeds of any Complete Street type and on-street parking and traffic calming are not typically compatible. Access to adjacent properties is managed by requiring greater distances between driveways and encouraging shared driveways.

Safety for pedestrians and bicyclists is emphasized by focusing on providing appropriate sidewalks or sidepaths, opportunities for pedestrians and bicyclists to safely cross the street, and separation from high volumes of traffic. Bicyclists are typically accommodated on a separated sidepath shared with pedestrians.

Greenways

Shared-use paths in independent alignments, such as through parks, along waterways, or rail trails.



Relevant Place Types



Greenways are important parts of the multimodal network. They provide non-motorized connections where streets do not or should not connect, such as through a park or conservation area. Numerous greenways exist in Ames today and the Ames Mobility 2040 plan includes additional Greenway corridors for future development. The volume and composition of non-motorized traffic should be analyzed when determining the width and configuration of shared use paths. The minimum width of shared use paths is 10 feet (8 feet is acceptable for short distances in constrained environments). Where a high level of pedestrian activity is likely, wider shared use paths (12 to 14 feet or wider) or separate paths for people walking and people biking should be considered.

Intersections and Street Types

The design of intersections should reflect the context of converging street types, surrounding land uses, and neighborhood identities. Key elements of an intersection, such as lane and curb alignments, crosswalk locations, and bicycle accommodations, vary in design and configuration depending on the function of the street and role of the intersection in the surrounding neighborhood.

Prioritizing Typologies at Intersections

Design elements of some street types should take precedence over design features on other street types. Intersections that transition from one street type to another should alert all users of the change in the character of the roadway through obvious and intuitive design features. Usually, the design of an intersection should default to the design criteria of the lower-speed street in order to calm traffic. For example, the curb radii at a Thoroughfare-Avenue intersection should default to the design criteria for the Avenue street type (see Chapter 3). Two types of intersections, described below, involve important types of transitions and design considerations.

Intersections with Neighborhood Streets and Shared Streets

When drivers turn off Avenues, Thoroughfares, and Boulevards onto these low-speed, low-traffic streets, the design should alert people of the change in context and use of the street and encourage drivers to slow down. Treatments such as pavement texture, tighter curb radii, curb extensions, narrower roadway throat widths, and even raised crosswalks can help facilitate slower speeds and visually demarcate the change in street type.

In addition, enhancements for pedestrians crossing the busier streets should be considered. This may include marked or raised crosswalks, curb extensions, median refuge islands, warning signs, or signalized traffic control. Depending on pedestrian volume, traffic signals and raised intersections should be considered where Shared Streets intersect Mixed Use Avenues, Avenues, Thoroughfares, and Boulevards.

Intersections with Mixed Use Streets and Mixed Use Avenues

Mixed Use Streets and Mixed Use Avenues typically have higher levels of pedestrian activity than other street types. This should be considered in the design of streets—especially Thoroughfares and Boulevards—as they approach and intersect these street types. Gateway treatments, traffic calming measures, and the creation of inviting spaces should characterize intersections between these divergent street types. These intersections should prioritize pedestrian crossings by featuring short crossing distances and enhanced pedestrian signals (e.g., countdown timers, leading pedestrian intervals, and signals that automatically include a WALK phase every cycle).

Chapter 3: Design Criteria Parameters & Guidelines

Street design decisions—such as how many travel lanes are needed, whether to include on-street parking, and what type of bikeway to provide—are made and documented initially during the project scoping phase of a street design project and may be revised during the conceptual design phase (see Chapter 4). These decisions are typically oriented around what are called design criteria.

Each street type described in Chapter 2 has a unique set of parameters for roadway and pedestrian zone design criteria that make the street type compatible with and supportive of the relevant place types. These criteria—and associated guidelines for making design decisions—are described in the following pages.

The combination of design criteria (e.g., number of travel lanes, bikeway and parking configuration, and sidewalks width and setback from the curb) determine the typical overall width and required right-of-way for each street type (see Table 3). The total required right-of-way may influence the selection of a street type for a roadway project. For example, a narrow available right-of-way may make the Thoroughfare type more compatible than the Boulevard type.

Following the sections on roadway and pedestrian zone design criteria, this chapter includes guidance on the prioritization of street design elements (consult when making tradeoffs).

TABLE 3: STREET TYPE SPACE REQUIREMENTS

Street Type	Total Pedestrian Zone Width (per side)		Total Roadway Width*			Total Right-of-Way Width		Typical ADT
	Pref.	Min.	Max.	Typ.	Min.	Typ.	Min.	
Shared Street	N/A	N/A	Varies	Varies	20'	Varies	20'	<500
Mixed Use Street	22'	8'	62'**	40'	20'	62'	36'	<3,000
Neighborhood Street (including Bicycle Boulevard variant)	15'	7'	35'	25'	20'	55'	34'	<3,000
Industrial Street	11'	7'	36'	25'	25'	47'	39'	<3,000
Mixed Use Avenue	22'	7'	94'†	58'	30'	80'	52'	3,000 to 25,000
Avenue	16'	7'	72'	48'	30'	80'	44'	1,000 to 15,000
Thoroughfare	14'	7'	78'	56'	32'	84'	60'	10,000 to 25,000
Boulevard	18'	9'	92'	60'	40'	96'	58'	>3,000

*Including all travel lanes, center turn lanes, medians, and on-street bikeways.

**Assuming angled on-street parking on both sides. Maximum pavement width for a Mixed Use Street is 30 feet if no on-street parking is provided.

†Assuming a pair of one-way separated bike lanes, on-street parking on both sides, and a median.

Roadway Design Criteria

Design criteria for roadways are determined using Table 4 and Table 5 and the accompanying footnotes and clarifications. Deviation from the ranges specified should be carefully considered and occur rarely. When deviations occur, they will be documented appropriately. The ranges of values conform to state and federal standards (AASHTO, MUTCD, and SUDAS). Many of the parameter ranges are informed by the NACTO *Urban Street Design Guide*, which is an acceptable alternative or supplement to AASHTO.

TABLE 4: ROADWAY SPACE ALLOCATION PARAMETERS

Street Type	# of Travel Lanes ¹	Traveled Way / Lane Width ²			Center Turn Lane / Median ³	Default Bikeway Type ⁴	Default On-Street Parking ⁵
		Min.	Pref.	Max.			
Shared Street	No centerline	20' Total	Varies	N/A	Not compatible	N/A	None
Mixed Use Street	No centerline	20' Total	25' Total	30' Total	Not preferred	Shared roadway	Parallel preferred, Reverse angled acceptable
Neighborhood Street (including Bicycle Boulevard variant)	No centerline	20' Total	25' Total	35' Total	Not compatible	Shared roadway or bicycle boulevard	Non-delineated
Industrial Street	2	25' Total	25' Total	36' Total	Optional	Shared roadway	None
Mixed Use Avenue	2-4	10' Lanes	11' Lanes	11' Lanes*	Optional	Bike lanes or separated bike lanes	Optional, parallel preferred
Avenue	2	10' Lanes	11' Lanes	11' Lanes*	Optional	Bike lanes or separated bike lanes	Optional
Thoroughfare	2-4	10' Lanes	11' Lanes	12' Lanes	Standard	Separated bike lanes or shared use path	None
Boulevard	2-6	11' Lanes	12' Lanes	12' Lanes	Median standard	Separated bike lanes or shared use path	None

*Except on bus routes, where the outside lane should be 12 feet wide.

TABLE 5: ROADWAY OPERATIONAL PARAMETERS

Street Type	# of Travel Lanes ¹	Target Speed ⁶ (miles per hour)	Corner Radii ⁷		Typical ADT ⁸
			Pref.	Max.	
Shared Street	No centerline	10	0'	10'	<500
Mixed Use Street	No centerline	20	5'	15'	<3,000
Neighborhood Street (including Bicycle Boulevard variant)	No centerline	20	5'	15'	<3,000
Industrial Street	2	25	20'	35'	<3,000
Mixed Use Avenue	2-4	25	5'	20'	3,000 to 25,000
Avenue	2	25	10'	25'	1,000 to 15,000
Thoroughfare	2-4	35	15'	30'	10,000 to 25,000
Boulevard	2-6	35	15'	30'	>3,000

Roadway Design Criteria Footnotes and Clarifications

The following numbered sections provide additional guidance on roadway design criteria. The superscript numbers correlate with the superscript numbers in Table 4 and Table 5.

¹ Number of Travel Lanes:

- Specified number of travel lanes represents the default or typical configuration. Street designs can deviate (e.g., a four-lane Avenue) if warranted by unique context or constraints. Thorough documentation should be provided for any deviations.
- The minimum total width for Shared Streets is space shared by all modes. Motor vehicle traffic can be restricted to one-way movement, but pedestrian and bicycle traffic should be allowed to travel both directions.
- The minimum total width for Shared Streets and Mixed Use Streets assumes two-way motor vehicle travel. On one-way streets, the minimum traveled way width is 16 feet, which allows an 11-foot lane and a 5-foot counter-flow bike lane.

² 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 street type may be applied to truck routes with careful consideration of impacts on bicycle and pedestrian modes.

³ 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.

- Center turn lanes or medians are recommended for any roadway with two or more through lanes in each direction.
- 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.

4 Default Bikeway Type:

- Motor vehicle traffic volume and speed are critical contextual considerations for bicyclist safety and comfort. Proximity to motor vehicle traffic is a significant source of stress, safety risks, and discomfort for bicyclists, and corresponds with sharp rises in crash severity and fatality risks for vulnerable users when motor vehicle speeds exceed 25 miles per hour. Furthermore, as motorized traffic volumes increase above 3,000 vehicles per day, it becomes increasingly difficult for motorists and bicyclists to share roadway space.
- From a bicycling perspective, people vary considerably in terms of traffic stress tolerance, which is defined as comfort, confidence, and willingness to interact with motor vehicle traffic. Research¹ indicates that people fall into one of the four categories shown below. The largest group (51 percent) has a low tolerance for interacting with motor vehicle traffic. As such, the type of bikeway facility and amount of separation from motor vehicle traffic will largely determine whether the bikeway will be used by the majority of the population or only by a smaller portion that is comfortable interacting with motor vehicle traffic.

FIGURE 2: BICYCLIST TYPES AND PREFERENCES

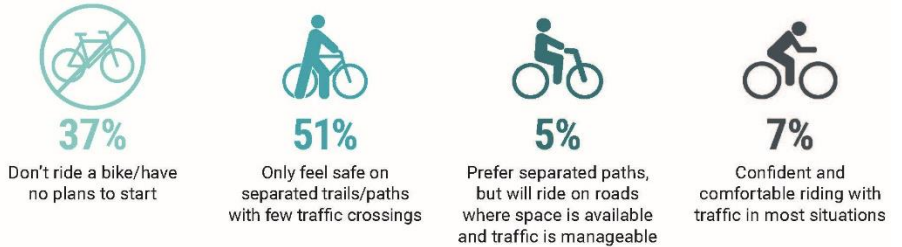
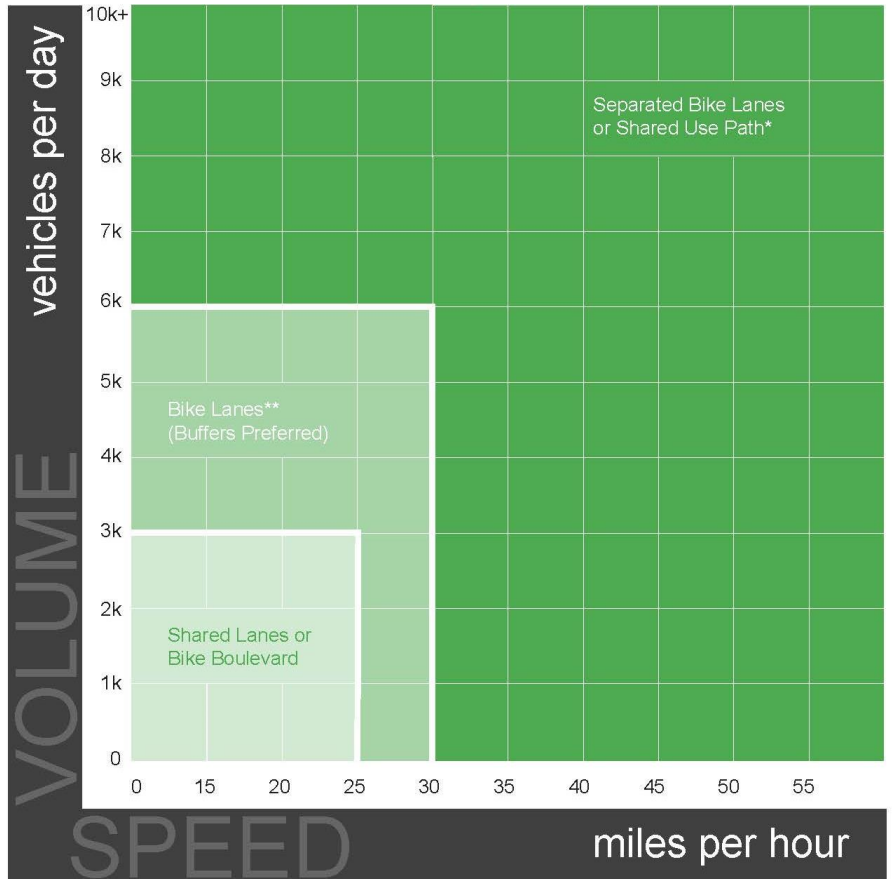


FIGURE 3: BICYCLE FACILITY SELECTION



*To determine whether to provide a shared-use path or separated bike lane, consider pedestrian and bicycle volumes or, in the absence of volume, consider land use.
 **Advisory bike lanes may be an option where traffic volume < 4K ADT

¹ Dill, J. and N. McNeil. (2013, January) "Four Types of Cyclists? Examining a Typology to Better Understand Bicycling Behavior and Potential." Paper presented at the Annual Meeting of the Transportation Research Board.

- The default bikeway type indicates the type of bikeway that is typically appropriate for the street type. This does not indicate a minimum or maximum standard. Designers should consider traffic speeds and forecasted volumes of each individual project when selecting a bikeway. Figure 3 illustrates the **baseline** optimal bicyclist accommodations for the projected traffic context of the street. The speed and volume thresholds shown correlate with a Level of Traffic Stress rating of LTS2.
- 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.
- Sidepaths (shared use paths along roadways) may be acceptable design solutions in lieu of separated bike lanes in land use contexts where pedestrian volumes are relatively low and are expected to remain low. The sidepath 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.
- There may be conditions under which it is infeasible to provide bicycle facilities that are sufficiently comfortable for the majority of people. These limiting conditions could include funding shortfalls associated with right-of-way acquisition or budget limitations. Under these conditions, it may be necessary to select the next-best facility type, which may have less separation between bicycle and motor vehicle traffic than the ideal facility. If this decision is made, the designer and project team must document the decision and the constraints that led to the facility type downgrade. If a downgraded facility is selected, it is important to be aware that it may accommodate more confident or experienced bicyclists but will likely be uncomfortable for the majority of the population.
- 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 comfort (i.e., lowest level of traffic stress) for bicyclists should be provided.

⁵ Default On-Street Parking:

- The table indicates the typical treatment of on-street parking for each street type. Other options for on-street parking can be explored for each street type 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 12 feet (minimum 5-foot wide bike lane), with 14 feet or more 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).

6 Target Speed:

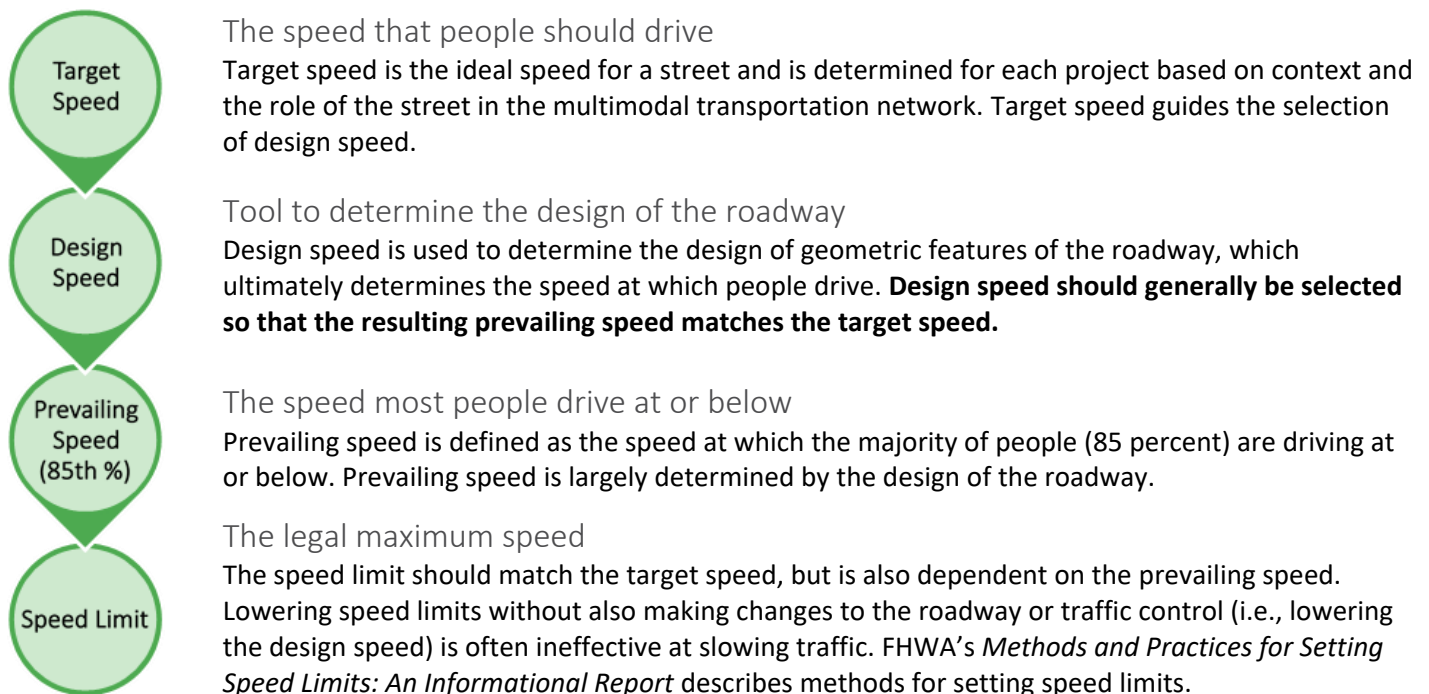
- Target speed is the speed at which people are expected to drive and is determined for each street based on context, the street type, and the street’s role within the transportation network. The target speed is intended to become the posted speed limit. Per the Institute of Traffic Engineers (ITE; *Designing 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.

FIGURE 4: SPEED AND PEDESTRIAN CRASH SEVERITY



Source: Tefft, Brian C. Impact speed and a pedestrian’s risk of severe injury or death. *Accident Analysis & Prevention*, 50, 2013

FIGURE 5: FOUR TYPES OF SPEED



- 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

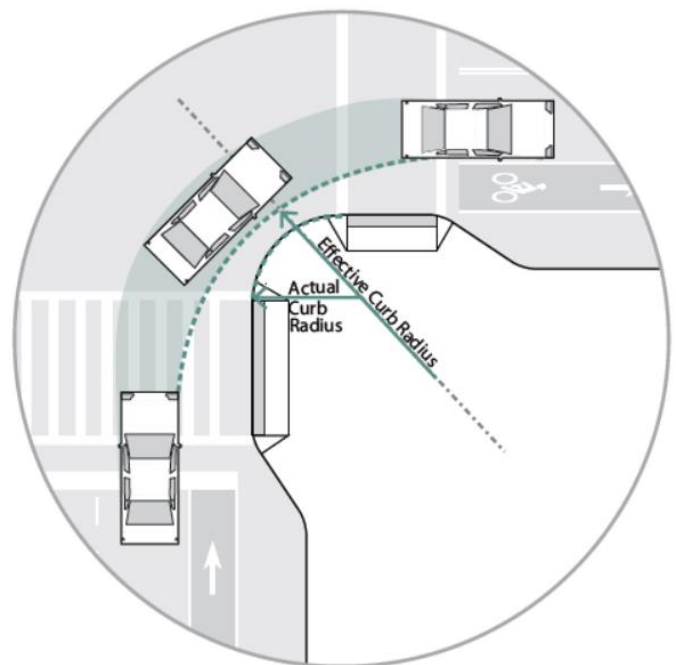
reconstruction) or design vehicle requirements. For example, a residential street’s design speed should typically not exceed its target speed, whereas in an industrial area some leeway should be possible to accommodate turning movements of heavy vehicles. Generally, people will naturally drive at approximately 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.

- Existing roadway geometric features, intersection spacing, or other factors may result in a design speed higher than the target speed. When projects occur on such roadways, measures 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.

⁷Corner Radii:

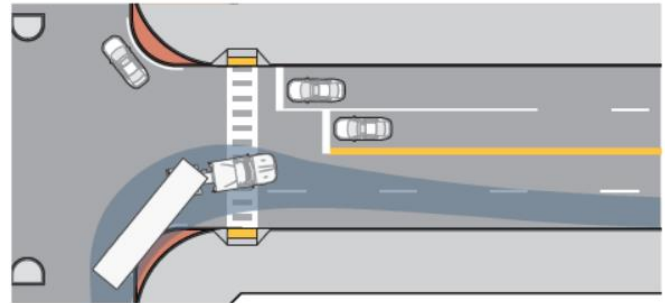
- Small corner radii are an effective way to make design speed match target speed. Large radii are associated with higher design speeds and small radii are associated with lower design speeds.
- The values in this column refer to the actual radii of curb returns. In many cases, the effective corner radii—the curve which motor vehicles follow when turning—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.
- Small curb radii benefit pedestrians by creating sharper turns that require motorists to slow down, increasing the size of waiting areas, allowing for greater flexibility in the placement of curb ramps, and reducing pedestrian crossing distances. Ideally, the curb radius should be as small as possible while accommodating the appropriate design vehicle for the intersection.

FIGURE 6: ACTUAL AND EFFECTIVE CURB RADII



- At locations where a significant number of trucks, buses, and other large vehicles make right-hand turns, consider solutions that allow the corner radii to remain small for traffic calming and pedestrian safety. Effective corner radii can be increased for large vehicles through the provision of truck aprons, which retain the traffic-calming effect of smaller corner radii for passenger vehicles. Planning for lane encroachment can also allow corner radii to remain small. Specific applications include:

FIGURE 7: EXAMPLE APPLICATION OF TRUCK APRONS AND RECESSED STOP BAR TO ALLOW LANE ENCROACHMENT



- At signalized intersections, corner design should assume that a large vehicle will use the entire width of the receiving lanes on the intersecting street. Where additional space is needed to accommodate large vehicles, consideration can be given to recessing the stop bar on the receiving street to enable the vehicle to use the entire width of the receiving roadway (encroaching on the opposing travel lane).
- On low-volume (less than 4,000 vehicles per day), two-lane streets, corner design should assume that a large vehicle will use the entire width of the departing and receiving travel lanes, including the oncoming traffic lane.
- In some cases, it may be possible to allow a large turning vehicle to encroach on the adjacent travel lane on the departure side (on multi-lane roads) to make the turn.
- 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 type 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.

⁸Typical ADT:

- The values in this column represent the typical average daily traffic volume (ADT) compatible with each type. 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.

Supporting Transit in Complete Streets

CyRide operates on all street types in Ames. Due to the size and operational characteristics of buses, it is often necessary to adjust the geometric design, pavement markings, or traffic control of a street to accommodate transit effectively. However, some of the design treatments to accommodate transit (e.g., wider lanes or larger corner radii at intersections) may have an “anti-traffic calming” effect of encouraging higher passenger vehicle speeds. As such, transit-accommodating design treatments should be applied only where transit operates or may operate in the future, and are not applied wholesale to the street typologies in the Complete Streets Plan.

Case-by-case design flexibility is incorporated into the Complete Streets design process and will apply to bus routes by shifting design parameters to accommodate transit. This may include wider lanes, larger corner radii, lane encroachment areas, alternative bikeway treatments, and more. The design parameters for each street type include ranges of values, which in most cases will provide satisfactory results for transit. In cases where values outside of the parameters are necessary or desirable to accommodate transit, the design engineer should consider and balance the needs of all modes while emphasizing the safety of all users, especially pedestrians and bicyclists.

Bus Stops and Bikeways

Transit stops should be safe and efficient for all users, with minimal negative impacts on transit operations. One area of particular interest is the design of bus stops located along bike lanes and separated bike lanes. The goal in these locations is to reduce conflicts and minimize delays. Bus stops should be provided curbside (against a curb) in most instances, as this is the most functional location for a bus stop. Designs that require passengers to cross bike lanes when boarding or alighting should be avoided. Designs that require buses to pull out of the flow of motorized traffic are also not desirable.

Based on common roadway and bikeway configurations, transit operations, and other considerations, two primary bus stop designs exist (with multiple variations possible):

1. Conventional Bus Stop with Interrupted Bike Lane (bus enters/crosses bikeway)
2. Floating Bus Stop (bikeway is directed behind passenger waiting area)

Conventional Bus Stop with Interrupted Bike Lane

Conventional bus stops with interrupted bike lanes are traditional curbside bus stops adjacent to an on-street bikeway. At these stops, buses enter or cross the bike lane in order to pull to the curb. Bike lanes can have solid or dashed lines and green pavement can be used to increase awareness of potential conflicts. When a bus is blocking the bike lane, bicyclists stop and wait until the bus proceeds, or merge into the motor vehicle travel lane.

Conventional bus stops with interrupted bike lanes require less space than floating bus stops, but provide less separation between buses and bicyclists. This type of stop is best utilized at locations with lower boarding/alighting levels and/or on streets with lower speed and lower volume traffic.

FIGURE 8: EXAMPLE CONVENTIONAL BUS STOP WITH INTERRUPTED BIKE LANE

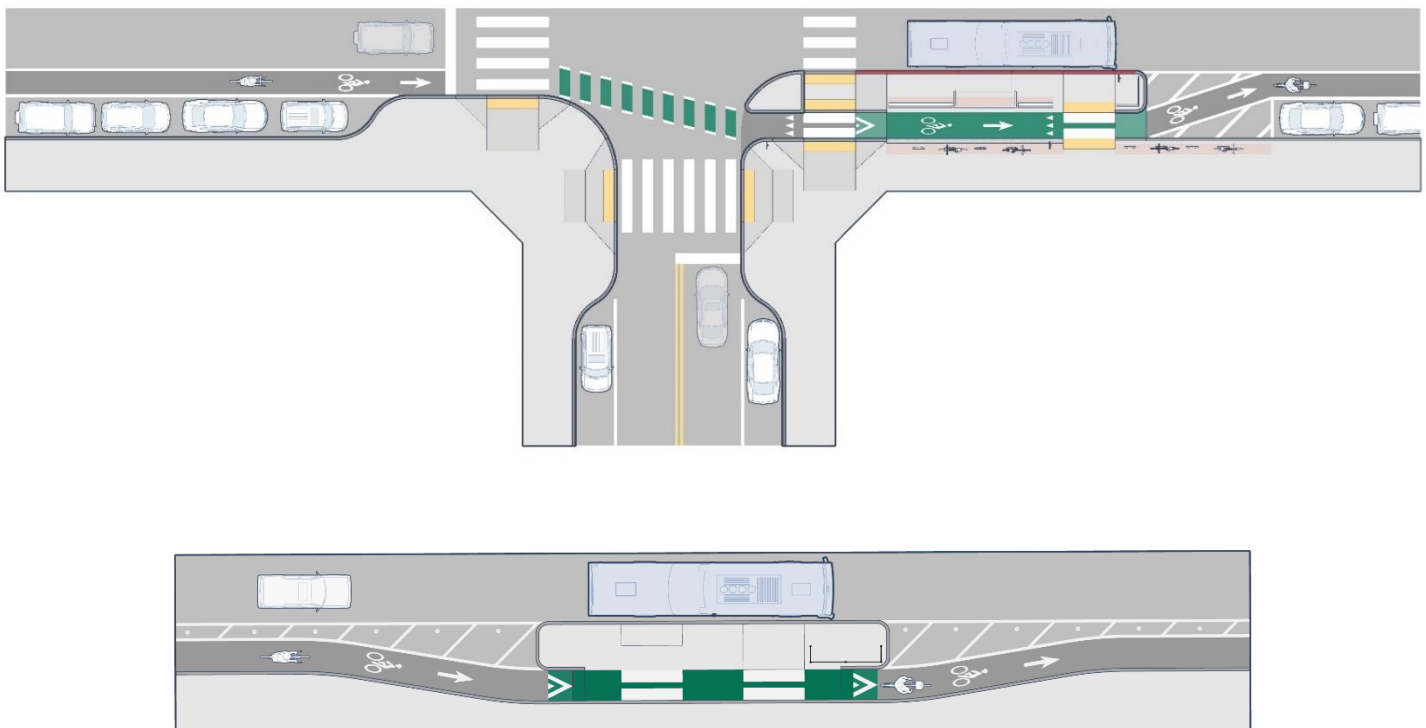


Floating Bus Stops

Floating bus stops are sidewalk-level platforms built between the bikeway and the roadway travel lane. Floating bus stops direct bicyclists behind the bus stop, reducing or eliminating most conflicts between buses and bicyclists, and expanding available sidewalk space. By eliminating bus and bicyclist interaction, floating bus stops have safety benefits for bicyclists. This design can also benefit pedestrians, as the floating bus stop doubles as a pedestrian refuge, which if designed efficiently, can shorten crossing distances and enable shorter signal cycles.

Floating bus stops are recommended for use with separated bike lanes and can also be used with standard and buffered bike lanes.

FIGURE 9: EXAMPLES OF FLOATING BUS STOPS AT INTERSECTIONS AND MIDBLOCK LOCATIONS



Pedestrian Zone Design Criteria

The function and design of the pedestrian realm significantly impacts the character of each street. Extending from curb to building face or property line, this area includes sidewalks, street trees, street furniture, signs, green stormwater infrastructure (GSI), street lights, bicycle racks, and transit stops. They are places of transition and economic exchange as restaurants engage the public space and retailers attract people to their windows and shops.

The pedestrian realm is not a singular space—rather it is composed of distinct usage zones (see Figure 10) performing unique functions in the overall operation of the street. Although boundaries between zones may blur and blend, the overall function of each zone generally remains consistent. These zones are further described in the following pages.

The widths of the various zones are based on the street type, the available right-of-way, scale of the adjoining buildings and the intensity and type of uses expected along a particular street segment. A balanced approach for determining the width of zones should consider the character of the surrounding area and the anticipated pedestrian activities. Preferred pedestrian zone widths may not always be possible and design judgment must be used to achieve a safe, comfortable, and functional balance.

FIGURE 10: PEDESTRIAN ZONES



Frontage Zone

Clear Zone

Amenity Zone

TABLE 6: PEDESTRIAN ZONE DESIGN CRITERIA

Street Type	Frontage Zone ⁹ Door swings, awnings, café seating, retail signage and displays, building projections, planters		Clear Zone ¹⁰ Clear space for pedestrian travel, should be clear of any and all fixed obstacles.		Amenity Zone ¹¹ Street lights, utilities, trees, landscaping, bike racks, parking meters, transit stops, street furniture, signage		Total Pedestrian Zone Width ¹² Excluding setback	
	Preferred	Minimum	Preferred	Minimum	Preferred	Minimum	Preferred	Minimum
Shared Street	Shared Streets do not have defined zones. Rather, amenities, greenscape, and clear zones suitable for pedestrian, bicycle, and very low-speed motor vehicle traffic are intermingled.						Varies	Varies
Mixed Use Street	4'	0'	10'	6'	8'	2'	22'	8'
Neighborhood Street	2'	0'	5'	5'	8'	2'	15'	7'
Industrial	2'	0'	5'	5'	4'	2'	11'	7'
Mixed Use Avenue	4'	0'	10'	5'	8'	2'	22'	7'
Avenue	2'	0'	6'	5'	8'	2'	16'	7'
Thoroughfare	2'	0'	6'	5'	8'	2'	14'	7'
Boulevard	2'	0'	6'	5'	8'+	4'	18'+	9'

Pedestrian Zone Design Criteria Footnotes and Clarifications

The following numbered sections provide additional guidance on roadway design criteria. The superscript numbers correlate with the superscript numbers in Table 6.

⁹ Frontage Zone:

- The Frontage Zone is the area of the pedestrian realm (usually paved) that immediately abuts buildings along the street. In residential areas, the Frontage Zone may be occupied by front porches, stoops, lawns, or other landscape elements that extend from the front door to the sidewalk edge. The Frontage Zone of commercial properties may include architectural features or projections, outdoor retailing displays, café seating, awnings, signage, and other intrusions into or use of the public right-of-way. Frontage Zones may vary widely in width from just a few feet to several yards.
- The Frontage Zone is measured from edge of right-of-way to the edge of the Clear 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 Clear 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.

¹⁰ Clear Zone:

- Also known as the “walking zone,” the Clear Zone is the portion of the sidewalk space used for active travel. For it to function, it must be kept clear of any obstacles and be wide enough to comfortably accommodate expected pedestrian volumes including those using mobility assistance devices, pushing strollers, or pulling carts. To maintain the social quality of the street, the width should accommodate pedestrians passing singly, in pairs, or in small groups as anticipated by density and adjacent land use.
- The Clear Zone should have a smooth surface, be well lit, provide a continuous and direct path with minimal to no deviation, be adequately maintained, and meet all applicable accessibility requirements.
- In locations with severely constrained rights-of-way, it is possible to provide a narrower clear zone. The Americans with Disabilities Act (ADA) minimum 4-foot wide clear 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 clear zone is used, 5-foot wide passing zones are required every 200'. Driveways meet the criteria of ADA-compliant passing zones.
- For any sidewalk intended to also convey bicycle traffic (i.e. shared use path), the clear zone should be a minimum of 10 feet wide. For short segments through constrained environments, 8-foot wide shared use paths are acceptable.

¹¹ Amenity Zone:

- The Amenity Zone lies between the curb and the Clear Zone. This area is occupied by elements such as street lights, street trees, bicycle racks, parking meters, signposts, signal boxes, benches, trash and recycling receptacles, and other amenities. In commercial areas, it is typical for this zone to be hardscape pavement, pavers, or tree grates. In residential, or lower intensity areas, it is commonly a planted strip.
- The Amenity Zone can provide a temporary emergency repository for snow cleared from streets and sidewalks, although snow storage should not impede access to or use of important mobility fixtures such as parking meters, bus stops, and curb ramps.
- The minimum width necessary to support standard street tree installation is 7 feet.

- Green stormwater infrastructure (GSI) is commonly located in the Amenity Zone. GSI features typically require a minimum of 7 feet of width.
- Utilities, street trees, and other sidewalk furnishings should be set back from curb face a minimum of 18 inches.
- Where on-street parking is not present, a wider Amenity Zone should be prioritized over the width of the Frontage Zone.
- The preferred width of the Amenity 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.
- Curb extensions extend the Amenity Zone and curb into the roadway. The use or function of curb extensions typically mirrors or complements that of the Amenity Zone and may include stormwater management features, transit stops or passenger facilities, seating, dining, or additional pedestrian space.

¹² Total Width:

- The minimum total width of the pedestrian zone 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.

Crosswalks

- By legal definition, there are crosswalks whether marked or unmarked at any intersection location where a sidewalk leads to and crosses the intersection, unless pedestrian crossing is explicitly prohibited. Marked crosswalks serve many purposes, including:
 - Acting as a warning device and reminder to motorists that pedestrian conflicts can be expected, especially where an unmarked crosswalk would not be clearly discernable due to peculiar geometrics or other physical characteristics.
 - Pointing out to the pedestrian the safest crossing path.
 - Encouraging pedestrian crossings at specific locations.
 - Aiding in enforcing crosswalk laws.
 - Discouraging drivers from blocking the pedestrian crossing at intersections.
- By default, marked crosswalks should be located at every signalized intersection (on all approaches); across cross-streets that intersect Boulevard, Thoroughfare, Avenue, and Mixed Use Avenue streets; and all intersections involving Mixed Use Streets. Consider providing raised crosswalks across Shared Street, Mixed Use Street, and Neighborhood Street cross-streets that intersect Boulevard, Thoroughfare, Avenue, and Mixed Use Avenue streets as traffic-calming devices to slow motor vehicle traffic as it enters neighborhoods and pedestrian-oriented districts.
- Crosswalk markings must comply with the MUTCD standards in Section 3B.18. Marked crosswalks should be at least 10 feet wide or the width of the approaching sidewalk if it is greater. In areas of heavy pedestrian volumes, crosswalks can be up to 25 feet wide. Crosswalks should be aligned with the approaching sidewalk and as close as possible to the parallel street to maximize the visibility of pedestrians while minimizing their exposure to conflicting traffic.
- Standard crosswalk markings, or simple transverse lines at least 6 inches in width, may be used at a minimum at stop-controlled and signalized intersections. High-visibility markings (continental or ladder crosswalks) may be used at any location, but are especially important at midblock crossings, designated school crossings, and near heavy pedestrian generators such as major destinations, transit stops, and parks.
- Decorative crosswalks (brick pavers, colored or textured concrete, or similar materials) are discouraged because they often create accessibility challenges. Decorative materials are more appropriately used in the center of

intersections. Locations where decorative crosswalks have been installed should be assessed for visibility, especially at night. Visibility of decorative crosswalks can be improved by adding transverse markings on either side of the decorative pavement, installing pedestrian signs at both curbs, or installing pedestrian lighting.

- Marked crosswalks are a useful traffic control device but they are not the only solution to improving pedestrian crossings. In some cases, a marked crosswalk might not be adequate on its own to increase the safety of pedestrians. Multi-lane intersections with high traffic volumes, longer crossing times, and higher speeds increase the exposure of pedestrians to potential crashes. At these intersections, crosswalk markings can provide increased awareness of the presence of pedestrians, but they may need to be supplemented with pedestrian refuge islands, curb extensions, increased signal cycle length, overhead illumination, warning signs, etc. to reduce pedestrian exposure.

Midblock Crossings

- At a mid-block location, a marked crosswalk is required to create a legal pedestrian crossing. High-visibility (continental or ladder markings) marked crosswalks are recommended at all midblock crossings, especially those without traffic control. They delineate the crossing location and can help alert roadway users to the potential conflict ahead.
- On roadways with low traffic volumes and speeds where sight distances are adequate, a marked crosswalk should be sufficient to accommodate pedestrians effectively. Additional crossing improvements such as warning signs, Rectangular Rapid Flash Beacons (RRFB), or Pedestrian Hybrid Signals (HAWK signals) are recommended at locations without traffic signals and where any of the following is true:
 - There is a history of pedestrian crashes near the location.
 - The area has high levels of pedestrian activity.
 - The speed limit or 85th percentile speed is greater than 35 miles per hour.
 - The roadway has four or more lanes of travel without a raised crossing island and an ADT of 9,000 vehicles/day or greater.
 - The roadway has four or more lanes of travel with a raised crossing island (either existing or planned) and an ADT of 12,000 vehicles/day or greater.
- See FHWA's *Safety Effects of Marked versus Unmarked Crosswalks at Uncontrolled Locations: Final Report and Recommended Guidelines* for additional information and guidance.

Street Element Priorities

Many street projects are subject to tradeoffs. Whether limited by budget, available right-of-way, or operational challenges, relatively few street projects in developed portions of the city can provide optimal operating spaces for all modes while also supporting urban design and placemaking goals. When tradeoffs are required, they are made based on priorities for each street type. The result is street designs that safely accommodate all users within the constraints of the specific project or location and achieve the multimodal goals of the project.

Feasibility is typically assessed during the conceptual design phase of the project development process, at which time tradeoffs are also made (see Chapter 4). Table 7 provides guidance for designers when weighing tradeoffs. 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 table depending on street type.

User safety is paramount and a minimum accommodation or reasonably-convenient alternative route for people biking and walking is required for every street project. 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 street type.

TABLE 7: STREET ELEMENT PRIORITIES

Street Type	Pedestrian Realm & Crossings						Roadway				
	Frontage Zone	Pedestrian Clear Zone	Amenity Zone	Curb Extensions, Parklets,	Crossing / Refuge Islands	Marked Crosswalks*	Traveled Way / Lane Width	On-Street Parking	Dedicated Bikeway	Median / Center Turn Lane	Traffic Calming / Speed Management Features
Shared Street	M	H	M	NC	NC	L	L	L	NC	NC	H
Mixed Use Street	H	H	H	H	L	H	L	H	L	NC	H
Neighborhood Street	L	H	M	H	L	L	L	M	L	NC	H
Industrial Street	L	H	M	M	M	M	H	L	M	L	L
Mixed Use Avenue	H	H	M	H	M	H	L	M	H	M	M
Avenue	L	H	H	M	H	H	L	M	H	M	M
Thoroughfare	L	H	H	L	H	H	H	L	L	M	L
Boulevard	M	H	H	L	H	H	H	L	H	H	L

H Higher Priority **M** Medium Priority **L** Lower Priority **NC** Not Compatible

*Marked Crosswalks are a high priority in school zones, regardless of street type.

Chapter 4: Implementation

The Complete Streets Plan and Policy applies to all public street design, construction, and retrofit projects managed and implemented by the City of Ames initiated after the Policy adoption (i.e., projects not yet in the CIP; see page 52). However, Complete Streets features should be integrated into projects already in the CIP at the time of Policy adoption, where feasible. The Plan and Policy also applies to all developer-led street projects initiated (i.e., the pre-application conference has not yet occurred) after the Policy adoption. It is important to note that the Plan and Policy do not state that the City will plan, design, or construct a street project solely to implement Complete Streets features. Instead, Complete Streets will be implemented through the inclusion of Complete Streets principles and design standards into new construction, major street and right-of-way renovation, and pavement improvement projects.

The Challenge of Making Streets Do More

The configuration and width of various street elements—travel lanes, bike lanes, center turn lanes, parking lanes, sidewalks, etc.—has a great impact on the availability of space on Ames’ streets. Especially in already developed areas of the city, every foot of roadway and right-of-way width is a precious commodity.

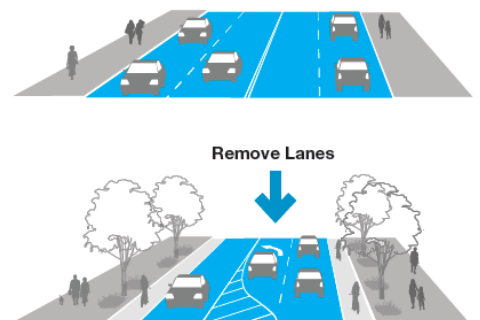
The construction of new streets (as well as the conversion of rural roads to urban cross section streets) in newly-developing areas presents relatively few obstacles. As such, streets can typically be designed to include all the desired street elements for the selected street type (see Chapter 4) and adhere to the principles of Complete Streets. However, the same is not typically true for road reconstruction and resurfacing projects—especially in already-developed portions of Ames. When designing streets in developed areas, reallocation of street space may be necessary to achieve the modal priorities of the selected street type.

Furthermore, design solutions during resurfacing projects are likely to be different than road reconstruction projects (e.g., projects in which curb location and subsurface elements are impacted). Road reconstruction projects are an opportunity to reconsider all aspects of the cross section and to achieve a balance between all users. This may include relocating the curb, widening or adding sidewalks, installing bicycle facilities, providing transit lanes, and incorporating green street elements. Resurfacing and restriping projects, on the other hand, are typically much lower in cost and are implemented more quickly. Since the curb location is typically fixed in these types of projects, opportunities for design solutions are limited to those that accommodate bicycle, pedestrian, and transit facilities without widening the roadway.

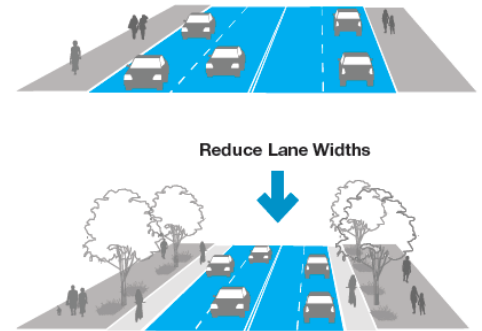
Optimizing Street Space

Whether the project is a simple resurfacing or a more complex reconstruction, two strategies will be central to Ames’ ability to reconfigure streets to achieve Complete Streets objectives.

Road diets are sometimes possible on streets in which space can be reallocated by removing one or more parking or travel lanes. Example applications include converting four-lane undivided roadways to three-lane cross sections (one lane in each direction with a center turn lane or center median), removing one or more lanes from multi-lane streets with extra capacity. As a rule of thumb, converting a four-lane street to a two-lane street with a center turn lane is feasible for streets with traffic volumes up to 15,000 to 20,000 ADT. Such conversions typically improve traffic flow and reduce crashes for all modes.



Lane diets are possible on some streets with lanes wider than 10 or 11 feet. Reduced lane widths encourage slower motor vehicle speeds, can reduce crossing distances (improving conditions for pedestrians), and provide space for bike lanes. Wide parking lanes and wide center turn lanes can also be narrowed. On some streets, lanes narrower than 11 feet may not be appropriate. Consideration should be given to transit operations and truck routes when evaluating lane diet opportunities.



Road diets and lane diets both present opportunities to reallocate space to widen sidewalks, create curb extensions, plant street trees or other landscape elements, install street furniture, implement bicycle lanes or separated bike lanes, or provide on-street parking lanes. During resurfacing and restriping projects, removing travel or parking lanes can provide additional space to install bicycle lanes or separated bike lanes, even if the curbs are not modified.

While reconstruction projects often provide a greater opportunity than repaving and restriping projects to reallocate space, both types of projects present opportunities to reconfigure the street. Such strategies are key to achieving the principles of Complete Streets in Ames.

Steps to Implementation

The remainder of this chapter outlines several aspects of implementation of the Complete Streets Plan:

- Roles and responsibilities of City departments and external stakeholders
- Types of street projects subject to the Complete Streets Policy
- The project development process, which explains how and when Complete Streets principles are incorporated in the planning and design process
- Project evaluation and documentation of decisions
- Complete Streets Program performance measures

Roles and Responsibilities

Streets are planned, designed, funded, and constructed through a complex process that includes many stakeholders—both internal to the City and external, such as members of the public and staff from local, county, and state agencies. The City partners with the Iowa DOT, CyRide, Story County, developers, and business districts to develop facilities and accommodations that advance Complete Streets principles in Ames.

Internally, implementing Complete Streets is the work of all City departments, who jointly and collaboratively work to achieve the principles and vision of the Complete Streets Policy for the community's streets. The Public Works Department is primarily responsible for designing, constructing, and maintaining Complete Streets in Ames. However, the Planning Department is an especially important stakeholder in street projects, from early planning stages to scoping and concept development. Staff from both departments comprise project teams that oversee the development of individual street projects.

Some types of projects require a higher degree of interdepartmental and interagency coordination than others. Major capital projects, such as the reconstruction of a street, require the involvement of several City departments, external agencies, and stakeholder groups. This is especially true if the project passes through a redeveloping area where character and context are changing. Maintenance projects (such as resurfacing portions of the roadway), on the other hand, require less coordination since the general design of the street will not change substantially.

Table 8 lists the primary stakeholders and their responsibilities in Complete Streets projects.

TABLE 8: COMPLETE STREETS ROLES AND RESPONSIBILITIES

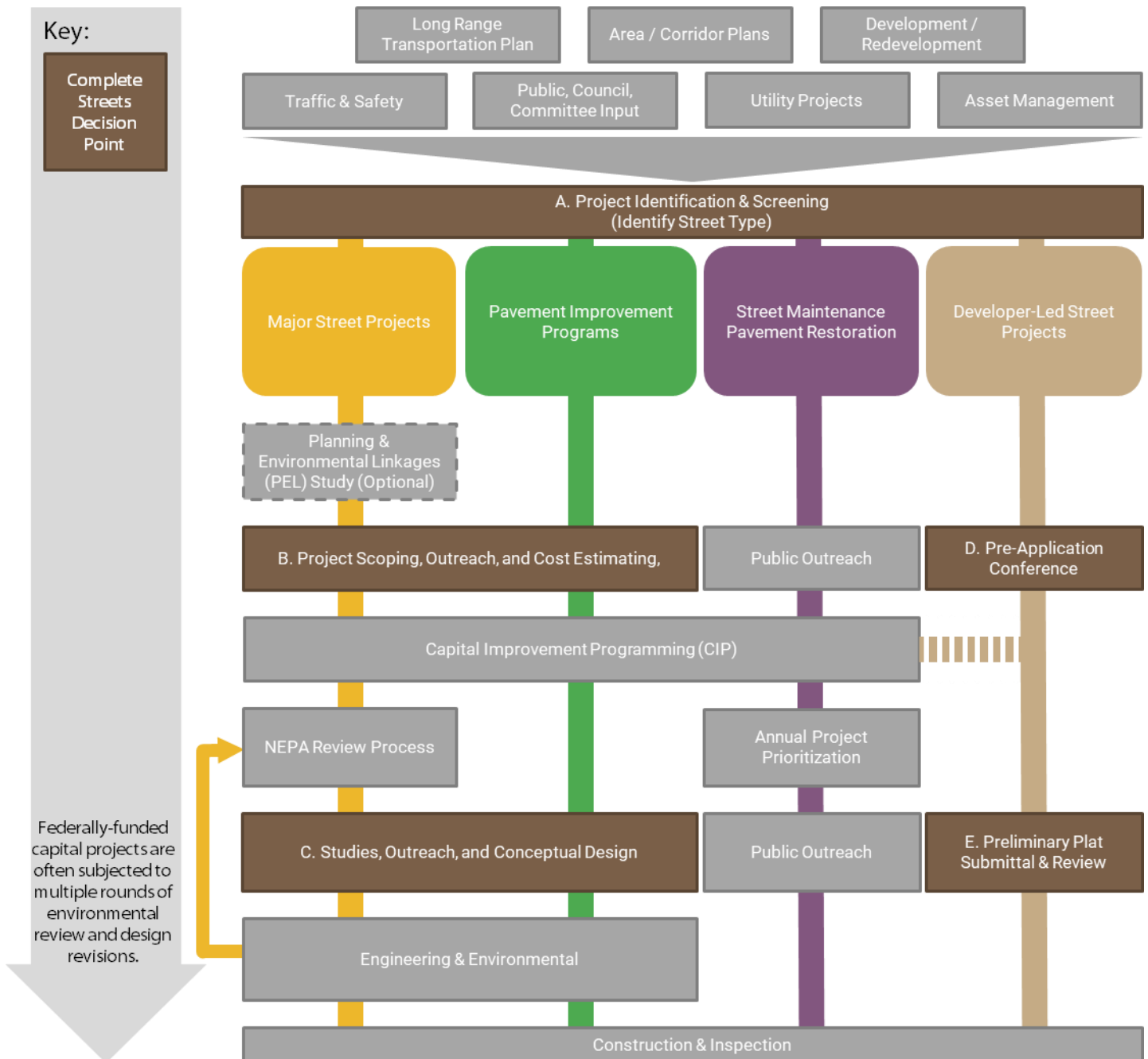
City of Ames	Responsibilities	Complete Streets Program Roles
Public Works Department	Traffic engineering, street construction, maintenance, street lighting, stormwater	Final authority for the construction of elements in the City right-of-way, as well as reporting responsibility for exceptions granted to this policy, resides with the Public Works Department.
Planning Department	Long-range land use and transportation planning, urban design, zoning	Engage in citywide, area, and corridor planning to provide context for street design and work closely with Public Works on individual street design projects.
Parks Department	Right-of-way maintenance, maintenance of park and greenbelt trails, forestry	Coordinate with Public Works and Planning on the design of right-of-way.
City Manager’s Office	Oversee the Capital Improvement Program, establish annual budgets	High-level oversight of the Complete Streets Program and ensure implementation of the Plan.
City Council	Adopt, amend or repeal ordinances and budgets	Provide accountability and adequate funding for implementation of the Plan and amend or update the Complete Streets Policy as necessary.
Fire Department	Fire and EMS response and prevention, including responding to traffic crashes	Adjust operations to narrow and traffic-calmed streets, acknowledging that slow streets are safer and produce fewer injuries and property damage.
Police Department	Crime response and prevention, traffic enforcement	Help evaluate Complete Streets projects by providing reports on speeding and observed traffic safety issues.
External Agencies		
Ames Area Metropolitan Planning Organization	Long-range regional transportation planning and allocating state and federal transportation funding	Consider the City’s Complete Streets objectives and the multimodal and placemaking roles of streets when developing regional transportation plans.
Iowa DOT	Plan, design, construct, and maintain the statewide transportation system	Coordinate with the Public Works and Planning departments on state highway projects occurring within City limits, including conformance with the City’s Complete Streets Policy.
FHWA	Provide standards and guidance for the design of streets	Provide review of environmental assessment documents for federally-funded projects.
CyRide	Fixed route and paratransit operations	Provide input on the location and design of transit stops, speed mitigation features, and other elements that may benefit or impact transit operations.
Community Groups		
Advocacy Groups	Assist the City in finding balanced solutions that meet the needs of all street users	Participate in stakeholder involvement efforts and provide input on plans and designs.
Business Improvement Districts	Provide maintenance, economic development programs, beautification, and advocacy for specific business areas	Participate in corridor/area planning, provide insight on future development and revitalization efforts, and give input on street design goals and priorities.
Neighborhood Associations	Serve as a forum to create a sense of community and a unified voice for residents	Participate in corridor/area planning and give input on street design goals and priorities.
General Public	Elect the City Council and fund projects via property taxes	Participate in corridor/area planning and give input on street design goals and priorities.

Project Development Process

The City of Ames has a defined process for planning, designing, funding, and constructing streets. Street projects fall into four broad categories and the process varies, both in terms of complexity and length, depending on the category. Major street projects, pavement improvement program projects, and developer-led street projects are the primary ways in which the Complete Streets Plan is implemented.

Figure 11 illustrates the process and how it differs for the four categories of street projects. It also highlights the key Complete Streets decision-making points, which are described in further detail on the following pages. For major construction and reconstruction projects, this process typically takes multiple years.

FIGURE 11: CITY OF AMES PROJECT DEVELOPMENT PROCESS



Complete Streets Decision Points

There are several decision points or phases in the project development process during which Complete Streets decisions are made and documented. The five key points are:

- A. Project identification and screening
- B. Project scoping, outreach, and cost estimating
- C. Studies, outreach, and conceptual design
- D. Pre-application conference (developer-led projects only)
- E. Preliminary plat submittal and review (developer-led projects only)

These five points and relevant Complete Streets actions are described in detail on the following pages.

A. Project Identification & Screening Phase

How are projects identified?

The need for a street project arises through a variety of channels. Projects are typically identified through one or more of the following:

- **Long Range Transportation Plan** – This plan identifies changes in traffic volumes and travel patterns anticipated to occur due to land use and density changes, or due to changes in peoples’ travel preferences. This may mean changing the capacity of a street or reconfiguring the street to better serve people biking, walking, or using transit. This plan greatly influences the design of streets, often years before any engineering occurs.
- **Comprehensive Plan** – This plan identifies changes to land use and density in the future, which in turn may trigger needs for increased roadway capacity or shifting priority between modes.
- **Area / Corridor Plans** – Redevelopment plans for corridors or areas may identify the need to expand or reconfigure a street to support the transportation needs of the desired future development patterns.
- **Development / Redevelopment** – Large-scale development typically necessitates building new streets (typically the responsibility of the developer). Smaller-scale development may not require building new streets, but may necessitate making changes to the right-of-way of existing streets, such as adding sidewalks or shared-use paths.
- **Traffic & Safety** – Intersections or street corridors with high crash rates, excessive traffic congestion, conflicts between modes, or other inefficiencies often trigger intersection projects, speed mitigation projects, and street reconfiguration.
- **Asset Management** – Streets or bridges with poor pavement are often prioritized for reconstruction or repair.
- **Utility Projects** – Water, sewer, and stormwater projects often require excavating a portion of streets. Sometimes utility projects can affect multiple blocks of a street and are therefore opportunities to combine the project with other street modification projects.
- **Public Input** – Public input regarding the function of a street, safety concerns, etc. can prompt street projects.
- **City Council/Committee Input** – Boards, committees, or commissions may identify the need for a project—or increase the priority of a project—based on strategic objectives, group priorities, constituent input, etc.

Complete Streets Action

Identify Street Type Prior to CIP Program Assignment – For every project, the street type should be identified during the project identification phase prior to assigning the project to a CIP program. For resurfacing projects, if the current configuration of the street differs significantly from the ideal configuration based on the selected street type per the guidance in the Complete Streets Plan, the project should be assigned to one of the Pavement Improvements Programs.

How are projects classified and assigned to CIP programs?

Once the need for a project is identified, it is classified and assigned to a specific Capital Improvements Plan (CIP) program. The level of complexity and scale of the project determines which program it is assigned to. The process from screening to construction differs between these categories:

- **Major Projects** (e.g., Grand Avenue Extension and W Lincoln Way Intersection Improvements) – Large-scale projects, typically originating from the MPO’s Long Range Transportation Plan, that are incorporated into the CIP as standalone programs. They typically include major street expansion or widening and expanding or modifying intersection geometry.
- **Pavement Improvements Programs** – Annual programs for repairing or reconstructing streets to restore pavement and reduce maintenance costs. Projects are typically chosen based on pavement condition. The programs are categorized based on street type:
 - Arterial Streets
 - Collector Streets
 - Asphalt Streets (typically residential streets)
 - Concrete Streets (typically residential streets)
 - Downtown Streets
 - CyRide Routes
 - Seal Coat Streets (typically residential streets)
 - Multi-Modal Roadway Improvements (projects to create safer interaction between bicycle and automobile modes; typically include adding bike lanes, improving signal detection for bicycles, and intersection crossing visibility enhancements; these projects are typically identified based on traffic and safety considerations, rather than pavement condition)
- **Street Maintenance Pavement Restoration** – Annual program that includes a large variety of maintenance activities, including seal coats, patching, and full-depth paving. Projects are identified annually.

Developer-Led Street Projects may be partially funded with City funds through the CIP if the project includes elements that the Subdivision Ordinance does not require of developers.

Complete Streets Action

Begin Design Decision Documentation – When a project is identified, the project team should begin populating the project checklist including project extents and street type according to the Complete Streets Plan. If the project is assigned to the Street Maintenance Pavement Restoration program, the designer should document why implementing Complete Streets principles and features in the project is unnecessary or unfeasible. If it is determined that the street should have a street type other than that which is identified based on the guidance provided in the Complete Streets Plan, the change should be documented and explained.

B. Project Scoping, Outreach, and Cost Estimating Phase

(Applies to Major Street Projects and Pavement Improvement Programs and occurs before a project is added to the CIP)

Design Coordination

- Identify agency stakeholders
- Review Long Range Transportation Plan
- Review existing plans/vision for the corridor
- Identify land use, zoning, and redevelopment opportunities
- Review existing multimodal traffic counts
- Identify multimodal (walking, biking, transit, freight) needs
- Identify potential coordination with water, sanitary sewer, and stormwater projects

Public Involvement

- Meet with stakeholders to announce the project and identify issues

Complete Streets Actions

Confirm Selected Street Type with Stakeholders – Based on stakeholder input, confirm that the selected street type is appropriate. If a different street type is determined to be necessary, this decision should be documented and explained. Alternative street types should be compatible with the context and should be considered carefully. If an alternative street type is being considered, additional public outreach should occur.

Seek Stakeholder Input on Tradeoffs and Priorities – Consult the priority matrix to identify priorities for the selected street type. If it appears that tradeoffs may be necessary, identify this issue with the public and seek input on priorities, if warranted.

Scope, Cost Estimate & Funding Strategy

- Complete purpose and need statement
- Select design criteria
- Identify typical cross section
- Identify potential right-of-way needs
- Estimate engineering, construction, and right-of-way costs
- Identify funding source and CIP program

Complete Streets Action

Update Design Decision Documentation – Continue populating the project checklist to include existing conditions, design coordination activities, record of public input, purpose and need, typical cross section, etc. In addition, document any priorities identified, deviations from the original street type, and deviations from design parameters (e.g., if narrower than specified sidewalks are shown on the typical cross section). Any exceptions to the Complete Streets Policy will be recorded and justified.

Pre-CIP Conceptual Design (Major Street Projects Only)

For major projects, the City may perform some level of conceptual design prior to adding the project to the CIP, in order to increase the accuracy of the cost estimate.

C. Studies, Outreach, and Conceptual Design Phase

(Applies to Major Street Projects and Pavement Improvement Programs. This phase typically lasts one to three years before construction.)

Chapter 4: Implementation

Study

(Not all studies and reviews are needed for each project.)

- Review any new or updated plans/vision for the corridor
- Confirm land use, zoning, and redevelopment opportunities
- Perform traffic studies and update multimodal traffic counts (optional)
- Identify multimodal (walking, biking, transit, freight) needs
- Identify safety issues and accessibility deficiencies

Design Coordination

- Confirm agency stakeholders and expand as needed
- Identify and coordinate with non-agency stakeholders
- Identify existing and planned transit routes and stops
- Identify existing and planned bicycle and pedestrian infrastructure
- Identify potential coordination with water, sanitary sewer, and stormwater projects
- Utility coordination
- Perform drainage study
- Identify environmental and permit needs
- Conduct resource reviews and identify mitigation

Preliminary Concept

- Map existing right-of-way and develop preliminary alignment (and alternative alignments if necessary)
- Update preliminary cross section (and alternative cross sections if necessary)
- Quantify potential additional right-of-way needs
- Coordinate with potentially-affected stakeholders

Complete Streets Actions

Confirm Selected Street Type – Based on any potential changes to land use, development patterns, or goals for the corridor in the years since the project was added to the CIP, confirm that the selected street type is appropriate prior to developing the preliminary cross section and design criteria. If a different street type is determined to be necessary, this decision should be documented and explained. Alternative street types should be compatible with the context and should be considered carefully. If an alternative street type is being considered, input from the public should be sought on this decision.

Identify Potential Issues that Require Making Tradeoffs – Consult the priority matrix to identify priorities for the [selected street type] / [relevant place type]. If it appears that tradeoffs may be necessary, identify this issue with the public and seek input on priorities, if warranted.

Public Involvement

- Present the preliminary concept or alternatives for feedback (in-person or online)
- Seek input on issues (in-person or online)

Complete Streets Action

Seek Stakeholder Input on Tradeoffs and Priorities –If it appears that tradeoffs may be necessary, identify this issue with the public and seek input on priorities, if warranted.

Finalized Concept

- Revise typical cross section
- Present revised cross section for public and stakeholder feedback (in-person or online)
- Finalize design criteria

Complete Streets Action

Update Design Decision Documentation – Continue populating the project checklist to include existing conditions, design coordination activities, record of public input, typical cross section, etc. In addition, document any priorities identified, deviations from the original street type, and deviations from design parameters (e.g., if narrower than specified sidewalks are shown on the typical cross section). Any exceptions to the Complete Streets Policy will be recorded and justified.

D. Pre-Application Conference (Sketch Plan)

(Applies to Developer-Led Street Projects)

Developers are required to schedule a Pre-Application Conference prior to filing a preliminary plat. They are required to bring a Sketch Plan to the conference that contains locations and dimensions of lots and location, width, and dimensions of streets. In the lifespan of a street project, the Pre-Application Conference roughly parallels the initial project scoping phase that applies to City-led projects.

Complete Streets Action

Identify Street Type in Sketch Plan or During Pre-Application Conference – For every street on the Sketch Plan, the street type should be identified prior to preliminary plat development. If the developer wishes to propose a street type other than that which is identified in the Complete Streets Plan, they should describe how it is a reasonable and justifiable change. If a variance is granted, this decision should be documented and explained by the City.

E. Preliminary Plat Submittal & Review

(Applies to Developer-Led Street Projects)

Developers are required to submit a completed Application for Preliminary Plat to be reviewed by City staff, commissions, and City Council. The Preliminary Plat includes updated locations, widths, and dimensions of streets, sidewalks, and shared use paths to be built by the developer. In the lifespan of a street project, the Preliminary Plat roughly parallels the conceptual design phase that applies to City-led projects.

Complete Streets Action

Confirm that Street Designs Comply with Street Type Parameters – For every street, City staff should confirm that the design complies with the parameters of the selected street type before recommending for approval. If the developer wishes to deviate from the specified parameters, they should coordinate this intent with City staff prior to Preliminary Plat submittal and describe how such deviations are reasonable and justifiable changes. If a variance is granted, this decision should be documented and explained by the City.

Project Evaluation

Design decisions are documented throughout the project development process in order to ensure compliance with the Complete Streets Policy and to record and justify any deviations from the guidance provided in this Plan. After construction, street projects are evaluated in order to assess how successfully the project met the objectives of the Complete Streets Policy and Plan.

Checklist

Design decisions are documented at several stages during the project development process using the design decision documentation checklist. The checklist provides a consistent format for recording decisions and is also a tool that helps designers and the project team ensure that the design criteria are appropriate for the context, street type, and project goals.

The checklist helps the project team and the public easily determine whether the project:

- Is based on an appropriate street type for the context and functional classification;
- Is reasonably compatible with planning, urban design, and redevelopment initiatives in the surrounding area;
- Was developed with adequate stakeholder and public engagement, the amount of which varies based on the context and complexity of the project;
- Is based on an appropriate target speed for the context;
- Has adequate pedestrian zone width;
- Includes an appropriate bikeway type for the conditions;
- Adequately accommodates transit and freight vehicles, where needed; and
- Includes appropriate space for landscaping, placemaking, and Green Stormwater Infrastructure.

Exceptions and Mitigation

The checklist also provides space to document any exceptions to the Complete Streets Policy that result in the street design not adequately accommodating all modes and any mitigation efforts. If all the specified street elements and modal facilities cannot be incorporated into the street design, the designer and project team should seek solutions that at least partially achieve the goals of the project. One example of this approach is adding a sidewalk to only one side of the street where right-of-way is constrained. Another example is adding a bike lane only in the uphill direction (a climbing lane) and shared lane markings in the downhill direction when pavement width is limited.

Complete Streets Action

Revise the Project Development Checklist – City staff should revise the project development checklist to include sections where place type, transportation, and street type can be recorded; spaces to record selected values for each of the design criteria included in Tables 2, 3, and 4 in Chapter 4; and provide space for explaining and justifying any exceptions to the Complete Streets Policy and the design criteria parameters and describing the approach to mitigation.

Documentation Points for City-Led Projects

Design decisions should be explained and documented throughout the project development process. This is especially important for purposes of communication and transparency with the public. Specific documentation points include:

1. **Project Identification & Screening** – Basic context and project information is recorded for all projects, regardless of whether they are major projects or maintenance projects. This includes recording traffic volume, typical street section, speeds, existing bicycle and pedestrian infrastructure, functional classification, and appropriate street type. If the Comprehensive Plan, or a corridor or area plan identifies any planned redevelopment in the area, the designer will identify the probable future place type and potential street types. Any exceptions to the Complete Streets Policy will be recorded and justified.
2. **Project Scoping** – Update the information input during the project identification and screening phase based on results from new studies/analysis and stakeholder/public input. The project team will record any changes to street type selection, project goals, and design criteria resulting from additional study of the corridor while generally documenting the decisions made during the scoping phase. Any exceptions to the Complete Streets Policy will be recorded and justified.
3. **Conceptual Design** – Update the information input during the project scoping phase. The project team will record decisions made such as typical section, bikeway type, pedestrian zone widths, etc. Any exceptions to the Complete Streets Policy will be recorded and justified. Any mitigation efforts/measures will be identified and documented.

If significant changes are made to the street design at later phases of the project development process (for example, during detailed engineering design), the information in the design decision documentation checklist will be updated.

After each of the stages above, the design decision documentation should be publicized on the City's website.

Project Evaluation Metrics

Evaluating the outcomes of street projects allows the City to determine the effectiveness of the street design. This, in turn, helps to improve the City's street design process to better meet the goals of the Complete Streets Plan and the goals of individual street projects. Project evaluations are important for communicating with decision makers and community members and can also be helpful in prioritizing transportation projects or guiding resource allocation in the future.

There are many ways to evaluate a street project, some of which are more complex and data-intensive. Options for project-level metrics for evaluating the outcomes of projects are listed below, organized by subject.

- **Safety and Comfort**
 - Crash reduction along the corridor (total crash reduction, reduction in crash severity, and reduction by mode)
 - Observed motor vehicle speed (85th percentile) compared to the project's target speed
 - Resulting perception of safety for people bicycling (measured using the Level of Traffic Stress model with a goal of LTS 1 or 2 for each project)
- **Use and Mode Shift**
 - Transit use (measured as boardings within the project area)
 - Number of biking and walking trips
 - Number of motor vehicle trips
 - Change in motor vehicle travel time

- Activity
 - Return on investment (retail sales, property values, and/or total amount of private investment in the corridor)
 - Occupancy rates (commercial by square footage, residential by unit)
 - Changes in activity and use of public space (communicated with descriptive text, user feedback, and before and after photos)

When possible, individual projects metrics should be measured prior to project construction and one, three, and five years following project completion to allow for a baseline comparison and long-term evaluation.

Complete Streets Program Performance Measures

Performance measures can be tracked and reported to determine the effectiveness of the Complete Streets Plan and its implementation. A variety of measures can be tracked, but the ones that are chosen should be relatively easy and inexpensive to collect and should relate to the vision and objectives of the plan. Prior to committing to specific metrics, the City should determine what data is readily available or can easily be collected. In addition to data the City already collects, the City will likely need to use data collected by other agencies, such as the Iowa DOT, U.S. Census, local school districts, or Story County Public Health Department.

Table 9 lists **recommended** performance measures for consideration by the City of Ames. It may not be feasible or necessary for the City to track each of these measures. Selecting measures for tracking necessitates identifying data availability for each measure. Over time, the City should provide targets for these outcome measures.

TABLE 9: RECOMMENDED COMPLETE STREETS PROGRAM PERFORMANCE MEASURES

Questions Being Addressed	Measures
Are people walking, biking, taking transit, and carpooling more than they used to? Are people driving less?	Mode shift
	Mode shift for trips under 1 miles, and between 1 and 3 miles
	Vehicle miles traveled (VMT) per capita
Are students walking and biking to school more than they used to?	Number of K-12 students who walk or bike to school
Are Complete Streets increasing safety?	Citywide crash reduction (total crash reduction, reduction by mode, and reduction by crash severity)
	85th percentile speed compared to target speed (aggregate of all streets/projects; measures whether people are speeding)
Have Complete Streets designs created delays for driving or transit?	Travel time along key corridors
Are Complete Streets benefiting everyone?	Crash reduction, mode shift, and person miles traveled for Environmental Justice* (EJ) populations versus non-EJ populations.
	Household and employment proximity to bicycle and pedestrian facilities
	EJ population proximity to bicycle and pedestrian facilities
Are Complete Streets effectively increasing opportunities for biking and walking?	Miles of on-street bicycle facilities, sidepaths, and sidewalks
	Bicycle Network Analysis (BNA) score
Are Complete Streets supporting economic activity?	Commercial vacancies along Complete Streets
Is investment in Complete Streets supporting the City’s asset management objectives?	Pavement Condition Index (PCI)

Appendix A: Plans & Policies

The Complete Streets Plan builds upon years of prior studies and policies that have shaped and will continue to guide decision-making, priorities, land use patterns, and transportation investments in Ames. These studies and policies shaped the development of the Complete Streets Plan in numerous ways. The most relevant components of each—and ways in which they may influence the development of the Complete Streets Plan—are identified in the following pages.

Land Use and Development Plans

Land Use Policy Plan (1997, revised 2011)

The Land Use Policy Plan (LUPP) is Ames' Comprehensive Plan, which guides land use decision-making and heavily shapes the City's zoning ordinance. The plan analyzes factors that will influence new development and land use changes in Ames, such as population growth, changes in housing preference, and increased employment levels. The plan establishes a vision and ten defined goals for the future of the community.

The LUPP emphasizes the importance of growing in a smart, sustainable way by re-envisioning future development patterns, preserving neighborhoods, and identifying opportunities for increased development intensity in certain parts of the city. Namely, the LUPP includes policy options for the redevelopment of areas within the urban core, such as downtown, a small area south of Lincoln Way near downtown, and the medical center.

The LUPP envisions walkable, interconnected development patterns that mix densities and uses in ways that encourage people to engage with their community and travel on foot and by bike. The LUPP explicitly states an objective that is very much in keeping with the context-sensitive spirit of Complete Streets: "Ames seeks a transportation system that is linked with the desired development pattern of the overall community and areas therein."

However, in the LUPP's short section on mobility, the focus is primarily on large-scale connectivity needs (such as connecting streets to serve planned growth in the northwest growth priority area) and identifying solutions for meeting perceived increases in motor vehicle demand along corridors such as Grand Avenue, Duff Avenue, and Lincoln Way. No specifics are given for designing streets to support the new development patterns outlined by the LUPP.

The LUPP describes Ames' Capital Investment Strategy, which is intended to stimulate development in priority areas and disincentivize development in other areas. Outside of Incentivized Growth Areas, developers are responsible for all costs associated with development of the area, including street construction. As such, the Complete Streets Plan will affect how developers design and build streets.

"This plan for Ames is about connections—connections involving land use, environment, recreation, mobility and infrastructure. This plan is also about connections involving people with their neighborhood and community in creating a sense of place."

— from the foreword to the
Land Use Policy Plan

Lincoln Corridor Plan (2017)

Lincoln Way is a primary east-west corridor in Ames. The Lincoln Corridor Plan (LCP) describes this corridor as the backbone of Ames that “ties together the historic Downtown, Iowa State University, several neighborhoods, and areas where people work and shop.” While primarily a plan for land use and redevelopment, the LCP explains that this street functions both as a major thoroughfare for through traffic, as well as an important means of accessing the numerous destinations it connects. It identifies the numerous demands placed on Lincoln Way from motorists, transit users, and people walking and biking, as well as business and neighborhoods interested in enhanced placemaking.



A key part of the LCP’s vision is that Lincoln Way should become a community-wide multi-modal corridor. It contains recommendations for new bicycle and pedestrian infrastructure to link together the many distinct zones (or districts) that comprise the Lincoln Way corridor. Notably, the LCP includes conceptual cross sections for many portions of Lincoln Way, each of which includes enhanced accommodations for people walking and biking—mostly in the form of wider sidewalks and shared-use sidepaths.

South Lincoln Way Mixed Use Plan

Also known as the South Lincoln Way Sub-Area Plan, the need for this plan was identified in the LUPP to plan for future redevelopment in the area south of Lincoln Way, between South Grand Avenue and South Duff Avenue. The plan includes recommendations for new multimodal street connections, streetscape treatments, site identity elements, and new sidewalks and bikeways on several existing streets, most notably South 5th Street and South Walnut Avenue.



An objective of the plan is to encourage pedestrian and bicycle use, which is seen as highly compatible with the future development patterns, and to discourage adjacent high-speed traffic where appropriate. In other words, the entire design of this area—from streets to buildings and public spaces—should encourage people to walk and bike, rather than drive.

Transportation Plans

Ames Mobility 2040 (2015)

Ames Mobility 2040 is the long-range, multi-modal transportation plan for the Ames Area Metropolitan Planning Organization (AAMPO)—a multijurisdictional agency mandated by the federal government for urban areas with populations greater than 50,000. Although the City of Gilbert is included in AAMPO’s planning area, the City of Ames constitutes most of the planning area in terms of population, land area, and density of the transportation network. As such, the Ames Mobility 2040 plan also serves as the City’s *de facto* transportation plan.

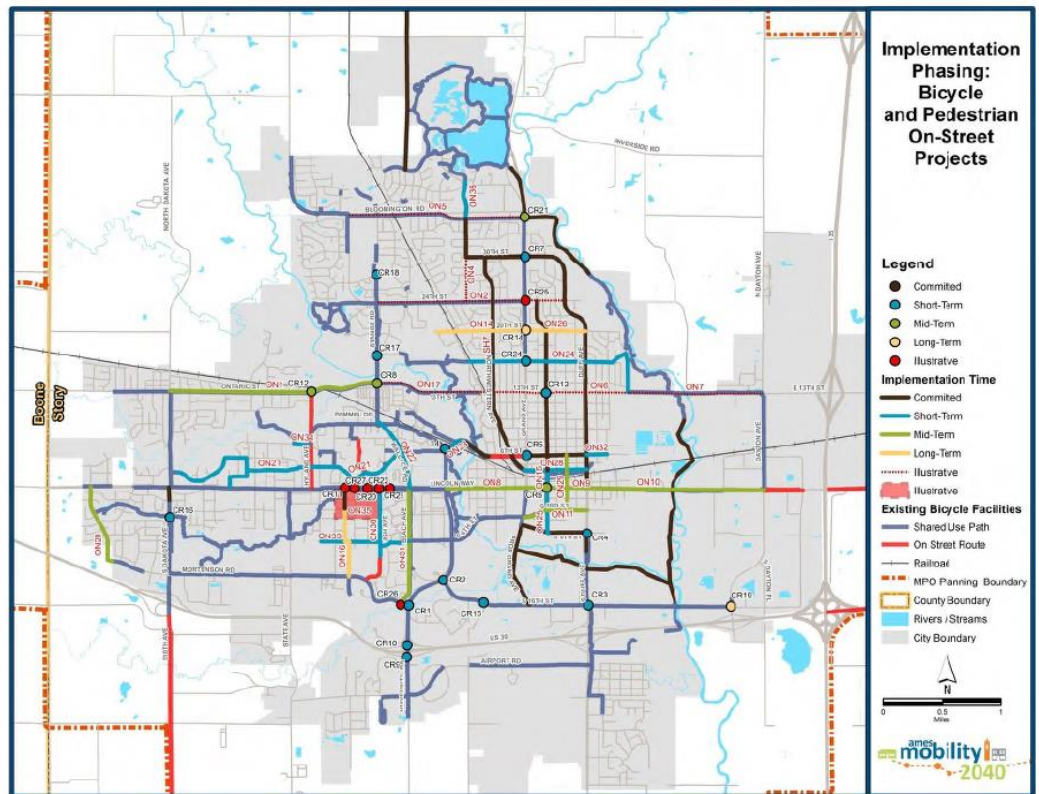


Mobility 2040 establishes a vision and goals for multimodal roadways that serve people walking, biking, driving, and using transit and prioritizes projects for receiving federal transportation funding. The plan was developed through an extensive online and in-person public involvement process. The majority of public comments received during the public outreach efforts focused on enhancements for people walking and biking.

Complete Streets is identified as an important implementation method for the Mobility 2040 plan. The plan includes a Complete Streets policy for AAMPO, which was adopted along with the Mobility 2040 plan. The policy commits AAMPO to only funding projects that adhere to Complete Streets principles and values.

Included in the plan is a network of existing and future bikeways both on- and off-street (Figure 61. Planned On-Street Bicycle Route Projects and Figure 62. Planned Off-Street Bicycle and Pedestrian Projects). The plan classifies future projects as committed, short-term, mid-term, long-term, and illustrative (no identified time horizon). The routes identified by these maps influenced the Complete Streets Plan’s network classifications and typologies, such as by influencing the priority given to accommodating bicycling in various contexts.

Figure 61. Planned On-Street Bicycle Route Projects

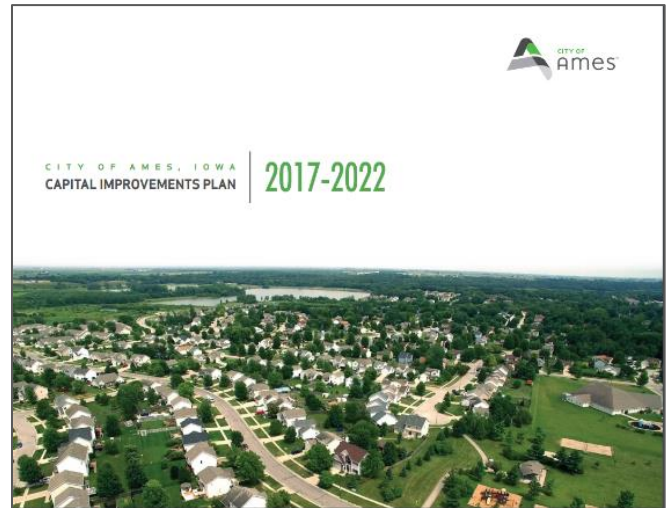


Capital Improvements Plan (Updated Annually)

The Capital Improvements Plan (CIP) is an annually-updated five-year plan that identifies funding sources and amounts to be spent on infrastructure, facilities, and equipment throughout the city. In addition to utilities, public safety equipment, and parks and recreation facilities, the plan includes a section on transportation.

The five-year transportation budget in the 2017-2022 CIP totals over \$85.9 million worth of projects, categorized as follows:

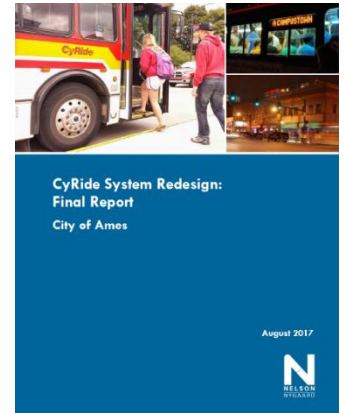
- **Street Engineering** (\$61.6 million) – the largest portion of CIP transportation funding goes to this category, which includes major street projects such as the Grand Avenue Extension and South Duff Avenue Improvements. This category also includes several annual Pavement Improvement programs to repair, reconstruct, or otherwise improve surfaces of various streets in Ames throughout the year.
- **Shared Use Paths** (\$7.4 million) – a dedicated line item for expanding and maintaining the shared use path system, as well as implementing on-street bikeways and improving intersections for bicycling.
- **Traffic** (\$6.1 million) – includes traffic calming projects, implementation of features to improve accessibility (as defined by the ADA), replace outdated traffic signals, and upgrade signals to optimize traffic and pedestrian flow.
- **Transit** (\$8.9 million) – much of this funding is for replacing CyRide buses and upgrading the bus storage facility. This line item also includes funding for installing new bus shelters and updating bus tracking and management technology.
- **Airport** (\$0.7 million) – demolishing the old airport terminal building and studying a future runway expansion.



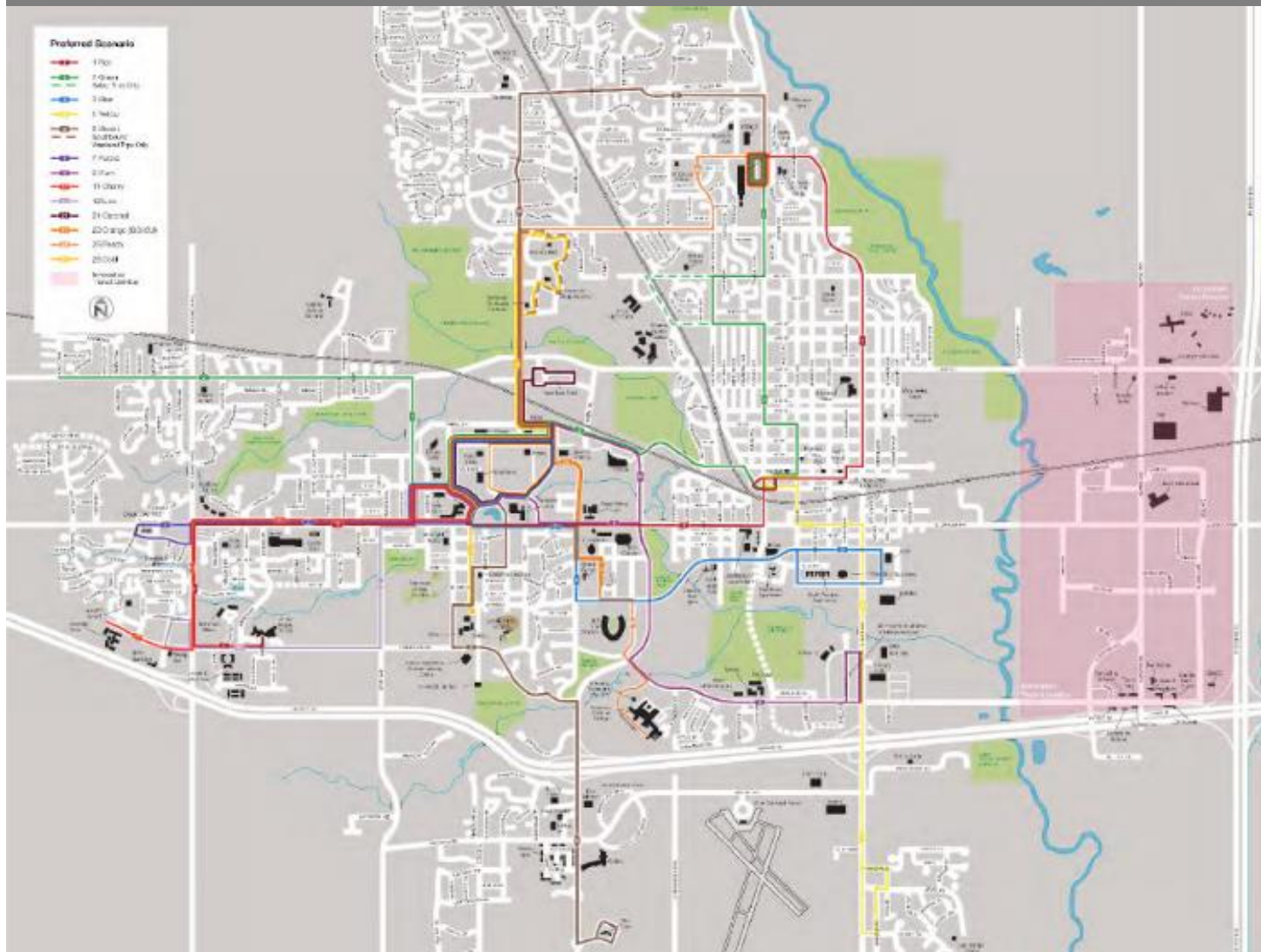
All street projects—regardless of scale or budget—funnel through the Capital Improvements Plan, whether as a dedicated project (in the case of the Grand Avenue Extension) or as part of one of the street Pavement Improvement programs. Typically, the projects already in the CIP are prioritized over new projects that are added.

CyRide System Redesign (2017)

CyRide completed a system redesign study in August 2017. The system redesign examined key issues relevant to the Complete Streets plan, including balancing coverage and productivity to better serve users in areas other than campus and downtown and managing demand for transit service. Recommendations include modifications to selected routes and the elimination/consolidation of two routes in order to increase the efficiency and capacity of the remaining routes while extending operating hours. One of the most significant changes is the elimination of routes in eastern Ames and the creation of an Innovative Transit Service zone (on-demand transit) in that area. While the report does not make specific recommendations for street design, it does highlight the importance of providing direct routes.



CyRide System Redesign Recommendations



Engaging Ames in Complete Streets (2016)

The Iowa State University Community Design Lab, in conjunction with Healthiest Ames, undertook an initiative to develop a Complete Streets policy and make recommendations for implementing Complete Streets in Ames. This effort involved members of Healthiest Ames, the City of Ames, Ames Bicycle Coalition, and the Iowa State University Community Design Lab. The project team also engaged with the broader community through four Open Streets events.

The report includes an analysis of existing conditions, including identification of which modes are served by which streets. A significant portion of the report is dedicated to analyzing connections and the quality of Ames’ trail and sidepath network. Factors analyzed included lighting, connectivity to surrounding areas, quality of surrounding landscape, safety features, surface condition, and signage.

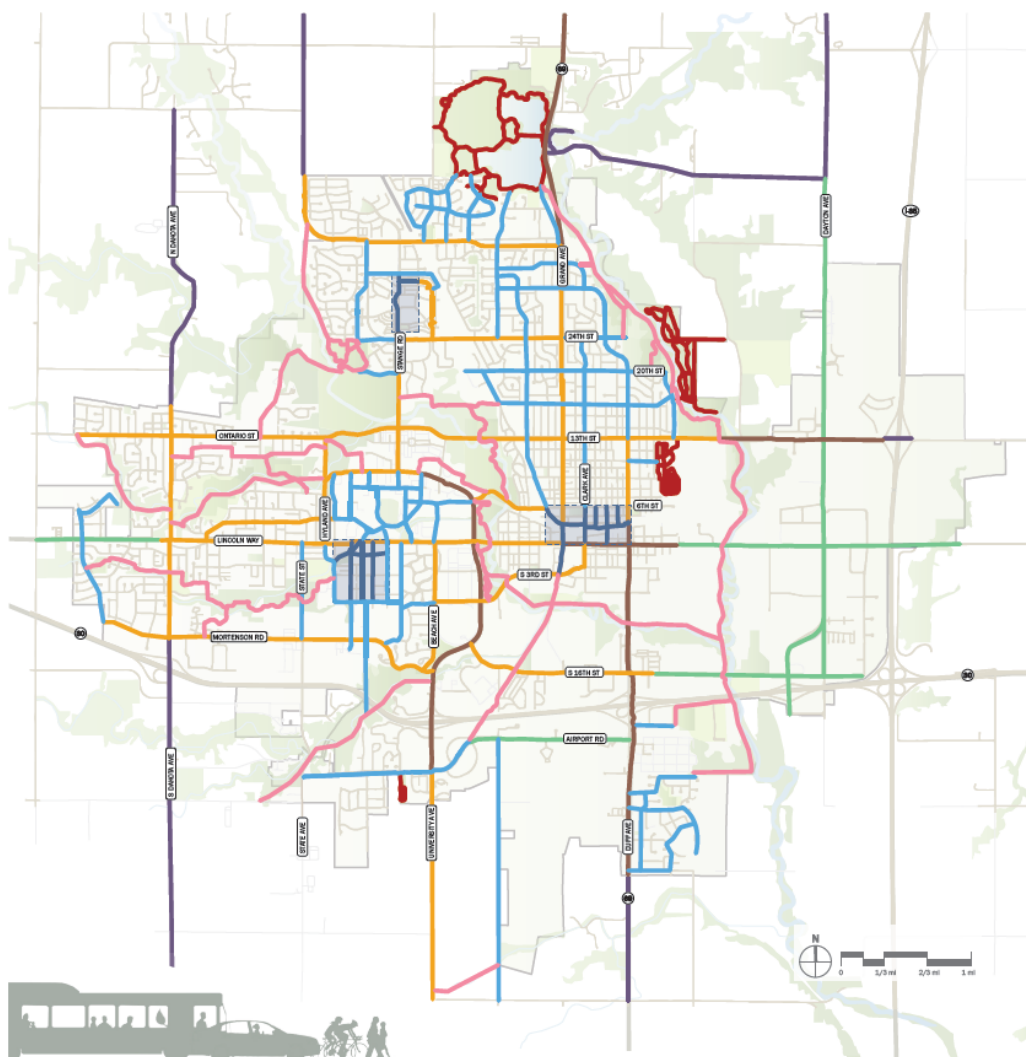
From a Complete Streets perspective, the central recommendations of the report are contained within six route classifications for streets (supplemented by two greenway trail classifications). Each street classification includes a typical cross section and recommendations for street zone width parameters. The classifications were applied to specific streets in Ames. While some classifications—notably Neighborhood Main Street—are noticeably context-based, the classifications for the most part align with conventional functional classifications (the Community Connector, Gateway/Thoroughfare, Vehicle-Oriented & Industrial, and Rural classifications follow arterial streets; the Local Connector classification follows collector streets).

ROUTE CLASSIFICATIONS

Ames’ routes were organized into eight route classifications stemming from the City’s functional street classification, incorporating current and proposed pedestrian and bicycle networks and building on the potential of innovative complete streets precedents. The following design guidelines identify the street classification(s) utilized as precedent for each of Ames’ route types. The goal of the classification is to supplement the current motor vehicle based, functional classification with additional guidance on streetscape features and designs related to context sensitivity, adjacent land use, green infrastructure and pedestrian, bicycle and public transit accommodations.

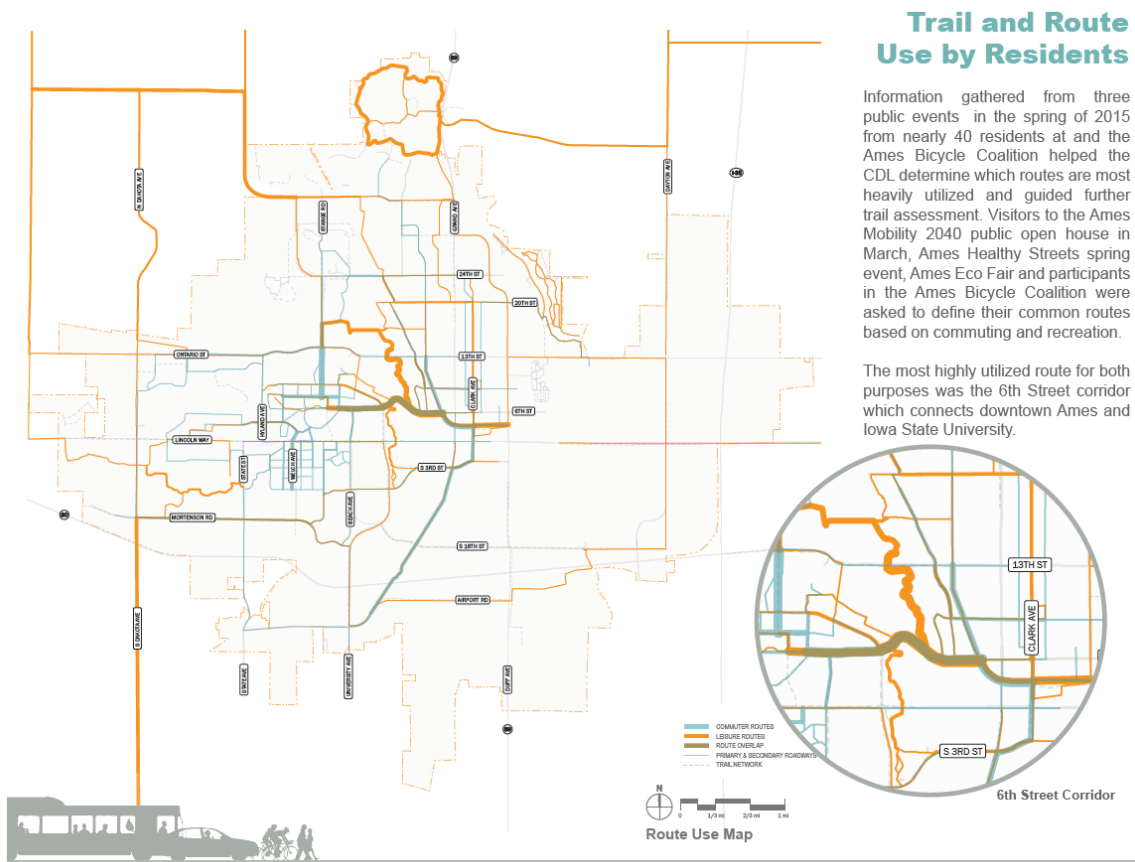
ROUTE CLASSIFICATIONS:

- Greenway Corridor
- Greenway Destination
- Gateway / Thoroughfare
- Community Connector
- Neighborhood Main Street
- Local Connector
- Vehicle-Oriented & Industrial
- Rural



Each classification makes some distinction in terms of sidewalk width and type of bike accommodation between commercial, residential, and campus areas. However, the approach to context-sensitivity and design flexibility does not account for the variation of constraints and changes in context that are present along the corridors. For example, the “commercial” context does not offer a distinction between auto-oriented big box shopping centers and downtown.

One of the more valuable maps in the report is one that identifies trails and routes that are most heavily utilized by people biking and identifies which routes are leisure-oriented and which are commuting-oriented. This map was considered with determining priorities for the new street types developed for the Complete Streets Plan.



Engaging Ames in Complete Streets presents a variety of best practices and a vision of how Complete Streets could be realized in Ames. However, for several reasons the City of Ames embarked on creating its own Complete Streets Plan to build upon the momentum created by the Engaging Ames in Complete Streets project:

- To develop a Complete Streets Policy that meets the needs of the City of Ames.
- To create street types that better account for the variation of constraints and contexts across the community.
- To develop a process for making design decisions, accepting public input on individual street projects, and provide for more flexibility.
- To provide a process for judging tradeoffs when constraints preclude the ability to incorporate all desired street elements.
- To create design guidelines that tie together and define the compatibility and appropriate use of various street design elements.

Appendix B: Transportation Profile

This transportation profile provides an assessment and summary of the existing conditions related to multimodal transportation in Ames. This document was prepared by reviewing and incorporating relevant elements from the Ames Mobility 2040 long-range transportation plan, Land Use Policy Plan, CyRide System Redesign Study, and various corridor and small area plans as well as performing new analyses of the transportation system to shed light on needs and opportunities. This transportation profile includes the following sections:

- Overview of the Existing Transportation System
- Mode Share and Travel Demand
- Bicycle and Pedestrian Network Analysis

Overview of the Existing Transportation System

The transportation system in Ames serves people biking, walking, driving, and using transit through an interconnected system of streets, shared-use paths, and freeways. A significant amount of freight is conveyed on railroads passing through Ames, as well as on freeways and some streets. For purposes of the Complete Streets plan, the focus is on the street network and to a lesser degree its connections to shared-use paths.

Street Network Form

There are approximately 245 miles of streets in Ames, not including US Highway 30 or Interstate 35. Almost all streets have sidewalks on both sides. In many parts of Ames, these streets form a gridded street network, which provides multiple route options, good connectivity, and a high level of access for people biking, walking, or driving. However, certain barriers and bottlenecks exist within the city. Most notable are the South Skunk River and its western tributaries, which divide the city into three parts, and the two railroads (which merge near downtown). To a lesser degree, Interstate 35 and US Highway 30 are barriers that limit crossing opportunities to every 1 to 1.5 miles.

Each of the barriers in Ames disrupts the street grid and forces traffic of all modes to a small set of crossings. As a result, multimodal traffic is funneled to streets such as 13th Street, Lincoln Way, 16th Street, Stange Road, and Duff Avenue. Large demands are subsequently placed on these streets in terms of traffic volume, which creates operational challenges, especially for people crossing these arterials by bike or on foot.



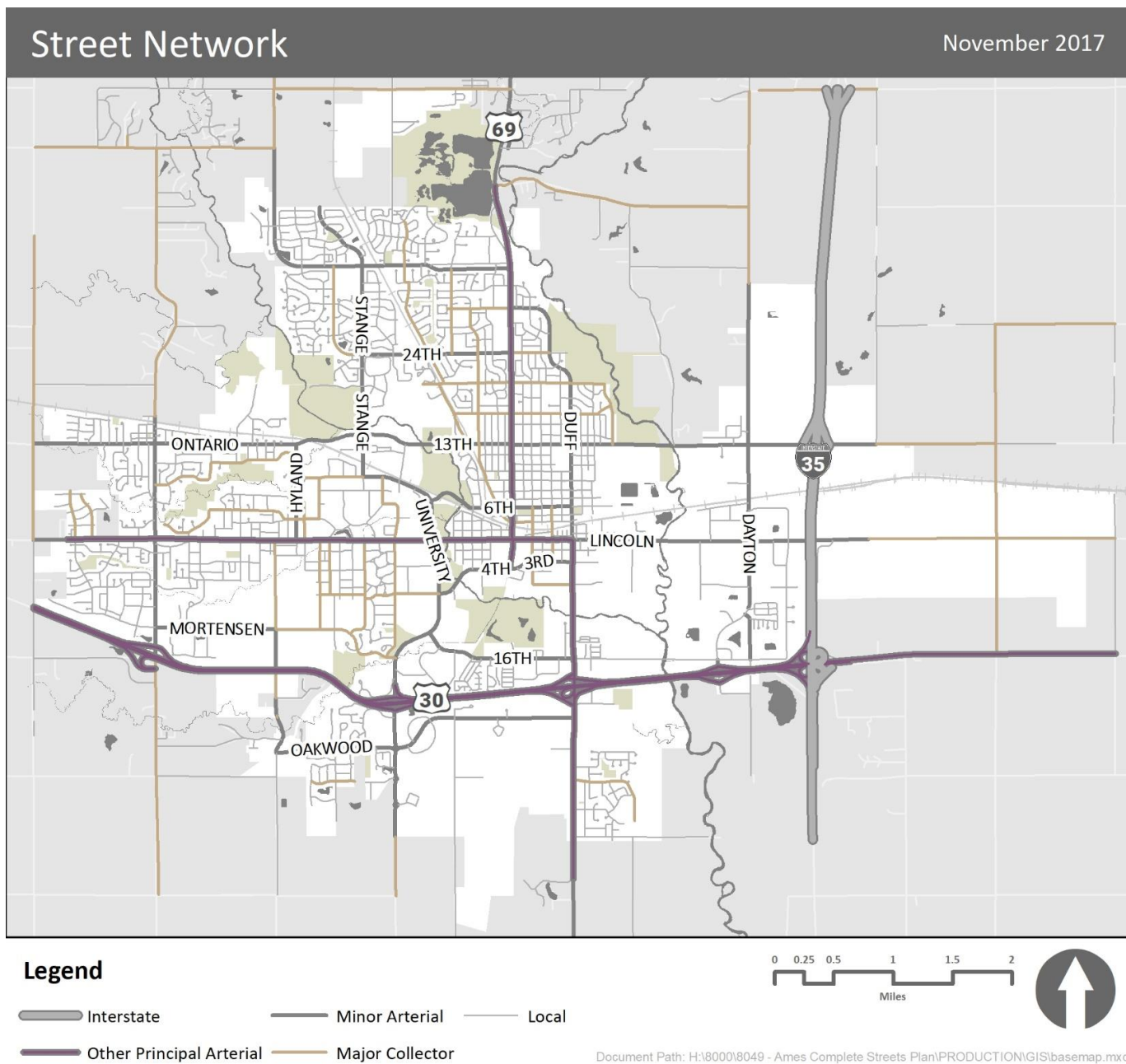
The street network in Ames includes many examples of Complete Streets. However, several barriers create challenges for interconnected multimodal networks, such as railroads, waterways, and freeways.

Functional Classification

All roads, streets and highways in Iowa are classified according to a federal functional classification system. Functional classification is the grouping of highways, roads and streets by the character of service they provide. Functional classification defines the part that any individual route should play in serving the flow of trips through a roadway network. Functional classifications in Ames include:

- Interstate
- Other Principal Arterial (e.g., US Highway 30, portions of Lincoln Way, North Grand Avenue, South Duff Avenue)
- Minor Arterial (e.g., 13th Street, University Boulevard, Stange Road, 16th Street)
- Major Collector (e.g., 20th Street, Northwestern Avenue, Mortensen Road)
- Local (neighborhood streets and many downtown streets)

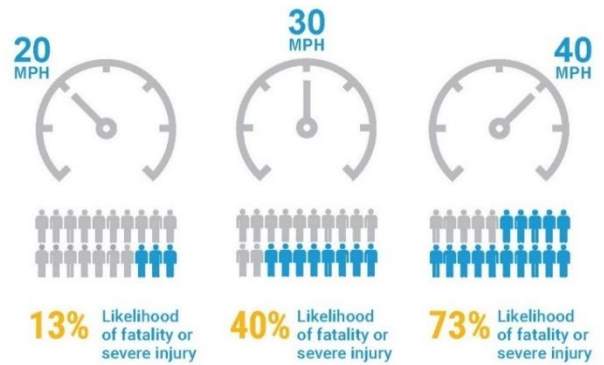
Moving forward, functional classification will be augmented by street type (see Chapter 2) during the design process.



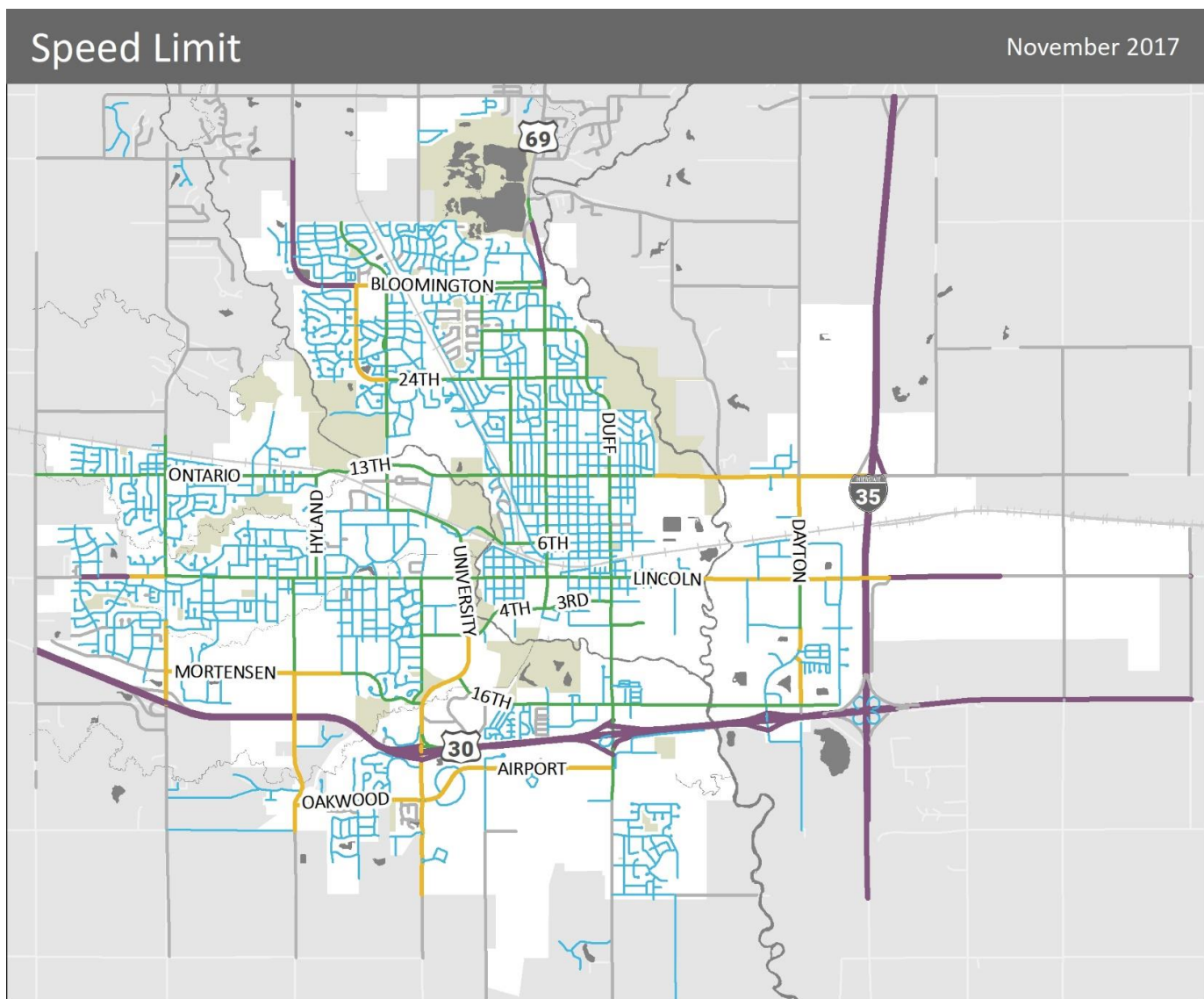
Speed Limit

Speed is the primary factor determining the severity of crashes, especially crashes involving vulnerable user groups, such as people walking or bicycling. Research shows significant increases in the likelihood of fatalities and severe injuries for pedestrians when speeds increase to 30 and 40 miles per hour.

In Ames, local streets and some major collector streets have 25 mile per hour speed limits. Some major collector streets and most minor and other principal arterial streets have speed limits between 30 and 45 miles per hour. Streets near Iowa State University and downtown typically have lower speed limits while streets in the suburban and rural periphery have higher speed limits.



Source: Tefft, Brian C. Impact speed and a pedestrian's risk of severe injury or death. Accident Analysis & Prevention. 50. 2013



Legend

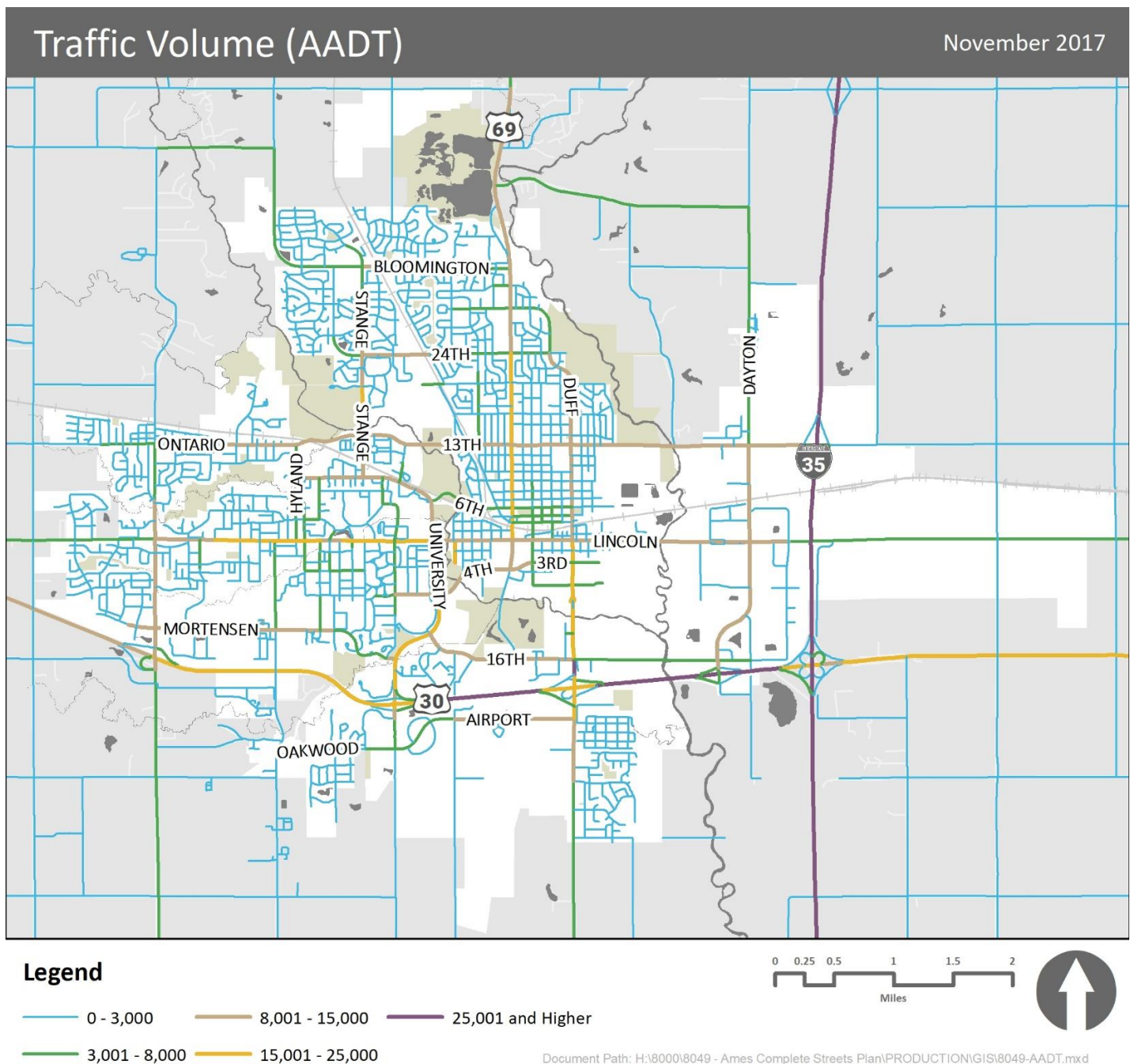
- 25 or lower
- 30 or 35
- 40 or 45
- 50 or higher
- Unknown



Traffic Volume

Traffic volume is a measurement of the average number of motor vehicles using each street on a daily basis (calculated as annual average daily traffic or AADT). Most of the streets in Ames are local/neighborhood streets and therefore have low traffic volumes. Arterial and collector streets typically have higher traffic volumes. Streets that cross major barriers, such as South Duff Avenue, Stange Road, and Lincoln Way, carry high volumes of traffic. Grand Avenue also carries a high amount of traffic because it is part of the state highway system and is also the most convenient, direct, and continuous north-south arterial street in Ames.

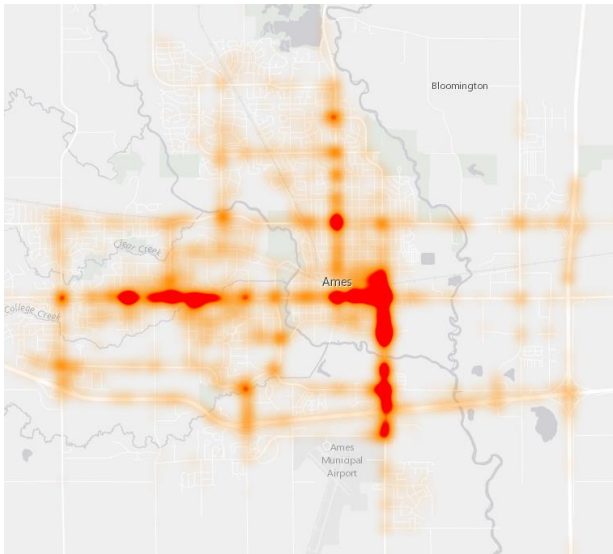
The Ames Mobility 2040 plan found that Ames’ street network has minimal motor vehicle travel delay (meaning that the network adequately serves current motor vehicle traffic volumes). However, there are nine intersections in the city—all of which are located along Lincoln Way, Grand Avenue, or Duff Avenue—that are over capacity at peak travel times.



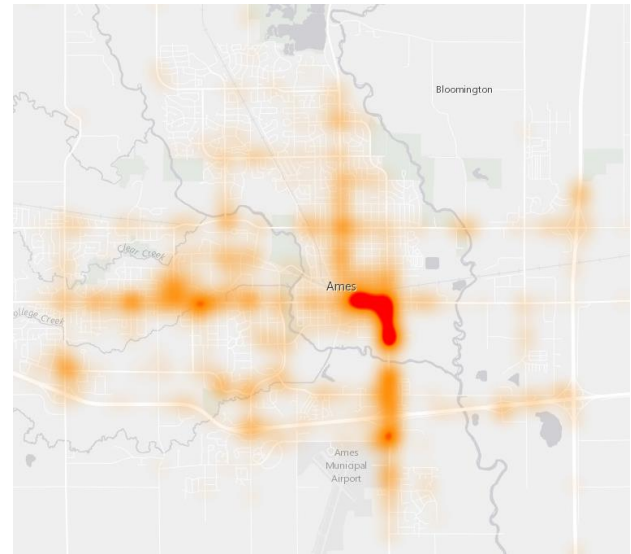
Crashes

The most visible transportation impact on public health is the effect of injury and fatality crashes. Reducing the risk and severity of crashes is a cornerstone of the Complete Streets approach. The heatmaps below indicate the locations where crashes are most common in Ames. Grand Avenue, South Duff Avenue, and Lincoln Way have the highest number of crashes for all modes and are hotspots for injury/fatality crashes. This is in part a result of the fact that these streets carry large amounts of traffic, but is also likely influenced by the design of the streets, intersections, and driveways, which make higher-speed crashes possible.

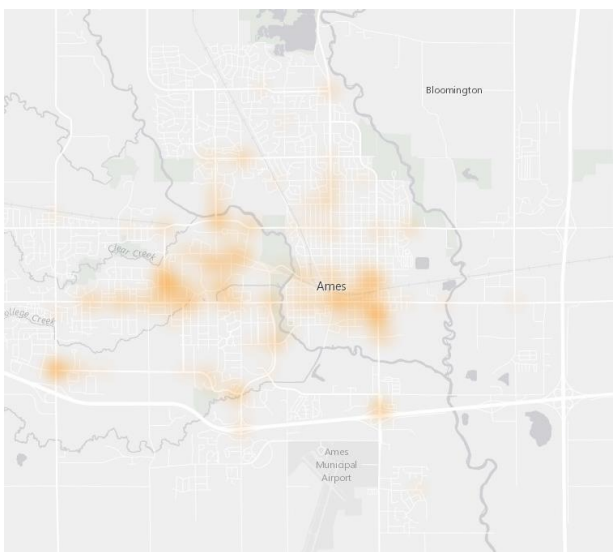
Lincoln Way near Iowa State University and through downtown has an especially high number of crashes involving people bicycling and walking. These locations have very high levels of bicycle and pedestrian activity as well as high volumes of motor vehicle traffic, resulting in greater potential for conflict between modes.



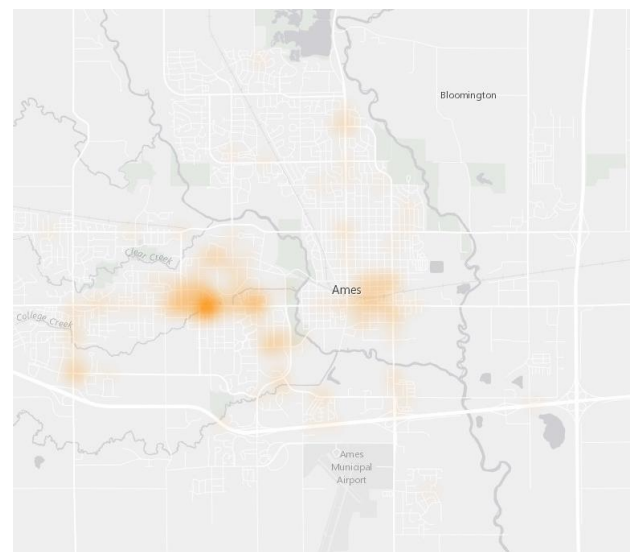
Heatmap of all crashes (all modes; 2007-2017)



Heatmap of injury/fatality crashes (all modes; 2007-2017)



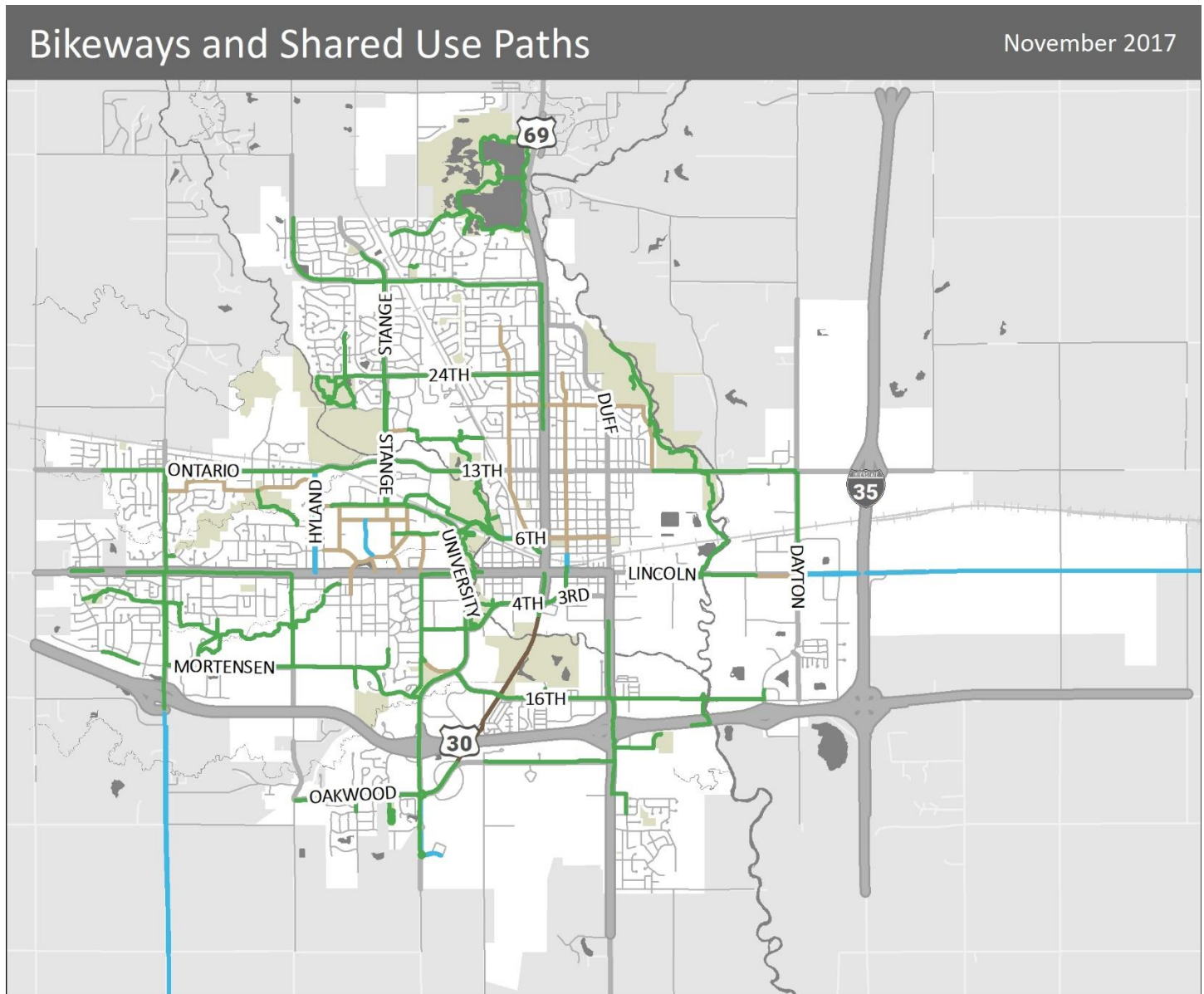
Heatmap of bicycle crashes (2007-2017)



Heatmap of pedestrian crashes (2007-2017)

Bikeways and Shared Use Paths

The on-street bikeway network in Ames is small but growing. There are approximately 5.5 miles of bike lanes, 2.5 miles of paved shoulder, and 12.7 miles of signed bike routes and shared lanes within the city limits. The on-street network is augmented by a 56-mile network of shared-use paths, a significant portion of which—68 percent or 38 miles—consists of sidepaths (paths along roadways).



November 2017

Legend

- Shared Use Paths & Sidepaths
- Bike Lanes & Paved Shoulders
- Signed Bike Routes & Shared Lanes
- Unpaved Multi-Use Trails



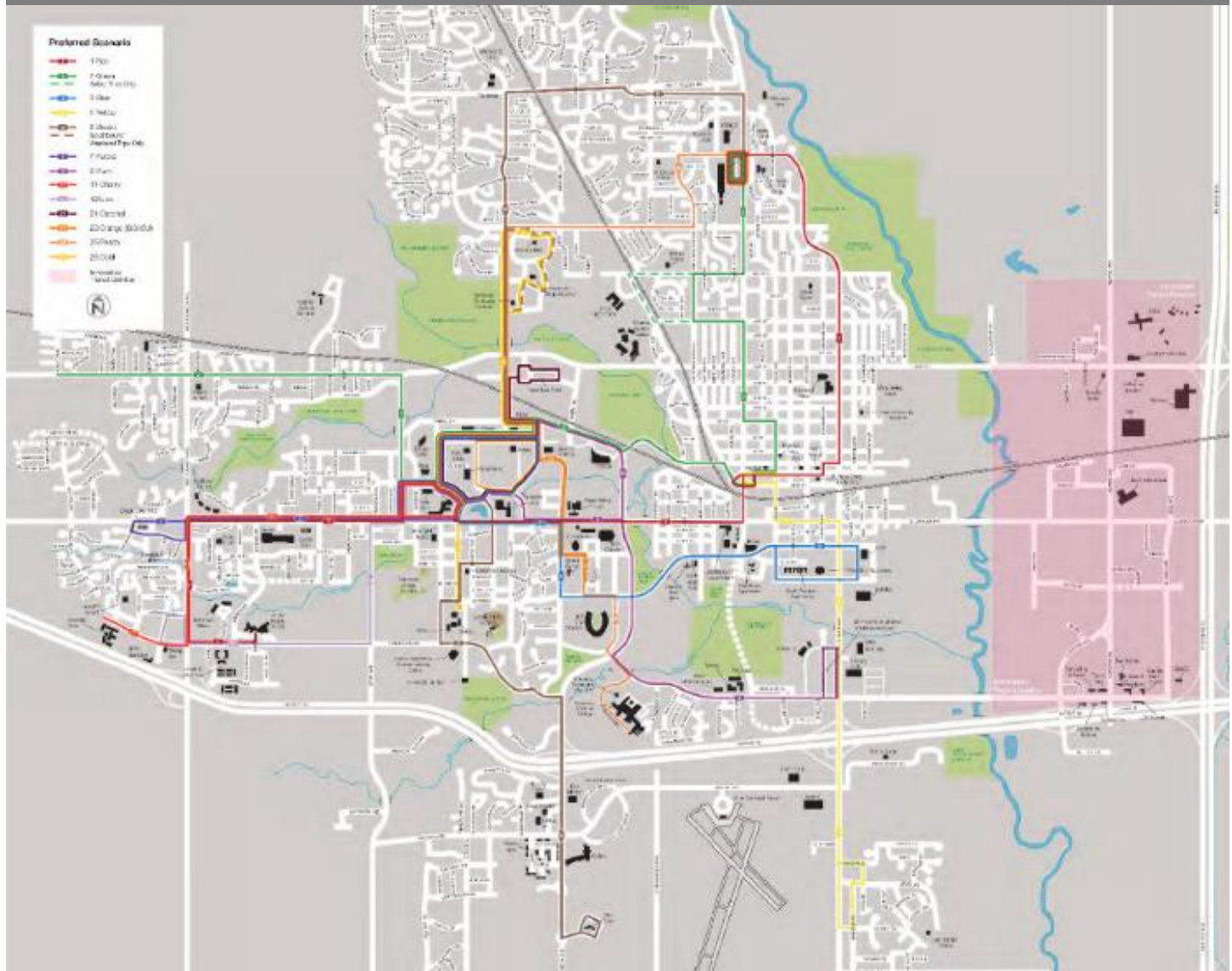
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Transit Routes

Transit service in Ames is provided by CyRide, a collaboration between the city of Ames, Iowa State University, and the Student Government (StuGov) at Iowa State University. CyRide operates 13 fixed bus routes, a safe ride home service, and paratransit services throughout the City. Fixed bus routes, which primarily provide service to the Iowa State University campus and downtown Ames and make up a majority of CyRide’s transit services.

CyRide completed a system redesign study in August 2017. The system redesign examined key issues relevant to the Complete Streets plan, including balancing coverage and productivity to better serve users in areas other than campus and downtown and managing demand for transit service. Recommendations include modifications to selected routes and the elimination/consolidation of two routes in order to increase the efficiency and capacity of the remaining routes while extending operating hours. One of the most significant changes is the elimination of routes in eastern Ames and the creation of an Innovative Transit Service zone (on-demand transit) in that area.

CyRide System Redesign Recommendations



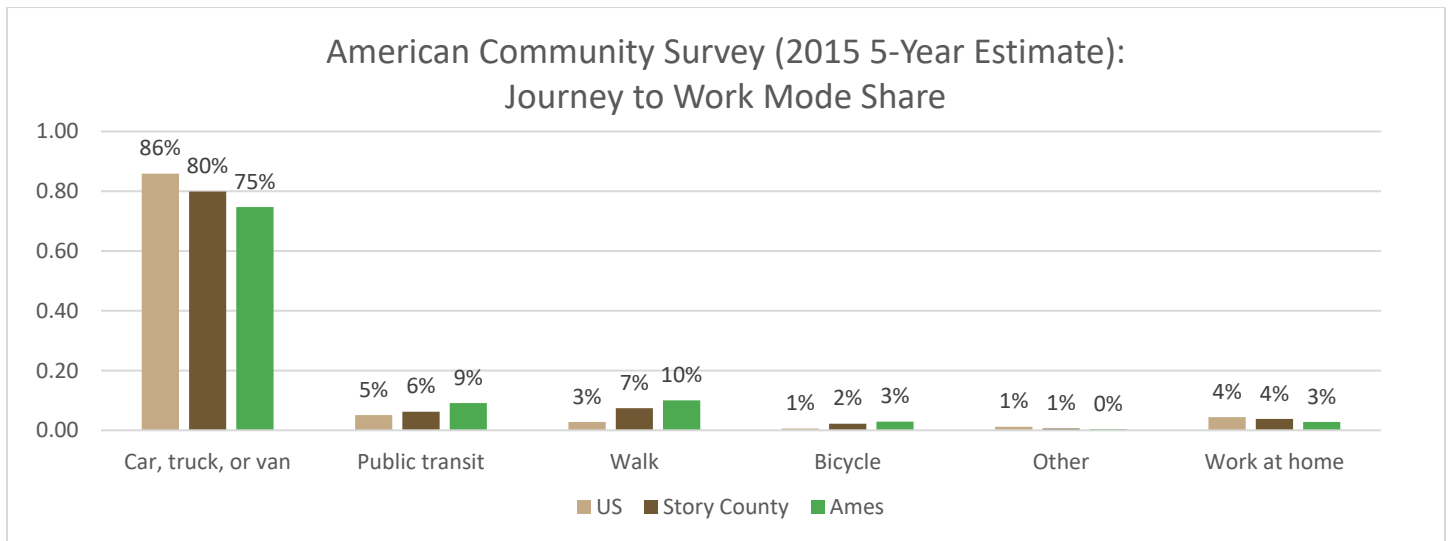
Mode Share and Travel Demand

Mode share is an estimation of the percentage of trips taken by various modes. Accurately estimating this information is challenging because consistent and comprehensive bicycle and pedestrian data collection is limited. There are two primary sources for this analysis—the Census Bureau’s American Community Survey (ACS) and the National Household Travel Survey (NHTS), which is conducted as a joint effort by FHWA and other federal agencies. Each of these sources has limitations, however—the ACS only accounts for journey to work trips and the NHTS includes all trips, but is conducted on an irregular basis once every five to ten years. Furthermore, the NHTS data is only available at the state level.

American Community Survey

The ACS is performed annually and collects journey to work data by asking “How did this person usually get to work LAST WEEK?” Respondents can select multiple options. Limitations of this methodology include:

1. It asks people about their journey to work for only one week out of the year. If it happened to be a week with poor weather, a normal bicycle and pedestrian commuter might have chosen to drive or take transit.
2. The question asks what mode people usually used. Taken literally, if someone takes transit to work one day per week and drives on other days, they would likely not say that they usually use transit.
3. This survey only collects transportation to work data. However, the NHTS data shows that only 16 percent of trips made in America are to/from work. The remaining 84% of trips are for errands, shopping, visiting friends/family, school, or recreation. Many people are more likely to walk or bike to school, for errands, or for recreation than they are to get to work.



National Household Travel Survey

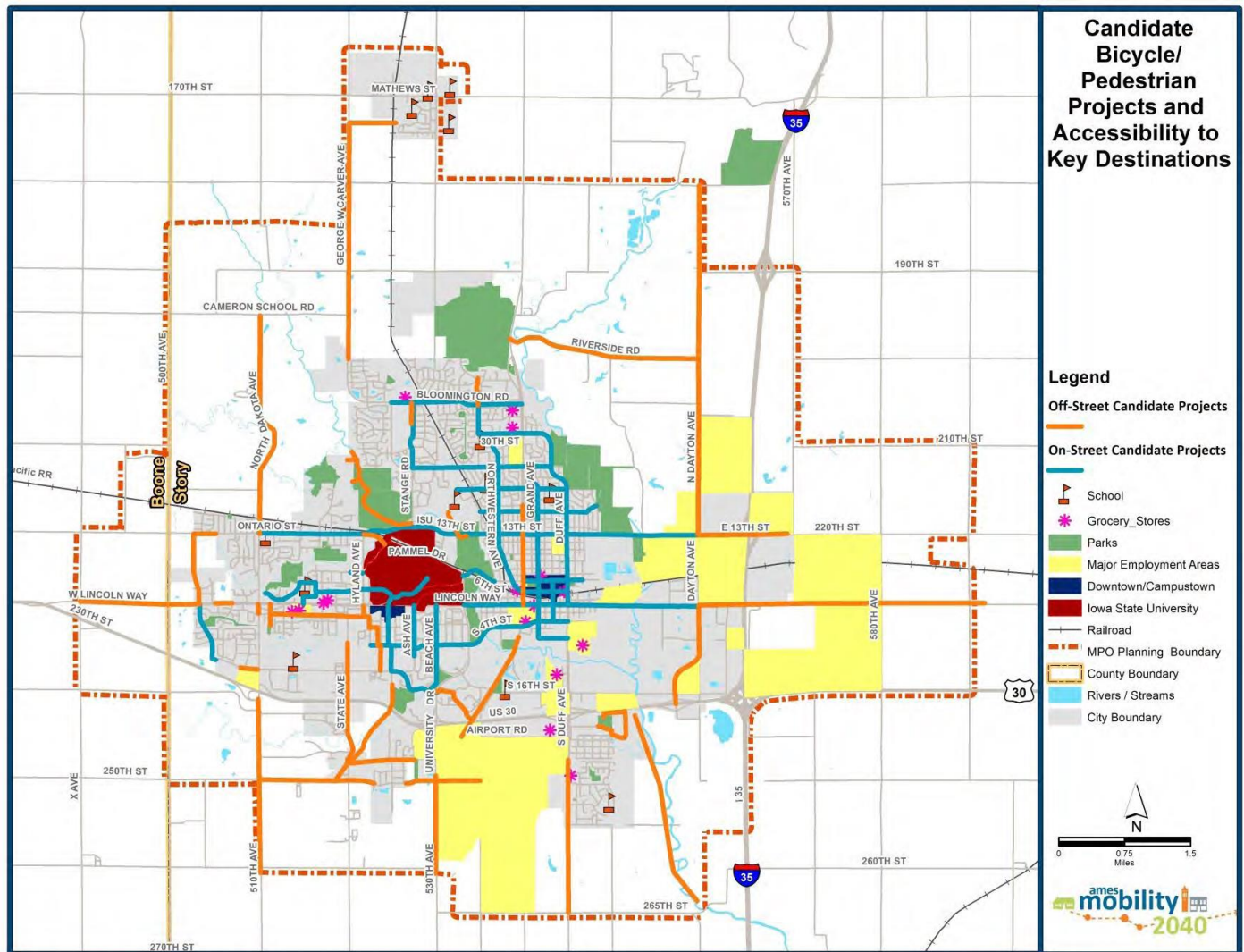
The National Household Travel Survey (NHTS) is performed irregularly (once every 5 to 10 years), but—unlike the ACS—it accounts for all types of trips, not just journey to work trips. The last NHTS was performed in 2017 and was funded by FHWA, the Federal Transit Administration, the American Automobile Association (AAA), and the American Association of Retired Persons (AARP) and some state DOTs. The previous NHTS was performed in 2009.

The results of the 2017 NHTS show greater mode shares for bicycling and walking statewide in Iowa than was recorded by the ACS—1.0% of all trips were bicycling trips and 8.6% were walking trips. For journey to work, the NHTS estimates

0.6% of people travel by bicycle (compared to the 2011-2015 ACS statewide estimate of 0.5%) and 5.3% of people walk to work (compared to the ACS statewide estimate of 3.5%). As such, it can be presumed that walking and bicycling mode shares in Ames are similarly underrepresented by the ACS.

Major Transportation Generators

Development patterns, density, and land use influence people’s travel patterns and the mode they choose for each trip. Certain combinations of these factors—typically dense development patterns with diverse uses—result in major transportation generators and destinations. The most obvious examples include the Iowa State University/Campustown and downtown. Grocery stores, shopping centers, schools, and major employers are also major destinations and trip generators. The Ames Mobility 2040 plan includes a map of key generators and destinations (below).

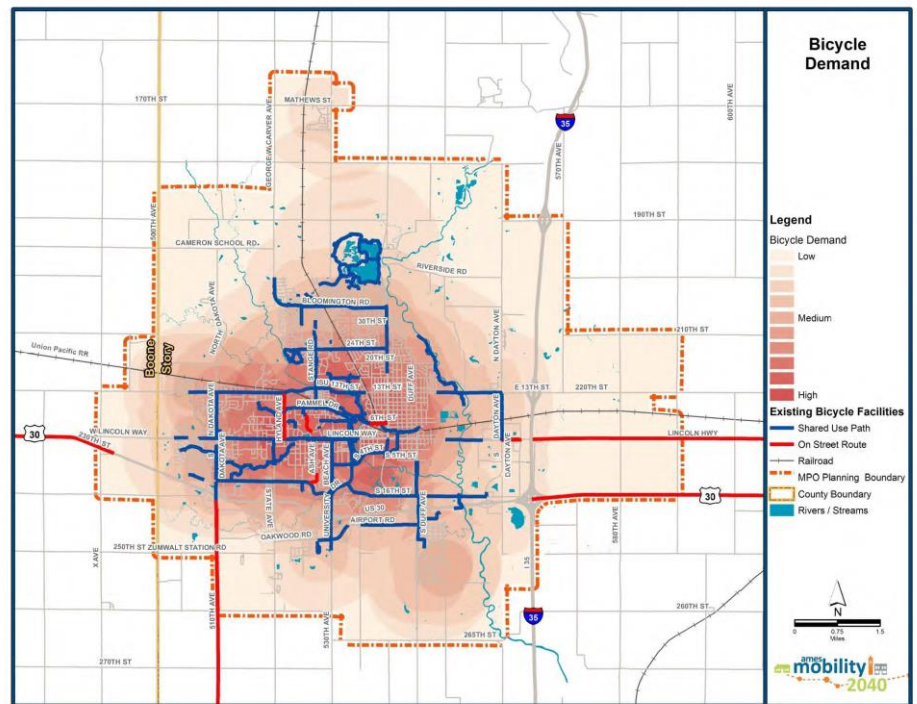
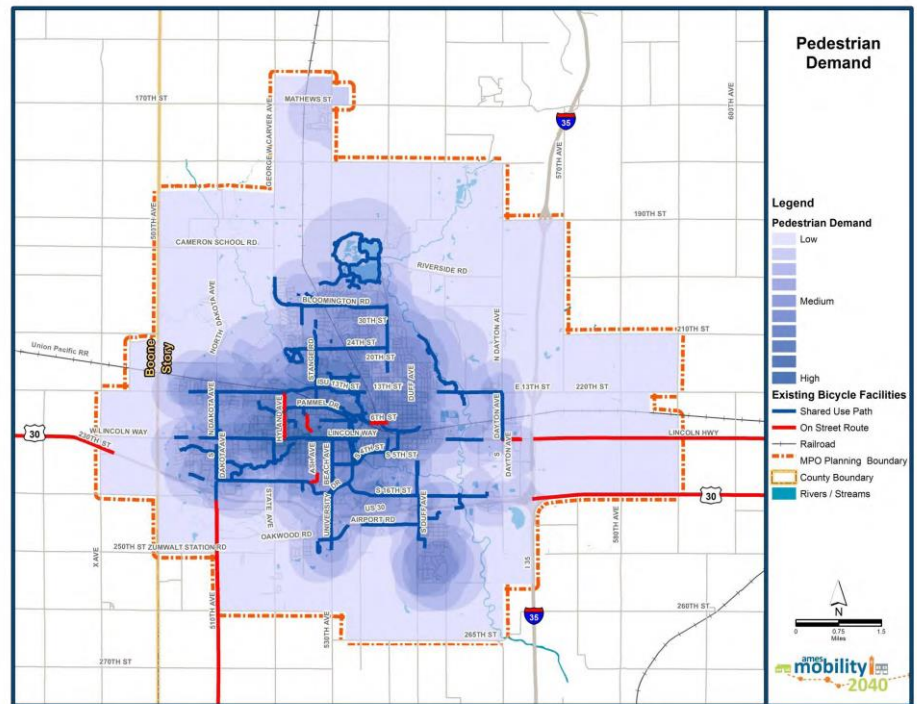


While Ames’ largest employers (ISU, Iowa DOT, Mary Greeley Medical Center, and McFarland Clinic) are centrally-located, many of Ames’ major employers are located on the outskirts of the city. In fact, six of the 15 largest employers are located along the Interstate 35 and US Highway 30 corridors. Many of the employment centers located on the periphery are not just generators of commuter traffic—they are also generators of truck traffic for shipping and receiving supplies and products.

Bicycle and Pedestrian Demand

An assessment of bicycle and pedestrian demand was performed as part of the Ames Mobility 2040 plan. The analysis was based on proximity to destinations, with areas closer to destinations receiving higher demand scores. The evaluation only considered transportation trips being made to destinations, and did not consider recreational trips such as recreational bike rides or jogs/walks that do not include a stop at an intermediate destination.

The findings of the analysis are that bicycle and pedestrian demand is generally highest in the areas encompassing and immediately surrounding the Iowa State University campus and downtown Ames; this is because these areas have a mix of complementary land uses in close proximity to each other where short trips can easily be made by bicycling or walking. The farther away from Iowa State University and downtown Ames, the less demand generally exists for bicycling and walking trips because these areas consist largely of a single land use, separated by longer distances.



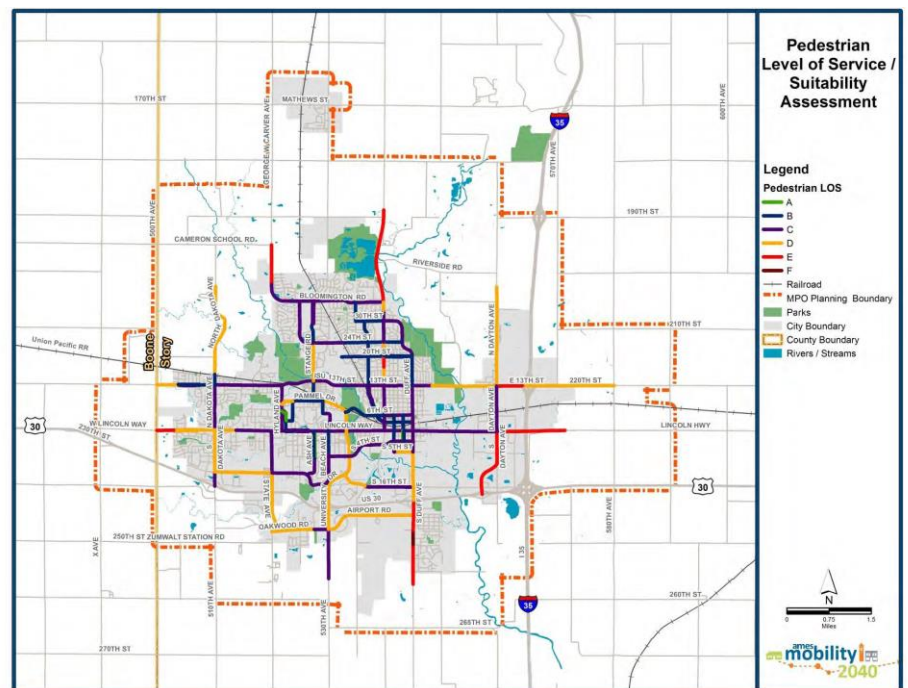
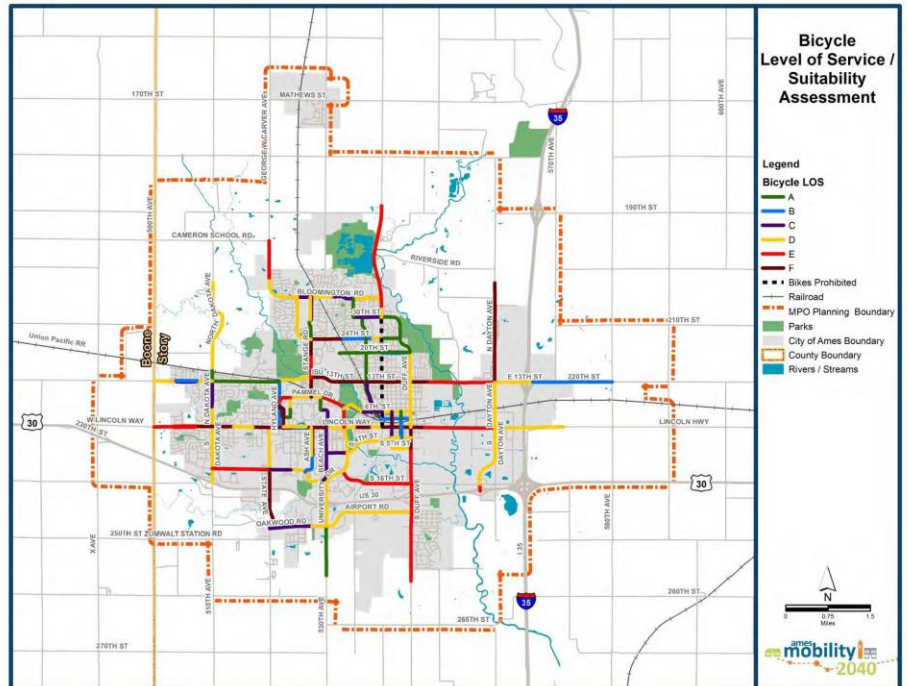
Bicycle and Pedestrian Network Analysis

Bicycle and Pedestrian Level of Service

The Ames Mobility 2040 plan includes an analysis of Bicycle and Pedestrian Level of Service (LOS). The Bicycle Level of Service and Pedestrian Level of Service models (version 2.0) do not measure travel flow or capacity, but are based on human responses to measurable roadway and traffic characteristics. The ratings (A through F, with A being the best rating) generated by the Bicycle LOS model are largely dependent on roadway width and the presence of bike lanes, with traffic volume, speed, and pavement condition having somewhat lesser influence.

The Bicycle and Pedestrian LOS calculated as part of the Ames Mobility 2040 plan rated approximately 65 miles of streets. The study found that only about 20 percent of streets have Bicycle and Pedestrian LOS B or better, although 63 percent of all street miles evaluated rate a Pedestrian LOS C or better. The percentage of roadways with very poor bicycling environments (Level of Service E or F) is 30 percent, although the percentage of very poor conditions for pedestrians is much lower at only 11 percent.

The LOS models—particularly the Bicycle LOS model—have limitations. Namely, a clear minimum LOS rating suitable for the general public has not been established. It is clear that LOS B is better than LOS C, but the model does not provide any guidance as to whether LOS B (or C, D, or E) is adequate for most users. In addition, the Bicycle LOS model does not factor the effects of sidepaths or intersection characteristics.



Level of Traffic Stress

In order to address some of the shortcomings of the Bicycle LOS analysis, a team of researchers sponsored by the California DOT and US DOT developed the Level of Traffic Stress (LTS) model. Compared to Bicycle LOS, the LTS method provides a greater weight to motor vehicle speeds and volumes. The classification uses characteristics of the roadway such as speed limits, the amount of motor vehicle traffic, and whether a separated bikeway is provided. Shared use paths are typically classified as low stress. This classification is important because people have different levels of comfort interacting with motor vehicle traffic when they are biking or considering biking. The model provides clear guidance on the suitability of bikeways for various users:

- LTS 1 is suitable for most people, including most children (low stress)
- LTS 2 is suitable for the mainstream adult population (low stress)
- LTS 3 is tolerated by confident bicyclists that still prefer dedicated bikeways (high stress)
- LTS 4 is tolerated by very confident bicyclists willing to interact with high levels of motor vehicle traffic (high stress)

A simplified LTS analysis was performed for Ames, classifying each street and shared use path as either low stress (LTS 1 or LTS 2) or high stress (LTS 3 or LTS 4). Results from this analysis are shown on the map on the following page. The majority of streets (and all sidepaths and shared use paths) in Ames are classified as low stress. However, most arterial streets are classified as high stress, meaning they are uncomfortable for the average person to bike along or across. While some high stress arterials have low stress sidepaths, many do not. This creates gaps in connectivity across the city resulting in pockets or islands of low stress streets. For example, the neighborhoods surrounding North Duff Avenue have many low stress streets, but are disconnected from much of the City because North Duff Avenue is high stress for bicycling along and across.

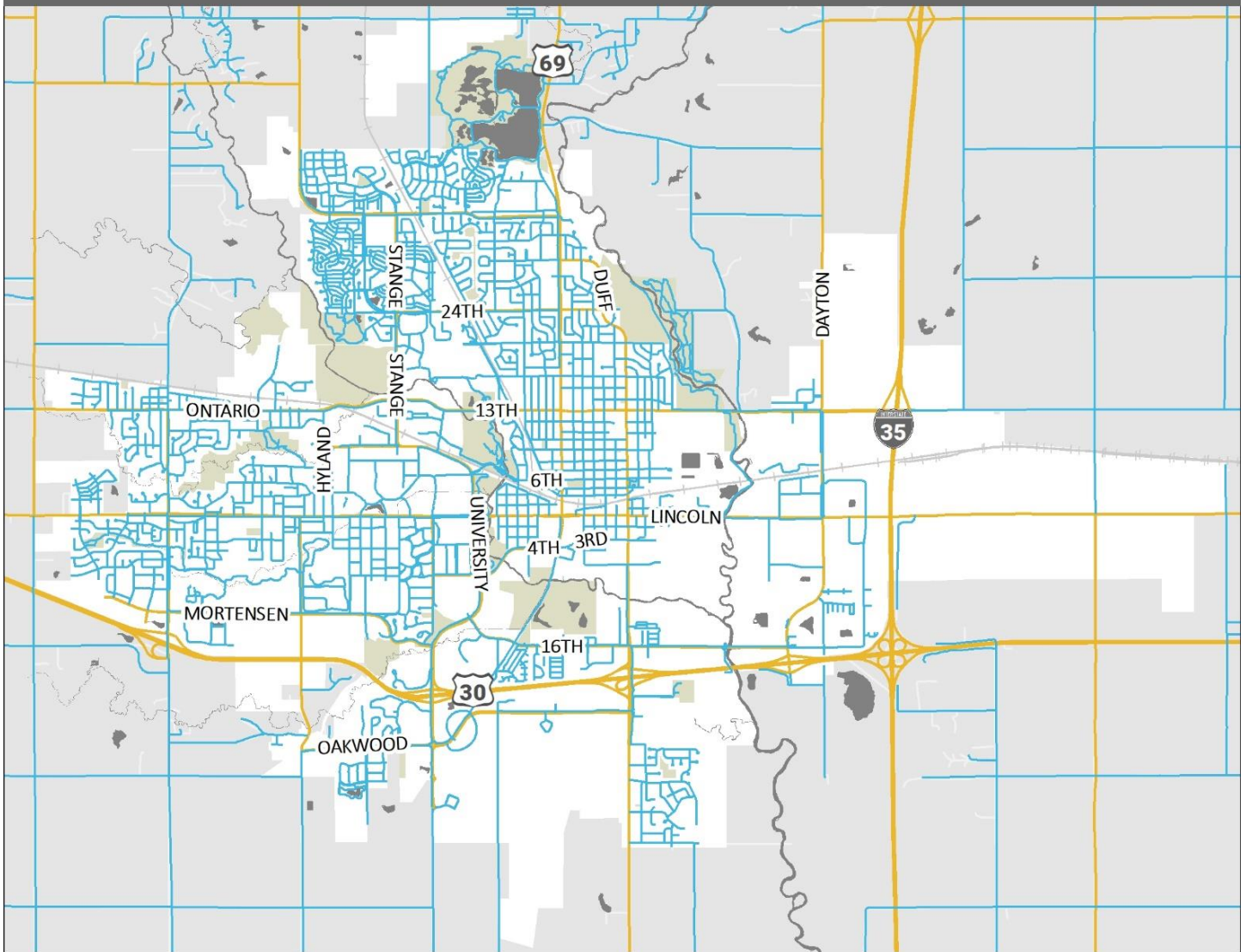
Compared to the Bicycle LOS analysis, many LOS A/B streets, some LOS C, and even a couple of LOS D streets are classified as low stress. However, there are some streets (such as North Duff Avenue and 24th Street) that were classified as LOS A/B but were found during the LTS analysis to be high stress.



North Duff Avenue has a Bicycle Level of Service rating of A, because it is very wide. However, it is considered high stress by the LTS model because of its 30 mile per hour speed limit and lack of bike lanes.

Level of Traffic Stress

November 2017



Legend

— Low Stress (LTS 1 or 2) — High Stress (LTS 3 or 4)



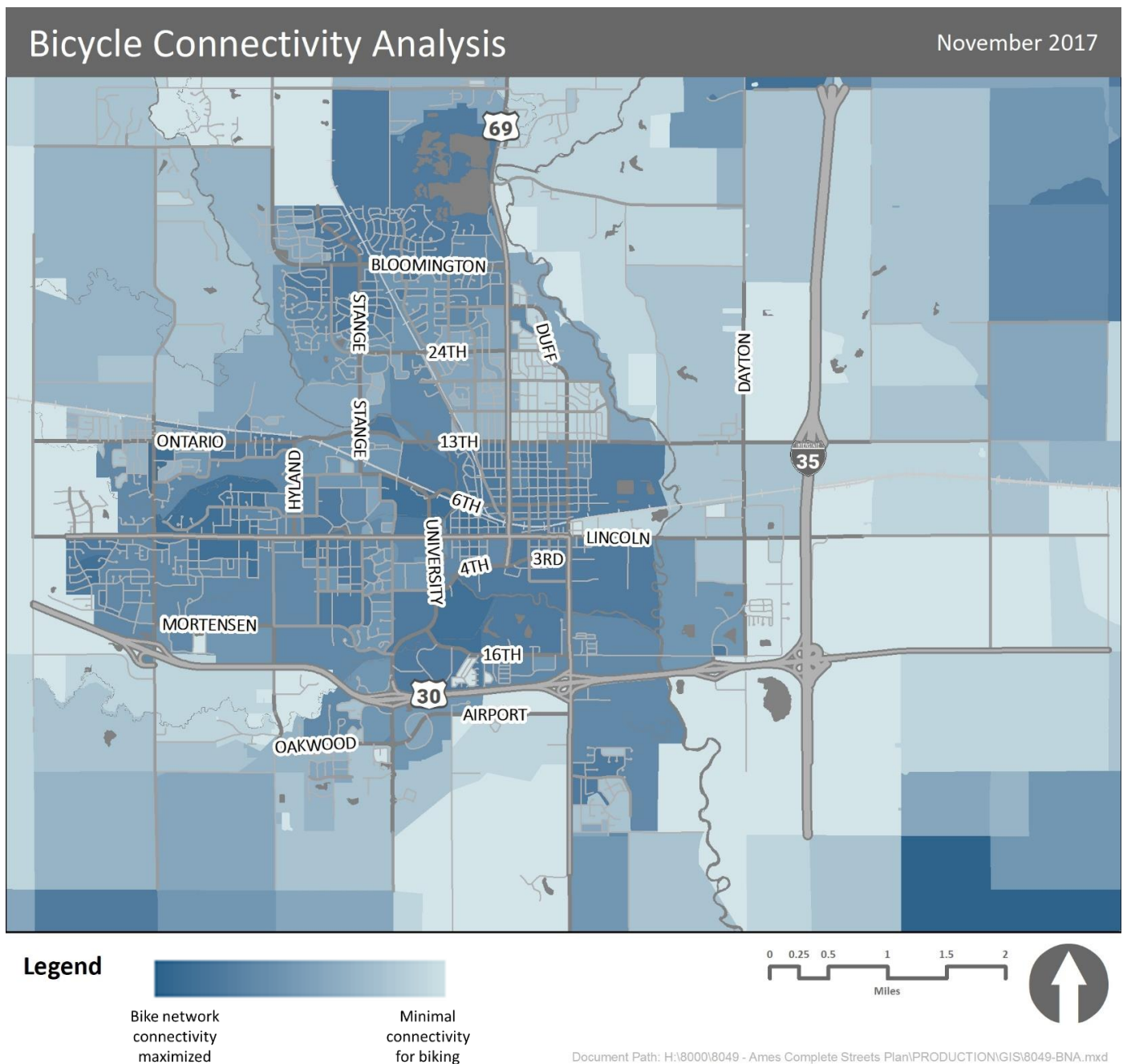
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Bikeway Connectivity

The Bicycle Network Analysis (BNA) score is a new tool for measuring how well bike networks connect people with the places they want to go. The BNA score builds upon the Level of Traffic Stress Analysis, to measure how well the low-stress bike network connects to destinations. The analysis highlights the importance of a continuous network, rather than a patchwork of bike lanes and paths that do not interconnect.

Areas with higher scores are places where the low-stress bicycle network is close to the maximal potential level of connectivity. Areas with sparse or disconnected street networks (such as the rural periphery) may have higher scores if the existing streets are generally suitable for biking or if there are few nearby destinations within biking distance.

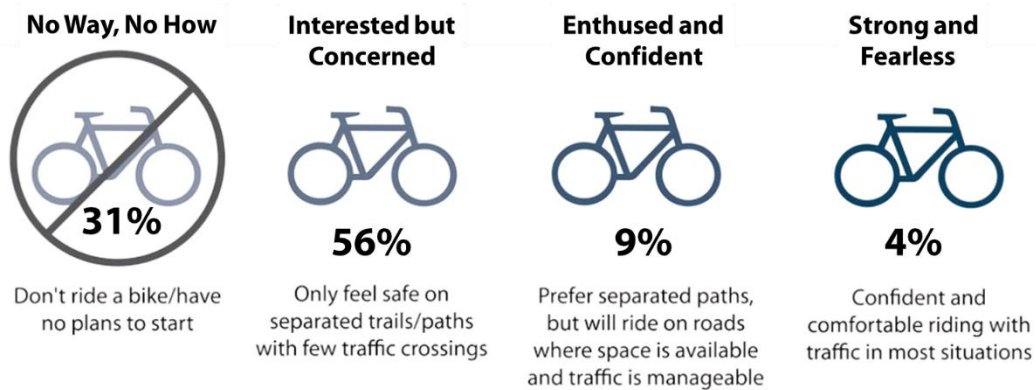
Areas with lower scores, such as along North Duff Avenue, are places where the low-stress bicycle network has a low level of overall connectivity, whether due to a lack of low-stress bikeways or the presence of high-stress intersections.



Appendix C: Analysis Methodologies

Level of Traffic Stress Methodology

Research indicates that while avid bicyclists are accustomed to interacting with motor vehicle traffic, most people have little tolerance for interacting with traffic while riding a bike and are very worried about being struck by a motor vehicle.^{2,3} These concerns discourage many people from biking in the first place. The share of people that are interested in biking but concerned about traffic comprise 51 to 56 percent of the population (avid or confident bicyclists comprise 12 to 13 percent, and the remainder have no interest in riding a bike). This “interested but concerned” group prefers quiet streets, trails, and other “low stress” places to bike that have limited motor vehicle traffic or are separated from traffic.



Methodology

The Mineta Transportation Institute (a California-based research institution) developed the Level of Traffic Stress (LTS) model to classify streets as high-stress and low-stress. High-stress streets may be suitable for some bicyclists, including those that are confident or very confident. Low-stress streets are suitable for almost everyone and in some cases are also suitable for children.

While most people are comfortable bicycling on quiet streets, the LTS method requires physical separation between bicycles and cars when traffic levels and speeds exceed certain thresholds. This is important because separation from motor vehicle traffic may be the most important factor to consider to encourage more people to bicycle.

The method uses several base criteria for determining traffic stress (street width, posted speed limit, and presence of on-street parking) as well as additional criteria depending on facility type (bike lane width, traffic volume when streets do not have bike lanes, and number of driveway/street crossings for paths).

For this project, traffic stress was calculated using a simplified version of the LTS methodology, as described in the tables on the following pages.

² Geller, R. “Four Types of Cyclists.” Portland Office of Transportation. (<https://www.portlandoregon.gov/transportation/article/264746>)

³ Dill, J. and N. McNeil. (2013, January) “Four Types of Cyclists? Examining a Typology to Better Understand Bicycling Behavior and Potential.” Paper presented at the Annual Meeting of the Transportation Research Board.

Calculation Tables

Traffic Stress – Default segment assumptions

These assumptions are used when speed and street configuration data is not available or is missing.

Open Street Maps Functional class	Nearest comparable functional classification in Ames	Speed	Number of lanes	Parking	Parking lane width	Roadway width
Primary	Other Principal Arterial	40	2	Y	8 ft	N/A
Secondary	Minor Arterial	40	2	Y	8 ft	N/A
Tertiary	Major Collector	30	1	Y	8 ft	N/A
Unclassified	n/a	25	1	Y	N/A	27 ft
Residential	Local	25	1	Y	N/A	27 ft

Traffic Stress – Stress on segments (except local streets)

Facility type	Speed	Number of lanes (each direction)	Parking	Facility width	Stress	
Cycle track or Shared use path				>	Low	
Buffered bike lane	> 35			>	High	
	35	> 1			>	High
		1	Yes	>	High	
			No	>	Low	
	30	> 1	Yes	>	High	
			No	>	Low	
	1			>	Low	
	<= 25			>	Low	
Bike lane without parking	>30			>	High	
	25-30	> 1			>	High
		1			>	Low
	<= 20	> 2			>	High
<= 2				>	Low	
Bike lane with parking			>	>= 15 ft	Treat as buffered lane	
			>	13-14 ft	Treat as bike lane without parking	
			>	< 13 ft	Treat as shared lane	
Shared lane	> 20			>	High	
	<= 20	1			>	Low
		> 1			>	High

Traffic Stress – Stress on segments (local streets)

Facility type	Speed	Number of lanes	Parking	Road width	Stress	
Shared lane	>=30			>	Treat as tertiary – see previous table	
	25	> 1			>	Treat as tertiary – see previous table
		1	One side or none	>= 19 ft	>	Low
				18 ft	>	High
				< 18 ft	>	High
		Both sides	>= 27 ft	>	Low	
			26 ft	>	High	
	< 26 ft		>	High		
	<= 20	> 1			>	Treat as tertiary – see previous table
		1	One side or none	>= 19 ft	>	Low
				18 ft	>	Low
				< 18 ft	>	Low
Both sides		>= 27 ft	>	Low		
		26 ft	>	Low		
	< 26 ft	>	Low			

Bicycle Network Analysis Methodology

The BNA evaluates every census block to determine how well connected it is to other census blocks via a low-stress biking network. Two census blocks are connected if and only if there is an unbroken low-stress connection between them that does not require more than a 25 percent longer distance than the shortest car trip. Even a short stretch of stressful biking negates a potential connection.

The BNA score also summarizes the number and types of destinations available in each census block, including people, opportunities (jobs and education), core services, recreation, retail, and transit. Using this information, paired with the knowledge of which census blocks are connected on the low-stress network, the BNA calculates a score for each census block by comparing the number and type of reachable destinations on the low stress network to the destinations reachable by car within the same distance.

In other words, the score measures disparity in connectivity between modes. Areas with high scores are where bike network connectivity is maximized relative to the street network's overall level of connectivity.

For more information, visit: <https://bna.peopleforbikes.org/#/methodology>



Complete Streets **Ames**

CITY COUNCIL | FINAL DRAFT PRESENTATION

OCTOBER 2018

Outline



- Overview
- The Policy
- Street types
- Relationship to other plans/systems



What are Complete Streets?



Complete Streets are streets for everyone, no matter who they are or how they travel.

Safe Comfortable Convenient



Smart Growth America
Making Neighborhoods Great Together



National Complete
Streets Coalition

 Toole Design Group



People Want Choices



66%

of Americans want more transportation options so they have the freedom to choose how to get where they need to go.

73%

currently feel they have no choice but to drive as much as they do.

Future of Transportation National Survey (2010)

Complete Streets...



...are...

- a **process** for street design
- reasonably accommodating
- balancing modes to create **Complete Networks**
- sensitive to context

...are not...

- a bike lane on every street
- streetscape/aesthetic enhancements
- prescriptive designs
- necessarily more expensive



What we heard

- Consider impacts on other streets
- How do we tailor Complete Streets concept to Ames?
- Relationship with bike path network
- How will the plan consider balance between priorities?
- Coordination between multiple jurisdictions
- Integration with CyRide
- How can Complete Streets be used to address safety?

Stakeholder Input



- Technical Advisory Committee
 - Staff (City, MPO, Iowa DOT, Iowa State, etc.)
- Community Advisory Committee
- Public Meetings / Open House events
 - One Fall 2017 to solicit input on priorities
 - One Spring 2018 to get feedback on the plan



Complete Streets Policy

Principles



- Serve all users and modes
- Safety is top priority
- Form connected networks
- Context-sensitivity



Applicability



- All projects and phases
 - New construction
 - Reconstruction
 - Resurfacing
 - Intersection improvements
 - Restriping
- Does not apply to
 - ISU or private roads
 - Streets where users prohibited
 - Emergency reconstruction
 - Maintenance such as mowing or crack sealing



Cost



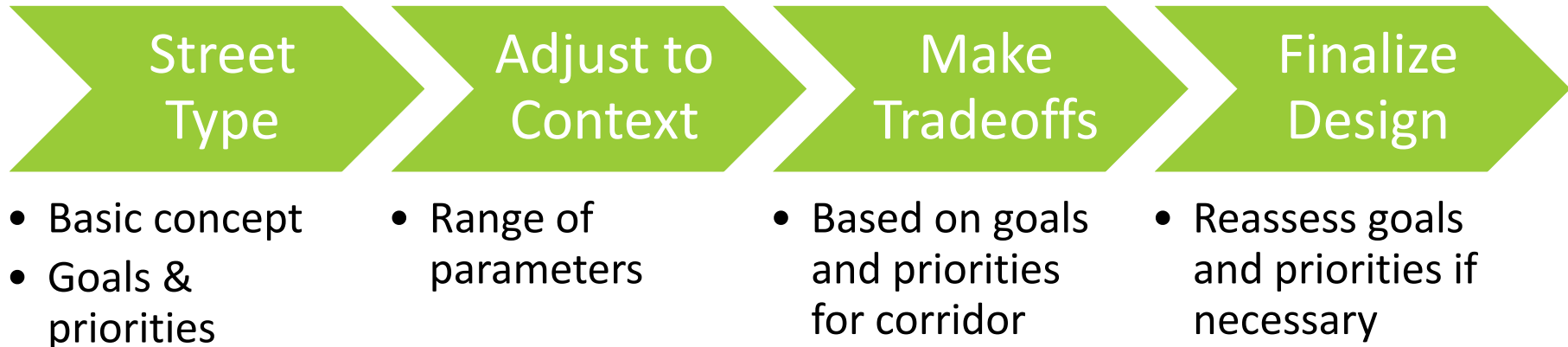
- Not necessarily more expensive
- Annual cumulative cost may not exceed 22% of transportation spending
- 22% = mode share
 - Transit: 9%
 - Walk: 10%
 - Bicycle: 3%





Flexibility & Compromise

- Complete Streets is a **process**, not a defined outcome
- Prioritizing and making tradeoffs
- No rigid standards

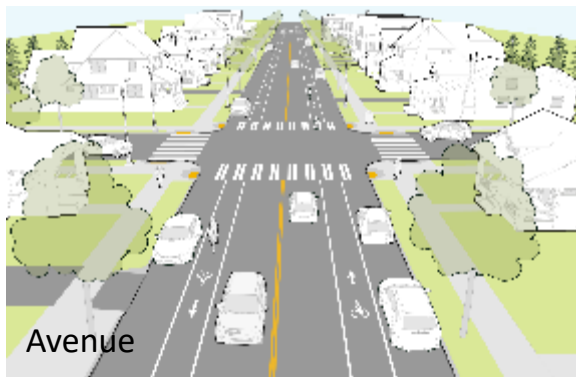
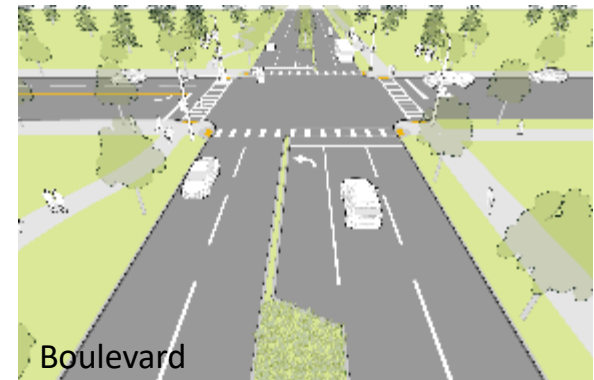


New Approach: Street Types



Street Types

- Starting points for street design
- Determined by place type and transportation function
- Flexible, and provides guidance
- Levels: Streets, Avenues, Thoroughfares/Boulevards



Shared Street



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

Shared Street – Many Variations



Many variations of shared streets are possible, depending on context. Here are examples from around the world.



Mixed Use Street



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

Neighborhood Street



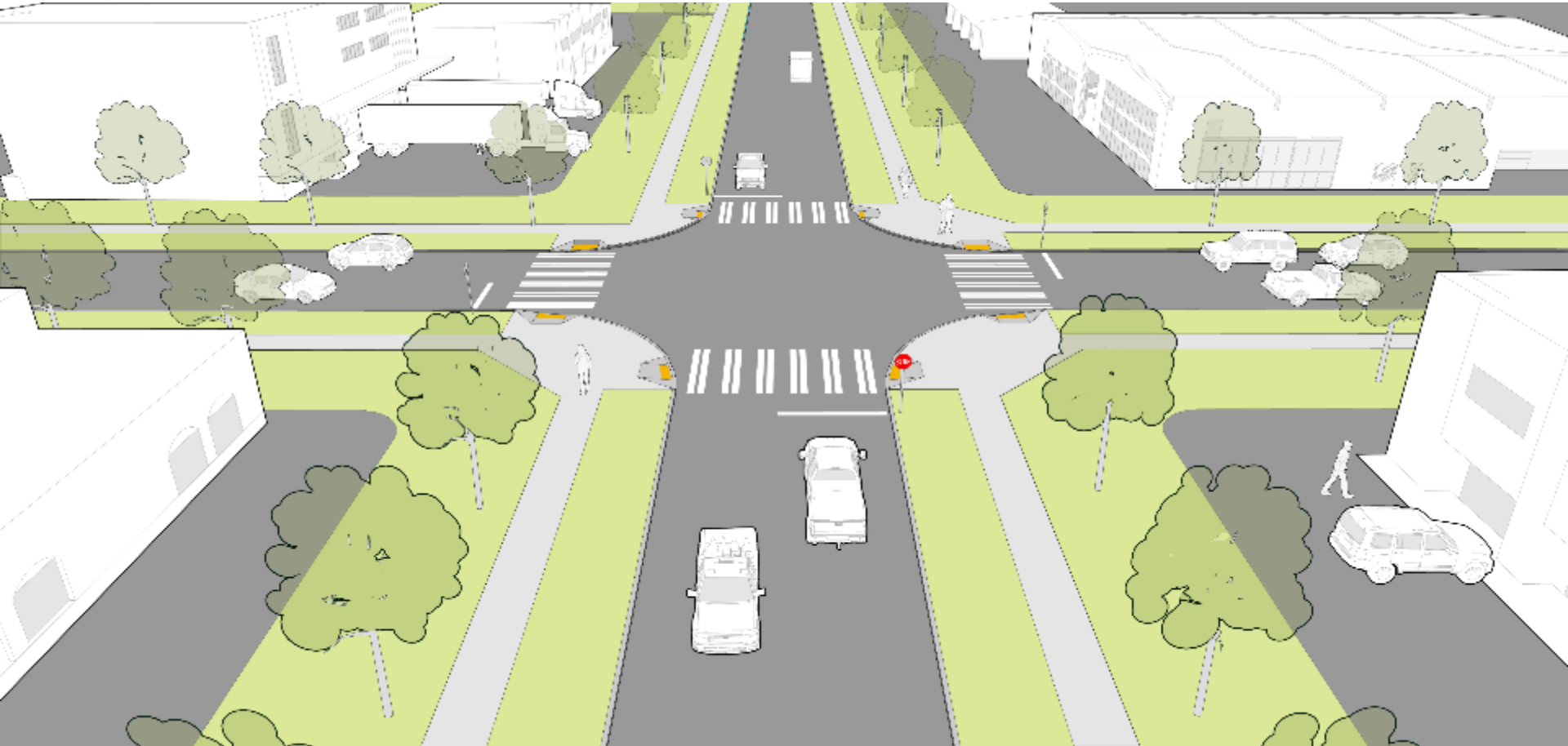
Description	Transportation Function	Place Types
A low traffic street with housing and separated walkways, sometimes with on-street parking.	Emphasizes access	Urban Mix, Residential

Neighborhood Street (Bicycle Boulevard Variant)



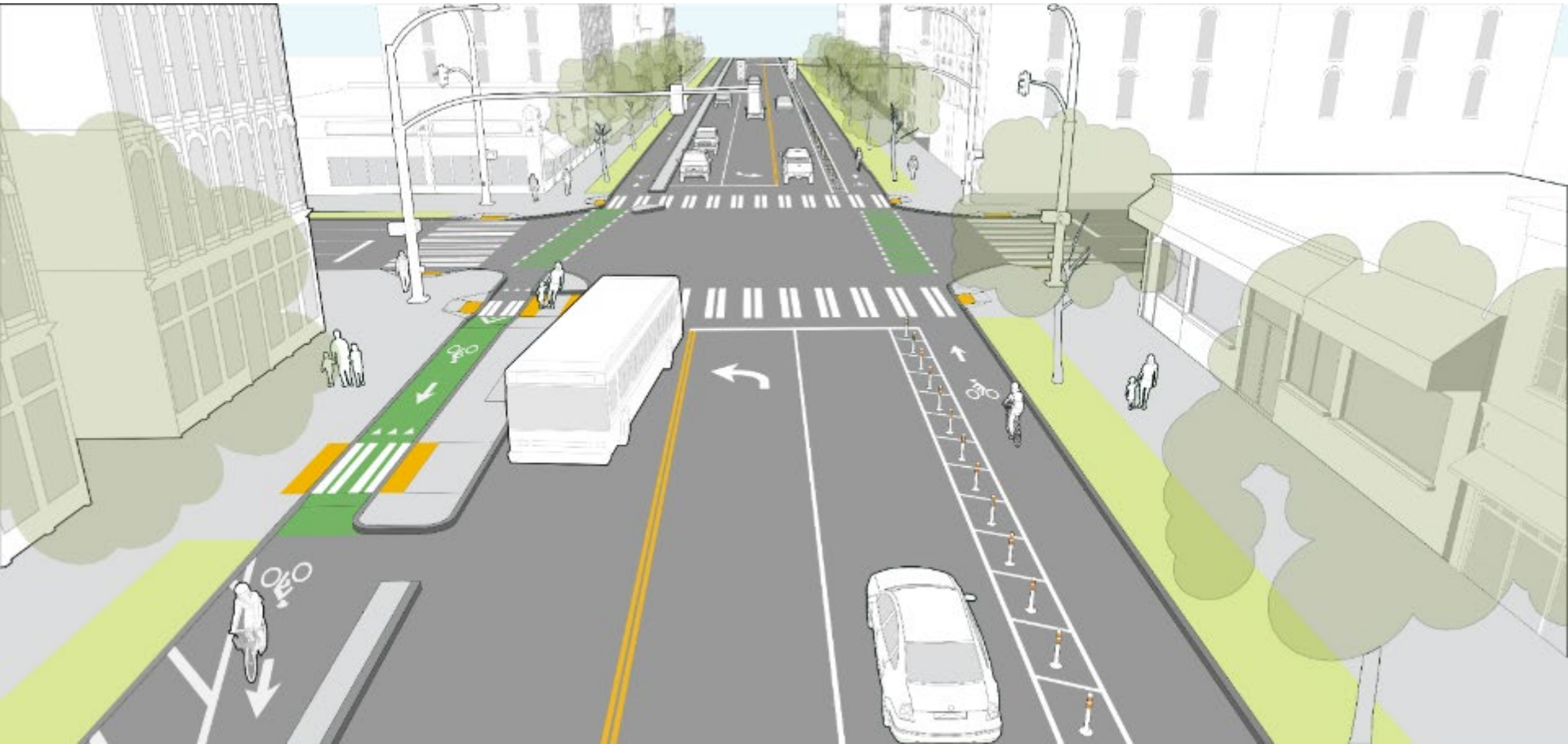
Description	Transportation Function	Place Types
A variation of Neighborhood Street that optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements	Emphasizes access and nonmotorized throughput	Urban Mix, Residential

Industrial Street



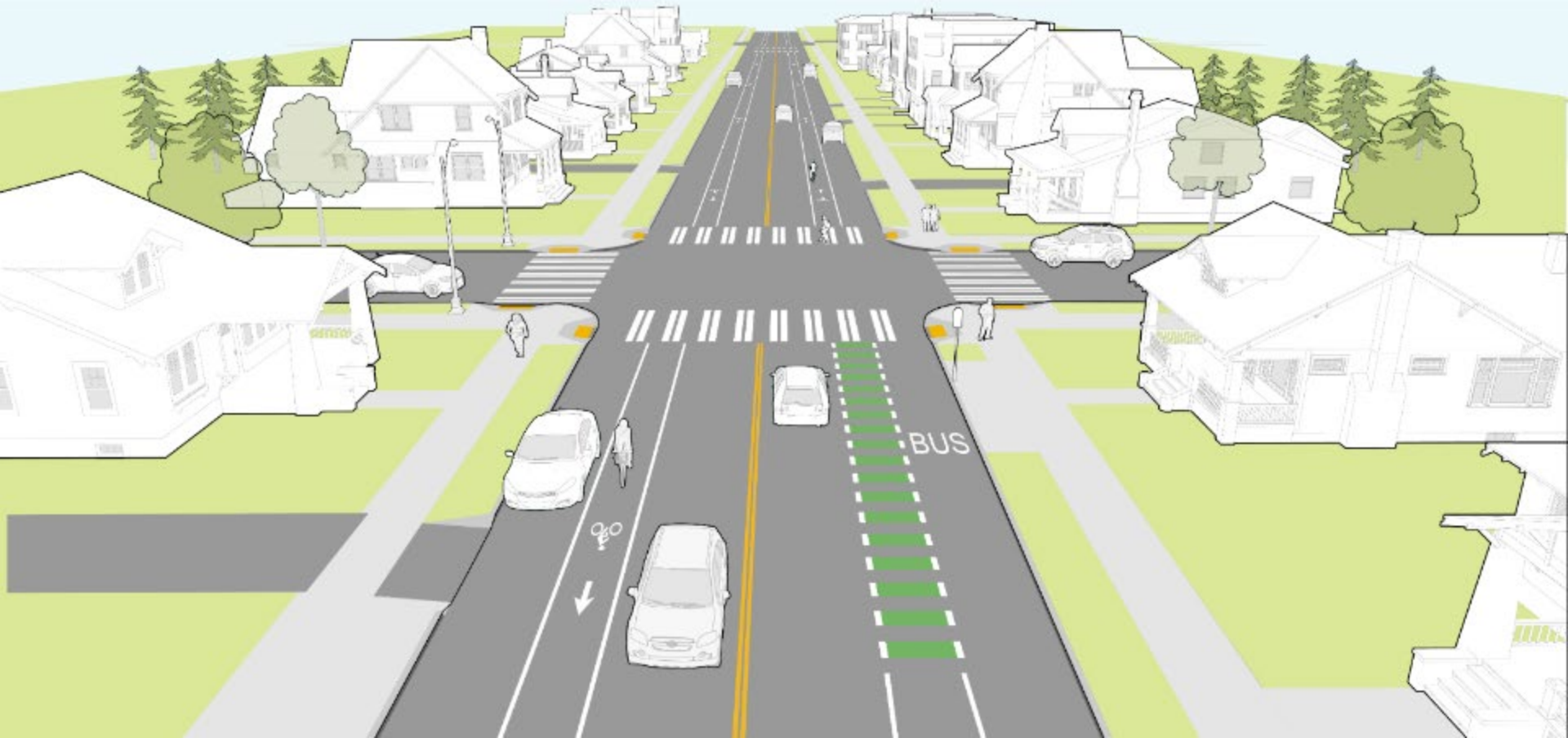
Description	Transportation Function	Place Types
A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.	Emphasizes access and freight movement	Industrial, Large Scale Commercial

Mixed Use Avenue



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

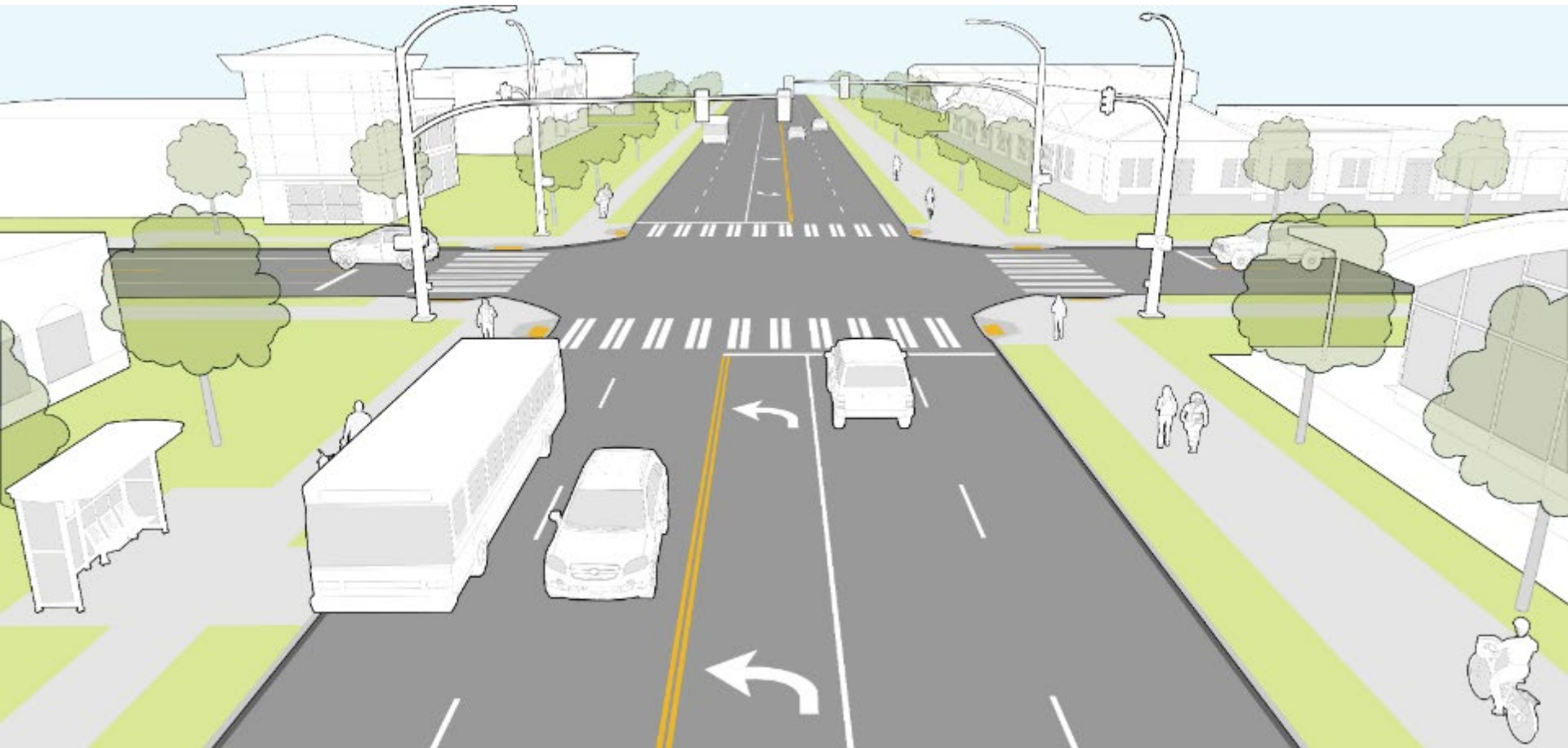
Avenue



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

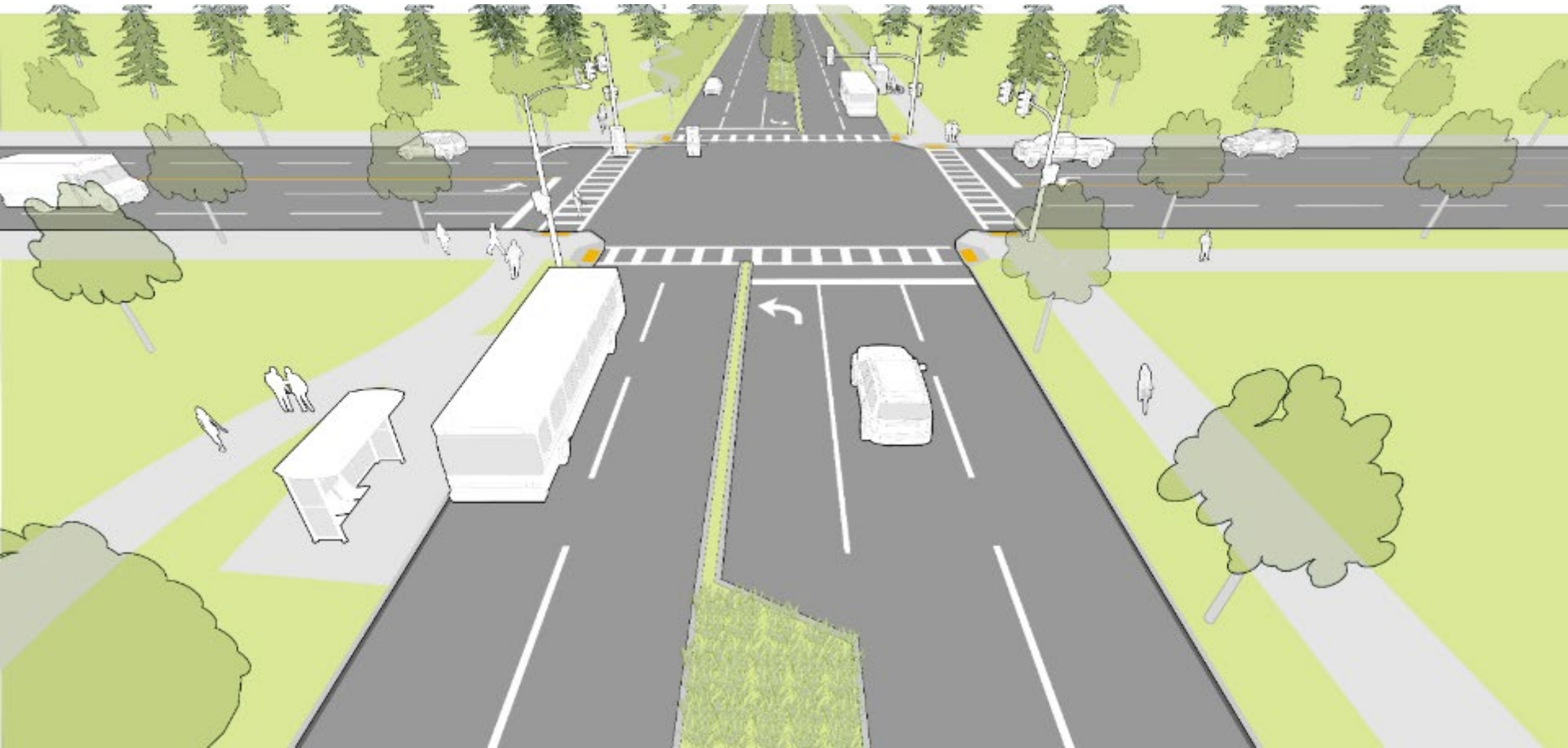


Thoroughfare



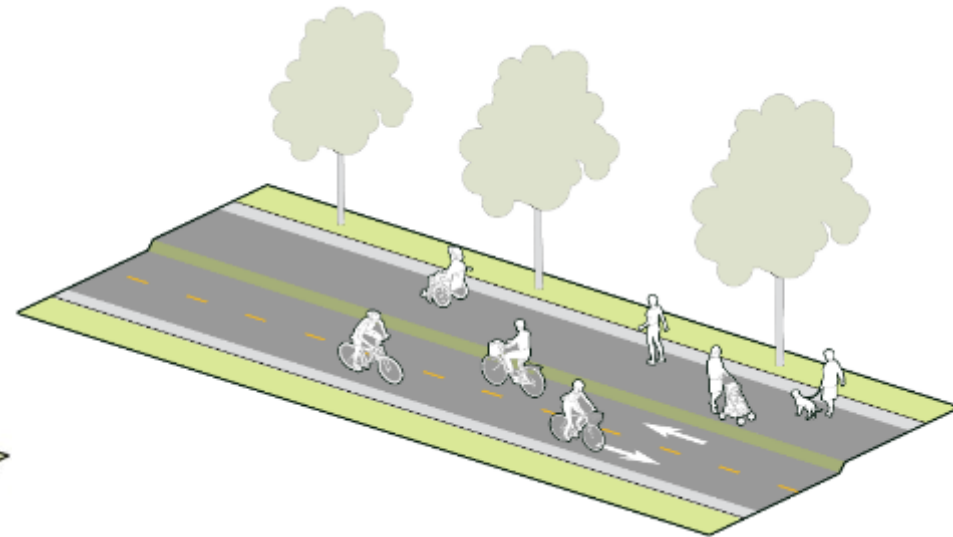
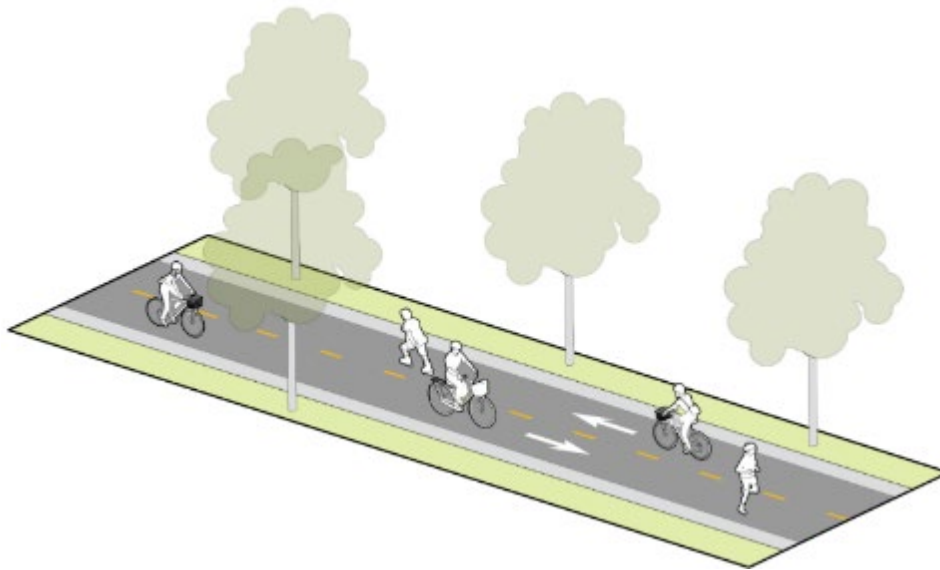
Description	Transportation Function	Place Types
A street with moderate to high amounts of traffic, used most often used for longer distance travel and automobile oriented uses.	Emphasizes throughput	Residential, Large Scale Commercial

Boulevard



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

Greenway



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

	Street Type	Description	Relevant Place Types
Access Emphasis	Shared Street	A street or alley with no curbs or separate areas for various types of transportation. Emphasizes nonmotorized movement and pedestrians have priority.	Activity Center, Urban Mix, Residential
	Mixed Use Street	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.	Activity Center, Urban Mix
	Neighborhood Street (including Bicycle Boulevard variant)	A low traffic street with housing and separated walkways, sometimes with on-street parking. A variation called “Bicycle Boulevard” is available, which optimizes the street for bicycle traffic through traffic calming and diversion; also includes pedestrian enhancements	Urban Mix, Residential
	Industrial Street	A low-traffic street, often with a high percentage of truck traffic, accessing centers of manufacturing and large-scale retail.	Industrial, Large Scale Commercial
Balance of Access and Throughput	Mixed Use Avenue	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 compared to that of a Mixed Use Street	Activity Center, Urban Mix
	Avenue	A street with a moderate amount of traffic, wider than a Neighborhood Street. These may include on-street parking and bike lanes.	Residential, Large Scale Commercial
Throughput Emphasis	Thoroughfare	A street with moderate to high amounts of traffic, used most often used for longer distance travel and automobile oriented uses.	Residential, Large Scale Commercial
	Boulevard	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.	Residential, Large Scale Commercial, Industrial
Supporting Infrastructure	Greenway	A shared use path in an independent alignment, exclusively for the use of bicyclists and pedestrians. Greenways provide connections that supplement the street network.	All

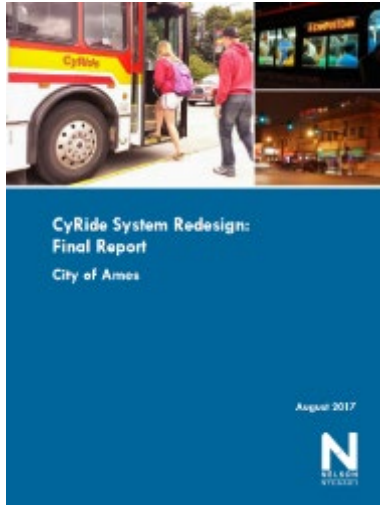
Street Type Selection



		Transportation Function		
		Emphasizes Access	Balances Access and Throughput	Emphasizes Throughput
Place Type	Activity Center	Shared Street, Mixed Use Street	Mixed Use Avenue	n/a*
	Urban Mix	Shared Street, Mixed Use Street, Neighborhood Street	Mixed Use Avenue	n/a*
	Residential	Shared Street, Neighborhood Street	Avenue	Thoroughfare, Boulevard
	Large-Scale Commercial	Industrial Street	Avenue	Thoroughfare, Boulevard
	Industrial	Industrial Street	Avenue	Boulevard
				Street

Relationship to other Plans/*Systems*

Plans

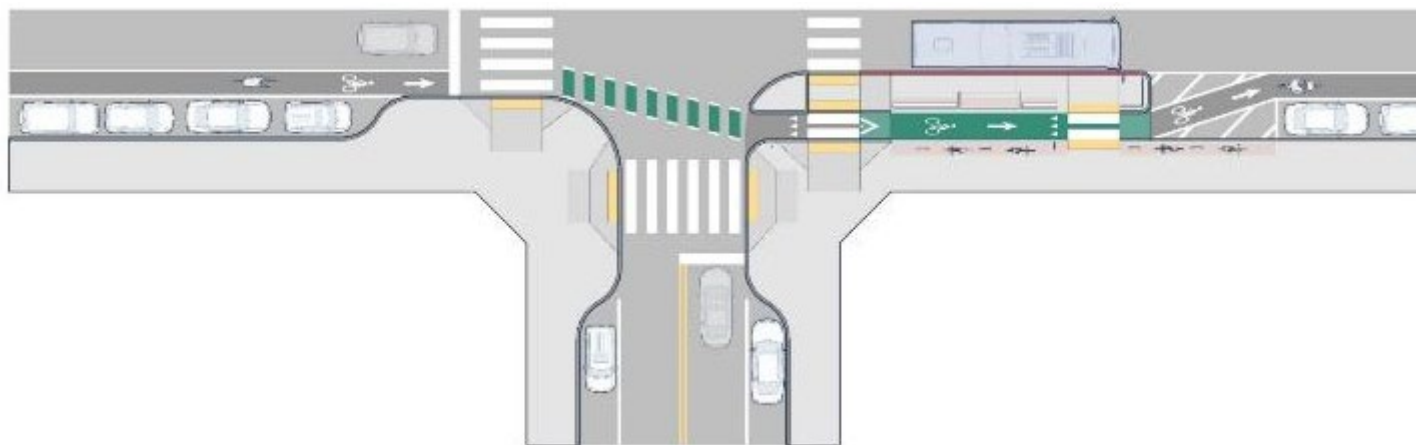
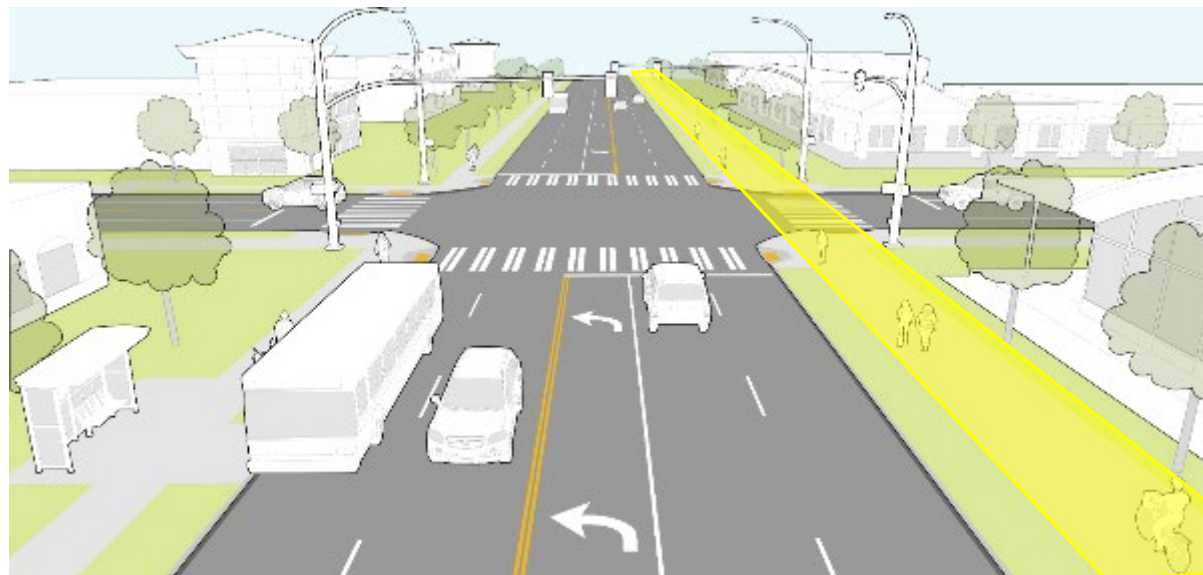


“This plan for Ames is about connections—connections involving land use, environment, recreation, mobility and infrastructure. This plan is also about connections involving people with their neighborhood and community in creating a sense of place.”

– from the foreword to the
Land Use Policy Plan



Path System and Transit





Complete Streets **Ames**

CITY COUNCIL | FINAL DRAFT PRESENTATION

OCTOBER 2018

COUNCIL ACTION FORM

SUBJECT: WELCH AVENUE RECONSTRUCTION PREFERRED CROSS-SECTION

BACKGROUND:

The 100 block of Welch Avenue, between Lincoln Way and Chamberlain Avenue, is one of the oldest streets in Ames. Reconstruction of this block is included in the FY 2019/20 Capital Improvements Plan. Scheduled improvements to Welch Avenue not only provide the opportunity to upgrade the century-old infrastructure, but also provide an opportunity to enhance traffic flow, upgrade amenities and explore ways to match the current use of the area to a new streetscape.

In August the City Council asked for staff to provide citizens with multiple opportunities for feedback on how to improve the street design. In particular, the City Council requested input from Campustown businesses, Iowa State University (ISU) students, and the ISU administration.

In May 2016 a pilot project was initiated to add temporary features to Welch Avenue in an effort to reduce vehicle, bicyclist, and pedestrian conflicts in the 100 and 200 blocks of the street. City Council directed staff to implement the use of concrete planters to close off the east-side on-street parking as part of the pilot project. Street furniture and bike racks were then installed in the newly defined area. The goal was to create a safer environment for pedestrians and bicyclists while creating a usable pedestrian space for the district. As this project was implemented, it became clear that the use of these temporary materials could have the added benefit of encouraging users to think about what the streetscape could look like in a different configuration.

It should be noted that although the pilot project involving the planters affects both the 100 and 200 blocks of Welch Avenue, the permanent infrastructure project as part of the 2019/20 CIP is focused primarily on the 100 block. The utility improvement project will require replacement of underground utilities in the 200 and 300 blocks of Welch Avenue as well as the 2500 block of Lincoln Way (just west of Welch Avenue). However, those blocks are not anticipated to require streetscape or pavement improvements. Once design direction has been identified for the streetscape of the 100 block of Welch Avenue, staff can evaluate how the streetscape of the 200 block of Welch Avenue transitions into it.

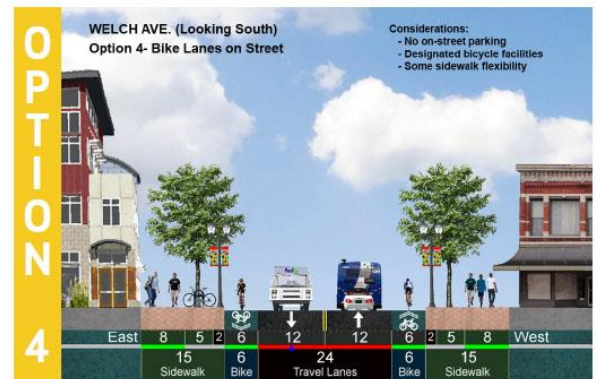
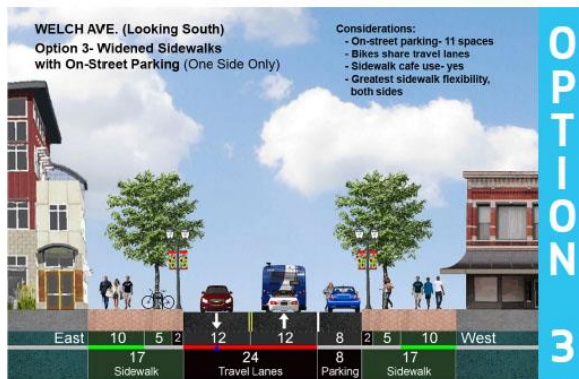
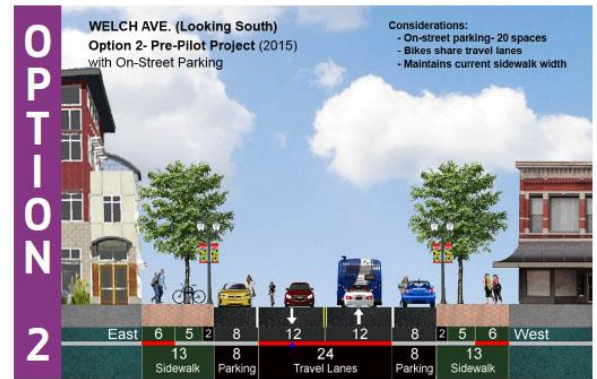
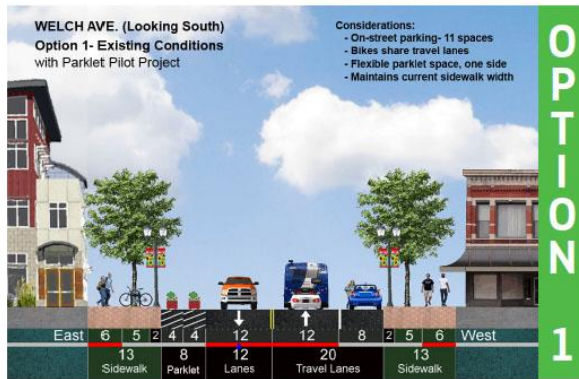
PROJECT CROSS-SECTIONS:

The most significant limitations to making major changes to Welch Avenue are: 1) the 66-foot Right-Of-Way width, 2) continuing vehicular access to public and private parking lots, and 3) balancing the multi-modal needs of the corridor. These limitations have made it challenging to include all features requested by users.

In soliciting public input, City staff developed street cross-sections with different features to help users visualize design options. Based on City Council input during the August 14, 2018 meeting, four final cross-sections were selected to be used in discussion about the future streetscape of Welch Avenue. Each of the different cross-section alternatives impacts CyRide operations and Fire Department access, but the final four were acceptable options for those departments. However, a pedestrian mall option and one-way option were eliminated from the cross-sections due to numerous obstacles with emergency access, parking lot access, delivery truck access, and impediments to traffic flow.

The four cross-sections approved for public outreach were:

1. Pilot project with parklet and one-side parallel parking
2. Pre-pilot project (circa 2015) with two-side parallel parking
3. Sidewalk widening with one-side parallel parking
4. Bike lanes on street with no parking



An Option 5 cross-section was initially created featuring a one-way street and diagonal parking. This option would create challenges for the Fire Station and CyRide, so ultimately the City Council eliminated it from consideration in August.

PUBLIC OUTREACH:

Outreach for Welch Avenue reconstruction focused on gathering information from multiple users, educating them about the project, asking users to prioritize their desired features, providing options that would appeal to diverse stakeholders, collecting comments, and maximizing participation. The results show robust public participation. (It is important to note it was possible for the same person to participate in more than one format.):

FORMAT	PARTICIPANTS
Dot voting at 10 events**	1,242 participants
Public Forums – (St. John’s by the Campus and Ames Public Library); Also dot voting	Approximately 30 participants
Presentations to small groups	Participation varied; approximately 30 people total
Online survey	1,060 participants

**Six events coordinated by the ISU Community and Regional Planning Club

These outreach efforts were publicized using various communication tools and with the assistance of the City’s collaboration partners including Campustown

Action Association, the Ames Chamber of Commerce, and Iowa State University. Special mention goes to the ISU Community and Regional Planning (CRP) Club and their President Bridget Williams. Through the CRP Club, six pop-up events on campus garnered nearly 850 participants through the dot voting process.

Through “**dot**” **voting**, the four cross-sections were brought to various locations and participants were able to ask questions and vote on the design they most preferred. Nine of these 10 opportunities were held on campus or in Campustown. **The top two options in the dot voting were:**

457 votes – Option 4 (On-street Bike Lanes with no parking)

411 votes – Option 3 (Sidewalk widening with one-side parallel parking)

The results of dot voting by event are available in Appendix A.

Public forums were held at St. John’s by the Campus and the Ames Public Library. These forums attracted a small number of participants who asked questions and participated in the dot voting. Several attendees did not feel comfortable dot voting, and instead indicated they would fill out the online survey which asked more questions about preferences and required users to prioritize amenities.

- Intermodal Facility - Attendees asked whether the Smart Cards work to park at the Intermodal Facility. They also commented that the Intermodal signage is confusing and overall it is intimidating to use the Intermodal Facility. Additional/better signage that regional parking availability at the Intermodal Facility should be advertised/promoted better to ensure that visitors to the area know that it is an option.
- An attendee at the Public Library event requested that a couple of 15-minute parking stalls along Welch Avenue would be beneficial to the area. They also commented that closing the street for shorter periods of time where Vendors can be part of special events would also be enjoyable.
- One Campustown business owner commented that the enforcement of “No Bicycles on Sidewalks” in the area appears to be a big challenge/non-existent.
- Another Ames resident who works in the City of Des Moines referenced a multi-modal project implemented where the 10-foot travel lanes incorporated as part of the project were too narrow. After further community discussion, the implemented project is now being modified to add an additional foot of travel lane to improve the area. Ultimately the travel lanes will now be 11 feet each.

- Bike lanes down the center of the roadway, instead of in the outer lane area, just as is in the Nicollet Mall area of Minneapolis, MN was also brought up as a potential idea along Welch Avenue.

City staff made several **presentations to small groups** identified as key stakeholders in the Welch Avenue reconstruction. Meetings were held with Campustown Action Association, ISU administration, and Ames Bicycle Coalition. Additionally, staff sought input from the Ames Fire, Police, CyRide, and Electric Department.

- Campustown Action Association (CAA): Feedback from a meeting with CAA shows a variety of opinions on a new streetscape. Concerns were raised about availability of parking, accessibility of delivery trucks, desire to incorporate unifying features (streetlights, planters, artwork), and safety. From Chamberlain Street north to Lincoln Way, several attendees noted the street grade causes water to drain and freeze in the winter. Slippery sidewalks were mentioned as a concern, as well as the combination of substantial pedestrian, bike and vehicle traffic.
- ISU Administration: Feedback from a meeting of Iowa State University administration included the concept that Campustown serves as a “front door” and a “showcase” for Iowa State University campus. Comments focused on aesthetics, as well as safety, when identifying valued components of a new street. Although not offered in the presentation, there were several comments suggesting a pedestrian mall and closing the street to traffic. If a pedestrian mall concept was not pursued, an alternate might be a “ped mall feel with open spaces, community seating, outdoor eating areas, flowers, trees and landscaping”. The feedback included suggestions that this street be “student-centered and people-centered”. The need for additional bike racks was mentioned. Another comment received is that vacant seating, as in the case of parklets not being used, can provide a sense of an “unexciting environment”. Branding in Campustown (businesses, students, and area) would all aid in providing a sense of community.
- ISU Administration: Staff voiced concerned about the wider sidewalks where students are more likely to gather, especially after bars close for the evening, and creates a higher potential for property damage and looting.
- ISU Administration: Welch Avenue project constructed by ISU in summer 2018 incorporated 13.5-foot travel lanes to accommodate wider vehicles, especially CyRide buses. This project incorporated a bike lane/bike box southbound and sharrows northbound.
- Ames Bicycle Coalition (ABC): Feedback from ABC suggested a preference for narrower lanes to slow traffic. Bicyclists noted that

southbound on Welch Avenue (uphill) can be uncomfortable when mixed with vehicle traffic but traveling northbound (downhill) in a shared lane is much easier. ABC representatives suggested that a southbound bike lane would be “essential”.

- Ames Police Department: Staff recommendations include wider sidewalks to better handle high volumes of pedestrian traffic and generous lighting. Some reasoning as to why bigger sidewalks are better include: objects on sidewalk block pedestrians and push pedestrians into the vehicular travel lanes. Tighter/smaller sidewalk sections can impact pedestrian behavior and when people run into one another, fights tend to break out. Lighting is the valuable for moving crowds. Tree canopy should be considered as to not interfere with lighting levels.
- Ames Police Department: Vehicular drivers don't always see bicyclists very well. Creating a bike designated lane could cause additional vehicular/bike issues where bicyclists can be struck by vehicles making right turns.
- Ames Police Department: Parklets tends to push pedestrians into the vehicular travel lanes, especially during the higher pedestrian volume times such as following bar close. Tables are movable as part of sidewalk cafes, whereas parklets are more permanent and can be an obstruction.
- Ames Electric Department: Staff did not have a preference with cross-section plans and would work with any design. The manufacturer of the existing decorative light poles in Campustown is no longer in business and Ames Electric can no longer get parts for maintenance of this infrastructure. Therefore, this is an opportunity to upgrade the light poles in the area. Ames Electric prefers to update light poles along the south side of Lincoln Way (Hayward Avenue to Stanton Avenue) as well as Welch Avenue (Lincoln Way to Hunt Street). Staff preference is to use a style of light pole already being used elsewhere in Ames, such as in the Downtown area. The light poles in Downtown accommodate banners, which has been a preference of CAA. Spacing of street lights and trees (if incorporated) will be essential to ensure that lighting reaches the ground/vehicular/pedestrian areas.
- Ames Electric Department: Currently there are power outlets which were placed in the 100 and 200 blocks of Welch Avenue for special events. If desire is to keep these with the new design, funding of these power outlets will need to be considered (e.g. CAA, area Businesses, COA Electric). The outlets in the 100 block of Welch Avenue have not been used for approximately 10 years. The outlets in the 200 block have been used as recently as this past summer.

- The Ames Fire Department response was Option 4 with incorporation of bike lanes would be the best for fire operations, pedestrian safety and overall flow of traffic. Fire Department also commented about the high number of deliveries along Welch Avenue which cause vehicular conflict in this area.
- CyRide responded about the project that one-way traffic along Welch would pose challenges for their operations (City Council already eliminated this option). It is more difficult for their bus to make a right turn than a left turn. Overall, it would cause delay in their route schedules.
- CyRide: As for options 1 through 4, CyRide staff did not have a strong preference as they do not stop in the 100 block of Welch Avenue. If the recommendation was extended work further south on Welch Avenue, CyRide staff would have a different opinion and desire to provide further comment opportunity. That being considered, it was stated that Option 4 (Bike Lanes) may be the best for this area of Welch Avenue. The reasoning is that this block of Welch Avenue has relatively low motor vehicle speeds and serves many users: pedestrians, bicyclists, transit riders, motorists, delivery vehicles, and emergency responders.

The **online survey** was popular and attracted 1,060 responses. Of the respondents, 447 identified as Ames residents, 339 identified as ISU students, 83 identified as ISU student/Campustown residents, and 20 identified as Campustown business owners. Other identifiers were: visitor, 61 responses; or employed in Ames, 86 responses. To ensure Campustown business owners were aware of the survey, 200 postcards were sent via U.S. Mail to Campustown businesses giving them an extra week to complete the online survey.

The online survey asked a variety of questions to better understand the expectations of travel, parking, desired experiences, and aesthetics on Welch Avenue. The following summarizes some of the results including a cross-section choice.

Questions	Top Response	% of Responses
Main Mode(s) of Transportation	Vehicle /Walking	87%
Distance from Destination (parking)	3-5 Blocks	35%
Trees on Welch Ave (parklet)	Yes limited, Yes many	79%
Vegetation	In-ground plants (Storm water benefits)	55%
Desired Experiences on Welch	Walking/Socializing	56%

Ranking for Cross-Section Elements

Respondents were asked to answer a series of questions to providing a priority ranking for cross-section elements including sidewalk café, on-street parking, bike lanes, and vegetation.

Extending sidewalk space for sidewalk cafes or social opportunities was a top priority, followed by space for trees, designated bike lanes, and lastly, on-street parking.

Desired Cross-Section Results

Option 3 – 410 votes (Sidewalk widening with one-side parallel parking)

Option 4 – 281 votes (Bike lanes on street with no parking)

Option 2 – 250 votes (Pre-pilot project (circa 2015) with two-side parallel parking)

Option 1 – 116 votes (Pilot project with parklet and one-side parallel parking)

Survey Comment Themes

The online survey provided an option for an open-ended comments regarding the Welch Avenue project and proposed design. Themes that registered throughout the survey, regardless of responder demographics included:

- Request for Pedestrian Mall area
- Priority for on-street parking
 - More parking options
 - Maintaining current on-street parking
 - Accessibility for ADA
 - Commercial Deliveries
- Priority for bikes and pedestrian spaces
- Added Social areas
- Aesthetics of Campustown
- ADA Accessibility
- Hybrids of cross sections

Parking is a theme that resonates with Students, Campustown Businesses, and Ames Residents in the survey. Students and other Ames Residents commented on accessibility, availability of parking, and the desire to frequent Campustown Businesses. Campustown Business owners included various functions of parking in their responses including commercial deliveries, patronage, distance of the intermodal parking facility, and cost for parking.

Survey result comments are included as Appendix B.

HYBRID OPTION:

Based on the input from the public and meeting the goals of the project, staff has **developed a recommendation** that blends the elements of the top two cross-sections: Option 3 (widened sidewalks and one-side on-street parking) and Option 4 (bike lanes). This blended alternative, **Option 6 (shown below)**, is a new hybrid cross-section that features one-side on-street parking, widened sidewalks, and a bike lane (southbound).



The additional feedback provided can be incorporated into this hybrid Option 6, such as new decorative light poles, trees, in-ground stormwater plantings, and bike racks. This Option 6 would be consistent with the Welch Avenue reconstruction project recently completed by ISU (bike lane southbound, sharrows northbound).

ALTERNATIVES:

1. Direct staff to design the 100 block of Welch Avenue based on a new cross-section (Option 6 – Hybrid), which represents a blended version of Option 3 and Option 4.
2. Direct staff to incorporate a different cross-section into the design of the 100 block of Welch Avenue.
3. Refer the project back to staff for additional public comment to develop additional cross-section options.

CITY MANAGER'S RECOMMENDED ACTION:

Option 6 is a hybrid option that reflects the desired elements and interests that were received during extensive public outreach. This option also meets the goals of the project and takes a “complete streets” approach to the design by accommodating multi-modal users with the project.

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

Date	Location	Option 1 (as is)	Option 2 (maximum parking)	Option 3 (widen sidewalks)	Option 4 (bike lanes)	Total
8/24 + 8/29	First Friday Event + Parks Library	4	29	67	85	185
8/30	Design Atrium	2	45	101	93	241
9/5	ISU Club Fest	18	68	75	120	281
9/7	Memorial Union	2	9	18	21	50
9/13	Near Campanile	1	11	30	26	68
9/14	Campustown	1	9	6	6	22
Total Counts >		28	171	297	351	847

Comments from Welch Ave Public Survey

ISU STUDENTS

Priority for Pedestrians (Pedestrian Mall)

- Close this block of Welch to traffic and make it a ped mall!
- To make Campustown just a place, but a destination for Ames community members and ISU students, we need to turn at least the 100 block of Welch into a ped-mall. To do that, the Fire Station needs to be relocated—it's an oddball land-use in a predominately retail and bar/lounge area. Create a destination just like the City is doing in Main St, and Campustown will flourish.
- Take note from the pedestrian mall in Iowa City
- Parking on Welch Avenue I poses a risk to bikes, and removes space from pedestrian sidewalks. Parking should be located in the adjacent blocks to Welch Avenue, and Welch itself should be dedicated to walk and bikeable infrastructure.
- Making Welch Ave a more open space for foot traffic and cafe space would be an attraction. The space is more valuable to those accessing the shops, stores, and bars/restaurants than it is for higher traffic volume
- This is not a car friendly area to begin with, so make it friendlier to busses, bikes, and pedestrians.
- I suggest Option #3 for the fact that Welch is a street with lots of face value and walk ability/ biking to these places seems extremely important! Creating larger sidewalks creates more of a ped mall feel and limits the traffic flow via cars but adds other forms of transportation to the equation!

Priority for Parking

- I have come to find that parking on Welch can be a hassle at any time of the day. I feel as if parking is one of the most important things for easy access to all of what Campustown has to offer. By maximizing parking, this will allow for more people to be in the Campustown area, therefore resulting in more business being done, as less parking violations.
- we need parking so bad. we need lots of parking lots that you can use for free, metered parking is honestly terrible. there are limited parking spaces at apartments and off campus housing, there are only metered parking or reserved parking lots and the street parking in the Greek area is horrible. it is a hassle and unsafe for men and especially women to be moving their car at 9 pm every night. predators are aware that there will be many people walking around at 9 pm at night and creates an unsafe environment. The dorm parking is unavailable to people who are non-residents honestly there are no good options for people for parking, especially for visitors, such as parents, who come down for one weekend. do better with the parking please.
- If there was more parking it would be ideal, but I don't think on street parking is enough to even make a dent in the parking need.

Priority for Bicyclists

- Parking on Welch avenue I poses a risk to bikes and removes space from pedestrian sidewalks. Parking should be located in the adjacent blocks to Welch Avenue, and Welch itself should be dedicated to walk and bikeable infrastructure.
- Sidewalk cafes are important, but some of the businesses don't seem to utilize the space. Prioritizing the space as bike lanes instead seems to be the more effective use of space.
- Get rid of planters and make them bike lanes. No one uses the planters. keep the parking as is or increase it slightly
- I got in a bike accident on Welch and had to go to the ER. I paid lots of dental fees as well because I cracked my tooth on the pavement. If there was a bike lane, this would not have happened as a car stopping abruptly cause this accident.
- I think the bike lane would be most beneficial to students and residents of Ames because of accessibility to the Wallace/Wilson residence halls as well as the neighborhoods around Welch. It would be safe for both drivers and bikers because of these designated lanes.
- I suggest Option #3 for the fact that Welch is a street with lots of face value and walk ability/ biking to these places seems extremely important! Creating larger sidewalks creates more of a ped mall feel and limits the traffic flow via cars but adds other forms of transportation to the equation!
- More bike lanes in Ames in general please!

Suggestions/ Other Comments

- I wish there was an option with one 2-way bike lane and some on-street parking. This would make it safest for all modes of travel in my opinion.
- Maybe planters could be used to separate bike lanes and travel lanes in option 4
- More places to enjoy the outdoors in warmer months. Open up parking lots behind buildings for parking. There doesn't need to be on street parking
- Please make lanes wide enough for transit buses.
- Perhaps extend these elements to the street that runs east west that passes in front of the clock tower
- Allow for overnight parking at the meters
- I really don't like driving down Welch with bikes in the streets. However, I also want to ensure foliage. Can there be an option for parking and bicycles? Because trees are in every photo. Can we put plants in between the trees? The best of all three? I don't think increasing the parking on Welch dramatically will help because it will still always be filled.
- Bikes > cars when it comes to college students
- Option 4 is the future. Choose it now.
- I think adding maximum parking is going to make Welch a street that people avoid. It's hard enough to park there as it is, and as a community with small, local businesses, limiting bike and sidewalk space to prioritize a few cars being able to park is not in anyone's best interest.

- Only a fragment of ISU students live in Campustown. If you limit parking, you severely reduce the traffic able to get to and enjoy Campustown because of how inaccessible and hassle-filled you will make it
- Street parking is already limited to only a few spots so it's essentially useless
- Drunk individuals will damage plants which will lead to ugly planters and trash. Sidewalk cafes will be useless to students considering weather and seasons of Iowa. Biking lanes can be helpful for residents from Towers and if you don't have planters nor trees bikers can use sidewalk if needed. Parking is important for guest visitors and accessibility for older individuals.
- I would like to see the space of road/sidewalk used efficiently and not wasteful space. I like the ideas of open walking space or bike lanes. Parking I would choose over planters placed onto the street like there is today in front of CVS.
- With the frequency of bus travel and the number of bicycle and foot traffic the safest would be option 4. CyRide could safely add a bus stop near Lincoln way, while still having space for bike lanes and wider crosswalks, just like union and lower Friley.
- I enjoy the way Welch Ave is now
- 18+ Bars
- Would like the atmosphere to feel like the streets of Dubuque St. in Iowa City

STUDENT AND CAMPUSTOWN RESIDENTS

Pedestrian Mall

- Why not just turn Welch into a pedestrian mall, only allowing bus access?
- Close the whole road, turn into Ped Mall
- No road, ped mall
- Make the 100 block of Welch a Mall and close down the street. Traffic can be diverted to side streets and Campustown will have an entire block to develop space for socializing, walking, biking, etc.
- Make Welch to Chamberlain pedestrian-friendly, move the fire department, and open the Intermodal facility to overnight parking at reasonable rates

Suggestions/ Other Comments

- Increase the number of bars and social spaces for ISU students and young professionals. Closing such spaces makes the current spaces more crowded and ultimately pushes people into the streets and causes more house parties to develop. Many students are also interested in making Welch Ave an open bar district where the street would be closed down for socializing in and outside of the bars at night.
- If planning to plant trees, please consult Dr. Jeff Iles of ISU department of horticulture. Planting trees that are hardy and able to deal with heavy street use and conditions!
- More social areas thought the Welch avenue
- Why are ya'll wanting to take away already limited parking lmao da fuq

- I like the idea of adding sidewalk space for cafe's and for trees, but I think it is also very important to have more parking available. Maybe a parking ramp would be a good option.

CAMPUSTOWN BUSINESS

Suggestions/ Other Comments

- Parking is an issue in campus town giving preferential treatment to one business seems wrong. We can provide maximum parking availability and beautify campus town together. Safety has never been an issue according to the police records in this area. Commercial areas in order for them to grow and develop and evolve would be stifled by limiting parking. I feel as a consumer that I choose parking that is the closest to where I spend my money. I believe we should not be choosing one business over another business when we design campus town. We're giving advantage to 1 business over another is Clearly unfair for other businesses that rely on parking.
- ups/beer truck controls
- Emphasize the Plaza concept.
- WelchBiz2018. The way these questions are posed is skewed against parking. Most who will take this survey do not think in those terms, especially not at the time they'll be taking this survey. The questions sound like "what do you prefer- cool things like trees open spaces, socializing and fresh air and bicycles, or cars and smog and parking lots?"
- The intermodal facility is too far away for families with children to park and visit businesses. It also puts a strain on customers carrying purchases.
- I would like to ask the city, what do they want out of campus town? Do you want it to be a thriving commercial area, used by all, or a park like setting, used by students 9 months out of the year? And if so, how do you expect those commercial businesses to operate when students are gone over holidays and breaks? If you eliminate the ability of residents to access these businesses during the school year, they will avoid them at all times. We must make this area for all to enjoy. Parking had been an issue in campus town for decades. To decrease it even more, would eliminate a large sector of the population of Ames. Yes, there is an invisible parking structure that would enable drivers to park 3 to 5 blocks away from their destination, but that is not something Ames residents are prepared to do. They are accustomed to the ease of moving around in Ames. Is it too much to ask them to walk a few blocks to their destination? No, as it is not too much to ask cyclists to "walk their wheels" one block for safety's sake in a commercial area. I ask the city to consider following the model of the downtown area, where businesses are thriving, cyclists are moving safely, gathering spaces are beautiful, outside dining is available. My husband and I bought our commercial property over 30 years ago, believing that this would be a thriving commercial area. I still believe it can be, assuming it is accessible to all of the residents of Ames.
- WelchBiz2018 lower parking meter prices would be nice. We volunteer in Campustown and it used to be about \$1.25, now it is \$3.00. Expensive when you are volunteering

AMES RESIDENTS

Pedestrian Mall/ Priority for Pedestrians

- If Welch is to be converted to a "hang out" area then the whole street should be converted, similar to the PED Mall area in Iowa City. but for convince to visitors, if the road is open you should allow parking. the area near CVS now is lost parking spaces (we know how Ames likes their parking money) and is wasted space. planters make the area pretty but serve no function for helping the community. So either allow ample parking, or just convert the whole street to a pedestrian only area and build another parking garage. thanks for listening
- I recommend completely closing Welch to car traffic between the clock tower and Lincoln way. Make it a pedestrian street like in Iowa city.
- No bike Lanes. Welch should be ped mall between Lincoln way and Chamberlain. Need closer/cheaper parking
- Welch should be a ped mall!
- Vehicle access should be limited in this block of Welch, including parking.
- Has no vehicle traffic and pedestrian mall only been considered?
- Bring a ped mall to Ames!!!
- have you considered closing off Welch to vehicles?
- I think keeping cars out of campus town would be safer for students as well.
- Shut Welch off to all cars.
- I HATE driving up Welch. I'm always afraid someone is going to stumble out from behind a car and I'll hit them, so I drive ridiculously slowly while traffic backs up behind me. I would even go so far as to remove the street from the first block of Welch up to the Kum & Go so there are ZERO cars there.
- Being "Campustown", where a great many of the visitors will be pedestrians, I think it's important to prioritize space usage as such. It may be more inconvenient for cars and bikes to navigate Welch. Ave, but it is not meant to be a convenient pass-through. It's a quaint place in town for people to relax and enjoy the businesses and each other's' company there. As a frequent visitor of Campustown as a resident/customer of the businesses and as a business manager (The Iowa House Inn on Hayward, not on Welch directly), I value being able to comfortably use the space as a pedestrian. Many of my guests rely on Campustown being so walkable. With these improvements they'd be able to more comfortably spend time in Campustown (and not their rooms!), being able to better enjoy the restaurants they rely on for meals, as well as come away feeling like Ames is a welcoming town for their student or family. I also regularly drive down Welch Ave., and while it's not the most efficient road, this part of town isn't meant to be optimized for that. There are other routes to take if you want to get through quickly.
- I really would like the north end of Welch Avenue to be a pedestrian mall. Compromises listed above are going to provide poor solutions for pedestrians, vehicles, and bicycles alike. Let's just bite the bullet and do a pedestrian mall.
- No cars at all on Welch Ave.

- A cross between current Welch Ave and the "Ped Mall" in Iowa City is my perfect situation - parking nearby, with the main goals of pedestrian safety, promotion of healthy habits (walking, biking) & ambiance/aesthetics/curb-appeal
- Personally I favor closing Welch to all vehicles and making it a pedestrian and sidewalk cafe zone with bike lanes
- Option 5 for #13: cars-free Welch
- I personally think the first block of Welch should be a Peds mall. It needs to be a place people other than students want to go and hang out, like IC Peds Mall or KC power and light area. A place with more good restaurants, coffee shops, clothing etc. A place if you don't have a ticket to the Football game - people will still go and hang out, it's dead on Saturday. We do enjoy the Campus town events and try to go each year. Then just stop by the restaurants, since we live on the west side they are closer than going to Main and Duff.
- Option 5: no vehicles. Pedestrian walkway. There are many ways that the fire station issues could be addressed in this scenario.
- Welch Ave should be a ped mall--the fire trucks could go the other direction. IA City has a great ped mall.
- I recommend making this area a ped-mall. We are talking about a very limited amount of street that would be removed and would not disrupt flow of traffic. Businesses would still be patronized if patrons had to park on Lincoln way or the ramp. In other cities, including Iowa City, this has been shown to be true. Open traffic free space is extremely limited in Ames and areas to congregate with cafes, etc., are limited. Opportunities to increase the aesthetic of the campus town area are great, just as we have opportunities to improve other areas of town such as Lincoln way between grand and duff (which is a horrible eyesore and attracts a less desirable crowd). I hope that Ames makes a decision that is forward thinking, increases green space and offers the community more gathering spaces and pedestrian malls like many other forward thinking cities both in the states and abroad.
- I'd like to see Welch become a pedestrian street only.
- Welch could be an incredible amenity for Ames if it were made a pedestrian mall with only a bikeway- remove all the cars! It could become a restaurant and shopping center and would be a showpiece for Ames with all the ISU visitors. Make it a pedestrian mall and watch Ames flourish!!
- I would like to see Welch closed to traffic making ped mall area.
- Get rid of the street entirely and make it a ped mall
- Do away with driving lanes totally and make it a pedestrian only pathway. Or possibly include a bike lane but no cars.
- What about making the primary block of Welch only available to pedestrians? similar to Iowa City - it's so crowded at night and is a hazard. The fire truck station needs to be relocated.
- No vehicle lanes preferred. Iowa City's Pedestrian Mall has many business owners that still thrive with only foot traffic.

Aesthetics

- Replace bright white LED lights with amber LED street lights.

- Trees - Ensure safe visibility for vehicles to see pedestrians. Parking - 11 or 20 spaces? That seems like a drop in the bucket vs. the generally-perceived lack of parking in campus town. People will just circle around and create more traffic volume during peak hours. "I see parking spots - They are full - I'll keep circling the block until a spot opens up." vs "There are no parking spots here - I'll keep going and park elsewhere." Bike Lanes - This area of Welch appears to have a significant pedestrian volume, which makes it unsafe for bicycles to share the sidewalks. On-Street bike lanes would provide more safety to all modes of transit.
- Please plant some trees ... it is our environmental responsibility to do so, and they will make what is otherwise a barren student mosh pit into a decent place
- I think some planter with gardens like downtown
- remove planters
- Planters are great, but they must be taken care of and thoughtfully planted.
- Regardless of which plan wins I think a high priority should be placed on planting plenty of shade trees, because when walking from the ISU campus for lunch it makes a huge difference between having a pleasant vs. unpleasant walk on a hot summer day.
- plants and trees are the correct decision

Priority for Sidewalk Cafes

- Side walk cafes and no on-street parking
- outdoor cafes would bring more people to area
- Overall, prioritize cafes and walk-ability. Parking is not needed if a ramp or space a few blocks away is available.
- I appreciate the attempt at parklets but I hated them. I think it would be far better to have additional sidewalk or bike lanes. Parking not important as not that many vehicles can be accommodated on Welch anyhow with the driveway cuts all over. Aesthetics are bad and the area needs that more than a few parking spots.
- Sidewalk Cafes and more walking space is part of the Welch ave charm.
- I think our focus should be to make Campustown the dining and entertainment district that is the envy of all college towns. Creating a sidewalk cafe culture would make Campustown a destination for the entire Ames area. I know many Ames residents who never consider going to Campustown. Let's give them reasons to go there.
- No on-street parking, designated bike lanes + sidewalk cafe

Priority for Bikers and Pedestrians

- This needs to be a narrow street that prioritize pedestrians and sidewalk amenities. However, bicycling is a much-used form of transportation and needs to be considered. Traffic needs to be slow for bicyclist to be comfortable.
- Close Welch to a pedestrian/bike area only.
- I just really want legal space for responsible bicycle usage.
- Bike lanes would complement city bike sharing service - which doesn't exist, but could?

- Space is limited. Peds must be prioritized. This block is the heart of Campustown and we need to make it safe for vulnerable users such as bikes and peds. Sadly, parking will never disappear from Welch but we must make this Ames/ISU landmark accountable to all users.
- Peds and bikers need to be prioritized in this area.
- The weather in Ames makes sidewalk cafes unusable a majority of the time, the parking on Welch is so limited that it's almost never available. But designated bike parking and more protected pedestrian and bike areas would improve the safety and travel ability of the space
- Welch could be the major bicycle connection to campus from the south IF the university included bike lanes on the Welch and Union Drive project. I know they did not on the Wallace Road rebuild.
- It would be nice if campus was pedestrian and bike friendly. I feel it would be safer for everyone
- While Ames is not just for the college community, the vast majority of the clientele in Campustown is college students. These students rarely use their vehicles to go to and from class, instead the students walk/bike to campus. Having more pedestrian designated areas will make Campustown safer for students.
- How about making a portion of Welch Ave. pedestrian/bike only?
- since this is campus, BIKES must be a priority for the students to get around! MAXIMUM CAR PARKING also.
- Cars bikes and pedestrians can't all coexist there. Make it bike friendly with cafe seating. Allow enough room for emergency vehicles only. Redesign for backside delivery access. There's enough parking for cars all the way around the block. I don't want to go there at all because it's too hectic and I don't feel safe and there's nowhere to enjoy the atmosphere outside anyway. Make it inviting for pedestrians and bikes which are the biggest customers there. Thanks
- There is no good reason for the volume of motor vehicle traffic in that area. We certainly shouldn't encourage more. Make Welch (and that section of Lincoln Way) more bike friendly.
- The current design seems to waste space. I would like more parking but prioritize having designated bike lanes above every other consideration. I do NOT bike. I want to be able to safely drive and not cause danger for bikers and pedestrians.
- As a resident that lives not near campus, I despise trying to shop in Campustown because of the parking, so greedily I'd like more parking close to businesses. However, I realize that this area is best used for walking and biking with students, so in then end I think the best solution includes bike lanes

Priority for Parking

- Please bring back more on street parking. it is a colossal pain to park in the Campustown area
- Getting rid of what little parking there is would be a bad idea. The planters in front of CVS were a bad idea.
- Not sure why this needs to be done again. But whatever you do, don't get rid of more parking spaces like you did last time Welch was redone!

- There's not enough parking as it is. If I want to go to get some food, or copies, or Walgreens and there's no parking close, I'll go somewhere else. I typically avoid this area during the school session because there just isn't enough parking. I hate driving around the block a few times to find a spot. Intermodal is too far from the new restaurants along Lincoln way. Not enough parking in the immediate area.
- In Iowa, parking is a must.
- The lack of parking is pretty annoying as someone who works in Campustown and shops/eats/drinks on my days off. More parking is needed over flower pots. The experiment has been had, we would like our spots back now. Thank you.
- Keep the parking.

Suggestions/ Other Comments

- Do something with Parking Lot X, too. Trashy back there.
- Another parking option closer to new businesses on Lincoln way
- Car lanes shouldn't be 12' they should be SUDAS minimum required 11' or better, 10'. Also consider 10-11' lanes with no parking at all and no bike facilities. Narrower streets are slower and safer.
- If there isn't parking on Welch, why do we need car lanes at all in the first block?
- With the existing intersections there is not many available parking spots directly on Welch. There is plenty of off Welch parking in the area. No need to have any parking on Welch Ave.
- They built a parking ramp get rid of on street parking
- Sidewalk eating is overrated. Restaurants in the Kingland Building offer it, but it's under-used. Don't take space away from other practical functions for this 4-month option that may/may not be used.
- There should be consideration over the summers to close Welch to thru traffic on the weekend evenings to create a "block party" style setup. This could help contribute to a more contained and lively atmosphere over the summers, when Ames is seemingly dead.
- I only come to campus town when I'm working and can walk or when school is on a break because parking is horrible. Ames is already easy to walk or get around by bike or bus but parking in campus town is an issue.
- Move bikes 1 block east and discourage use of Welch avenue
- You'll do whatever gets the most money out of college students, what looks good to their parents, while ousting out local business anyway.
- build a parking garage somewhere
- I hope that all of these options take into consideration the difficulty of being disabled and accessing these spaces without using a car - public parking is a necessity for disabled access.
- Focus on making it student friendly!!
- Can we just leave it alone? Is that an option?
- these pictures are too small to see/read
- I don't think this is a particularly well-worded survey and thus will lead to results that don't necessarily represent an accurate picture of the community's thoughts. For example, only one option lists that there will be trees/planter space (option 1).

Does this mean the other options will have no trees or planters? This doesn't make sense, since in all other options, the sidewalk space will be just as wide if not wider. However, the way it is worded makes me think I must chose option 1 in order to show my support for trees/planters even if I don't like the overall layout as much as something with wider sidewalks. Same with the "sidewalk cafe" option (option 3).. will option 4 not have a sidewalk cafe even though the sidewalk is even larger? There are potentially false dichotomies being presented when in reality the conflict may not be there--it is unclear.

- I would like to see a diagonal crosswalk at the intersection of L-Way and Welch, and a pedestrian/bicycle crossing signal that cycles alone, then signals for cars only, where pedestrians are not allowed to cross until the cars have a red light. Also, put back a right turn lane from Welch onto Lincoln Way.
- ISU employee & Ames resident. Like the Campustown restaurants but can't walk more than a block.
- Ensuring space for food vendors on sidewalks during peak bar hours would be good to prevent overflow into streets as much as possible
- Welch is mostly an area for students even if people in Ames would disagree. The majority of people there are students, professors, staff and those who work in the spaces in Welch Avenue. Prioritize catering to those people and not the majority of Ames residents who don't use the space 95% of the time. Parking and sidewalks are way more important than trees or plants too.
- welch one way going north. hayward one way south
- The fire station on Welch is in a horrible place, and should be moved
- I'm not sure why street trees seem to be a given. They aren't well suited for this "dense urban development", attract birds, drop leaves where not desirable, and don't grow well when surrounded by pavement. Lose the trees.
- no need for any parking on Welch if other parking options are set up for better walkability to and from Welch
- Would be interesting to know main transportation uses for patrons of Campus town businesses. Guessing there's more walking, busing and biking than driving.
- Biased due to ability to use Kingland garage
- First of all, parking is important for all businesses. To give more attention to sidewalk cafés or other individual business types is unfair at every level. Parking has never compromised pedestrian, bicycles, social spaces, Or aesthetics anywhere in names as the example of the main street area. Planters can be elevated and taking care of easily. When parking was taken away on main street several years ago for plantings the business community there evaluate Evaluated that that was a poor idea and contributed nothing to pedestrians, bicycles, or aesthetics. Thank you for your service
- Don't forget to consider all the deliveries that happen on a daily basis also when a delivery truck is unloading and the Fire trucks have to go out on a call that street becomes very jam packed and difficult to navigate...
- If the walking/social space and no on-street parking priorities are in place, the designated bike lanes are less necessary because those plans have a traffic calming effect.

- My perfect solution would be one that allows for bike lanes AND for the planters and trees
- I'd prioritize the following in order: sidewalk space, sidewalk cafes, trees/planters, bike lanes, and improved signage to parking locations in and around Welch.
- I walk and bike a lot all over Ames, but I don't bike on Welch because it is not currently conducive to biking.
- No on street parking, sidewalk cafe and some bike lane
- I rarely am in Campustown, and when I have, I have never been able to park on Welch, so losing the parking there is less of a concern for me,
- Need to narrow auto travel lane width!
- I think you need some parking for those with limited mobility, and I like plantings along with designated bike lanes
- As a female, my concern is not about the distance from parking - but rather the lighting and safety of walking alone after dark. I will not patronize any businesses (hair dresser,etc) in that area if it seems questionable.
- Option 5: N.Bound traffic/N.Bound parking/Dedicated Bike Lanes/Sidewalk Cafe.
- The Ames Intermodal facility does not seem welcoming to the public, it is not clear if this is even open for 'public' parking. I feel that green space is the most important item for me, followed by buildings nearby that look well maintained, and bike lanes come third. While obvious public parking is needed (preferably another nearby parking garage), it will not making Welch itself a more welcoming community space.
- Option 3 could be amended to narrow the sidewalk on one side and add a bike lane there
- I'm not sure how far south you are thinking about Welch Avenue. It seems as if you are looking at the first 1-3 blocks only when you start from Lincoln Way and Welch Avenue intersection. That could be made clearer.
- This is "Campustown", a business district, but also an extension of the university and surrounded by university housing. It should provide attractive, safe, and inviting multi-use spaces. My needs are my needs, but many, many other people travel through this area and patronize businesses, most from the university, so there will be walkers, bicyclists, and drivers. Could traffic-calming devices slow the cars to make on-road bicyclists safer? Are there other approaches beyond simply dividing up the space among the three types of transportation?
- Get rid of the bike lanes. They don't pay road use tax so they should not have their own lanes
- I think a huge mistake was made allowing the parking lot behind Kingland. I think this block of Welch Avenue should be made into a plaza with no vehicle traffic. More investment should be made in parking ramps behind the businesses on the west side of this block of Welch.
- Welch Ave with its tilting tables, street lights sticking out so far they are impossible to snow plow adequately. Does campus town really want Ames Residents in the area?

- The big problem you are not even considering, that is debris, safety, interest. Plan Campustown as a whole, not Street by street. You cannot even get the cigarette butts picked up in the ice cleared in the winter.
- option not shown: uphill bike lane inside of one lane of parking on west
- On street parking has always made Welch Ave seem congested.
- Would like to visit businesses more often but find the parking is terrible so we usually go elsewhere. Improve the parking situation and we will come more often.
- Do whatever will revitalize the area and draw more restaurants/bars/shops to the area.
- We don't need to accommodate more for bikers. Taking away parking will take away from people who aren't college students to go down there. It's sad to see so much history being taken away down there.
- If redoing the roads/sidewalks, consider permeable materials to help storm water drainage
- Feel that keeping at least some capacity for on-street parking is necessary to accommodate deliveries and quick pick-ups while still maximizing walkability and capacity for trees and stormwater potential.
- 4 parking spots next to driveways on E side. 2 handicapped, 2 15 min. Close to traffic one day a week (prefer Sunday) for music, food carts, flea market/farmer stands. One lane open for CyRide & AFD.
- Slightly wider traffic lanes, with slightly narrower sidewalks would allow more room for bikes within the traffic lanes w/o providing a separate bike lane - and still allow for limited parking on one side. For example - 15' sidewalks, 14-foot traffic lanes and 8 foot parking.
- The pictures of the design ideas were so small as to be unusable. How about dreaming big? Daylight college creek, the area where the Scallion used to be could be a fantastic pedestrian, human-scale zone, but instead both the creek and that parking lot have been seemingly ignored for decades. Welch could be a really neat area. None of the ideas presented here do anything to increase the character of what makes Campustown special - this is just more generic college town USA.

Ames Visitors

- No comments

Employed in Ames

- No Comments

COUNCIL ACTION FORM

SUBJECT: NOTICE OF INTENT TO PROCEED WITH SOUTH GRAND AVENUE EXTENSION PROJECT AND OBTAIN EASEMENTS AND PROPERTIES BY EMINENT DOMAIN TO LAND OWNERS AND TENANT INTEREST, IF NECESSARY

BACKGROUND:

This project is for the extension of South Grand Avenue from South 3rd Street to South 16th Street. Included is an extension of South 5th Street (South Grand Avenue to South Duff Avenue) as well as improvements to the South Duff Avenue (US 69)/South 16th Street intersection. Extending South Grand Avenue to South 16th Street will divert traffic from the US 69 corridor (Grand Avenue/Lincoln Way/South Duff Avenue). It will help alleviate the existing congestion and allow for easier access to businesses along US 69. In addition, through-traffic will also encounter less traffic congestion by using the South Grand Avenue extension.

The South Grand Avenue Extension continues to be included in the Capital Improvements Plan (CIP) with funding identified since FY 2013/14 and continuing through FY 2018/19. Funding shown in the CIP for FY 2017/18 and 2018/19 includes \$7,700,000 in G.O. Bonds, \$4,300,000 in MPO/STP Funds, and \$3,450,00 in Federal/State grant funds. In general, construction is anticipated to commence in 2019.

The projects have been progressing since early 2017 when the design was kicked off and the "Finding of No Significant Impact" was received from the Federal Highway Administration in May 2017. **Right-of-way acquisitions with numerous property owners and permitting through the Iowa Department of Natural Resources (DNR) and US Army Corps of Engineers (USACE) is underway.**

SOUTH 5TH STREET (GRAND AVENUE TO SOUTH DUFF AVENUE):

The design of this phase of the project is approximately 90% complete. The plans have been reviewed by the Iowa DOT and City staff at both the "preliminary" and "check" plan stages.

The acquisition for both permanent right-of-way and the necessary temporary easements is underway for multiple parcels. Several property owners have agreed to accept offers based on appraisals. One parcel owner within this project segment has indicated they are not in agreement with the appraisals and offers and an agreement has not been reached.

428 Stonehaven Drive – This parcel is owned by Stone Court Apartments Cooperative Housing Association. **The owner has agreed to a voluntary settlement as of September 26, 2018.**

450 South Grand Avenue – This parcel is owned by Kent and Joan Cooper. The southern portion of this parcel is needed for the project as South 5th Street must cross the parcel. Additionally, the portion south of South 5th Street leading to Squaw Creek is planned to be acquired as the roadway severs the parcel by cutting through the middle. The portions to be acquired lie within the existing floodplain and/or floodway for Squaw Creek.

Ryan Gurwell, right-of-way agent with A & R Land Services, Inc., is handling all the negotiations with the property owners on the City's behalf. On September 15, 2017, an appraisal was completed on the land to be acquired for the project by Commercial Appraisers of Iowa (an appraiser retained by the City). This appraisal established the value of the property to be acquired at \$98,300.

With the appraised value established, the City initiated negotiations with the property owner. A timeline of those negotiations follows.

- **September 15, 2017:** The reviewed and approved Appraisal Report for all real estate lying south of the planned South 5th Street in the amount of \$98,300 was mailed to the landowner.
- **October 26, 2017:** A meeting was held with the project team at FOX Engineering and Kent Cooper, his attorney Brian Torresi, and other landowners and representatives. **Mr. Cooper indicated he wants his property rezoned from agricultural to high density residential so the property remaining after the roadway is constructed can be developed with apartments. The City's representative indicated that we cannot include rezoning or building permits as a part of negotiations for acquiring property rights for this road improvement project.** Mr. Cooper also indicated that the City should reduce its taking if possible because he may need more land for fill and other development purposes. On October 31, 2017, Shive-Hattery provided an exhibit, minimizing the taking to only what was needed by the City for this road project. A detailed explanation letter and exhibit were mailed to the landowners.
- **November 29, 2017:** A notice letter was sent to the landowners indicating that the City authorized an appraisal for the reduced taking. On December 31, 2017, a revised Appraisal Report for the reduced land taking in the amount of \$32,500 was mailed to the landowners with an explanation letter. The letter included an offer to still purchase all the land originally identified for \$98,300 based on the original Appraisal Report.
- **February 15, 2018:** Mr. Cooper sent a response letter/counteroffer. The letter included a detailed explanation as to why the subject property should be rezoned

for residential development. The letter also included a statement that the City can either make a reasonable offer for all the property, or Mr. and Mrs. Cooper will investigate the rezoning process with City Council directly.

The Appraisal Report was prepared by an experienced Eminent Domain Certified General Real Property Appraiser, which was the basis of offers presented by the City to the landowner. All applicable acquisition documents were also presented to Kent and Joan Cooper with an explanation of each document contained in the letter. The City reduced the taking to the minimum amount of real estate needed to complete the road improvements for this project, as requested by the owner. **On August 3, 2018, after extensive discussion and design review by the City, a letter was mailed to Kent and Joan Cooper, explaining that their counteroffer dated February 15, 2018 was rejected.**

- **September 25, 2018:** Ryan Gurwell had a discussion with Mr. Cooper regarding his position on the information the City sent to him. Mr. Cooper's response was that he has been working with his attorney and FOX Engineering on a formal response for the City. Mr. Cooper's issue isn't regarding the compensation amount but the rezoning of his property to allow for residential development. He also mentioned working with his attorney and planning to address the City Council directly at the next meeting October 9, 2018.

At this point, staff concluded that the negotiations were at impasse. Rezoning of property is not a consideration during right-of-way acquisition under Iowa law. **The City's final offer letter to purchase the reduced land area for \$32,500 was mailed to Kent Cooper on September 25, 2018.** Mr. Cooper was given a deadline of end of business October 8, 2018 to settle the acquisition voluntarily.

It should be noted that City staff has worked with the property owners to minimize the impact of the project on their property by reducing the taking to the minimum amount of real estate needed to complete the road improvements for this project. Staff anticipates being ready for bidding as early as January 2019, so it is important to continue the process of acquiring the land needed for the project, which includes moving forward with the eminent domain process.

SOUTH GRAND AVENUE EXTENSION (GRAND AVENUE TO SOUTH 16TH STREET):

The design of this phase of the project is approximately 90% complete. The plans have been reviewed by City staff and were sent to Iowa DOT for "preliminary" and "check" plan stages. The acquisition for both permanent right-of-way and the necessary temporary easements is underway.

Iowa State University property: ISU staff verbally have no objections to easement acquisition. City staff, ISU Facilities Planning and Management staff, and the respective engineering consulting staffs have met several times to discuss the overall project,

answer questions, and get the preferred solution for realignment of Worle Creek along the new South Grand Avenue (hence the reason for the needed easement). **The City Attorney reviewed and approved the proposed easement; and the final approval from Iowa State University must come from the Board of Regents.** The Board meeting would be in February 2019 with several readings, ending in final approval in April 2019.

Marvin J. Walter Generation-Skipping Trust property: The owner has agreed to acquisition. City staff recently received signed agreement documents from the Trust and will bring this transaction to City Council for authorization in the near future.

Scott E. Randall property (1400 South Grand Avenue): The remaining parcel acquisition is owned by Scott E. Randall and is in the southern portion of Coldwater Golf Links (includes the Clubhouse). Several meetings were held to discuss the project impact on the golf course with Mr. Randall and his staff. During those meetings, Mr. Randall requested that the City take the following actions:

- Change the alignment of the road to instead be along the existing Vet Met Trail alignment.
 - Staff response: This alternative alignment was already considered as part of the NEPA process. After that process, the proposed alignment was recommended as the best route for the project.
- Change the golf cart passage culvert (10 ft x 12 ft) to a bridge.
 - Staff response: This would increase the project costs by approximately \$1.3 million. The box culvert is designed to accommodate two-way passage of golf carts and will be lighted along with the roadway street lighting.
- Change the roadway construction to 4 lanes now instead of widening later.
 - Staff response: The two-lane design has been established using 2040 traffic projections. However, the design has also provided the ability to widen the roadway in the future. The traffic study projects the 2040 traffic on this section of South Grand Avenue at approximately 7,600 vehicles per day. Typically, for a section of road similar to South Grand Avenue, a 4-lane road is not warranted until volumes reach 15,000 to 18,000 vehicles per day. Additionally, the present design provides turn lanes at South 5th Street and widens to four lanes to match the existing four lanes on South Grand Ave at South 16th Street. Construction of a 4-lane roadway is estimated to cost an additional \$6 million.
- Add a fence over the entire length of the new roadway.
 - Staff response: This request is being evaluated for feasibility as part of the current design.

- Provide the golf course with a driveway access directly onto South Grand Avenue.
 - Staff response: Access control is critical for maintaining a safe roadway corridor. Two driveways already exist along South Grand Avenue into Coldwater Golf Course and Campus Crest Apartments. Because of the existing driveways that will maintain access, staff does not support adding additional driveways.

With the appraised value established, the City initiated negotiations with the property owner. A timeline of those negotiations follows.

- **April 20, 2018:** After thorough review of the landowner requests (stated above), the City made a final decision on design and construction plans for the Randall property. An appraisal was completed, reviewed, and approved. The approved appraisal report was mailed to Scott Randall with a 10-day waiting period notice per the requirements of Section 6B.45 of the Code of Iowa. The appraisal amount was \$63,600 for this parcel.

To obtain soil borings for the project design, City staff sent Mr. Randall a letter via certified mail on April 20, 2018 in accordance with Iowa Code 314.9. The geotechnical crews entered the property and obtained these soil borings. Mr. Randall still maintained he is against the design of the road through the golf course real estate.

- **July 23, 2018:** With the City's understanding that Mr. Randall had decided not to cooperate, further attempts were still made to negotiate with Mr. Randall. The City directed Ryan Gurwell to present the formal offer with the proposed acquisition documents for Mr. Randall's review, which were delivered to Mr. Randall's office for both Parcels 17 and 20 on July 23, 2018, including explanation letters.
- **August 7, 2018:** Mr. Randall responded to Ryan Gurwell after reviewing the documents delivered on July 23, 2018. Mr. Randall stated there were five issues for which he wanted a formal response from the City (as noted above) before continuing negotiations. Mr. Randall also indicated that he planned to order his own appraisal for the City's consideration.
- **August 23, 2018:** Ryan Gurwell received a letter from Franklin Feilmeyer, attorney representing Scott Randall. The focus of this letter was pertaining to the leasehold interest held by Legacy Golf Associates, Inc. on the entire Coldwater golf course real estate, including land owned by Scott Randall, Iowa State University (ISU), and the Marvin J. Walter Generation-Skipping Trust. Mr. Feilmeyer requested a proper compensation offer from the City for said leasehold interest. However, no specific compensation amount was requested.

- **September 26, 2018:** Ryan Gurwell sent an email to Mr. Randall including formal answers to his previous four requests and inquired whether Mr. Randall had an appraisal as he previously stated would be ordered that the City could review. Also included was explanation that the additional leasehold compensation (requested by Mr. Randall's attorney) is not typically offered by the City prior to the landowner presenting an appraisal for the City's consideration (which had been the plan since August 7th). This separate appraisal is needed for the leasehold interest by Legacy Golf Associates for the entire golf course real estate. Once the City reviews the appraisal, it can be determined whether the City will obtain an independent appraisal for leasehold interest. The cost associated with this will be approximately \$7,000. The City has not yet directed Ryan Gurwell to order this appraisal.

It should be noted that City staff has worked with the property owner to minimize the impact of the project on the property. The roadway project is anticipated to impact two of the existing golf course holes, which will be restored as part of the project. The first area is the rear tee box on Hole 8. This tee box is too near to Worle Creek to allow for the relocation of the creek bank where Worle Creek is impacted by South Grand Avenue. This impact is located on land owned by ISU. An alternate location for the tee box directly west of the existing location has been identified. The other area of the golf course to be impacted is the existing cart path between the front nine holes and back nine holes. South Grand Avenue will directly cross this path. A roadway underpass has been included in the design plans to accommodate two-way golf cart traffic and the associated paths will be reconstructed as required.

Staff anticipates being ready for bidding as early as January 2019, so it is important to continue the process of acquiring the land needed for the project, which includes moving forward with the eminent domain process.

Provisions from Section 6B.2A of the Iowa Administrative Code have been followed for formal notification and negotiations with property owners. Although staff were hopeful the purchase of property/properties and easements required could be negotiated without condemnation, an agreement for a voluntary sale or easement for land owned by Kent and Joan Cooper and by Scott E. Randall have not been reached at the time of this staff report. Condemnation appears necessary to move the project forward.

ALTERNATIVES:

1. Approve by resolution a declaration of the City Council's intent to proceed with eminent domain, as necessary, to acquire the property, including leasehold interest, for the construction of the South 5th Street and South Grand Avenue Extension projects.

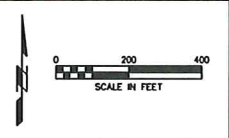
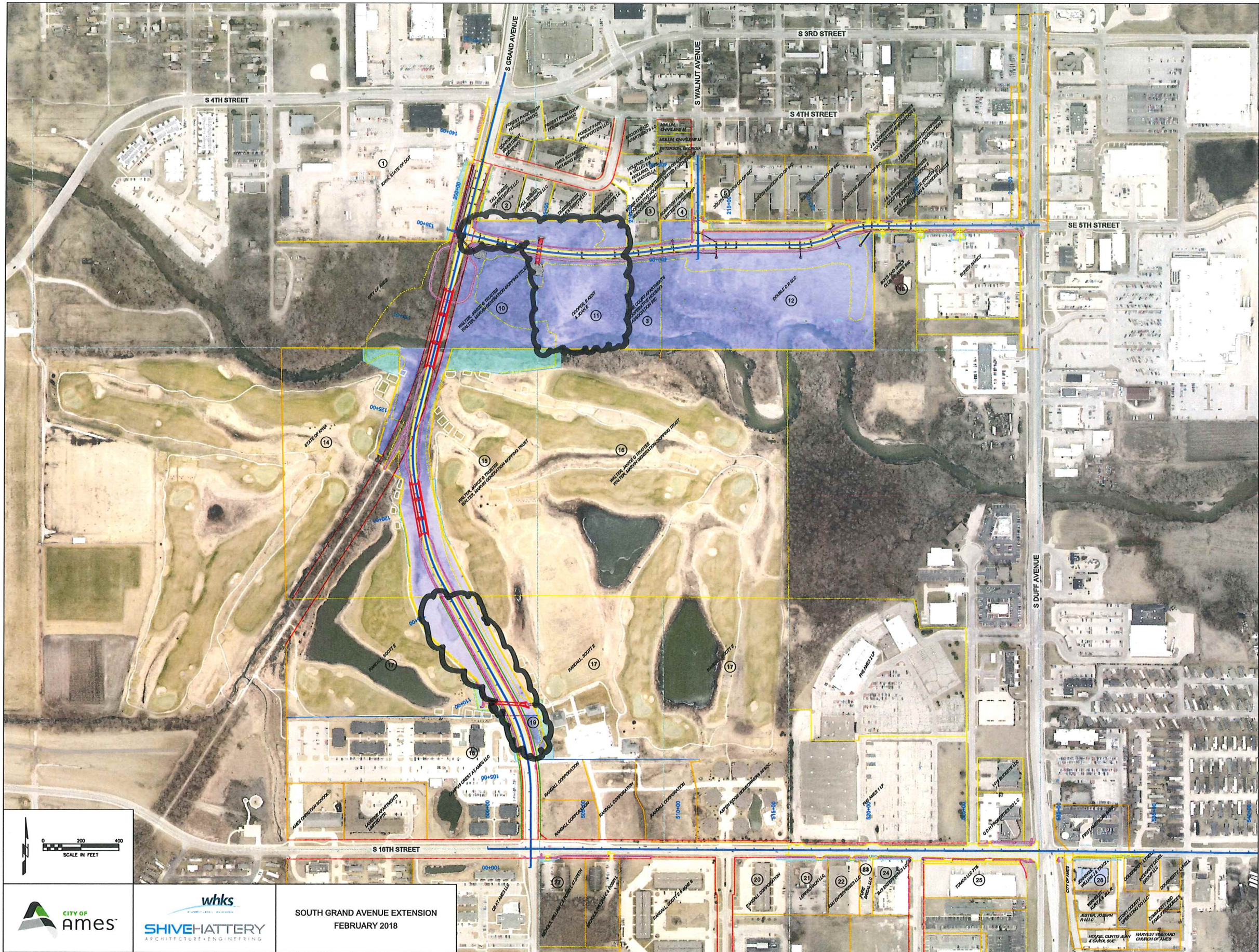
2. Direct staff to continue negotiation with the property owners, thereby not yet exercising municipal rights to acquire land through the eminent domain process, thereby likely delaying the construction of these projects.

CITY MANAGER’S RECOMMENDED ACTION:

Staff and the City’s land acquisition agent have made good-faith efforts to negotiate land acquisition with these property owners. Unfortunately, an impasse has been reached in those negotiations regarding key properties.

The use of eminent domain is a power that the City uses only as a last resort to ensure that its ability to provide essential services for the community is not compromised. The potential precedent of paying an exceptional premium for land has a very real likelihood of driving up land acquisition costs for any future projects by the City. Additionally, rezoning of property is not a consideration during right-of-way acquisition under Iowa law. Staff has gone as far as it can to reach voluntary agreements, but has unfortunately reached impasse with the remaining property owners. The recommendation in this case comes only after a protracted period of good faith negotiations by City staff.

All obligations required by the Code of Iowa have been fulfilled, preserving the use of eminent domain. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternatives #1a and #1b as described above.



SOUTH GRAND AVENUE EXTENSION
FEBRUARY 2018

Old CAF

ITEM# ~~14~~
DATE: ~~09-25-18~~
10-09-18**COUNCIL ACTION FORM****SUBJECT: YOUTH AND SHELTER SERVICES USE OF MUNICIPAL LOT P****BACKGROUND:**

In August of 2017, City Council approved a one-year lease extension with Youth and Shelter Services (YSS) for use of Municipal Lot P at 308 5th Street. Lot P was originally leased to YSS as part of the Development Agreement for renovation of the old City Hall at 420 Kellogg Avenue beginning in 1995. The last time the lease was renewed, YSS requested, and was granted, a lease rate of \$20/space/month. YSS felt that they have been performing routine lot maintenance that was equivalent to approximately \$15/space/month (as of July 1, 2018, the City charges \$50/month/space). It should be noted that the lease agreement requires this maintenance, which includes snow removal, be performed at the lessor's sole expense. The current lease agreement has expired as of August 31, 2018.

There appears to be at least three alternatives that could be applied to YSS for their use of Municipal Lot P; 1) convert the stalls to the standard reserved rate of \$50/month/space and have the City assume all maintenance responsibilities for Lot P, 2) install parking meters, which for parking lots would be set at 10-hour limits, at \$0.50/hour (consistent with the area meter rates) and with the City assuming all maintenance responsibilities for Lot P, 3) enter into a lease with YSS for \$35/month/space in recognition of that they will continue to perform routine maintenance of Lot P.

YSS provided a letter in support to maintain long-term use of the lot, requesting to stay at the lower rate of \$20/month/space due to the maintenance they perform throughout the year.

ALTERNATIVES:

1. Direct staff to draft and enter into a 3-year lease with YSS for the use of Municipal Lot P at the rental rate of \$35/month/space, acknowledging that YSS performs routine maintenance on Lot P which includes snow removal.
2. Direct staff to draft and enter into a 3-year lease with YSS for the use of Municipal Lot P at the rental rate of \$20/month/space, acknowledging that YSS performs routine maintenance on Lot P which includes snow removal. (YSS preferred action)
3. Direct staff to draft and enter into a 3-year lease with YSS for the use of Municipal Lot P at the standard rate of \$50/month/space with the City assuming responsibility for all maintenance of Lot P.

4. Direct staff to modify the official Parking Meter Map to reflect 10-hour metered parking in Municipal Lot P at the current rate of \$0.50/hour with the City assuming responsibility for all maintenance of Lot P.

This alternative would make Lot P available to the general public as well as YSS. The \$.50/hour rate would be consistent with the rates for other parking meters in the area.

MANAGER'S RECOMMENDED ACTION:

Assuming that the City Council would prefer to continue providing Lot P for the exclusive of YSS and acknowledge their costs for maintaining Lot P, it is the recommendation of the City Manager that the City Council adopt Alternative #1 thereby directing staff to draft and enter into a 3-year lease with YSS for the use of Municipal Lot P at the rental rate of \$35/month/space, acknowledging that YSS performs routine maintenance on Lot P which includes snow removal.

The recommended alternative will give credit to YSS for assuming maintenance responsibilities for Lot P, yet still generates additional revenue needed by the City for pavement replacement of our parking lots.

September 20, 2018



City of Ames
515 Clark Avenue
Ames, Iowa 50010

Re: City Parking Lot #P

City Council Members,

YSS began to rent parking spaces in Lot #P in 2007 for \$20 per space. Included in the rental agreement, YSS agreed to keep the lot cleared of snow in the winter and clean from litter year round. We have valued this agreement and have been conscientious in the maintenance of the lot.

YSS will be maintaining its presence in historic downtown as well as continuing the precedence of allowing community groups to utilize our building throughout the day and evening. Having access to this lot is instrumental for our employee and visitor activities; it is full on a daily basis.

YSS is grateful for the partnership with the City of Ames on multiple fronts. We're confident the partnership is mutually beneficial as we serve thousands of Ames residents each year. An increase of 150% would result in an additional \$5,400 in expenses for YSS annually. To help keep our expenses low and ensure our resources are spent on creating impact, we would request that you consider the nonprofit rate of \$20 per unit that we have been paying previously.

Thank you for your consideration of our request.

Respectfully,

Andrew Allen
President & CEO

COUNCIL ACTION FORM

SUBJECT: INITIATION OF FRIEDRICH ANNEXATION ALONG CAMERON SCHOOL ROAD AND GEORGE WASHINGTON CARVER AVENUE

BACKGROUND:

The City of Ames received a petition from Kurt Friedrich representing R. Friedrich & Sons Inc. and Friedrich Land Development Company seeking voluntary annexation of 108.14 acres of land lying west of George Washington Carver Avenue and south of Cameron School Road. The land lies north and west of Scenic Valley Subdivision and has been referred to previously as the “Dankbar-Muench” properties. A location map is found in Attachment A. **The City Council is asked to decide whether to initiate the proposed annexation and whether to include additional property owners to create more uniform boundaries, as allowed by state code.**

This land was the subject of a recently approved Land Use Policy Plan (LUPP) and Fringe Plan amendment (November 28, 2017) to designate the area as part of the North Allowable Growth and as an Urban Service Area and to create a Convenience Commercial Node. The North Allowable Growth is a non-incentivized growth area as described in the Capital Investment Strategy of the LUPP. An excerpt of the Ames Urban Fringe Plan Map is found in Attachment B. As an Urban Service Area, the site is eligible for annexation and will be developed as one of the “New Lands” development patterns—a suburban low to medium density development or a village development. The commercial node is intended to be up to 10 acres (preferred 2-5 acres) and provide local services to the adjoining neighborhood.

Prior to approval of the LUPP and Fringe Plan amendment, three important issues were discussed in relation to future development of the site upon annexation to the City. A report from [May 9, 2017](#) discussed the needs for sanitary sewer capacity improvements, water service, and evaluation of potential traffic impacts. These issues were deferred until consideration of annexation to formulate a development agreement consistent with City policy for developers to bear the costs of needed improvements, secure transfer of Xenia water service rights to the City, and to study traffic impacts prior to development. **It is appropriate at this time to include direction to the developer on completing a development agreement related to these issues prior to approval of an annexation and these obligations are reiterated as part of the alternatives on initiating the annexation.**

ANNEXATION OPTIONS:

In addition to the voluntary annexation request for the subject properties, there are a few neighboring properties abutting the site that could be included in an annexation to make more uniform boundaries and create an “80/20” annexation. There are two properties on the south side of Cameron School Road (Jamison and Scudder) adjacent

to the requested annexation area and two properties on the west side of George Washington Carver Avenue (Hilker and JDS Rental Properties). A map identifying property owners is found in Attachment C. These do not need to be annexed to avoid creating an island. However, they could be included in order to create more uniform boundaries. Staff has not reached out to them but would do so based on the direction of the City Council

Option 1: 100% Voluntary

The City Council could initiate the annexation as a 100 percent voluntary annexation by not including any non-consenting owners. It is not necessary to include any additional properties to avoid creating an island as all four abutting properties lie on the periphery of the subject property. As the proposed annexation is within two miles of Gilbert, approval by the City Development Board is required. However, this requires only a single meeting of that board.

Option 2: 80/20 with George Washington Carver Avenue Properties

The City Council could initiate the annexation and include the two properties on the west side of George Washington Carver Avenue (Hilker, JDS Rental Properties). Their inclusion would create a more uniform boundary along that portion of the proposed annexation. Although including properties to create more uniform boundaries is allowed by state law, state law does not obligate communities to do so. Their inclusion would result in about 97 percent consenting by area. The inclusion of non-consenting owners would require an initial meeting of the City Development Board, followed a month later by a public hearing of that board.

Option 3: 80/20 with Cameron School Road and George Washington Carver Avenue Properties

As in Option 2, the two properties on the west side of George Washington Carver Avenue would be included and, additionally, the two properties on the south side of Cameron School Road (Jamison, Scudder). Their inclusion would result in about 93 percent consenting by area. The inclusion of non-consenting owners would require an initial meeting of the City Development Board, followed a month later by a public hearing of that board.

ALTERNATIVES:

1. The City Council can initiate the voluntary annexation of 108.14 acres and not include any non-consenting owners. Additionally, **prior to approval of the annexation:**
 - a. The developer shall be responsible for the cost of completing a traffic study as defined by the City' traffic engineer for development of the site with approximately 300 homes and 5 acres of convenience commercial uses, and
 - b. The developer shall enter into a development agreement for the developer's obligations at their sole cost to improve sanitary sewer

capacity to serve the site consistent with the study from May 2017, complete required traffic improvements identified in the traffic study related to the development of the site, and complete any water service territory buyout requirement that may be necessary to allow transfer of Xenia service territory to the City prior to development.

2. The City Council can initiate the voluntary annexation of 108.14 acres and include the two non-consenting owners along George Washington Carver Avenue in order to create more uniform boundaries and complete the developer tasks a. and b. as described in Alternative 1.
3. The City Council can initiate the voluntary annexation of 108.14 acres and include all four non-consenting owners in order to create more uniform boundaries and complete the developer tasks a. and b. as described in Alternative 1.
4. City Council could defer action and request more information.

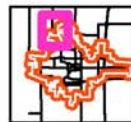
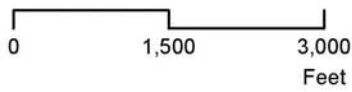
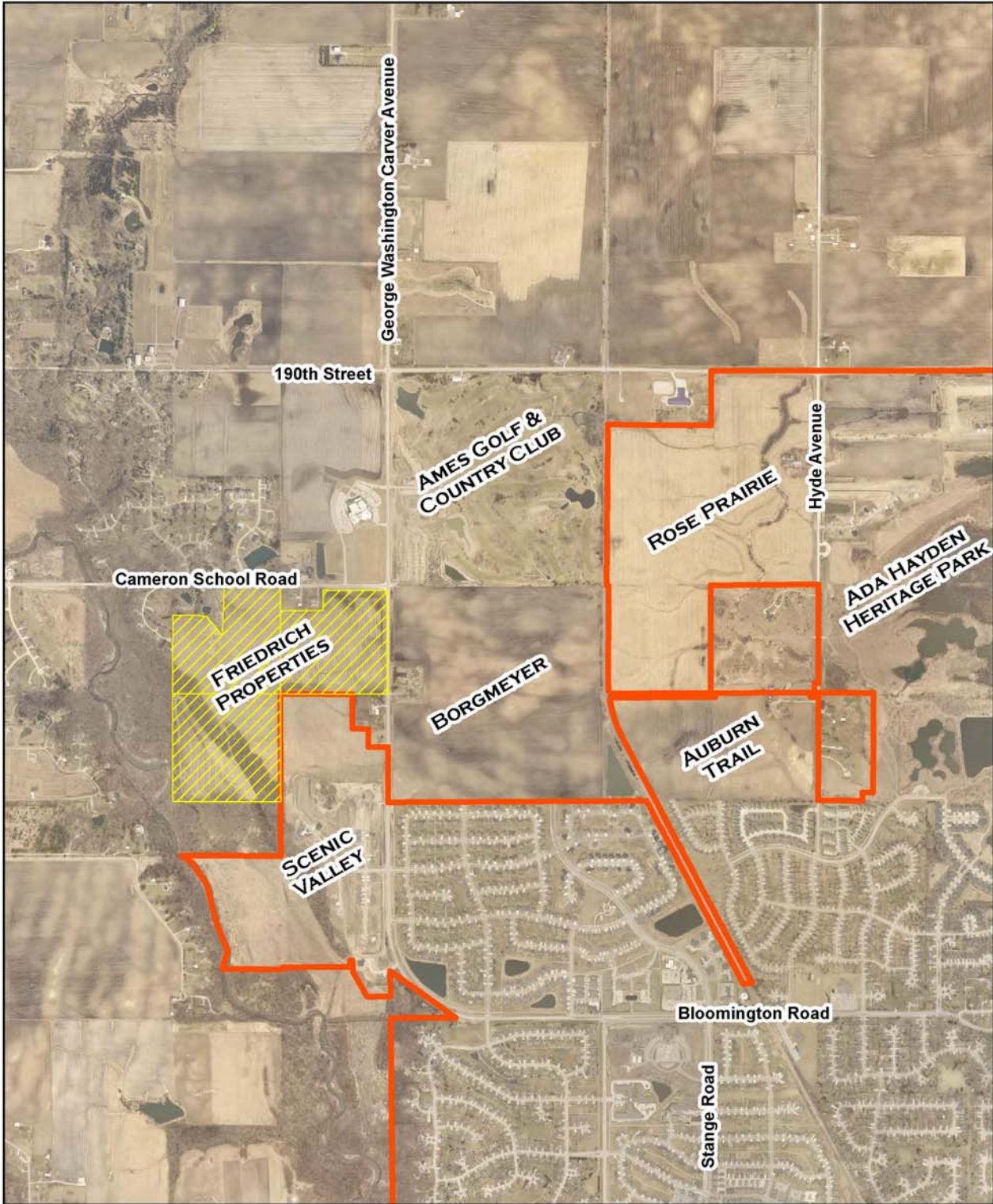
CITY MANAGER’S RECOMMENDED ACTION:

The North Growth Area continues to expand as it has since the Rose Prairie annexation in 2011. Since then, the City has been consistent in ensuring that the costs of development are borne by the developer and that full City services are provided. The City has also looked at development strategically so that, as property owners sought annexation and development, future annexation was not impeded by enclaves of unincorporated area.

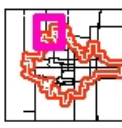
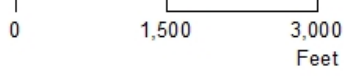
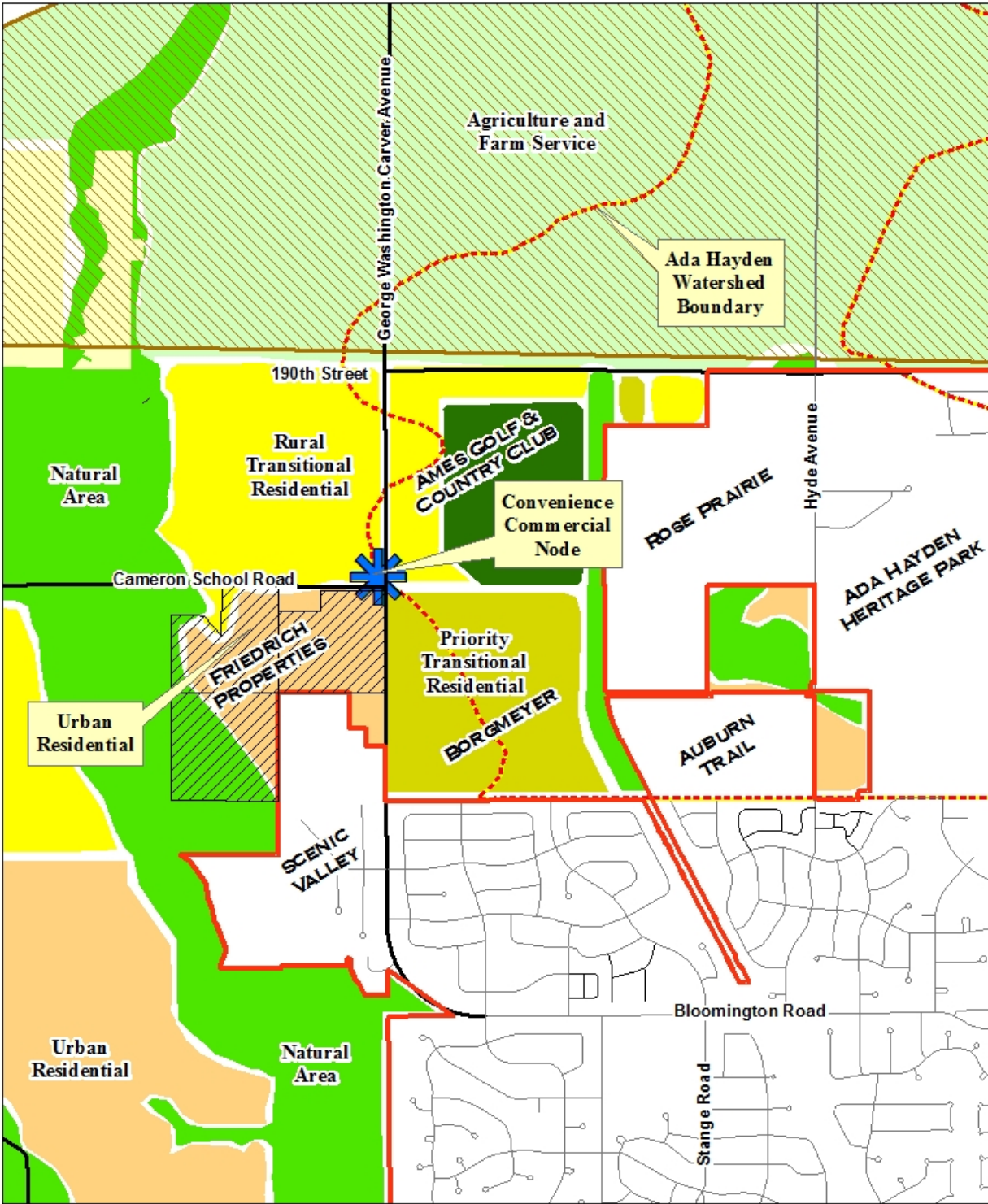
The abutting four properties to this site could be included for uniform boundaries and recognition that they would have frontage along a City street upon annexation of the other properties. However, in this case, including the properties is not necessary as non-consenting owners at this time to ensure no islands are created in the future when other lands to the east request annexation. No lands to the north or to the west are currently designed for annexation within the LUPP or the Fringe Plan.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby directing staff to initiate the 100 percent voluntary annexation of the Friedrich properties, and for the developer to complete a traffic study and development agreement prior to approval of an annexation petition.

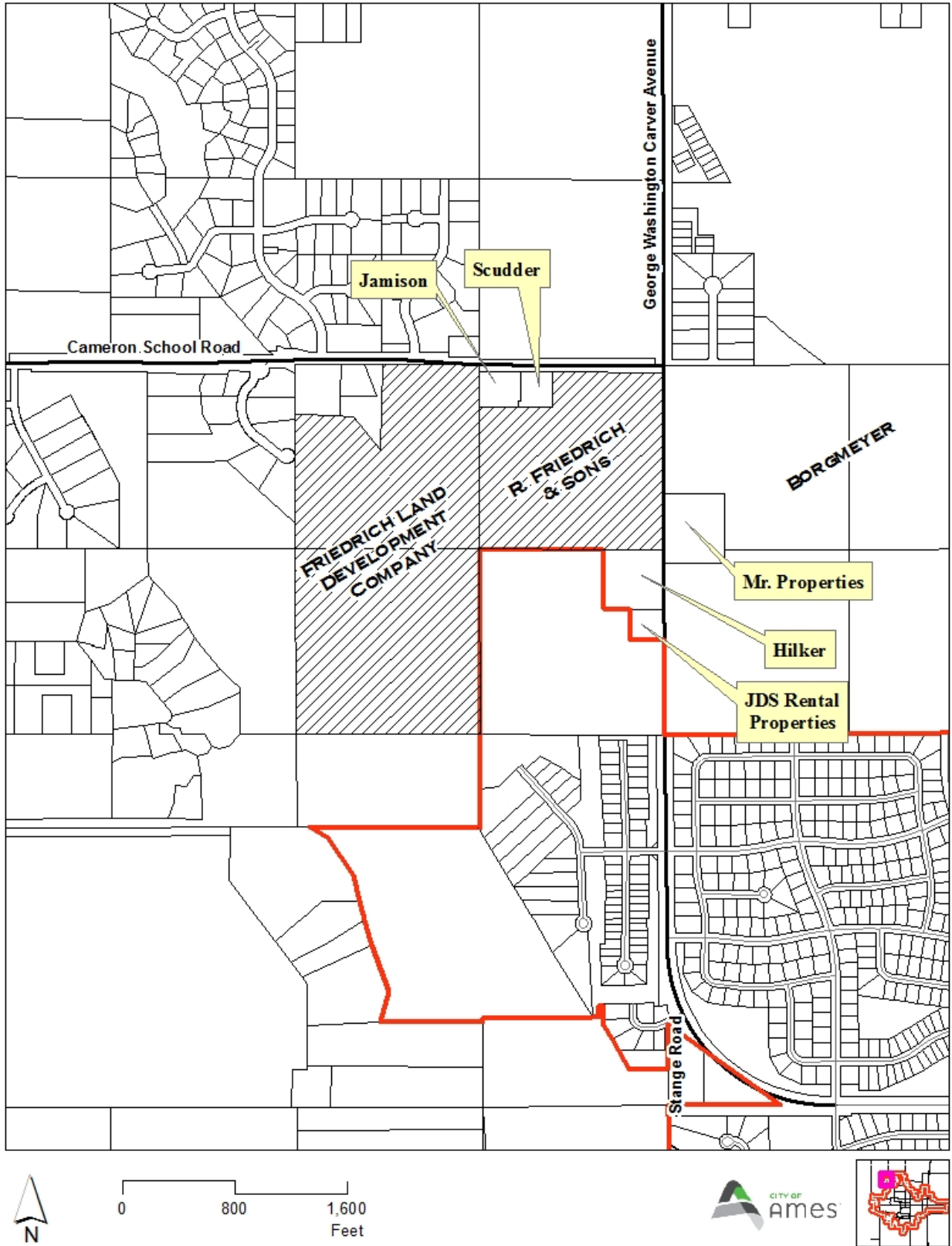
ATTACHMENT A: LOCATION MAP



ATTACHMENT B: AMES URBAN FRINGE PLAN MAP [EXCERPT]

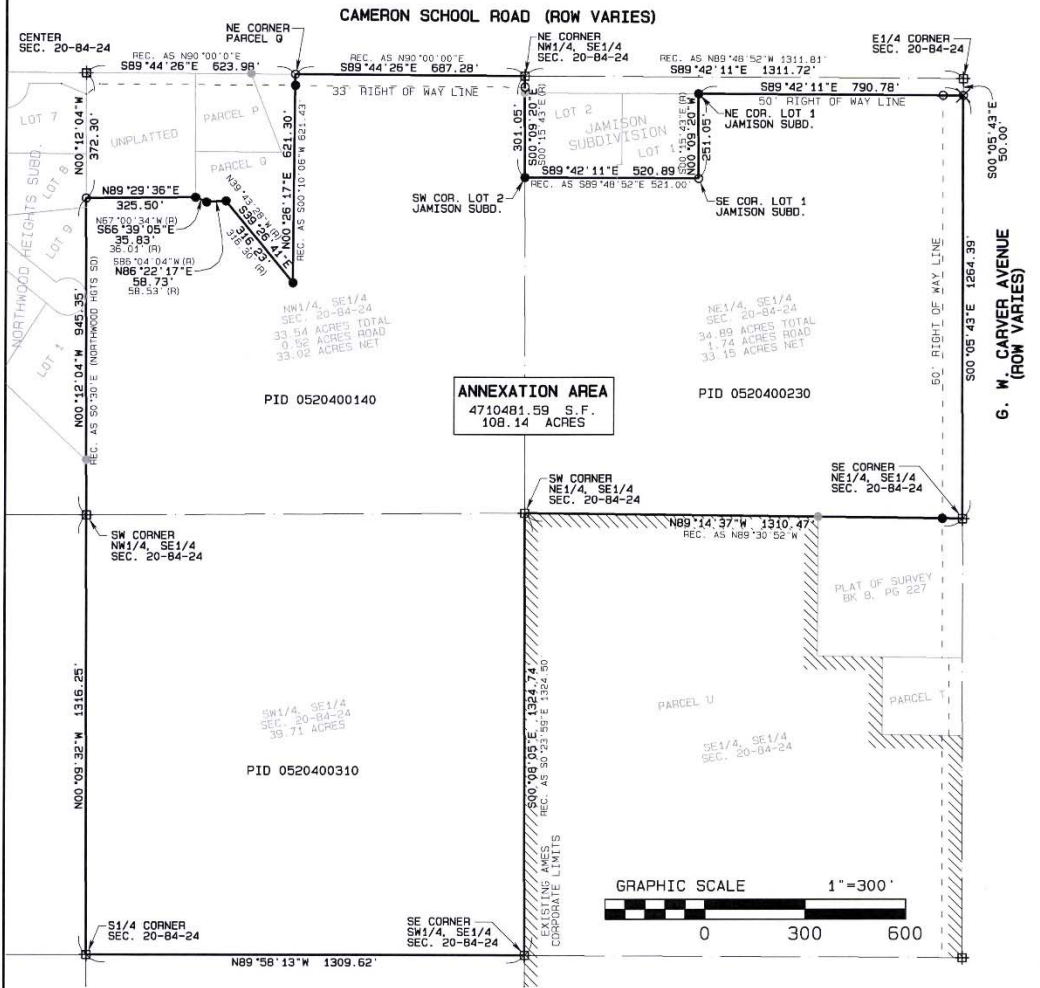


ATTACHMENT C: PROPERTY OWNERS



ATTACHMENT D: ANNEXATION PLAT

<p style="text-align: center;">ANNEXATION PLAT</p> <p>LOCATION: IN THE SE1/4, SEC. 20-84-24 STORY COUNTY, IOWA</p> <p>PROPRIETORS: NE1/4, SE1/4, EX. N. 50' & EX. JAMISON SUBD.: R. FRIEDRICH & SONS, INC.</p> <p>REMAINDER: FRIEDRICH LAND DEVELOPMENT COMPANY, LLC.</p> <p>SURVEYOR: R. BRADLEY STUMBO, PLS #17161 STUMBO & ASSOCIATES LAND SURVEYING P.O. BOX 1664 AMES, IA 50010 515-233-3689</p>	<p style="font-size: 2em; font-weight: bold;">RECEIVED</p> <p>AUG 09 2018</p> <p>CITY OF AMES, IOWA DEPT. OF PLANNING & HOUSING</p>
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Survey Description - Area to be Annexed:
 The Southwest Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter and part of the Northeast Quarter of the Southeast Quarter, all in Section 20, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa, and all together being more particularly described as follows: Commencing at the East Quarter Corner of said Section 20; thence 500'05'43"E, 50.00 feet along the East line of said Section 20 to the point of beginning; thence continuing S00'05'43"E, 1264.39 feet to the Southeast Corner of said Northeast Quarter of the Southeast Quarter; thence N89°14'37"W, 1310.47 feet to the Southwest Corner of said Northeast Quarter of the Southeast Quarter; thence S00'08'05"E, 1324.74 feet to the Southeast Corner of said Southwest Quarter of the Southeast Quarter; thence N89°58'13"W, 1309.62 feet to the South Quarter Corner of said Section 20; thence N00'09'32"W, 1316.25 feet to the Southwest Corner of said Northwest Quarter of the Southeast Quarter; thence N00'12'04"W, 945.35 feet along the West line of said Southeast Quarter to the Southwest Corner of an existing acreage, as described in a Quit Claim Deed filed at Inst. No. 16-05331; thence N89°29'36"E, 325.50 feet to the Southeast Corner thereof, said point also being the southwesterly corner of Parcel Q in said Section 20, as shown on the Plat of Survey filed in Book 14, Page 35; thence following the southerly and east boundaries thereof S86°39'05"E, 35.83 feet; thence N86°22'17"E, 58.73 feet; thence S89°26'41"E, 316.23 feet; thence N00°25'17"E, 621.30 feet to the Northeast Corner of said Parcel Q, said point being on the North line of said Southeast Quarter; thence S89°44'26"E, 687.28 feet to the Northeast Corner of said Northwest Quarter of the Southeast Quarter; thence S00'09'20"E, 301.05 feet along the East line of said Northwest Quarter of the Southeast Quarter to the Southwest Corner of Jamison Subdivision, as filed in Slide 229, Page 6; thence S89°42'11"E, 520.89 feet to the Southeast Corner thereof; thence N00'09'20"W, 251.05 feet to the Northeast Corner of Lot 1 in said Jamison Subdivision, said point also being on the South right of way line of Cameron School Road; thence S89°42'11"E, 790.78 feet along said line to the point of beginning, containing 108.14 acres, which includes 2.26 acres of existing public right of way.

<p>STUMBO & ASSOCIATES LAND SURVEYING</p> <p>510 S. 11TH STREET, SUITE #102 AMES, IOWA 50010 PH. 515-233-3689 • FAX 515-233-4403</p>	<p>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.</p> <p style="text-align: center;"><i>R. Bradley Stumbo</i> Date: <u>5/17/18</u></p> <p>R. Bradley Stumbo License #17161 Date: 5/17/18 My license renewal date is December 31, 2019 Job #16960ANX Date: 5/17/18 Page 1 of 1</p>	
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COUNCIL ACTION FORM

SUBJECT: TEXT AMENDMENT TO REVISE THE DEVELOPMENT STANDARDS OF THE NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT.

BACKGROUND:

At the August 14^h City Council meeting, the City Council initiated a text amendment to proceed with changes identified by Fareway and staff in relation to the Neighborhood Commercial (NC) zoning standards for their Downtown store location. Fareway has an interest in redeveloping the site of their store located at 619 Burnett. Their goal is to redevelop the entire block with a new medium-sized grocery store of approximately 24,247 square feet placed along Burnett Avenue. Fareway intends to keep their current store open during the construction of the new store.

There are a number of issues for siting a grocery store in the NC zoning district due to the overall size of the site and the fact that the site encompasses street frontage on four sides. The list of NC standards subject to change in relation to the Fareway request include:

- Maximum lot area of 100,000 square feet
- Maximum street lot line setback of 60 feet
- Minimum front yard setback of 10 feet
- Parking prohibited between the building and the street
- Prohibition on outdoor display and sales
- Maximum signage size of 16 square feet, except up to 32 square feet when facing an arterial street

In addition to the changes requested by Fareway, staff has reviewed all of the NC standards and identified additional changes to the standards for lot width, building coverage, and architectural design requirement.

The NC zoning district is a unique zone created in 2000 to address isolated commercial sites scattered throughout the City that did not fit within the other commercial districts of the City. It is considered a small scale neighborhood-friendly commercial district zoning. However, sometimes its use is as a catch-all when other zoning was not deemed appropriate. **For this reason, it is sometimes difficult to find characteristics that reflect the majority of the district properties and to consider the ramifications of changes.**

The stated purpose of the district (found in Section 29.801(1)) speaks to this relationship:

"The Neighborhood Commercial (NC) zone is intended for small areas in or near residential neighborhoods. The zone encourages the provision of small-scale retail and service use for nearby residents. Uses Parcels are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding

residential areas. Parking areas are strictly regulated, to promote compatibility with the character of surrounding residential development and the intended pedestrian orientation of the uses.”

Currently, there are eight NC district areas around the City. There are 56 parcels zoned NC- this is fewer than most of the other districts in the city. These include: north of Downtown between 6th and 7th Street, the corner of 6th/Grand Avenue, the corner of 24th/Grand Avenue, 35th/ Grand Avenue, the corner of Creekside and S 16th St., the corner of S. Hazel and Lincoln Way, properties on West Street, and the Florida Ave/Reliable Street area.

Each grouping of NC sites varies in size, from the smallest with less than an acre to the largest encompassing 9.0 acres. The total acreage of all NC zoned properties is 27.29 acres. Sites within each district also vary in size, from approximately 2614 square feet for a site on West Street to the Fareway site, which totals 100,800 square feet. The majority of parcels include small buildings with building footprints less than 2,500 SF that predate the establishment of the district. Due to the age of the sites, many of the sites have nonconformities. **All eight NC zoning groupings have residential uses abutting them on at least two sides, although many are completely surrounded by residential zoning.**

PROPOSED AMENDMENTS:

The proposed changes are divided into two sections. The base zoning standards are proposed in response to the Fareway request and are intended to be responsive, while ensuring that the intent of the district is maintained. The additional proposed changes are highlighted by staff as options to clean-up the administration of the zoning district and to add design requirements consistent similar to other similarly situated zones, specifically Convenience General Service (CGS), where the north Fareway store is located. **A full draft of all the changes is included as Attachment ‘A’.**

Base Zoning Standards

- **Maximum Lot Area of 100,000 square feet with allowance of 20,000 square feet, 30,000 square feet with Special Use Permit**– In many zones it is common to have a minimum lot area. It is uncommon to have a maximum lot area- This standard is unique to the NC zone and is believed to be directed at ensuring large retail uses do not locate in or adjacent to neighborhoods. Exceeding the maximum lot area has not previously been a concern in NC. Currently, no lots exceed 100,000 square feet; it is only through the assemblage of multiple properties that the lot size issue could occur.

The Fareway lot size is expanding to include the entire block. This increase is needed to support the redevelopment of the site, while keeping the existing store operational. **Staff supports eliminating the max lot area in regards to all sites and uses. Staff recommends establishing a special use permit requirement that includes a more discretionary review of larger projects based on a site size threshold of 20,000 square feet. The 20,000 square foot threshold is based on the current zoning site size limit of 20,000 square feet of lot area for a single building.**

Requiring discretionary review with larger projects is consistent with the intent of the prior zoning, but allows for more redevelopment options with larger sites. It will be incumbent upon the review process to ensure scale, use, and design address the intent for the zoning district. Use of design standards can also help to address concerns about larger site development.

- Maximum street lot line setback of 60 feet – Similar to prohibiting parking between the building and the street, the maximum street lot line setback of 60 feet encourages buildings to be sited closer to the street than they might be otherwise. The difficulty with the Fareway site is that with an entire block encompassing four street frontages, one or more of the frontages will necessarily result in a setback of more than 60-feet. The intent of the standard is met when the building is located with a street and corner relationship, but the maximum setback will still be exceeded. Therefore, **staff recommends changing the standard to “front” lot line setback which would allow the building sides to be setback from a street with the front located near the street.** The parking location issue is addressed separately.
- Minimum front yard setback of 10 feet – The standard for front setbacks in residential areas is generally 25 feet. Commercial front setbacks vary from 0 feet in urban areas of the city to 20 feet in suburban areas. A front yard setback of 10 feet provides room for both front yard landscaping and architectural projections from the façade while creating a street edge. Due to unique site conditions, staff supports changes to the minimum setbacks to address the different context of the diverse NC zoned sites. **Staff recommends that a reduction to five feet be allowed where enhanced design interest is added.** This will enable constrained sites, such as Fareway, to have a means to implement a smaller setback. Additionally, staff recognizes the importance of a primary public building entrance connection at the front street facing façade. **As an incentive to promote pedestrian-oriented design preferences, staff is also recommending a zero setback if the primary street façade includes a primary public entrance.**
- Parking prohibited between the building and the street –This is an important criterion in supporting a pedestrian-friendly and walkable district purpose of the zone. Encouraging buildings located near a street creates accessibility and interest without the interruption of parking and automobile focused design. The difficulty with the Fareway site is that with four street frontages, the building automatically results in at least one building frontage having parking located between the building and the street. **Staff has addressed this unusual situation by an exception allowing parking between the building and the street when the site is bounded by more than two streets. With the wording of this standard, a typical corner lot would still require a building at the street, it is only if there are three or four street frontages that an allowance for one side is permitted.**
- Prohibition on outdoor display and sales – Outdoor display and sales have a mixed pattern of applicability to commercial zones. It is prohibited in many commercial districts and limited to Plants and Produce in others. Section 29.405 (b) provides regulatory guidance for outdoor display areas, where permitted. In the discussion of the issues with

the City Council, it was the consensus of the Council that the outdoor sales be limited to ensure items like fireworks are not allowed. In response to Fareway's request, **Staff recommends that the current prohibition of outdoor display and sales be relaxed in the NC district, by allowing the outdoor display of seasonal consumer goods, such as plants and produce, but excluding fireworks.**

- Maximum signage size of 16 square feet, except up to 32 square feet when facing an arterial street – Signage is purposefully limited in NC due to proximity to residential use and reduced setbacks. Fareway has requested a change to allow for their typical corporate “sign package” which would include two signs on a façade and a size allowance of up to 120 square feet per sign. At the initiation of the text amendment in August, staff was asked to consider the compatibility of the signage request with other sites throughout the City.

The current NC standard is 16 square feet for each wall sign with an increase to 32 square feet for walls facing arterial streets. Most zones, such as Highway Oriented Commercial have no individual sign limitation, only the total allowance for a site. However, for comparison the North Ames' Fareway store located within a CGS zoning district is limited to 16 square feet but allows an increase to 70 square feet for signage facing arterials and limits signage to a maximum of two signs per tenant space. Although allowed up to 70 square feet, the installed signage in North Ames is only 27.42 square feet for each of the two wall signs.

Staff supports some modification related to the unique conditions of the larger site and larger building. It is appropriate for larger buildings to be allowed larger signage or increased signage while maintaining some proportionate relationship to the architecture and setbacks. The signage standards should reflect the desired building configurations of a building located near to street rather than standards based upon design anticipating large parking lots between a sign and a street. **Staff is not recommending support for the full 120 square foot sign allowance.** If Council is interested in the original Fareway request, staff would likely recommend deleting sign size allowances from NC and follow typical total signage allowances for large commercial spaces.

Currently within the NC zoning, wall signage is only limited in location (street facing walls) and in size- but not in number. This would be a non-issue with smaller buildings, but is an issue with larger buildings. **Staff recommends keeping the standard as it is for smaller buildings, but allowing larger, single tenant buildings to have increased signage.**

Single tenant buildings exceeding 20,000 square feet would be allowed an increase the wall sign size, with a maximum of two facades with signage. The maximum size for the wall signs on each façade is proposed to be no greater than:

- (a) One wall sign not to exceed thirty-two square feet, and**
- (b) One wall sign not to exceed seventy square feet.**

Staff originally considered a 10,000 square foot building size for the extra signage allowance. This threshold would make a handful of other existing sites eligible for the signage increase. The 20,000 square foot threshold would apply at this time only to the Fareway site, but may apply to other sites with future redevelopment.

Lighting for signage has also been clarified for its intent to control internally illuminated signs. It is now clearly stated that external lighting, direct or indirect is required, rather than a reference to down lighting. This allows for lighting from above or for a “halo” lit lighting effect where lighting is directed back at a building rather than out from the sign face.

Additional Proposed Changes.

The following are additional changes proposed by staff beyond those requested by Fareway:

- Minimum Lot Frontage – Although the 60-foot lot frontage is not an issue for Fareway, 50 feet is the typical lot frontage for all residential zones as well as several commercial districts. **Therefore, Staff is recommending a 50-foot frontage standard since it is a more common standard and is more compatible with the adjacent residential uses.**
- Maximum Building Coverage – **Staff supports the increase of the maximum building coverage from 35% to at least 40%.** A 35% maximum is common for single family uses, but considered low for commercial districts intended for buildings on small sites. The 40% threshold maintains consistency of scale with residential zoning allowances for uses other than single family dwellings.
- The Addition of Architectural Standards – At the time the NC zoning was written the City had not established design standards for commercial zones. More recently, newer zoning districts, such as CGS, have included criteria that express the interest of the City supporting quality design features. Not all zones include design requirements. However, these standards are most appropriate when issues of compatibility and meeting the intent and purpose of the zone are a concern.

Design standards could be utilized within NC to promote neighborhood compatibility and pedestrian-friendly development. **These standards would provide clearer direction on expectations in addition to the general criteria of the Special Use Permit process.** For example, through the use of architectural standards, massive stretches of blank walls can be broken up through detailing, and fenestration (openings such as windows). Larger buildings can include features to give the appearance of smaller shops, rather than simply a big box. These features together address the massing and scale of a building and increase its visual interest. Of the various commercial districts within the city, NC can realize the most gain in implementing architectural standards.

Staff proposes to utilize the requirements of the CGS zoning district that were written in 2010 as the basis for NC zoning design standards. Although CGS zoning is written as suburban style shopping center district, many of the standards are appropriate for larger scaled commercial buildings that could be built in NC zoning. They

do not require one specific design style. The standards would apply to new development, but not strictly to additions based upon the existing building conditions and sites. The standards could be defined as applying only to larger buildings, recognizing the wide range of building types within the NC zoning district.

The design standards address the following:

- Exterior building materials.
- Façade treatment.
- Roof design.
- Pedestrian circulation.
- Lighting requirements.

The proposed design standards would result in buildings similar in appearance to those in CGS areas of north Ames. Due to the ability have no setback in NC compared to CGS, the proposed standards have an additional emphasis on pedestrian scale design.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Draft ordinance language was reviewed by the Planning & Zoning Commission on September 19, 2018. The Commission reviewed the need for the changes and consistency with the requirements of the zoning district. The commission voted unanimously (5-0) in favor of the text amendments to the Neighborhood Commercial (NC) development standards; inclusion of new architectural standards, pedestrian circulation, and lighting requirements; and amendments to the signage standards, with a correction to the text as proposed by staff. The Commission also discussed the rationale for including bike parking with the zoning update. Staff described that Council is planning to address the issue as a citywide standard possible late this year. In light of the potential citywide changes, **the Commission also included a recommendation that the zoning standards reference a need for bicycle parking, but do not prescribe an exact ratio.** This would allow for bike parking to be considered during a site development plan review. Staff supports the inclusion of a general requirement for bicycle parking with the new NC zoning standards and has included it within the draft standards.

Since the P&Z review, staff has changed its recommendation regarding the design requirements to incorporate general references rather that include specified percentages as is the case with CGS zoning that the standards were based upon.

ALTERNATIVES:

1. The City Council can direct staff to finalize the attached zoning text amendment for the text amendments to the Neighborhood Commercial (NC) zoning district which include changes to the base zone standards and inclusion of new architectural standards, and the inclusion of bicycle parking.
2. The City Council can direct staff to finalize only the text amendments related to the Fareway request for the NC base zone standards.

3. The City Council can recommend alternative language to the proposed text amendment.
4. The City Council can direct staff to not proceed with publishing notice for a public hearing on a zoning text amendment.

CITY MANAGER’S RECOMMENDED ACTION:

The proposed changes are designed to accommodate the interest of redeveloping the Downtown Fareway site, which is a unique site within the context of NC zoning. However, the changes in site size and setbacks do allow for potentially larger redevelopment to occur in other areas of the city as well. To mitigate this, staff believes a public review process, such as Major Site Plan or Special Use Permit, is essential for reviewing larger sites. The proposed changes are an appropriate balance struck between the reductions in limitations regarding lot size, setbacks, signage, and parking with the goals for limited sized development within the district. In addition, the proposed new design standards will provide greater detail on expectations for appropriate development in these areas and is consistent with other smaller scale commercial zoning districts.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is to direct staff to finalize the attached text amendment to the Neighborhood Commercial (NC) zoning district which include changes to the base zone standards and inclusion of new architectural standards.

ATTACHMENT 'A'
Draft Changes to NC Zoning Standards with ~~strikeout~~ and underline

Sec. 29.801. NEIGHBORHOOD COMMERCIAL ZONING STANDARDS.

(1) **Purpose.** The Neighborhood Commercial (NC) zone is intended for small areas in or near residential neighborhoods. The zone encourages the provision of small-scale retail and service use for nearby residents. Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas. Parking areas are strictly regulated, to promote compatibility with the character of surrounding residential development and the intended pedestrian orientation of the uses.

(2) **Permitted Uses.** The uses permitted in the NC Zone are set forth in Table 29.801(2) below:

Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living	N		
Household Living	Y	SDP Minor	Staff
Short-term Lodgings	N		
OFFICE USES	Y	SDP Minor	Staff
TRADE USES			
Retail Sales and Services- General	Y	SDP Minor	Staff
Retail Trade - Automotive, etc.	N		
Entertainment, Restaurant and Recreation Trade	Y	SDP Minor	Staff
Wholesale Trade	N		
INDUSTRIAL USES			
Industrial Service Low Impact	N		
INSTITUTIONAL USES			
Colleges and Universities	N		
Community Facilities	Y	SDP Minor	Staff
Social Service Providers	Y	SDP Minor	Staff
Medical Centers	N		
Parks and Open Areas	N		
Religious Institutions	Y	SDP Minor	Staff
Schools	N		
TRANSPORTATION, COMMUNICATIONS AND UTILITY USES			
Passenger Terminals	N		
Basic Utilities	Y	SDP Minor	Staff

Commercial Parking	N Y, only as an accessory use for remote parking pursuant to Section 29.406(18)	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA
Radio and TV Broadcast Facilities	N		
Rail Line and Utility Corridors	N		
Railroad Yards	N		
MISCELLANEOUS USES			
Commercial Outdoor Recreation	N		
Child Day Care Facilities	Y	SDP Minor	Staff
Detention Facilities	N		
Major Event Entertainment	N		
Vehicle Service Facilities	N, except convenience stores in combination with gasoline service and car wash, by Special Use Permit.	SP	ZBA

Y = Yes: permitted as indicated by required approval

N = No: prohibited

SP = Special Use Permit required: See Section 29.1503

SDP Minor = Site Development Plan Minor: See Section 29.1502(3)

SDP Major = Site Development Plan Major: See Section 29.1502(4)

ZBA = Zoning Board of Adjustment

(3) **Zone Development Standards.** The zone development standards for the NC Zone are set forth in Table 29.801(3) below:

**Table 29.801(3)
Neighborhood Commercial (NC) Zone Development Standards**

DEVELOPMENT STANDARDS	NC ZONE
Maximum FAR	0.70
Maximum site development size Maximum Lot Area, Single Building	20,000 sf. Sites greater than 20,000 sf require a Special Use Permit according to Sec. 29.1503
Maximum Lot Area, Neighborhood Commercial Center	30,000 sf
Maximum Lot Area for Pre-existing Buildings and Pre-existing Neighborhood Commercial Centers	100,000 sf (with approval by Special Use Permit according to Sec. 29.1503)
Minimum Lot Frontage	60-50 ft.
Minimum Building Setbacks:	
Front Lot Line Primary Façade with a primary public pedestrian entrance	0 ft. 0 if pre-existing, 10 ft. if not pre-existing
Side Lot Line Primary or Secondary Façade with no primary public pedestrian entrance	0-10 ft., may be reduced to 5 ft., where there is enhanced design interest with features such as storefront windows.

	<u>building relief, high quality textured building materials, e.g. stone, brick, and architectural projections</u>
<u>Side and Rear Interior Lot Line</u>	0
Side and Rear Lot Line Abutting a Residentially Zoned Lot	5ft. side (for RM & RH zones) & 10 ft. side for RL, UCRM & RLP zones, or a historic district; 15 ft. rear
Maximum Building Setbacks: Street <u>Front</u> Lot Line	60 ft.
Landscaping in Setbacks Abutting a <u>Residentially</u> Zoned Lot	High Screen. See Sec. 29.403
Maximum Building Coverage	35% <u>40%</u>
Minimum Landscaped Area	15%
Maximum Height	35 ft.
Parking Allowed Between Buildings and Streets	<u>No, for the primary and secondary façade. -except where allowed prior to the effective date of this ordinance. May be allowed between additional secondary facades and the street, when the site is bounded by three or more streets. (For example, one façade of a lot with three abutting street lot lines.)</u>
Drive-Through Facilities Permitted	No
Outdoor Display Permitted	No <u>Seasonal consumer goods, including plants and produce. Excludes fireworks. See Sec. 29.405</u>
Outdoor Storage Permitted	No
Trucks and Equipment Permitted	No

(4) **Architectural Standards.** The following standards apply to all new development. Additions are excluded from strict compliance based upon existing building and site conditions.

(a) Exterior Building Materials.

(i) More than 50% of the total exterior wall surface area shall be high quality and highly durable, such as stone, clay brick and/or pre-cast panels with the appearance to the pedestrian of stone or brick. Measurement of the exterior wall area:

- a. Does not include windows, doors or their trim; and
- b. Includes gable ends of roofs or ends of dormers if they are on the same visual plane as an exterior wall surface.

(ii) Prohibited materials are:

- a. Pre-cast panels with surface appearance other than brick or stone;
- b. Smooth-faced concrete block; and
- c. Painted masonry.

(b) Facade Treatment.

(i) To diminish the building mass in order to be similar in scale to nearby residential structures and to provide architectural interest and variety, each façade that faces a street shall be subdivided and proportioned with at least two of the following elements so that the façade has an interrupted length at least every 40 feet:

- a. Modulation (i.e., change in wall plane or step-backs off-set by at least two feet feet);
- b. Change in material or texture, including masonry brick pattern;
- c. Patterns of columns, or pilasters with at least a six-inch depth, or equivalent elements that subdivide the wall;
- d. Fenestration, such as storefront windows or doors,

e. Projecting structures such as arcades, arbors, or awnings, with a depth of six-feet.

(ii) Architectural features, such as columns, arcades, arbors, and awnings, may protrude into setbacks.

(c) Roof Design.

(i) In order to be compatible with the scale of surrounding residential uses, and give emphasis to architectural elements that will help divide the mass of a large building into smaller identifiable pieces.

All buildings shall incorporate one or more of the following groups of roof forms:

(a) Roof elements commonly found on unattached or attached single-family dwellings, such as pitched roofs equal to or steeper than 6:12, gables, dormers, or cupolas with a durable, high-quality surface, such as architectural shingles, standing seam, metal or tile;

(b) Variations in roof forms and also variation in height of roof elements; and/or

(c) Roof forms that correspond to and bring attention to elements and functions such as entrances, arcades, porches, building corners and/or focal points.

(ii) Flat roofs are permitted for commercial buildings, but only if concealed by parapets, sloped roof forms or other architecturally integrated features and also include variation in height of these roof elements. Flat roofs shall not be permitted for any structure with a residential use;

(5) Pedestrian Circulation.

(a) Site design shall include a pedestrian pathway system on the perimeter and within the site to support neighborhood access from surrounding areas and transit stops on its periphery;

(b) An on-site sidewalk shall connect the street to a primary pedestrian entrance of the primary structure on the site. On corner lots, on-site sidewalks shall connect both streets to a primary pedestrian entrance of the building; and

(c) Where two or more buildings are on the same lot or on adjacent lots, on-site sidewalks shall connect at least one pedestrian entrance of each building.

(6) Signage Standards. The sign standards for the NC Zone are set forth below:

(a)(1) No signs are permitted in the Neighborhood Commercial (NC) zoning district except those signs that conform to the standards and restrictions stated in this section.

(b)(2) The only types of signs permitted in the Neighborhood Commercial (NC) zoning district are wall signs and monument signs.

(c)(3) Size restrictions.

(i)(a) A wall sign is a sign that is displayed by being affixed to the outside of an exterior wall of a building in which at least one business is located. Wall signs shall be affixed to only those walls that face a street. A wall sign shall be no larger than sixteen square feet, except that a wall sign may be up to thirty-two square feet in size if it is on a lot that abuts an arterial street, and the wall sign faces the arterial street.

(ii) Exception. Single tenant commercial buildings exceeding 20,000 square feet may increase the size of a wall sign, while not exceeding a maximum of two facades with signage. The maximum size for the wall signs on each façade shall be no greater than:

(a) One wall sign not to exceed thirty-two square feet, and

(b) One wall sign not to exceed seventy square feet.

(ii)(b) Monument signs shall be no larger than sixteen square feet, excluding the base; and no more than one such sign is permitted for each principal building on a lot. A monument sign is not permitted on a lot that is not the site of a principal building. If the principal building is on a lot that abuts an arterial street, the monument sign may be as large as thirty-two square feet, excluding the base.

(e)(4) Height restrictions. The maximum permissible height for a monument sign is eight feet, including the sign base; that is, the top of a monument sign shall be no more than eight feet above the grade of the site on which it is erected. However, the height of a monument sign, including the base, may be up to twelve feet if the sign is erected on a lot that abuts on an arterial street.

(f) Materials. Monument signs must incorporate materials of the same type, quality and color as the principal materials of the building.

(g)(5) Lighting restrictions. The lighting of both wall signs and monument signs shall use external direct or indirect lighting sources, without the use of up lighting or internal illumination directed outward. ~~Lighting be projected downward. Internal lighting sources are pro regardless of whether the lighting source is internal or external. If the sign faces an abutting residentially zoned lot, or a residentially zoned lot that is separated from the site of the illuminated sign by only one street, the face of the illuminated sign shall have a dark background.~~

(7) Lighting. Outdoor lighting shall comply with Section 29.411 and also comply with the following:

(a) Types of outdoor lighting prohibited:

(i) Bare lamps;

(ii) Neon, fiber optics rope, L.E.D. or other types of strip style lighting;

(iii) Illuminated translucent materials;

(iv) Illuminated striping or banding; and

(b) Pole mounted lights exceeding 25 feet in height.

(c) General floodlighting of buildings is not permitted. Lighting may be used to highlight specific architectural features, such as building entrances, provided that the light output shall be directed totally to that specific architectural feature.

(8) Parking Requirements.

(a) All parking is required to be provided on-site as required in Table 29.405(2). However, if on-street parking is available on the street immediately adjacent to the site, those on-street stalls may be counted towards the required parking at 1:1 ratio for commercial uses only. For parking to be available it must be designated for on-street parking by the City.

(b) Provide bicycle parking at locations that do not obstruct the flow of pedestrians and are located adjacent to customer entrances.

COUNCIL ACTION FORM

SUBJECT: TEXT AMENDMENT TO GRANT AUTHORITY TO THE ZONING BOARD OF ADJUSTMENT TO APPROVE ALTERNATIVE LANDSCAPE DESIGN AS PART OF A SPECIAL USE PERMIT REQUIRING A SITE PLAN

BACKGROUND:

On August 14th staff presented an option for City Council to consider allowing approval of alternative landscape plans when proposed in conjunction with Special Use Permits requiring a site development plan. The referral of this matter to staff came in conjunction with the Fareway request to amend the Neighborhood Commercial (NC) zoning district standards.

Currently the City's landscape standards allow for any property owner to propose an alternative landscape plan through a Major Site Development Plan process. The proposed amendment would permit a use subject to a Special Use Permit process an option for the Zoning Board of Adjustment to approve an alternative landscape plan.

The current Major Site Development Plan process includes a review and recommendation by the Planning and Zoning Commission with final approval by the City Council. A Special Use Permit is an approval process that only involves the Zoning Board of Adjustment. Each of the approval processes requires public notice of hearing on the proposed project.

Staff has limited discretion for alternative landscape approvals, but does not have the authority to approve wholesale differences in landscaping design. Currently, an alternative landscape plan is an option available to a developer to propose landscaping that deviates from the strict requirements of the Zoning Ordinance for front yard and parking lot landscaping identified within Article IV of the Zoning Ordinance. The intent of the alternative landscape plan is to allow a project to include customized landscaping that meets the intent of the current ordinance, but which utilizes different plantings to meet the intent. **It is not meant to be a means of reducing the quality and standards of landscaping that apply to a site.**

At the September 19th Planning and Zoning Commission meeting the Commission discussed the options of adding the Special Use Permit process compared to the existing Major Site Plan option. The Commission discussed consistency of the process between two review options and the benefit of a streamlined process. The Commission voted 5-1 to recommend that City Council approve a text amendment granting the Zoning Board of Adjustment authority to approve alternative landscape plans when included as part of a site development plan with a Special Use Permit.

ALTERNATIVES:

1. The City Council can direct staff to publish a public hearing notice for consideration of a zoning text amendment to grant authority to the Zoning Board of Adjustment

to approve alternative landscape plans on site plans requiring a Special Use Permit. This is shown as Option on the attached addendum, and is the Planning and Zoning Commission's recommendation.

2. The City Council can direct staff to develop alternative language for the proposed text amendment and to publish notice for a zoning text amendment.
3. The City Council can direct staff to not proceed with a zoning text amendment. This is shown as Option B on the addendum.

CITY MANAGER'S RECOMMENDED ACTION:

Traditionally the City has allowed for flexibility in site plan review of landscaping only within the confines of the Planning and Zoning Commission and City Council review process. The Zoning Board of Adjustment typically addresses specific defined standards as a quasi-judicial review board determining conformance with objective standards or permit criteria. The Special Use Permit is a type of application that includes review of site development plan details by the Zoning Board of Adjustment along with consideration of the operational aspects of the use. **Allowing for the consideration of the alternative landscape plan by the ZBA would create more efficiency for an applicant, but does not create a new standard or process overall.**

If the amendment was not approved, Fareway could still propose an alternative landscape plan as a Major Site Development Plan prior to its review of the Special Use Permit.

With an interest in streamlining an approval process, staff would support the proposed text amendment with no other changes to the landscape standards themselves. **Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, which is the recommendation of the Planning and Zoning Commission, thereby proceeding with Option A and publishing notice for a public hearing to amend the alternative landscape plan process.**

ADDENDUM

Option A – Allow approval of alternative landscape plans by the Zoning Board of Adjustment

This would grant the Zoning Board of Adjustment the ability to review and approve alternative landscape designs when proposed in conjunction with a Special Use Permit. The intent is that the proposed landscape plan must be a part of a site development plan that requires a Special Use Permit. Alternative landscape plans could not be approved by themselves via the Zoning Board of Adjustment without being part of a required Special Use Permit as part of the larger site development plan. This option allows for more efficiency for the customer during the site development plan process.

The current language of Article IV is as follows with the language of the Special Use Permit option inserted with underlining:

Section 29.403.3

(J) Alternative Design Approvals

- (i) Major Site Development Plan and Special Use Permits. A landscape plan prepared by a certified Landscape Architect with alternative design and plantings may be approved under the requirements of a major site development plan after review and approval by the City Council when found to address the purposes of the ordinance and provides for a unique or high quality landscape environment that exceeds the quality of the base standards.
- (ii) A use subject to approval of a Special Use Permit may include a landscape plan prepared by a certified Landscape Architect with alternative design and plantings for review and approval by the Zoning Board of Adjustment when the proposed plan is found to address the purposes of the ordinance and provides for a unique or high quality landscape environment that exceeds the quality of the base standards.

(L) The Department shall not approve any landscape plan submitted to it pursuant to this section unless the plan conforms to the requirements of this section or conforms to an approved Master Plan or a Major Site Development Plan which the City Council or Special Use Permit approved by the ZBA has determined meets the purposes described in Section 29.403.

Option B – Maintain current standards allowing alternative design approval only with a Major Site Development Plan.

This option would maintain the current standards as they are and maintain the requirement that an alternative landscape plan be approved through a Major Site Development plan consideration by the City Council.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF AGREEMENTS FOR PHASE IV OF THE IOWA STATE RESEARCH PARK

BACKGROUND:

The City staff has been working with the staff at the Iowa State Research Park to assist in the development of Phase IV of the ISU Research Park. This new phase will comprise approximately 32 developable acres of land for development. The impetus for this addition is the fact that the John Deere Company desires to increase its presence at the Research Park.

This additional presence will come in two forms. First, the construction of a new approximately 37,000 square foot building on 5 acres where they intend to develop the next generation of sprayer equipment. Included in the building square footage is approximately 5,000 square feet of office space. At this time, it is not known how many employees will be housed in this space. Second, Deere also intends to lease additional space in other parts of the Research Park for their new innovation center.

Rather than select a lot that is platted and currently served by utilities in one of the first three phases, John Deere and Research Park officials have agreed on a site on the west side of S. Riverside Avenue approximately ¼ mile south of the currently paved section of S. Riverside Drive. This leapfrogging of the current infrastructure will require a new investment in street and utility improvements for the creation of Phase IV.

The City of Ames has been a partner in the first three phases of the Research Park by financing the majority of the needed infrastructure. In return, a commitment was made for the Research Park property to remain on the tax rolls and that the sale (or lease) price of land in the Park be “discounted” as an incentive for new development to reflect the fact that the City’s incentives resulted in a reduction in the per acre developed land cost.

One condition that was requested by the Deere Company is that they have the ability to utilize the City’s five year industrial tax abatement program. Historically, as a condition of the City’s financial participation into the development of infrastructure at the Research Park, companies have been prohibited from taking advantage of this incentive until the debt service on the infrastructure has been paid off.

We are fortunate in this instance that the City will be able to secure \$1,743,558 in grant funding from U.S. Economic Development Administration and another \$1,294,354 from the State of Iowa through their RISE program. **This additional \$3,037,912 will allow us to break with tradition and offer the industrial tax abatement incentive to John Deere for the Phase IV addition.**

FUNDING SCENARIO:

While the Research Park staff is currently in discussions with Iowa Department of Transportation officials seeking a change to their RISE program which would allow for 70% funding for research park projects, the following table represents the most conservative scenario assuming the traditional 50% RISE funding without any job performance requirements, along with EDA grant funding.

Project Element	Cost	Revenue EDA	Revenue RISE	Revenue TIF	Revenue Electric
Street	\$2,588,708	\$1,294,354	\$1,294,354	0	0
Utilities (Water, Sanitary Sewer, Storm Sewer)	\$498,409	\$249,204	0	\$249,204	0
Electric (Distribution)	\$400,000	\$200,000	0	\$65,000	\$135,000
Total	\$3,487,117	\$1,743,558	\$1,294,354	\$314,204	\$135,000

*Improvement costs based upon City estimates consistent with the Research Park Master Plan

HIGHLIGHTS FROM DEVELOPMENT AGREEMENT:

Infrastructure (Article IV)

- The City is required to install certain street, water mains, sanitary sewers, stormwater, and electric improvements needed to accomplish Phase IV.
- The Research Park is required to install all other improvements necessary to complete Phase IV.

Tax Increment Financing (Article V)

- This agreement envisions that the City Council will take the necessary action to collect property taxes generated from a Tax Increment Financing District and devote this tax revenue to pay the debt incurred by the City to construct the improvements required in Article IV.

Proceeds From The Sale Of Land (Article VI)

- In recognition that the City has financed a major portion of the development cost for the acres in Phase IV and wants to pass this savings on to companies to create jobs at the Research Park, the agreement caps the per acre sale price at \$72,000. In the event the Research Park decides to sell any lots in Phase IV in excess of this per acre cap, the City will share equally in the amount over the \$72,000.

Conditions Precedent (Article VII)

- The City is not required to move ahead with the design or construction of the infrastructure improvements required in Article IV until the City has 1) a signed agreement from the IDOT for a RISE agreement for 50% of the transportation improvement reflected in Article IV, 2) a signed agreement with the U.S. Economic Development Administration for a grant of \$1,743,558 for the qualifying improvements required in Article IV, and 3) a signed agreement with the Deere and Company for a minimum assessment of \$5,000,000 on the improvements built on Lot 1.

Establishing the minimum assessment for the Deere property is important so that the City's investment in the infrastructure is paid off in a timely manner. (See attached Minimum Assessment Agreement)

Property Taxes (Article VIII)

- All of the property within Phase IV will be subject to property taxes. In addition, except for Lot 1 (the site of Deere's new building), should any property become exempt from property taxes, the Research Park will be obligated to pay to the City amounts equal to the tax receipts that the local taxing jurisdictions would have received if the property had not become tax exempt or received abatement.

Minimum Assessment (Article IX)

- For all lots in Phase IV (this excludes Lot 1, the site of the Deere building that has agreed to a \$5,000,000 minimum assessment for 12 years or until the City's infrastructure debt is paid off with TIF revenue), a \$500,000 per acre minimum assessment shall be established.

Timeline For Constructing Buildings (Article X)

- In order to guard against purchasers buying property at the subsidized amount and not moving ahead with constructing improvements in the Research Park, the agreement specifies that if a building is not completed within 24 months of taking title to the land, the Research Park will make payments to the local taxing jurisdictions an amount equal to the tax receipts that would have been received had the property been assessed at \$500,000 per acre.

ALTERNATIVES:

- 1.A) Approve the attached Agreement For Public Improvements and Other Work Pertaining To The Iowa State University Research Park Phase IV with the Iowa State University Research Park to construct specific infrastructure improvements that will be paid back through a Tax Increment Financing strategy and
- 1.B) Approve the attached Minimum Assessment Agreement with Deere and Company for the building constructed on Lot 1, Iowa State University Research Park Phase III, Third Addition.
- 2.) Request that the staff attempt to negotiate difference terms for the development agreement and bring it back for City Council approval.
- 3) Instruct the staff to discontinue discussions with the Iowa State University Research Park officials regarding Phase IV with the understanding that the City is not interested in providing financial assistance to this phase.

Under this alternative, Iowa State University will be required to pay for the installation of the street and utility improvements from proceeds already secured by a Letter of Credit.

MANAGER'S RECOMMENDED ACTION:

The benefits of new high paying jobs, an increase in the City's tax base, and an expanding market of which our current businesses can take advantage justifies our continued partnership in the next phase of the Iowa State University Research Park.

Fortunately, the receipt of approximately \$3,037,912 of state and federal funding will allow the City to offer the five year industrial tax abatement incentive, if the Deere project qualifies, and pay the extra infrastructure costs that are needed as the result of leapfrogging past land that is already served by the City in Phase III. **Therefore, it is the recommendation of the City Manager that the City Council support Alternatives #1A and #1B and approve the attached Agreement For Public Improvements And Other Work Pertaining To The Iowa State University Research Park Phase IV and the Minimum Assessment Agreement with Deere and Company.**

EXHIBIT A

All that part of Outlot X, Iowa State University Research Park Phase III, Third Addition lying northerly of the south line of the 80-foot wide reserved right-of-way of Collaboration Place, and

Outlot A, Iowa State Research Park Phase III, Third Addition, and

That part of South Riverside Drive right-of-way extending from the Southeast corner of Lot 7, Iowa State University Research Park Phase III, First Addition to the Southeast corner of Lot 1, Iowa State University Research Par Phase III, Third Addition.

U.S. Economic Development Administration
Preliminary Engineering Report



South Riverside Drive and Collaboration Place Extension

Iowa State University Research Park Phase IV
1805 Collaboration Place, Suite 1250
Ames, Iowa 50010

Prepared by
Clapsaddle-Garber Associates, Inc.
Consulting Engineers

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PN 5709.04

CGA

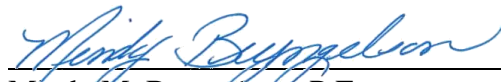
1523 S Bell Ave, Suite 101 • Ames, IA 50010 •

Phone 515-232-1784 • Fax 515-233-5976 • cga@cgaconsultants.com

South Riverside Drive and Collaboration Place Extension

Iowa State University Research Park Phase IV
1805 Collaboration Place, Suite 1250
Ames, Iowa 50010

I hereby certify that this engineering document
was prepared by me or under my direct supervision
and that I am a duly licensed Professional Engineer
under the laws of the State of Iowa.



Mindy M. Bryngelson, P.E.

Iowa License No.: 17135

License Renewal Date: 12-31-2019

July 13 , 2018

Contents

Project Overview	4
South Riverside Drive Components.....	5
Collaboration Place Components.....	6
Public Utility Components.....	7
Project Overview Summary	8
Feasibility Analysis.....	9
Engineering Services and Construction Document Delivery	10
Required Permitting	10
Iowa DNR Wastewater Construction Permit.....	10
Iowa DNR Public Water Supply Construction Permit	11
Iowa DNR NPDES Permit.....	11
City of Ames COSESCO	12
Bid Package 1: Public Utility Extension.....	13
Public Utility Extension Estimated Project Schedule.....	13
Public Utility Extension Estimated Construction Costs	13
Bid Package 2: Roadway Extensions.....	15
S. Riverside Drive/Collaboration Place Extension Estimated Project Schedule	15
S. Riverside Drive/Collaboration Place Extension Estimated Construction Costs.....	15
Project Summary.....	18
Figure 1: Overall Project Map	4
Figure 2: S. Riverside Drive Extension	5
Figure 3: S. Riverside Drive Typical Section	6
Figure 4: Collaboration Place Extension	6
Figure 5: Collaboration Place Typical Section	7
Figure 6: Utility Extension.....	8

Appendix

Preliminary Project Plan	A-1
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Project Overview

The ISU Research Park (ISURP) was established in 1987 as a not-for-profit (501c3) real estate development community intended as a regional economic development effort closely affiliated with Iowa State University. From inception until today, Iowa State University, the City of Ames, Story County, the State of Iowa and ISURP have worked collaboratively to leverage the initial vision and investment to improve the state economy.

The ISURP's Phase III Development began in 2014 with an added 45 acres of developable land. The park is currently planning to complete Phase IV in order to open up an additional 63.59 acres for development that includes accommodations for a new 33,000 SF Deere & Company Test Lab.

This document summarizes the preliminary design components and cost estimates associated with the public improvement of 1,570 linear feet of South Riverside Drive to the east of the proposed Deere & Company Lot and the creation of 1,860 linear feet of Collaboration Place on the north side of the Deere & Company Lot. The project includes a trail extension on the west side of Riverside Drive and associated utilities in order to provide connectivity to the proposed Deere & Company Test Lab site and future development.

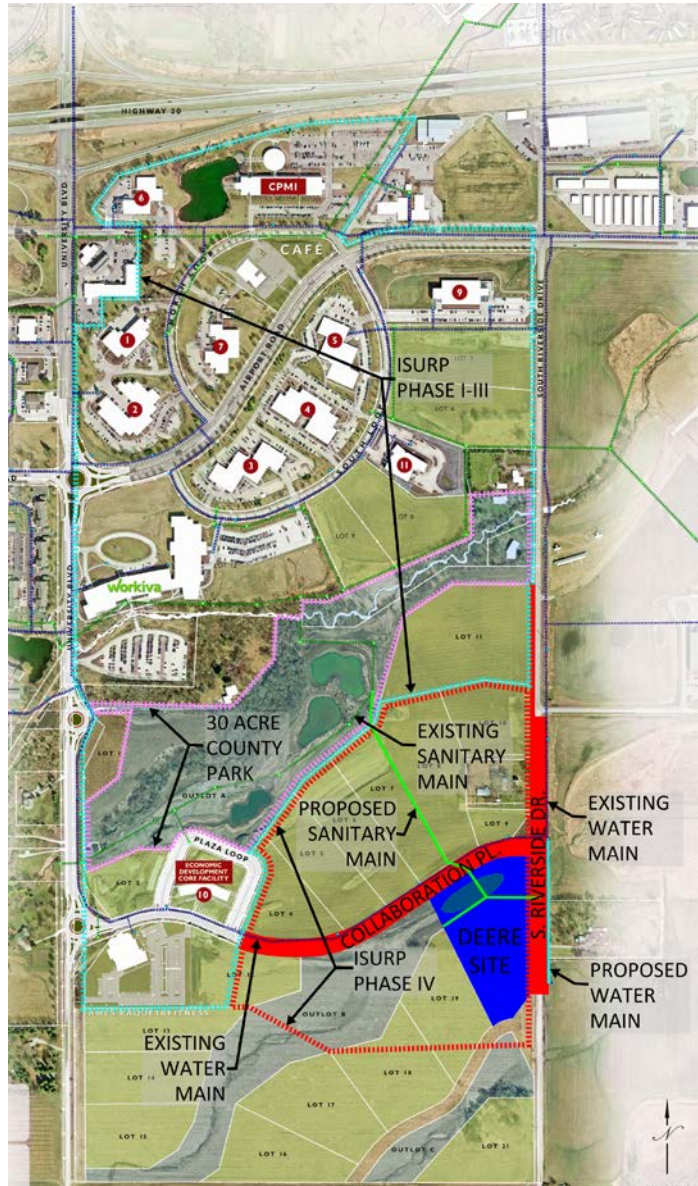


Figure 1: Overall Project Map

South Riverside Drive Components

Currently, South Riverside Drive within the project limits is a gravel road with ditches on both sides within an 80' wide Right-of-Way. Riverside Drive will be utilized to provide vehicular access for the Deere site, as well as providing a corridor for public water, electricity and gas utilities. The proposed project includes improving 1,570 linear feet of roadway between the Sigler access road on the north and the proposed Deere & Company Test Lab Site on the south. The new roadway will consist of a 31' wide 9" pcc pavement section with curb and gutter over a 6" subbase. A new 10' wide 5" thick pcc trail and will be installed on the west side of S. Riverside Drive for a distance of 1,975 linear feet for a future connect to an existing trail located south of Airport Road. This trail will also connect to an extensive trail network currently under construction in a 30-acre Story County park located within the ISURP. Street lights will be installed per the City of Ames standards.



Figure 2: S. Riverside Drive Extension

Two new storm sewer systems will be installed to collect surface drainage. The north system will collect 1.44 Acres of runoff into an 18" storm sewer that will outlet on the northeast end of the project into a natural drainage swale. The south system will collect 2.40 Acres of runoff into a 24" storm sewer that will outlet into a proposed pair of 48" culverts. The dual 48" RCP culverts will be placed under S. Riverside Drive to allow storm water collected in a proposed storm water management (SWM) pond between Collaboration Place and the proposed Deere & Company Test Lab site to drain to a natural drainage swale east of S. Riverside Drive. A 6" perforated subdrain will be installed to remove ground water and improve pavement longevity in areas where storm sewer is not proposed.

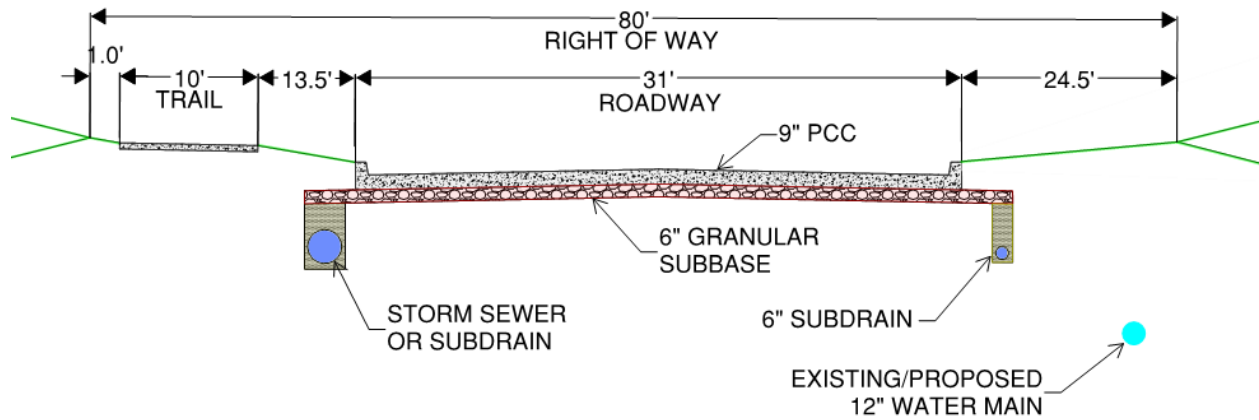


Figure 3: S. Riverside Drive Typical Section

Collaboration Place Components

Collaboration Place will extend 1,860 linear feet of roadway to create a connection with the proposed S. Riverside Drive within an 80' wide Right-of-Way. An existing 12" public water main was installed during ISURP Phase III improvements and lies within the proposed Collaboration Place Right-of-Way. This existing water main will be tapped into for a new fire and domestic water line to serve the Deere site. The roadway will connect the Deere site to the ISURP core facility and other critical amenities. The SWM pond for Deere will lie along the south side of Collaboration Place, utilizing a natural low area. The new roadway will consist of a 36' wide 9" pcc pavement section with curb and gutter over a 6" subbase. The road Right-of-Way will be graded to accommodate a future 5' wide sidewalk on the north and south sides of the roadway. Street lights will be installed per the City of Ames standards.

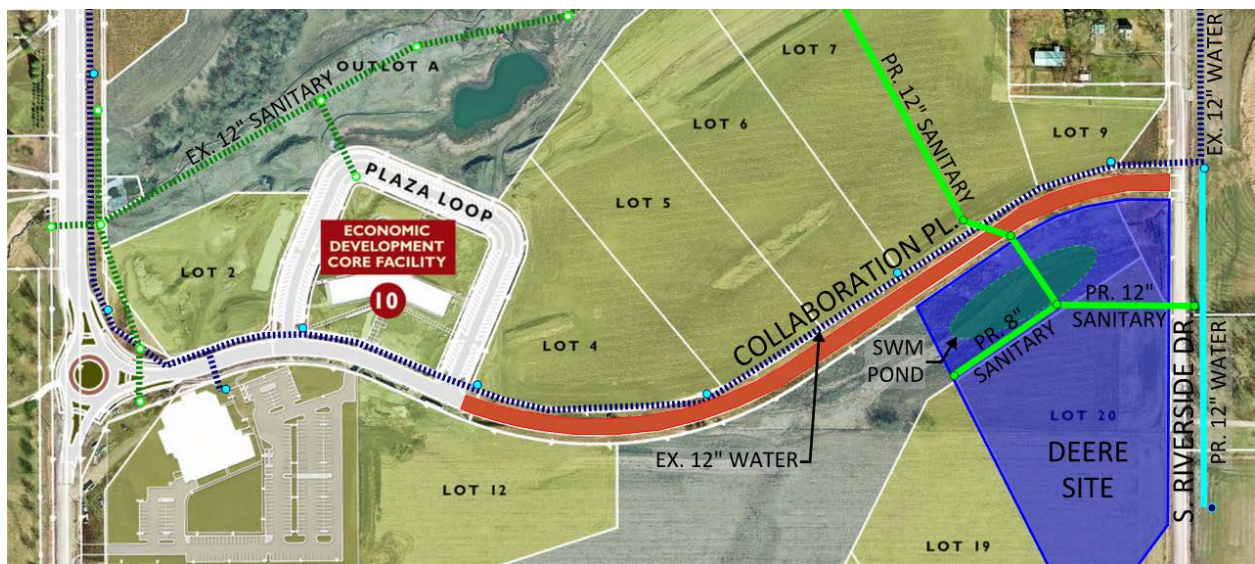


Figure 4: Collaboration Place Extension

A storm sewer system will be installed to collect surface drainage. The system will collect 3.42 acres of runoff into a proposed storm sewer system. The storm sewer will outlet on the south side of Collaboration Place into a series of detention basins sized to store storm water runoff from the ISURP and slowly release it per the current City of Ames Stormwater Ordinance. These detention basins will be located in Outlot B south of Collaboration Place and north of the proposed Deere & Company Test Lab site. The west basin will collect runoff from approximately 80 acres, has a capacity of 220,000 CF of storage, and will outlet through two 24" RCP culverts into the east basin. The east basin will collect runoff from approximately 25 additional acres, has a capacity of 60,000 CF of storage, and will outlet through two 48" RCP culverts as discussed in the "South Riverside Drive Components" section. A 6" subdrain will be installed to remove ground water and improve pavement longevity in areas where proposed storm sewer is not installed.

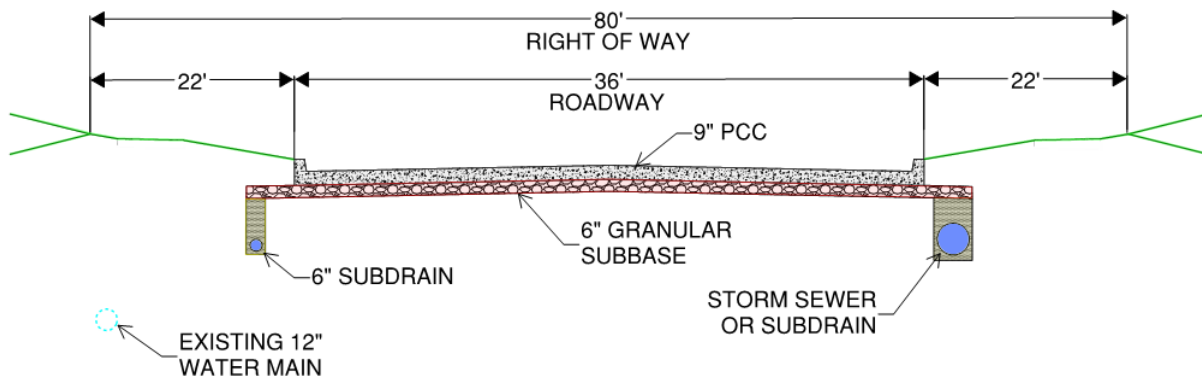


Figure 5: Collaboration Place Typical Section

Public Utility Components

The existing public sanitary sewer mains within the ISURP are primarily located outside of the public Right-of-Way within designated sanitary sewer easements. This allows the sewer to be placed between the SWM ponds and the buildings at naturally low areas in the park to minimize trench depths. A new 12" gravity sanitary sewer main will be extended south from an existing sewer main within the ISURP to the south side of the proposed Deere SWM pond. A total of 1,700 linear feet of 12" sewer main at a slope of 0.25% will provide a capacity of 1.75 CFS while maintaining the minimum 3 ft/s velocity for self-cleaning. Sanitary sewer manholes will be placed at intervals of 400 feet or less; at the end of each sewer line; at all pipe intersections or bends; and at all changes in pipe size, grade, and alignment. An 8" public sanitary sewer main will be extended to the west Deere property line and a 12" public sanitary sewer main will be extended east under the proposed S. Riverside Drive to allow future expansions. All sanitary sewer main outside of proposed street Right-of-Way will be centered in a 30' wide easement for future maintenance.

A new 12" water main will extend south on the east side of S. Riverside Drive for 800 linear feet. Hydrants will be placed every 400' for adequate fire protection and at the end of the main

to allow for routine flushing.



Figure 6: Utility Extension

Project Overview Summary

In summary, the project will include paving 1,570 LF of S. Riverside Drive (31' wide) and 1,860 LF of Collaboration Place (36' wide); installing 1,975 LF of 5" PCC trail along S. Riverside Drive; and the installation of associated utilities including street lighting, storm sewer, water main, and sanitary sewer. These project components are consistently described in Section B.2 of Form ED-900 "General Application for EDA Programs."

The following table summarizes the useful life of each of the primary project components:

OVERALL ISURP PHASE IV IMPROVEMENTS PROJECT USEFUL LIFE SUMMARY		
COMPONENT	USEFUL LIFE (YEARS)	SOURCE
PCC PAVEMENT	50	<i>The Iowa Statewide Urban Design and Specifications (SUDAS)</i>
PVC WATER MAIN	100	<i>American Society of Civil Engineers (ASCE) Infrastructure Report dated 02/16/2015</i>
RCP GRAVITY STORM SEWER	75	<i>American Concrete Pipe Association</i>
PVC GRAVITY SANITARY SEWER MAIN	50	<i>American Society of Civil Engineers (ASCE) Infrastructure Report dated 02/16/2015</i>

Feasibility Analysis

The existing South Riverside Drive in the project footprint is a gravel road approximately 25' in width with a flat centerline profile ranging from 0.5% to 1%. The existing roadway will be widened to match the existing 31' pcc section at the north end of the project limits and will utilize the existing road centerline. Storm sewer will be installed in the location of the existing ditches to allow them to be filled in to create a standard urban section. The majority of the adjacent properties are owned by the applicant and co-applicant, making construction coordination relatively simple. Access to the two adjoining residential properties will require staged construction or temporary access drives along South Riverside Drive.

The alignment of the proposed Collaboration Place extension will be located in an existing agricultural field owned by the ISURP. Clearing and grubbing of grass and brush will be required within the proposed Right-of-Way. Soils in agricultural fields often contain 1-2 feet of expansive organic topsoil that must be removed within 2' of the 36' wide roadway in order to provide a stabilized uniform subgrade. The proposed profile will slope gently from west to east between a 1-2% and will provide ideal drainage of the pavement. The Right-of-Way may remained closed during construction as no access is needed in this area to adjacent properties.

The area is located outside of the 100-year flood plain and runoff from the area flows to two natural drainage swales. The drainage swales converge and enter an existing public storm sewer system that transports storm water easterly through the City of Ames Municipal Airport, under S. Duff Avenue/U.S. Highway 69, through the Country Gables/Teagarden/Southdale Subdivision, and then to the Skunk River. The construction of the SWM ponds per the City of Ames current code will ensure that storm water runoff will not increase with this project.

The existing public sanitary sewer main within the ISURP is located in a natural low area in the 30-acre county park. This location allows the sanitary sewer to be installed with minimal trench depths to reduce construction costs while maintaining appropriate depths for the lower eastern lots within the ISURP. Placing the proposed sanitary sewer main adjacent to the proposed SWM

ponds allows the main to be easily accessible by the proposed lots south of Collaboration Place.

The water main in Collaboration Place Right-of-Way was installed during a previous stage to provide looping of the main for improved water quality. The extension of the water main along the east side of South Riverside Drive allows it to be easily extended for future development to the south.

In summary, the construction of S. Riverside Drive and Collaboration Place is in an area that currently has little to no traffic so it will have very little impact to surrounding properties and Right-of-Way users during construction. Existing public utilities are located on the applicant and co-applicant controlled properties making their proposed extensions easy to accommodate.

Engineering Services and Construction Document Delivery

The administration of the project is beyond the capacity of the applicant's current staff and will require contracting for engineering services. The City of Ames, as the Contract Authority, will invite engineering firms to submit a Statement of Qualifications, SOQ, for two Bid Packages, discussed on the following pages, comprising of all the project components. Firms may decide to submit qualifications for consideration on one or both of the packages. All SOQs will be evaluated on the following criterion:

- Project Understanding and Approach – 30%
- Design Team and Key Personnel – 20%
- Project Management and Proposed Schedule – 20%
- Previous Experience with project or similar scope – 15%
- Responsiveness – 15%

Qualifications will be evaluated, scored, and ranked by a project evaluation team consisting of representatives from the ISURP and the City of Ames. The selected engineering firm(s) shall be awarded contract(s) in August 2018.

The firm(s) will prepare two Construction Document Packages. The project will be completed using the traditional design/bid/build method for Bid Package 1: Public Utility Extension and Bid Package 2: Roadway Extensions. Construction procurement will be completed using the sealed competitive bid process for both packages.

Required Permitting

The following permits are required for the completion of this project:

Iowa DNR Wastewater Construction Permit

The sanitary sewer extension for this project is defined as a "Minor Conveyance" system. This type of project requires the following items to be completed and submitted to the Iowa Department of Natural Resources (DNR) Wastewater Engineering Section for an approved construction permit:

- A cover letter providing details for all submittals and identifying the applicant, the engineer, the project, a summary of the submittal package, and the requested action.
- Final signed Plans and Specifications
- Addenda (if applicable)
- Sewage Treatment Agreement signed by the City of Ames
- Schedule A – General Information
- Schedule B – Collection System
- Schedule C – Lateral Sewer Extension

A construction permit will be issued by the Iowa DNR within 60 days of receipt of a completed application. This review period will require the design of the sanitary system to happen immediately upon selection of a design firm in order for the construction to occur in the Fall of 2018.

Iowa DNR Public Water Supply Construction Permit

The water main extension for this project requires the following items to be completed and submitted to the Iowa DNR Water Supply Engineering Section for an approved construction permit:

- Final signed Plans and Specifications
- Water Supply Service Agreement signed by the City of Ames
- Schedule 1a – General Information
- Schedule 1c – Fee Calculation
- Schedule 2a – Water Mains, General

Applications for a construction permit must be submitted to the Iowa DNR 30 days in advance of commencing construction or awarding of contracts.

Iowa DNR NPDES Permit

The Iowa DNR administers the U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) program within the state. All facilities that discharge pollutants from any point source into waters of the United States or waters of the state are required to obtain an NPDES permit under Iowa's NPDES program. The permit requires compliance with all federal and local standards.

The South Riverside Drive and Collaboration Place Extension project will disturb more than 1.0 acre of land and therefore will require the ISURP to obtain a General Permit No. 2, Storm Water Discharge Associated with Construction Activities, from the Iowa DNR. The following items must be completed in order to receive authorization from the Iowa DNR:

- Complete a Storm Water Pollution Prevention Plan per section 161A.64 of the Code of Iowa and local sediment and erosion plans. Plans shall be consistent with the requirements of Part IV of the General Permit No. 2.
- File a Public Notice as specified in Iowa Administrative Code 567--64.6(1)"c"(1) for at least one day in one newspaper with the largest circulation in the ISURP area.
- Complete the Notice of Intent (NOI) form, DNR Form 542-1415, signed in accordance

with Part VI.G. of the General Permit No. 2.

- Submit the completed NOI form, proof of public notice publication, and applicable fee as specified in Iowa Administrative Code 567 --64.16(455B) to the Iowa DNR Storm Water Coordinator.

Authorization must be given prior to commencing construction activities. The applicant should allow approximately 3 weeks for authorization to be granted after submitting a complete application. If the ground is not stabilized within the permit period, the applicant may resubmit an NOI prior to the permit expiration date to extend coverage. Within 30 days after final stabilization of the construction site, as defined in Part VIII of General Permit No. 2, the owner shall submit a Notice of Discontinuation to the Iowa DNR.

City of Ames COSESCO

The City of Ames Construction Site Erosion and Sediment Control (COSESCO) Permit Application is required for all construction activities that disturb 0.5 acres or more per Ordinance 3875 of the Ames City Code. Upon receiving authorization for an Iowa General Permit Number 2 from the Iowa DNR, the ISURP shall submit the City of Ames COSESCO Permit to the City of Ames Public Works Department. The following items shall be attached to the completed application form:

- An application fee per Ordinance No. 3875 Sec. 5A.2(2) and (3) of the Ames City Code.
- A Grading Plan prepared by a licensed engineer or land surveyor showing the required information listed in the COSESCO application.
- A copy of the completed Storm Water Pollution Prevention Plan prepared prior to submitting the Iowa DNR NOI form.
- A copy of the Letter of Authorization received from the Iowa DNR.

The applicant should allow approximately one week for the COSESCO permit approval. If site is still active after one year, then the permit shall be removed with an additional fee.

Bid Package 1: Public Utility Extension

The first package will be the “ISURP 2018 Public Utility Extension” and will consist of the sanitary sewer and water main components discussed in the Project Overview Section. This package will be released for solicitation of construction bids as soon as possible in order to provide the necessary utility access for the proposed Deer & Company Test Lab.

Public Utility Extension Estimated Project Schedule

Engineering Request for Qualifications	July 2018
Engineering Firm Selection and Award of Contract	August 2018
Engineering Design	August 2018
IDNR Water Construction Permits	September 2018
IDNR Wastewater Construction Permit	September – October 2018
Solicitation of Construction Bids and Award of Contract	September 2018
Construction	October – November 2018

Public Utility Extension Estimated Construction Costs

The following is a detailed construction cost estimate for each of the project components. A 5% contingency has been added to the total estimated construction costs based upon average bid fluctuations in the Ames, Iowa market over the past 12 months.

ISURP 2018 PUBLIC UTILITY EXTENSION					
ITEM NO.	DESCRIPTION	QUANTITY		UNIT COST	EXTENSION
2.01	TOPSOIL, 8" DEPTH	1,500	CY	\$8.00	\$12,000
2.02	EXCAVATION, CLASS 10	2,200	CY	\$8.00	\$17,600
2.03	RIP RAP	300	TON	\$50.00	\$15,000
3.01	TRENCH FOUNDATION	100	TON	\$25.00	\$2,500
3.02	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	100	CY	\$25.00	\$2,500
3.03	TRENCH COMPACTION TESTING	1	LS	\$2,631.58	\$2,632
4.01	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 12-INCH	1,670	LF	\$87.00	\$145,290
4.02	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 8-INCH	341	LF	\$80.00	\$27,280
4.03	STORM SEWER, TRENCHED, RCP, 15-INCH	92	LF	\$75.00	\$6,900
4.04	PIPE APRON, RCP, 15-INCH DIAMETER	4	EA	\$1,100.00	\$4,400

5.01	WATER MAIN, TRENCHED, PVC, 12-INCH	805	LF	\$75.00	\$60,375
5.02	12" X 6" X 12" TEE	3	EA	\$500.00	\$1,500
5.03	VALVE, GATE, 12-INCH	3	EA	\$2,000.00	\$6,000
5.04	12" X 8" X 12" TEE	1	EA	\$750.00	\$750
5.05	FIRE HYDRANT ASSEMBLY, 6" BARREL	1	EA	\$5,500.00	\$5,500
5.06	WATER MAIN CONNECTION	1	EA	\$3,500.00	\$3,500
6.01	SANITARY SEWER MANHOLE, SW-301, 48-INCH	7	EA	\$5,000.00	\$35,000
9.01	SEEDING, TYPE 1, LAWN MIXTURE, FERTILIZE AND MULCH	5	AC	\$5,000.00	\$25,000
11.01	MOBILIZATION	1	LS	\$25,000.00	\$25,000
TOTAL ESTIMATED CONSTRUCTION COST					\$398,726.58
5% CONSTRUCTION CONTINGENCY					\$19,936.33
20% ENGINEERING AND CONSTRUCTION ADMINISTRATION					\$79,745.32
TOTAL ESTIMATED ISURP 2018 PUBLIC UTILITY EXTENSION PROJECT COST					\$498,408.23

Bid Package 2: Roadway Extensions

The second package will be the “S. Riverside Drive/Collaboration Place Extension” and will consist of roadway, trail/sidewalk, storm sewer, and electrical components discussed in the Project Overview Section. This package will be released for solicitation of construction bids in early winter 2019 for a summer/fall 2019 construction schedule.

S. Riverside Drive/Collaboration Place Extension Estimated Project Schedule

Engineering Request for Qualifications	July 2018
Engineering Firm Selection and Award of Contract	August 2018
Engineering Design	August 2018 – December 2018
IDNR NPDES/City of Ames COSESCO Permit	December 2018 – January 2019
Solicitation of Bids and Award of Contract	January – February 2019
Construction	March – November 2019

S. Riverside Drive/Collaboration Place Extension Estimated Construction Costs

The following is a detailed construction cost estimate for each of the project components. A 5% contingency has been added to the total estimated construction costs based upon average bid fluctuations in the Ames, Iowa market over the past 12 months.

S. RIVERSIDE DRIVE EXTENSION					
ITEM NO.	DESCRIPTION	QUANTITY		UNIT COST	EXTENSION
2.01	TOPSOIL, 8" DEPTH	2,150	CY	\$8.00	\$17,200
2.02	EXCAVATION, CLASS 10	5,000	CY	\$8.00	\$40,000
2.03	SUBGRADE PREPERATION, 12-INCH	5,989	SY	\$3.00	\$17,967
2.04	MODIFIED SUBBASE, 6-INCH	5,989	SY	\$8.00	\$47,912
2.05	COMPACTION TESTING	1	LS	\$5,000.00	\$5,000
2.06	EXPLORATORY DIGGING	1	LS	\$1,875.00	\$1,875
3.01	TRENCH FOUNDATION	100	TON	\$25.00	\$2,500
3.02	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	100	CY	\$25.00	\$2,500
3.03	TRENCH COMPACATION TESTING	1	LS	\$3,684.21	\$3,684
4.01	STORM SEWER, TRENCHED, RCP, 48-INCH	354	LF	\$160.00	\$56,640
4.02	STORM SEWER, TRENCHED, RCP, 24-INCH	673	LF	\$90.00	\$60,570
4.03	STORM SEWER, TRENCHED, RCP, 18-INCH	375	LF	\$80.00	\$30,000
4.04	STORM SEWER, TRENCHED, RCP, 15-INCH	468	LF	\$75.00	\$35,100

4.05	SUBDRAIN, LONGITUDINAL, PVC, 6-INCH	1,660	LF	\$10.00	\$16,600
4.06	SUBDRAIN, CLEANOUT, 8-INCH	6	EA	\$250.00	\$1,500
4.07	PIPE APRON, RCP, 48-INCH DIAMETER	4	EA	\$3,500.00	\$14,000
4.08	PIPE APRON, RCP, 24-INCH DIAMETER	1	EA	\$1,500.00	\$1,500
4.09	PIPE APRON, RCP, 18-INCH DIAMETER	2	EA	\$1,300.00	\$2,600
4.10	FIELD TILE REPAIR, UNDER 12-INCH	100	LF	\$100.00	\$10,000
6.01	STORM INTAKE, SW-507	6	EA	\$5,000.00	\$30,000
6.02	STORM INTAKE, SW-509	6	EA	\$6,000.00	\$36,000
7.01	PAVING, MAINLINE, PCC, 9-INCH, WITH CURB AND GUTTER	5,304	SY	\$65.00	\$344,760
7.02	PCC SAMPLES AND TESTING	1.00	LS	\$2,916.67	\$2,917
7.03	PCC TRAIL, 5-INCH PCC	2,538	SY	\$50.00	\$126,900
7.04	DETECTABLE WARNING	40	SF	\$40.00	\$1,600
8.01	PAVEMENT MARKINGS AND SYMBOLS, TAPE	1	LS	\$5,000.00	\$5,000
8.02	TEMPORARY TRAFFIC CONTROL	1	LS	\$1,666.67	\$1,667
8.03	STREET SIGNAGE	1	LS	\$3,125.00	\$3,125
8.04	LIGHT POLE	8	EA	\$4,500.00	\$36,000
8.05	ELECTRICAL	1	LS	\$250,000.00	\$250,000
9.01	HYDRAULIC SEEDING, TYPE 1 SEEDING	2	AC	\$5,000.00	\$10,000
9.02	FILTER SOCK	1500	LF	\$3.00	\$4,500
9.03	INTAKE PROTECTION	16	LF	\$100.00	\$1,600
11.01	CONSTRUCTION SURVEY/STAKING	1	LS	\$5,000.00	\$2,500
11.02	PEDSTRIAN FACILITY CONSTRUCTION SURVEY/STAKING	1	LS	\$500.00	\$500
11.03	MOBILIZATION	1	LS	\$75,000.00	\$75,000
11.04	CONCRETE WASHOUT	1	LS	\$2,000.00	\$1,000
11.05	RELOCATION OF MAILBOX	2	EA	\$100.00	\$200
TOTAL ESTIMATED CONSTRUCTION COST					\$1,300,416.53
5% CONSTRUCTION CONTINGENCY (minus line 8.05)					\$52,520.83
20% ENGINEERING AND CONSTRUCTION ADMINISTRATION					\$210,083.31
TOTAL ESTIMATED S. RIVERSIDE DRIVE EXTENSION COST					\$1,563,020.67

COLLABORATION PLACE EXTENSION					
ITEM NO.	DESCRIPTION	QUANTITY		UNIT COST	EXTENSION
2.01	TOPSOIL, 8" DEPTH	2,150	CY	\$8.00	\$17,200
2.02	EXCAVATION, CLASS 10	7,000	CY	\$8.00	\$56,000
2.03	SUBGRADE PREPERATION, 12-INCH	8,444.4	SY	\$3.00	\$25,333
2.04	MODIFIED SUBBASE, 6-INCH	8,444.4	SY	\$8.00	\$67,555
2.05	COMPACTION TESTING	1	LS	\$5,000.00	\$5,000
2.06	EXPLORATORY DIGGING	1	LS	\$3,125.00	\$3,125
3.01	TRENCH FOUNDATION	100	TON	\$25.00	\$2,500
3.02	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	100	CY	\$25.00	\$2,500
3.03	TRENCH COMPACATION TESTING	1	LS	\$3,684.21	\$3,684
4.01	STORM SEWER, TRENCHED, RCP, 24-INCH	305	LF	\$90.00	\$27,450
4.02	STORM SEWER, TRENCHED, RCP, 18-INCH	300	LF	\$80.00	\$24,000
4.03	STORM SEWER, TRENCHED, RCP, 15-INCH	401	LF	\$75.00	\$30,075
4.04	SUBDRAIN, LONGITUDINAL, PVC, 6-INCH	2,910	LF	\$10.00	\$29,100
4.05	PIPE APRON, RCP, 24-INCH DIAMETER	1	EA	\$1,500.00	\$1,500
4.06	PIPE APRON, RCP, 15-INCH DIAMETER	4	EA	\$1,100.00	\$4,400
4.07	FIELD TILE REPAIR, UNDER 12-INCH	100	LF	\$100.00	\$10,000
6.01	STORM INTAKE, SW-507	7	EA	\$5,000.00	\$35,000
6.02	STORM INTAKE, SW-509	7	EA	\$6,000.00	\$42,000
7.01	PAVING, MAINLINE, PCC, 9-INCH, WITH CURB AND GUTTER	7,039	SY	\$65.00	\$457,535
7.02	PCC SAMPLES AND TESTING	1	LS	\$2,083.33	\$2,083
8.01	PAVEMENT MARKINGS AND SYMBOLS, TAPE	1	LS	\$5,000.00	\$5,000
8.02	TEMPORARY TRAFFIC CONTROL	1	LS	\$8,333.33	\$8,333
8.03	STREET SIGNAGE	1	LS	\$1,875.00	\$1,875
8.04	LIGHT POLE	12.00	EA	\$4,500.00	\$54,000
8.05	ELECTRICAL	1.00	LS	\$150,000.00	\$150,000
9.01	HYDRAULIC SEEDING, TYPE 1 SEEDING	4	AC	\$5,000.00	\$20,000
9.02	FILTER SOCK	1800	LF	\$3.00	\$5,400
9.03	INTAKE PROTECTION	14	LF	\$100.00	\$1,400
11.01	CONSTRUCTION SURVEY/STAKING	1	LS	\$2,500.00	\$2,500

11.02	MOBILIZATION	1	LS	\$75,000.00	\$75,000
11.03	CONCRETE WASHOUT	1	LS	\$1,000.00	\$1,000
TOTAL ESTIMATED CONSTRUCTION COST					\$1,170,549.28
5% CONSTRUCTION CONTINGENCY (minus line 8.05)					\$51,027.46
20% ENGINEERING AND CONSTRUCTION ADMINISTRATION					\$204,109.86
TOTAL ESTIMATED COLLABORATION PLACE EXTENSION COST					\$1,425,686.60

TOTAL S. RIVERSIDE DRIVE/COLLABORATION PLACE EXTENSION ESTIMATED CONSTRUCTION COSTS	
S. RIVERSIDE DRIVE EXTENSION COST	\$1,563,020.67
COLLABORATION PLACE EXTENSION COST	\$1,425,686.60
TOTAL ESTIMATED ISURP ROADWAY EXTENSION PROJECT COSTS	\$2,988,707.27

Project Summary

The ISURP “Public Utility Extension” and “Roadway Extension” projects are planned to be designed and constructed from August 2018 through November 2019 in two bid packages in order to accommodate a proposed Deere & Company Test Lab site located in the south west quadrant of the proposed S. Riverside Dr. and Collaboration Pl. intersection. The total estimated costs for these improvements are as follows:

OVERALL ISURP PHASE IV IMPROVEMENTS PROJECT BUDGET BREAKDOWN			
COST CLASSIFICATION	ISURP 2018 PUBLIC UTILITY EXTENSION PROJECT COST	ISURP ROADWAY EXTENSION PROJECT COSTS	TOTAL
ENGINEERING FEES	\$79,745.32	\$414,193.16	\$493,938.48
CONSTRUCTION	\$398,726.58	\$2,470,965.82	\$2,869,692.40
SUBTOTAL	\$478,471.90	\$2,885,158.98	\$3,363,630.88
CONTINGENCIES (5%)	\$19,936.33	\$103,548.29	\$123,484.62
TOTAL PROJECT COSTS	\$498,408.23	\$2,988,707.27	\$3,487,115.50

**AGREEMENT FOR PUBLIC IMPROVEMENTS
AND OTHER WORK PERTAINING TO
THE IOWA STATE UNIVERSITY RESEARCH PARK
PHASE IV**

THIS CONTRACT AND AGREEMENT, made and entered into this ___ day of October, 2018, by and between IOWA STATE UNIVERSITY RESEARCH PARK (an Iowa non-profit corporation hereinafter called "Research Park") and THE CITY OF AMES, IOWA (hereinafter called the "City"); for a portion of the subdivision known as Iowa State University Research Park Phase III, Third Addition as defined in Exhibit A.

WITNESSETH:

WHEREAS, it is the intention and representation of the Research Park to undertake an expansion of the Iowa State University Research Park, heretofore known as Phase IV, at below market cost located in the City of Ames, Iowa; and,

WHEREAS, the Research Park desires that the City assist the aforesaid project by designing, constructing, financing, and facilitating certain public improvements and other work to serve Phase IV of the Iowa State University Research Park; and,

WHEREAS, the parties desire that the cost of constructing and financing the City's public improvements be funded by an increment in the property taxes based on the progress of the project as well as by funding from the Iowa Department of Transportation's Revitalize Iowa's Sound Economy (RISE) and United States Economic Development Administration (EDA) grants; and,

WHEREAS, it is found that the work and improvements related to Phase IV of the Iowa State University Research Park will serve the public purpose of economic development by encouraging private development that will increase permanent employment

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opportunities, add revenue support for government services, and expand the property tax base; and,

WHEREAS, in recognition of the significant infrastructure investment by the City of Ames, the Research Park agrees to establish commercial and industrial uses that pay property taxes and to control the cost of land; and

WHEREAS, the Research Park controls the land necessary to accomplish Phase IV expansion of the Iowa State University Research Park;

NOW, THEREFORE, in consideration of these premises and of the mutual promises hereinafter set out, the parties hereto do agree and covenant as follows:

I PARTIES

- A. The Parties to this agreement are the City and the Research Park. No other parties shall be admitted to this agreement, nor shall there be any assignment of this agreement without the express written consent of the existing parties hereto.
- B. It is not the intention of the parties to this agreement that any new legal entity be created by virtue of this agreement, and the provisions of this agreement shall not be deemed to have created a partnership, thrust or other legal entity.

II DURATION

This agreement shall endure and remain in effect until all parties agree in writing that its purpose has been fully and completely served, or mutually agree to terminate this agreement sooner for whatever reason and on whatever terms the parties may then agree to.

III PURPOSE

- A. **In General.** The purpose of this agreement is to provide for a joint and cooperative effort by the parties hereto, in the prompt development of Phase IV of the Iowa State University Research Park, by performance of the respective tasks and duties stated in this agreement.
- B. **Research Park Development.** The Research Park, either directly or by means of agreements with other parties of its choice, shall construct and market facilities and sites on land shown on the Research Park Master Plan attached hereto as Exhibit B, and by this reference incorporated herein and made part hereof. Said Plan may be amended by written agreement of the parties hereto.

The Research Park covenants that all structures on and other improvements on land in Phase IV as generally described on the Research Park Master Plan shall be done in compliance with the ordinances, policies, and rules of the City of Ames, Iowa, and all said requirements for plans, permits, or approvals shall be adhered to by the Research Park.

The Research Park shall comply with all other federal, state, and local regulations applicable to the development of the said Phase IV of the Iowa State University Research Park. This obligation expressly includes compliance with the City's Zoning and Subdivision ordinances, and applies both to the initial uses and any future uses of land within Phase IV of the Research Park.

The making of agreements by the Research Park with developers of its choice shall not relieve the Research Park of the obligations, duties, and tasks stated in this agreement that are not expressly those of the City.

C. **Official Platting.** The Research Park shall prepare and submit for final City approval an official plat of subdivision lots.

D. **Design.** The Research Park will be responsible for the design of all infrastructure, site, and building improvements within the area reflected on the Research Park Master Plan, except for the design of the City public improvements specified in Section IV(A).

IV INFRASTRUCTURE

A. **City Public Improvements.** As generally shown on Exhibit C (Preliminary Engineering Report for South Riverside Drive and Collaboration Place Extension as prepared by CGA and signed July 13, 2018), the City shall be responsible for the design and installation for the following public improvements to complete Phase IV.

1. Water mains, sanitary sewers, and stormwater improvements funded by EDA and Tax Increment Financing (TIF).
2. Street improvements funded through the IDOT RISE and EDA grants, including street lighting, street related storm sewer facilities, bike lanes on Collaboration Place, and shared use trail on the west side of South Riverside Road.
3. Electric distribution facilities funded through EDA, TIF, and City of Ames Electric Fund.

B. **Research Park Obligations to Facilitate Public Improvements.**

1. The Research Park shall convey to the City, without cost, all land needed for public infrastructure improvements, including streets, sidewalks, utility easements, rights-of-way, and other public facilities as determined by the City's Public Works Director. The Research Park shall also convey to the City, without cost, any easements needed to

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facilitate construction of these street improvements and utilities prior to platting. These conveyances shall occur prior to the City awarding each contract for public improvements specified in this section.

2. The Research Park shall cooperate with the City to meet the requirements of the RISE and EDA grant programs which will include, but will not be limited to the following:

- a. Acquire all rights-of-way in accordance with 761 Iowa Administrative Code, Chapter IV and the Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970;
- b. Obtain environmental concurrence from appropriate state and federal agencies before acquiring or conveying all rights-of-way; and
- c. Certify that any needed environmental permits have been received and all environmental regulations have been met prior to letting of EDA and RISE funded public improvements.

C. **Other Improvements**. The Research Park, or subsequent property owners of individual lots, shall be responsible for funding or otherwise procuring the design and installation of all other improvements necessary to complete Phase IV and in accordance with the Research Park Master Plan, which shall include, but not be limited to the following:

1. Storm water management and drainage facilities not funded by the EDA or RISE grants.
2. Open space and natural areas.
3. Natural gas distribution system to bring natural gas to each platted lot.
4. Construction of all streets, sidewalks, and walking/bike trails not funded by the RISE and EDA grants.
5. Signage.
6. Telecommunication facilities to serve each platted lot.
7. Electric, water, and sanitary sewer services to serve each platted lot.
8. Any additional water and sanitary sewer mains and electric distribution lines not included as part of Section IV(A).
9. Grading of the site.
10. Landscaping, including completion of all landscaping materials to be installed in the public right-of-way that are not funded by the RISE grant. Said landscaping shall be installed within two years of the final acceptance of the RISE funded project by the City.

V
URBAN RENEWAL AREA AND TAX INCREMENT FINANCING

Phase IV is within a previously established Urban Renewal Area. In accordance with commitments made in this Agreement by property owners to pay property taxes, the City may make provisions to collect incremental property tax revenues generated from a Tax Increment Financing District which may be established within the Urban Renewal Area and may devote those tax revenues to pay principal of and interest on debt incurred by the City to finance the construction of the City Public Improvements as described in Section IV(A).

The City shall not be responsible for any other development costs associated with the development of the Phase IV of the proposed Iowa State University Research Park expansion.

VI
ALLOCATION OF PROCEEDS FROM SALE OF LAND

The Research Park has the right to set the price charged for land in the Phase IV expansion. In recognition of the significant land value that the Research Park has assembled for this expansion, it is agreed that the Research Park shall be entitled to charge and retain the first \$72,000 per acre, or an equivalent lease rate, for lots shown in the Research Park Master Plan.

In recognition of the significant investment made by the City in public infrastructure to serve this expansion for lots shown in the Research Park Master Plan, it is further agreed that both parties will share equally in any proceeds of land sold at a price greater than \$72,000 per acre, or an equivalent per acre amount calculated as part of a lease agreement.

For land sales, the Research Park shall pay the City one half of this added increment after closing on any such land sale. For land lease agreements, the Research Park shall pay the City one half of the land cost greater than \$72,000 per acre that has been calculated in any such monthly lease rate. Payments under this lease obligation for each calendar year shall be accumulated and paid to the City by December 30 of each year.

In order to determine how each land lease rate compares to the aforementioned per acre land sale amount, the Research Park shall provide to the City each such lease agreement, along with the calculation for land cost included in such agreement. Such agreements and calculations shall be provided to the City upon signing of each lease agreement.

The funds received by the City in accordance with this section will be reserved by the City to be used as incentives to encourage existing businesses to expand or new

businesses to locate in the Iowa State University Research Park, or to be used to pay off the City's debt service obligation for improvements specified in Section IV(A).

VII CONDITIONS PRECEDENT

The City shall not be under an obligation to award a contract related to any of the public improvements identified in Section IV(A) until after the City has received:

- A. A signed agreement between the City and the Iowa Department of Transportation for a RISE Grant to pay at least 50% of the total costs for all transportation related improvements specified in Section IV(A) with no job creation requirements, and
- B. A signed agreement between the City and the U.S. Economic Development Administration for a grant up to \$1,743,558 for the improvements specified in Section IV(A).
- C. A signed agreement between the City and Deere & Company for a minimum assessment of \$5,000,000 as of January 1, 2020 for Lot 1, Iowa State University Research Park Phase III, Third Addition. The parties agree that the Research Park will work with the Deere & Company to secure the agreement.

VIII PROPERTY TAXES

It is expressly understood, covenanted, and agreed by the parties hereto that all of the land encompassed by the aforesaid Phase IV Research Park Master Plan and any and all improvements now or hereafter pertaining to said land, shall be subject to any and all taxes on real estate that normally would be generated as a commercial or industrial classified parcel, regardless of each parcel's actual classification or exempt status; and that the Research Park, its successor or assigns, shall not claim or apply for any exemption from or abatement of property taxes for said land or improvements. In the event that said property in the Iowa State University Research Park Phase IV, or any portion thereof except Lot 1 Iowa State University Research Park Phase III, Third Addition, becomes tax exempt or receives tax abatement, by legislation or other process, the Research Park, its successor or assigns, shall make payments to the City in lieu of taxes in such amounts as are equivalent to the tax receipts the City and other local taxing jurisdictions would have received had the property not become tax exempt or received an abatement. This obligation upon the Research Park applies regardless of ownership of the property subject to tax exemption or abatement.

All payments in lieu of taxes shall be due and payable in accordance with the statutory schedule for payment of property tax and any minimum assessment agreement then in effect.

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The Research Park agrees to allow and cooperate with the City Assessor as the City Assessor calculates the assessed value of any properties within Phase IV that may be tax-exempt.

The Research Park further agrees to include clauses in all ground leases and real property sales agreements which notify the lessees or buyers of the obligations under this subsection.

IX MINIMUM ASSESSMENT

For all lots on which a building is constructed in the TIF district, the parties do hereby agree that the City Assessor shall establish an assessed value of at least \$500,000 per acre.

X TIMELINE FOR CONSTRUCTING BUILDINGS

The parties agree that the purchasers of lots within Phase IV of the Iowa State University Research Park shall make improvements promptly and not hold the property in an undeveloped state or delay making improvements. Therefore, if the purchaser of any lot within Phase IV of the Iowa State University Research Park does not complete construction of all buildings within twenty-four (24) months of taking title to the land, then the Research Park shall make payments to the City in lieu of taxes in such amounts as are equivalent to the tax receipts the City and other local taxing jurisdictions would have received had the property been assessed at \$500,000 per acre.

XI MISCELLANEOUS

A. Maintenance. The traveled portion of the City streets within the area reflected on Research Park Master Plan shall be maintained by the City. The Research Park shall maintain the landscaped area on both sides of those public roadways. In addition, all green space, storm water management areas, and trail system (off-street bike and pedestrian paths) within the area reflected on the Research Park Master Plan (Exhibit B) shall be maintained by the Research Park or its assigns.

B. Records. The parties hereto shall keep all contracts, change orders, invoices, payroll time sheets, memoranda, and other accounting documents needed to document and substantiate the actual cost of designing, constructing, and financing the said City public improvements specified in Section IV(A) for a period of at least five years following completion and acceptance of said improvements. Photocopies of all such documents shall be exchanged by the parties on request.

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C. Land Covenant. This contract and agreement, and all promises and covenants herein expressed, shall be a covenant running with the land described herein and be binding on the Research Park, its successors and assigns, and upon the Research Park's grantees of rights in said land, including tenants and mortgagees, except the land granted to the City for streets, utility easements, and other right-of-ways shall not be subject to said covenant.

D. Time of the Essence. It is agreed and understood by the parties to this agreement that time is of the essence in performance of any action provided in this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed by their authorized representatives as of the date first above written.

ISU RESEARCH PARK:

By: _____
Steven Carter, President
Iowa State University Research Park

CITY OF AMES:

By: _____
John Haila, Mayor

ATTEST:

By: _____
Diane Voss, City Clerk

[Type text]

**MINIMUM ASSESSMENT AGREEMENT FOR JOHN DEERE BUILDING
IMPROVEMENTS ON LOT 1 IN PHASE III, THIRD ADDITION OF THE IOWA STATE
UNIVERSITY RESEARCH PARK**

This Minimum Assessment Agreement is entered into this ___ day of _____, 2018, by and between the City of Ames, Iowa (hereafter referred to as "City"), and Deere & Company (hereafter referred to as "Deere") and the City Assessor for the City of Ames, Iowa (hereafter referred to as "Assessor").

WITNESSETH:

WHEREAS, The City and the Iowa State University Research Park (the "Research Park") intend to enter into an Agreement for Public Improvements regarding the development of Phase IV of the Research Park; and

WHEREAS, the Iowa State Research Park controls the land necessary to undertake an expansion, heretofore known as Phase IV; and

WHEREAS, Deere desires to construct a building of approximately 37,000 square feet on Lot 1, Iowa State University Research Park Phase III, Third Addition located in Ames, Iowa (hereafter referred to as the "Property"); and

WHEREAS, the City has not historically offered a five year Industrial Property Tax Abatement incentive to companies locating in the Iowa State Research Park until the Tax Increment Financing debt that is used to pay for the City's public infrastructure improvements have been retired; and

WHEREAS, the City expects to receive \$1,743,558 from a U.S. Economic Development Administration grant and at least \$1,294,354 from a 50% State of Iowa RISE grant to help pay the City's public infrastructure costs for Phase IV of the Research

Park so the City supports the Industrial Tax abatement incentive to Deere should Deere qualify; and

WHEREAS, pursuant to section 403.6 of the Code of Iowa, as amended, the City and Deere desire to establish a minimum actual value for the improvements constructed or placed on the Property by Deere and which is intended to reflect the minimum actual value of such improvements; and

NOW, THEREFORE, the parties to this Minimum Assessment Agreement, in consideration of the promises, covenants, and agreement made by each other, do hereby agree that the Assessor shall establish an assessed value of at least \$5,000,000 as of January 1, 2020 for the first building constructed on Lot 1, Iowa State University Research Park Phase III, Third Addition.

This minimum assessment requirement will terminate once the total debt incurred by the City to pay for the costs associated with the City's public infrastructure improvements as specified in Section IV(A) of the Agreement For Public Improvements And Other Work Pertaining To The Iowa State University Research Park Phase IV has been totally retired, or no longer than 12 years from the date of the issuance of the bonds, whichever occurs first. These costs include, but are not limited to, the design, construction, inspection, principal, interest, and bond issuance costs. If Deere elects not to proceed with the development of the land as set forth in the Development Agreement dated June 28, 2018 by and between Deere and Research Park, then either party shall have the right to terminate this Agreement prior to the issuance by the City of any contract for construction of public improvements.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their authorized representatives as of the date first written.

CITY OF AMES, IOWA

DEERE & COMPANY

By:_____

By:_____

John Haila, Mayor

Attest:

By:_____

Diane R. Voss, City Clerk

COUNCIL ACTION FORM

SUBJECT: US DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT FOR INFRASTRUCTURE AT IOWA STATE UNIVERSITY RESEARCH PARK PHASE IV

BACKGROUND:

The Department of Commerce Economic Development Administration (EDA) has approved a grant in the amount of \$1,743,558 as financial assistance for the Iowa State University Research Park (ISURP) Phase IV road and utility improvements. This is the next phase at the ISURP and will extend infrastructure eastward from the latest development to S. Riverside Drive. This infrastructure will serve the lot that is being developed for Deere and Company's new facility.

Improvements will include extending Collaboration Place (with on-street bike lanes), paving S. Riverside Drive (with shared use path), and extending water and sewer mains. The City is also seeking a Revitalize Iowa's Sound Economy (RISE) grant from Iowa DOT for at least \$1,294,354. Total infrastructure costs are estimated to be approximately \$3,500,000.

Design is expected to begin this fall with construction beginning in the spring of 2019.

ALTERNATIVES:

1. Approve the Department of Commerce's Economic Development Administration (EDA) grant in the amount of \$1,743,558 and authorize John Joiner to sign the Financial Assistance Award on behalf of the City.
2. Do not approve the grant, thus requiring ISURP to fund any improvements.

MANAGER'S RECOMMENDED ACTION:

The EDA support of this project highlights the economic importance of ISURP and this project to the region. The anticipated award of the RISE grant from Iowa DOT will also greatly help in financing the vast majority of this project.

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

**U.S. DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION**

**STANDARD TERMS AND CONDITIONS
FOR CONSTRUCTION PROJECTS**

Title II of the Public Works and
Economic Development Act of 1965
Public Works and Economic Development Facilities
and
Economic Adjustment Assistance Construction Components



February 12, 2016

TABLE OF CONTENTS

Contents

PREFACE.....	6
A. GENERAL REQUIREMENTS AND RESPONSIBILITIES.....	7
1. Purpose.....	7
2. Authority and Policies.....	7
3. Definitions.....	8
4. Grant Recipient as Trustee.....	9
5. Reaffirmation of Application and Award Acceptance.....	9
6. Noncompliance with Award Provisions.....	10
B. FINANCIAL REQUIREMENTS.....	10
1. Financial Reports.....	10
2. Disbursements.....	11
3. Federal and Non-Federal Cost Sharing.....	12
4. Budget Revisions and Transfers of Funds Among Budget Categories.....	12
5. Indirect Costs and Facilities and Administrative Costs.....	13
6. Incurring Costs Prior to Award.....	15
7. Incurring Costs or Obligating Federal Funds Beyond the Project Expiration Date.....	15
8. Time Extensions.....	16
9. Tax Refunds.....	16
10. Program Income.....	16
C. PROGRAMMATIC REQUIREMENTS.....	17
1. Project Progress and Performance Reporting.....	17
2. Reporting on Real Property.....	18
3. Interim Reporting of Significant Project Developments.....	18
4. Government Performance and Results Act Reporting.....	18
5. Unsatisfactory Performance.....	18
6. Programmatic Changes.....	18
7. Other Federal Awards with Similar Programmatic Activities.....	19
8. Beneficiary Compliance.....	19
9. Prohibition Against Assignment by the Recipient.....	19
10. Disclaimer Provisions; Hold Harmless Requirement.....	19

11. Prohibition on Use of Third Parties to Secure Award.	20
12. Payment of Attorneys’ or Consultants’ Fees.	20
13. Recipient’s Duty to Refrain from Employing Certain Government Employees.....	20
14. Commencement of Construction and Project Sign.	21
15. Efficient Administration of Project.	21
16. Conflicts-of-Interest Rules.	22
17. Record-Keeping Requirements.....	22
18. Termination Actions.....	24
19. Project Closeout Procedures.	25
20. Freedom of Information Act.....	26
D. ADDITIONAL REQUIREMENTS RELATING TO CONSTRUCTION PROJECTS.....	26
1. The Davis-Bacon Act, as amended (40 U.S.C. §§ 3141–3144, 3146, 3147; 42 U.S.C. § 3212),	26
2. The Contract Work Hours and Safety Standards Act, as amended (40 U.S.C. §§ 3701-3708)	27
3. The National Historic Preservation Act of 1966, as amended (54 U.S.C. § 300101 <i>et seq.</i>), and the Advisory Council on Historic Preservation Guidelines (36 CFR part 800).....	27
4. The Historical and Archeological Data Preservation Act of 1974, as amended (16 U.S.C. § 469a-1 <i>et seq.</i>).....	27
5. The Architectural Barriers Act of 1968, as amended (42 U.S.C. § 4151 <i>et seq.</i>).....	27
6. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601 <i>et seq.</i>)	27
7. The Energy Conservation and Production Act (42 U.S.C. § 6834 <i>et seq.</i>)	27
8. Compliance with Local Construction Requirements.....	27
E. NONDISCRIMINATION REQUIREMENTS	27
1. Statutory Provisions	27
2. Other Provisions	28
3. Title VII Exemption for Religious Organizations.	29
F. AUDITS.....	29
1. Organization-Wide, Program-Specific, and Project Audits.....	29
2. Requirement to Submit a Copy of the Audit to EDA.....	31
3. Audit Resolution Process.	31
G. DEBTS.....	32
1. Payment of Debts Owed the Federal Government.	32
2. Late Payment Charges.	32
3. Barring Delinquent Federal Debtors from Obtaining Federal Loans or Loan Insurance Guarantees.....	33
4. Effect of Judgment Lien on Eligibility for Federal Grants, Loans, or Programs.....	33

H.	GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT).	33
I.	DRUG-FREE WORKPLACE.	33
J.	LOBBYING RESTRICTIONS.	33
K.	CODES OF CONDUCT AND SUBAWARD, CONTRACT, AND SUBCONTRACT PROVISIONS.	34
1.	Code of Conduct for Recipients.	34
2.	Applicability of Award Provisions to Subrecipients.	35
3.	Competition and Codes of Conduct for Subawards.	36
4.	Applicability of Provisions to Subawards, Contracts, and Subcontracts.	37
5.	Pilot Program for Enhancement of Employee Whistleblower Protections.	38
6.	Small Businesses, Minority Business Enterprises, and Women’s Business Enterprises.	38
7.	Subaward to or Contract with a Federal Agency.	39
8.	EDA Contracting Provisions for Construction Projects.	39
L.	PROPERTY.	39
1.	Standards.	39
2.	Title.	39
3.	EDA’s Interest in Award Property.	40
4.	Insurance and Bonding.	42
5.	Leasing Restrictions.	42
6.	Eminent Domain.	43
7.	Disposal of Real Property.	43
M.	FEDERAL ENVIRONMENTAL REQUIREMENTS.	43
1.	The National Environmental Policy Act of 1969 (42 U.S.C. § 4321 <i>et seq.</i>).	44
2.	National Historic Preservation Act (54 U.S.C. § 300101 <i>et seq.</i>).	44
3.	Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. §§ 4371–4375).	44
4.	Clean Air Act (42 U.S.C. § 7401 <i>et seq.</i>), Federal Water Pollution Control Act (33 U.S.C. § 1251 <i>et seq.</i>) (Clean Water Act), and Executive Order 11738 (“Providing for Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants or Loans”).	44
5.	The Safe Drinking Water Act of 1974, as amended (42 U.S.C. § 300f <i>et seq.</i>).	45
6.	Executive Order 11988 (“Floodplain Management”) and Executive Order 11990 (“Protection of Wetlands”).	45
7.	The Flood Disaster Protection Act (42 U.S.C. § 4002 <i>et seq.</i>), and regulations and guidelines issued thereunder by the U.S. Federal Emergency Management Administration (“FEMA”) or by EDA.	45
8.	The Coastal Zone Management Act (16 U.S.C. § 1451 <i>et seq.</i>).	45
9.	The Coastal Barrier Resources Act (16 U.S.C. § 3501 <i>et seq.</i>).	45
10.	The Wild and Scenic Rivers Act (16 U.S.C. § 1271 <i>et seq.</i>).	45

11. The Fish and Wildlife Coordination Act (16 U.S.C. § 661 <i>et seq.</i>).....	45
12. The Endangered Species Act (16 U.S.C. § 1531 <i>et seq.</i>).....	45
13. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, more commonly known as Superfund) (42 U.S.C. § 9601 <i>et seq.</i>), and the Community Environmental Response Facilitation Act (Pub. L. No. 102-426, 42 U.S.C. §§ 9601 note <i>et seq.</i> and 9620(h)(4).).....	46
14. The Resource Conservation and Recovery Act (42 U.S.C. § 6901 <i>et seq.</i>).....	46
15. Executive Order 12898 (“Environmental Justice in Minority Populations and Low-Income Populations”).....	46
16. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 <i>et seq.</i>).....	46
17. The Farmland Protection Policy Act (7 U.S.C. §§ 4201–4209).	46
18. The Noise Control Act of 1972 (42 U.S.C. § 4901 <i>et seq.</i>).....	46
19. The Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001 <i>et seq.</i>).....	46
N. NOTICE AND EVIDENCE OF COMPLIANCE WITH ALL APPLICABLE ENVIRONMENTAL REQUIREMENTS.....	46
O. MISCELLANEOUS REQUIREMENTS.....	47
1. Criminal and Prohibited Activities.....	47
2. Foreign Travel.....	47
3. American-Made Equipment and Products.....	48
4. Intellectual Property Rights.....	48
5. Increasing Seat Belt Use in the United States.....	50
6. Research Involving Human Subjects.....	50
7. Federal Employee Expenses.....	51
8. Minority Serving Institutions Initiative.....	51
9. Research Misconduct.....	51
10. Publications, Videos, and Acknowledgment of Sponsorship.....	52
11. Care and Use of Live Vertebrate Animals.....	52
12. Homeland Security Presidential Directive 12.....	52
13. Compliance with Department of Commerce Bureau of Industry and Security Export Administration Regulations.....	53
14. The Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7104(g)), as Amended, and the Implementing Regulations at 2 CFR part 175.....	54
15. The Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282, 31 U.S.C. § 6101 Note), as Amended by the Government Funding Transparency Act of 2008 (Pub. L. No. 110-252).....	56
16. Federal Financial Assistance Planning During a Funding Hiatus or Government Shutdown.....	61

**U.S. DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION**

**STANDARD TERMS AND CONDITIONS
FOR CONSTRUCTION PROJECTS**

Title II of the Public Works and
Economic Development Act of 1965
Public Works and Economic Development Facilities
and
Economic Adjustment Assistance Construction Components

PREFACE

This document sets out the Standard Terms and Conditions for Construction Projects (hereinafter referred to as the “Construction Standard Terms and Conditions” or “Construction ST&Cs”) applicable to Economic Development Administration (“EDA”) financial assistance awards. A Recipient of an EDA construction financial assistance award must, in addition to the assurances made as part of the Application, comply and require each of its subrecipients, contractors, and subcontractors employed in the completion of the Project to comply with all applicable statutes, regulations, executive orders, Office of Management and Budget (“OMB”) circulars, provisions of the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (codified at 2 CFR part 200) (“Uniform Guidance”), provisions of these Construction ST&Cs, the EDA-approved Project budget and scope of work, any other incorporated terms and conditions, and approved Applications (collectively, “Terms and Conditions of the Award”).

This Award is subject to the laws and regulations of the United States. Any inconsistency or conflict in the Terms and Conditions specified in this Award will be resolved according to the following order of precedence: public laws, regulations (including applicable notices published in the *Federal Register (Fed. Reg.)*), executive orders, OMB circulars, EDA’s Construction ST&Cs, and special award conditions. A special award condition may amend or take precedence on a case-by-case basis over a Construction ST&C when warranted by specific Project circumstances.

Some of these Construction ST&Cs contain, by reference or substance, a summary of the pertinent statutes or regulations published in the *Federal Register* or the Code of Federal Regulations (“CFR”), executive orders, OMB circulars, or the certifications and assurances provided by applicants through Standard Forms (*e.g.*, Forms SF-424B and SF-424D). To the extent that it is a summary, such provision is not in derogation of, or an amendment to, any such statute, regulation, executive order, OMB circular, or assurance.

**ECONOMIC DEVELOPMENT ADMINISTRATION
STANDARD TERMS AND CONDITIONS
FOR CONSTRUCTION PROJECTS**

Public Works and Economic Development Facilities and
Economic Adjustment Assistance Construction Components

A. GENERAL REQUIREMENTS AND RESPONSIBILITIES.

1. Purpose.

The Economic Development Administration's ("EDA's") grants for (i) public works (42 U.S.C. § 3141) and (ii) construction economic adjustment assistance (42 U.S.C. § 3149) Projects awarded under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*) ("PWEDA") are designed to enhance regional competitiveness and promote long-term economic development in regions experiencing substantial economic distress. EDA provides construction, design, and engineering grants to assist distressed communities and regions revitalize, expand, and upgrade their physical infrastructure to attract new industry, encourage business expansion, diversify local economies, and generate or retain long-term private sector jobs and investment. The requirements set forth in these Construction ST&Cs are applicable to construction, design, and engineering Projects funded in whole or in part by EDA. Any necessary modifications of these requirements will be addressed in special award conditions to accommodate individual Projects. In addition, these Construction ST&Cs apply to construction projects of revolving loan funds ("RLFs") awarded between January 1, 1975 and February 10, 1999 under EDA's Title IX Economic Adjustment Assistance Program, as well as to RLFs funded after February 11, 1999 under section 209 of PWEDA (42 U.S.C. § 3149).

2. Authority and Policies.

EDA is a bureau within the U.S. Department of Commerce ("DOC" or "Department") established under PWEDA. *See* 13 CFR § 300.1 ("Overview of eligibility requirements"). As a Federal agency, EDA is obligated to promulgate regulations and establish policies and procedures to:

- a. Ensure compliance with applicable Federal requirements;
- b. Safeguard the public's interest in the grant assets; and
- c. Promote the effective use of grant funds in accomplishing the purposes for which they were awarded.

The Department or EDA may issue changes from time to time to the regulations and other requirements and policies that apply to this Award. Such changes may upon occasion increase administrative or programmatic flexibility in administering this Award in a manner that is mutually beneficial to EDA and to the non-Federal entity. The implementation of any such regulatory, administrative, or programmatic change in administering this Award requires EDA's prior written approval.

EDA's policy is to administer all awards uniformly; however, there may be special circumstances that warrant a variance. To accommodate these circumstances and to encourage innovative and creative ways to address economic development problems, EDA will consider

requests for variances to the procedures set out in these Construction ST&Cs if they do not conflict with applicable Federal statutory and regulatory requirements, are consistent with the goals of EDA's programs, and make sound economic and financial sense.

3. Definitions.

Whenever used in these Construction ST&Cs, the following words and phrases shall have the following meanings:

- a. "Application" means all forms, documentation, and any information submitted to the Government as part and in furtherance of a request for an Award and includes submissions made in response to information requested by the Government after submission of the initial Application;
- b. "Assistant Secretary" refers to the Assistant Secretary of Commerce for Economic Development;
- c. "Award" refers to the Federal financial assistance that a Recipient receives directly from EDA (*see also* 2 CFR § 200.38);
- d. "Closeout" or "Project Closeout" refers to the process by which the Grants Officer determines that all applicable administrative actions and all required work under the Award have been completed by the Recipient and EDA (*see also* 2 CFR § 200.16);
- e. "Contract" means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the Project or program under this Award. As defined at 2 CFR § 200.22, the term does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (*see also* 2 CFR § 200.22);
- f. "Contractor" means an entity that receives a contract as defined in this section and at 2 CFR § 200.22 (*see also* 2 CFR § 200.23);
- g. "Department" or "DOC" refers to the U.S. Department of Commerce;
- h. "Government" or "Federal Government" refers to EDA;
- i. "Grants Officer" refers to the official responsible for all business management and administrative aspects of this Award and, under these Construction ST&Cs, is the Regional Director in the appropriate Regional Office;
- j. "Non-Federal entity" is a State, local government, Indian tribe, institution of higher education ("IHE"), or nonprofit organization that carries out a Federal award as a recipient or subrecipient (*see also* 2 CFR § 200.69);
- k. "Pass-through entity" is a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program (*see also* 2 CFR § 200.74);
- l. "Project" refers to the activity for which the EDA grant was awarded;
- m. "Project Officer" refers to the EDA official responsible for technical or other programmatic aspects of the Award. During the post-approval stage of the Award, EDA generally assigns this role to an EDA Engineer/Construction Manager;

- n. “Recipient” is a non-Federal entity that receives a Federal award directly from a Federal awarding agency to carry out an activity under a Federal program. The term “Recipient” does not include subrecipients (*see also* 2 CFR § 200.86);
- o. “Regional Office” refers to an EDA Regional Office;
- p. “Subaward” means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity (*see also* 2 CFR § 200.92);
- q. “Subrecipient” is a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency (*see also* 2 CFR § 200.92); and
- r. “Terms and Conditions of the Award” is defined in the first paragraph of the Preface above.

Capitalized terms used but not otherwise defined in these Construction ST&Cs have the meanings ascribed to them in EDA’s regulations at 13 CFR §§ 300.3 (“Definitions”), 302.20 (“Civil rights”), 307.8 (“Definitions”), and 314.1 (“Definitions”).

4. Grant Recipient as Trustee.

The Recipient holds grant funds and any EDA-assisted Project property in trust for the purposes for which the Award was made. The Recipient’s obligation to the Federal Government continues for the estimated useful life of the Project, as determined by EDA, during which EDA retains an undivided equitable reversionary interest (the “Federal Interest”) in property acquired or improved, in whole or in part, with the EDA investment. *See* 13 CFR § 314.2 (“Federal Interest”).

If EDA determines that the Recipient fails or has failed to meet this obligation, the Government may exercise any rights or remedies with respect to its Federal Interest in the Project. However, EDA’s forbearance in exercising any right or remedy in connection with the Federal Interest does not constitute a waiver thereof.

The Recipient agrees to provide EDA with information and documentation necessary for EDA to conduct due diligence to ensure the financial integrity and responsibility of the Recipient and key individuals associated with the Recipient in the management or administration of this Award.

5. Reaffirmation of Application and Award Acceptance.

The Recipient acknowledges that the Recipient’s Application for this Award may have been submitted to the Government and signed by the Recipient, or by an authorized representative of the Recipient, electronically without providing an original “wet” signature. In addition, the Recipient, or an authorized representative of the Recipient, may have accepted the Award electronically, which includes drawing down any funds at any time under this Award. Regardless of who submitted the Application to the Government or the means by which the Recipient submitted the Application or accepted the Award, the Recipient hereby reaffirms and states that:

- a. All data in the Application were true and correct when the Application was submitted and remain true and correct as of the date of this Award;

- b. The Application was, as of the date of submission and the date of this Award, duly authorized as required by local law by the governing body of the Recipient; and
- c. The Recipient has read, understood, and will comply with all terms of this Award, including the assurances and certifications submitted with, or attached to, the Application.

The Recipient agrees to immediately notify the Grants Officer of any material changes to the Application within 30 calendar days of the date the Recipient becomes aware of such changes.

6. Noncompliance with Award Provisions.

Failure to comply with the provisions of this Award may be grounds for appropriate enforcement action pursuant to 2 CFR § 200.338 (“Remedies for noncompliance”), including but not limited to:

- a. The imposition of additional Award conditions in accordance with 2 CFR § 200.207 (“Specific conditions”);
- b. Temporarily withholding Award payments pending the correction of the deficiency;
- c. The disallowance of Award costs and the establishment of an account receivable;
- d. Wholly or partially suspending or terminating this Award;
- e. Initiating suspension or debarment proceedings in accordance with 2 CFR parts 180 (“OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)”) and 1326 (“Nonprocurement Debarment and Suspension”);
- f. Withholding further Federal awards for the Project or program; and
- g. Such other remedies as may be legally available. *See also* 2 CFR §§ 200.339 (“Termination”) through 200.342 (“Effects of suspension and termination”).

In addition, failure to comply with the provisions of this Award may adversely impact the availability of funding under other active EDA or Federal awards and may also have a negative impact on the Recipient’s eligibility for future EDA or other Federal awards.

B. FINANCIAL REQUIREMENTS.

1. Financial Reports.

- a. During the period of performance, the Recipient shall submit financial reports as follows or as otherwise specified in the special award conditions.
 - i. *Reports on Award Reimbursements.* In accordance with 2 CFR § 200.327 (“Financial reporting”), the Recipient shall submit a “Federal Financial Report” (Form SF-425 or any successor form) on a semi-annual basis for the periods ending March 31 and September 30, or any portion thereof, unless otherwise specified in a special award condition. Reports are due no later than 30 calendar days following the end of each reporting period, and instructions for completing and submitting Form SF-425 will be discussed during the Project kick-off meeting. Recipients may contact their EDA Project Officer with questions on how to complete or submit the report, if necessary, but they are required to submit reports on time and are encouraged to pose such questions sufficiently

before the deadline to allow for complete, accurate, and timely submission of required reports.

- ii. *Reports on Award Advances.* While EDA generally does not advance funds, when the agency does so, the Recipient must submit Form SF-425 within 15 business days following the end of each quarter for an award under \$1 million, 15 business days following the end of each month for an award totaling \$1 million or more, or as otherwise specified in a special award condition.
- b. The Recipient must submit a final financial report using Form SF-425 within 90 calendar days of the expiration date of the Award.
- c. Noncompliance with the financial reporting requirements will result in appropriate enforcement action under this Award, including but not limited to suspension of Award payments or disallowance of costs.
- d. Financial reports should be submitted to the Project Officer in electronic format, unless otherwise specified in the special award conditions.

2. Disbursements.

- a. *Method of Payment.* The Grants Officer determines the appropriate method of payment. Unless otherwise specified in a special award condition, the method of payment under this Award will be reimbursement. Payments will be made through electronic funds transfers directly to the Recipient's bank account and in accordance with the requirements of the Debt Collection Improvement Act of 1996 (31 U.S.C. § 3720B *et seq.*). The Award number shall be included on all payment-related correspondence, information, and forms.
 - i. *State Recipients.* Consistent with 2 CFR § 200.305(a) ("Payment"), for States, payments are governed by Treasury-State Cash Management Improvement Act agreements and default procedures codified at 31 CFR part 205 ("Rules and Procedures for Efficient Federal-State Funds Transfers") and *Treasury Financial Manual Volume I, 4A-2000* ("Overall Disbursing Rules for All Federal Agencies").
 - ii. *Recipients Other than States.* Consistent with 2 CFR § 200.305(b), for Recipients other than States, payment methods must minimize the amount of time elapsing between the transfer of funds from the U.S. Treasury or the pass-through entity and the disbursement by the non-Federal entity.
- b. *Disbursement Requests.* The Recipient shall use Form SF-271, "Outlay Report and Request for Reimbursement for Construction Programs," to request reimbursement under the Award. Substantiating invoices and/or vouchers also must be provided. Each request for the disbursement of funds shall be made to the Project Officer. Form SF-271 can be downloaded from OMB's website at www.whitehouse.gov/omb/grants/grants_forms.html.
 - i. *Initial Disbursement Request.* For the initial disbursement only, the Recipient must complete and submit Form SF-3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," along with Form SF-271, to the Project Officer.
 - ii. *Interim Disbursement Requests.* All requests for interim disbursement shall be submitted using Form SF-271 and include substantiating invoices and/or vouchers.

- iii. *Final Disbursement Request.* See section C.19 “Project Closeout Procedures” in these Construction ST&Cs.

3. Federal and Non-Federal Cost Sharing.

- a. For purposes of this Award, the Federal share is the amount of EDA funds invested under the Award, while the non-Federal share, or “Matching Share,” means non-EDA funds and any in-kind contributions that are approved by EDA and provided by the Recipient or by third parties as a condition of the Award. Awards that include a Federal and non-Federal share incorporate an estimated budget consisting of shared allowable costs. If actual allowable costs are less than the total approved estimated budget, the Federal share and Matching Share shall be calculated by applying the approved Federal and non-Federal cost share ratios to actual allowable costs. See 13 CFR §§ 305.10 (“Bid underrun and overrun”) and 308.1 (“Use of funds in projects constructed under projected cost”). As noted below in section B.4 “Budget Revisions and Transfers of Funds Among Cost Categories” of these Construction ST&Cs, if actual allowable costs are greater than the total approved estimated budget, the Federal share shall not exceed the total Federal dollar amount authorized by this Award.
- b. The Matching Share, whether cash or in-kind, shall be paid out at the same general rate as the Federal share. Exceptions to this requirement may be granted by the Grants Officer based on sufficient documentation demonstrating previously determined plans for, or later commitment of, cash or in-kind contributions. In any case, the Recipient must meet its non-Federal cost share commitment over the Award period of performance; failure to do so may result in the assignment of special award conditions or other further action as specified in section A.6 “Noncompliance with Award Provisions” of these Construction ST&Cs.
- c. The Recipient must create and maintain sufficient records justifying the required Matching Share to facilitate questions, audits, and other inquiries necessary to meet EDA’s requirements to safeguard Federal funds, and must provide these records if requested by EDA, auditors, or other Federal parties. See also section C.17 “Record-Keeping Requirements” of these Construction ST&Cs. EDA may disallow undocumented costs. See 2 CFR § 200.306 for additional requirements regarding cost sharing.
- d. The Recipient shall show that the Matching Share is committed to the Project, available as needed, and not conditioned or encumbered in any way that precludes its use consistent with the requirements of EDA Investment Assistance. See 13 CFR § 301.5 (“Matching share requirements”).

4. Budget Revisions and Transfers of Funds Among Budget Categories.

The EDA-approved budget is the budget plan for the Project. The Recipient must notify EDA of deviations from the budget or program plans in accordance with 2 CFR § 200.308 (“Revision of budget and program plans”), including any change in scope of work or the objective of the Project (even if there is no associated budget revision requiring prior written approval). If prior written approval is not required under 2 CFR § 200.308, the Recipient may request the Grants Officer’s review of and guidance on proposed revisions to the budget.

- a. Requests for budget revisions to the EDA-approved budget in accordance with the provisions below must be submitted through the Project Officer to the Grants Officer, who shall make the final determination on such requests and notify the Recipient in writing.
- b. In accordance with 2 CFR § 200.308(g), EDA’s prior written approval and an amendment executed by the Grants Officer and the Recipient using Form CD-451 or any successor form are required for budget revisions when:
 - i. The revision results from changes in the scope or the objective of the Project;
 - ii. The need arises for additional EDA funds to complete the Project;
 - iii. The Federal share exceeds \$150,000 and the cumulative amount of transfers among direct cost categories exceeds or is expected to exceed 10 percent of the total budget as last approved by EDA; and
 - iv. A revision is desired that involves specific costs for which prior written approval requirements may be imposed consistent with applicable cost principles listed in subpart E of 2 CFR part 200 (“Cost Principles”).
- c. When an Award supports both construction and non-construction work, the Recipient must obtain prior written approval from the Grants Officer before making any fund or budget transfers from non-construction to construction or vice versa. *See* 2 CFR § 200.308(g)(5).
- d. Transfers shall not be permitted if such transfers would cause any Federal appropriation, or part thereof, to be used for purposes other than those intended. This transfer authority does not authorize the Recipient to create new budget categories within an approved budget unless the Grants Officer has provided prior written approval. *See* 2 CFR § 200.308.
- e. *Project Underrun Amounts.* Underrun amounts shall be transferred to the contingencies line item. Contingency funds are to be used to address situations resulting from unknown conditions and changes required for the fulfillment of authorized activities under this Award. EDA may approve the use of underrun funds to increase the Federal share of the Project or further improve the Project, as long as EDA determines that the use is consistent with the original purpose of the approved EDA investment. *See* 13 CFR § 308.1 (“Use of funds in projects constructed under projected cost”).
- f. *Additional EDA Funding in Case of Project Overrun Amounts.* In accepting this Award, the Recipient agrees to fund any overrun amounts from non-Federal sources. Additional EDA assistance for the Project may not be approved.

5. Indirect Costs and Facilities and Administrative Costs.

- a. Indirect costs, or facilities and administrative (“F&A”) costs for educational institutions, are generally not applicable under this Award. See the definition of indirect costs at 2 CFR § 200.56 (“Indirect (facilities & administrative (F&A)) costs”).
- b. When indirect costs are applicable, they will not be allowable charges against the Award unless approved under the Award and specifically included as a line item in the Award’s approved budget.
- c. Excess indirect costs may not be used to offset unallowable direct costs.

- d. Under 2 CFR § 200.306(c) (“Cost sharing or matching”), unrecovered indirect costs, including indirect costs on cost sharing or matching, may be included as part of cost sharing or matching only with the prior written approval of EDA.
- e. *Cognizant Agency for Indirect (F&A) Costs*. OMB established the cognizant agency concept, under which a single agency represents all others in dealing with Recipients in common areas, including reviewing and approving indirect cost rates applicable to Federal grants.
 - i. *Determining the Cognizant Agency for Non-Commercial Organizations*. In accordance with 2 CFR § 200.19 (“Cognizant agency for indirect costs”), the cognizant agency for indirect costs is the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals on behalf of all Federal agencies. Approved rates must be accepted by other agencies, unless a Federal statute or regulation requires use of a different rate or a Federal agency awarding head or delegate approves a different rate in accordance with 2 CFR § 200.414(c) (“Indirect (F&A) costs”).

If indirect costs are permitted, but the Recipient has not previously established an indirect cost rate with a Federal agency, the Recipient may consult Appendices III–VII to 2 CFR part 200 for information on determining the relevant cognizant agency and developing and submitting indirect (F&A) cost rate proposals and cost allocation plans:

- (1) Appendix III to 2 CFR part 200 – Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education (IHEs);
 - (2) Appendix IV to 2 CFR part 200 – Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations;
 - (3) Appendix V to 2 CFR part 200 – State/Local Government and Indian Tribe-Wide Central Service Cost Allocation Plans;
 - (4) Appendix VI to 2 CFR part 200 – Public Assistance Cost Allocation Plans; and
 - (5) Appendix VII to 2 CFR part 200 – States and Local Government and Indian Tribe Indirect Cost Proposals.
- ii. *General Review Procedures When DOC Is the Cognizant Agency*.
 - (1) Within 90 days of the Award start date the Recipient shall submit to the Grants Officer any documentation (indirect cost proposal, cost allocation plan, etc.) necessary to allow the agency to perform the indirect cost rate proposal review.
 - (2) The Recipient may use the fixed rate proposed in the indirect cost plan as a provisional rate until DOC provides a response to the submitted plan.
 - iii. *When DOC Is Not the Oversight or Cognizant Agency*. When the cognizant Federal agency is not DOC, the non-Federal entity shall provide the Grants Officer with a copy of a negotiated rate agreement or a copy of the transmittal letter submitted to the cognizant or oversight Federal agency requesting a negotiated rate agreement.
- f. If the Recipient entity fails to submit required documentation to DOC within 90 days of the Award start date, the Grants Officer may amend the Award to preclude the recovery of any indirect costs under the Award. If the DOC, oversight, or cognizant Federal agency determines there is a finding of good and sufficient cause to excuse the Recipient’s delay in

submitting the documentation, an extension of the 90-day due date may be approved by the Grants Officer.

- g. The maximum dollar amount of allocable indirect costs for which DOC will reimburse the recipient shall be the lesser of:
 - i. The line item amount for the Federal share of indirect costs contained in the approved Award budget, including all budget revisions approved in writing by the Grants Officer; or
 - ii. The Federal share of the total indirect costs allocable to the Award based on the indirect cost rate approved by the cognizant agency for indirect costs and applicable to the period in which the cost was incurred, provided that the rate is approved on or before the Award end date.
- h. In accordance with 2 CFR § 200.414(g) (“Indirect (F&A) costs”), any Recipient that has a negotiated indirect cost rate may apply to the entity’s cognizant agency for indirect costs for a one-time extension of a currently negotiated indirect cost rate for a period of up to four years, reducing the frequency of rate calculations and negotiations between an institution and its cognizant agency.
- i. Any Recipient that has never received a negotiated indirect cost rate, except for those Recipients described in Paragraph D.1.b of Appendix VII to 2 CFR part 200 (specifically, a governmental department or agency that receives more than \$35 million in direct Federal funding), may elect to charge a *de minimis* rate of 10 percent of modified total direct costs. *See* 2 CFR § 200.414(f).

6. Incurring Costs Prior to Award.

Project activities carried out prior to EDA’s approval of this Award shall be carried out at the sole risk of the Recipient. Such activity may result in the rejection of the Application, the disallowance of costs, or other adverse consequences as a result of noncompliance with EDA or Federal law, including but not limited to procurement requirements, civil rights requirements, Federal labor standards, or environmental and historic preservation requirements. The Grants Officer must authorize pre-award costs in writing, and such costs must also be allowable under relevant Federal cost principles and the specific Award terms and be included in the EDA approved budget. Pre-award costs not included in the authorized budget are not allowable and may not be reimbursed. *See* 13 CFR § 302.8 (“Pre-approval Investment Assistance costs”).

7. Incurring Costs or Obligating Federal Funds Beyond the Project Expiration Date.

- a. The Recipient shall not incur costs or obligate funds for any purpose pertaining to the Project, program, or activities beyond the authorized period of performance documented in the Award agreement, unless a written time extension of this Award is granted by the Grants Officer. The only costs that are authorized for a period of up to 90 calendar days following the end date of the period of performance are those strictly associated with Closeout activities. Closeout activities are generally limited to the preparation of final progress, financial, and required Project audit reports unless otherwise approved in writing by the Grants Officer. The Grants Officer may approve extensions of the 90 calendar-day Closeout period upon a request by the Recipient as provided in 2 CFR § 200.343 (“Closeout”), as applicable.

- b. The Recipient shall adhere to the development time schedule and time limits set out in the special award conditions if they differ from those provided in these Construction ST&Cs.
- c. Neither DOC nor EDA has any obligation to provide any additional prospective funding. Any amendment of the Award to increase funding and to extend the period of performance is at the sole discretion of DOC and/or EDA.

8. Time Extensions.

- a. Unless otherwise authorized in 2 CFR § 200.308 (“Revision of budget and program plans”), or a special award condition, any extension of the period of performance can only be authorized by the Grants Officer in writing. A verbal or written assurance of funding from other than the Grants Officer, including Regional Office staff other than the Grants Officer, does not constitute authority to obligate funds for programmatic activities beyond the expiration date of the period of performance.
- b. The Recipient is responsible for implementing the Project in accordance with the development time schedule contained in this Award. As soon as the Recipient becomes aware that it will not be possible to meet the development time schedule, the Recipient must notify the Grants Officer. The Recipient’s notice to EDA must contain the following:
 - i. An explanation of the Recipient’s inability to complete work by the specified date (*e.g.*, a lengthy period of unusual weather delayed the contractor’s ability to excavate the site, major re-engineering required in order to obtain State or Federal approvals, unplanned environmental mitigation required);
 - ii. A statement that no other changes to the Project are contemplated;
 - iii. Documentation that demonstrates there is still a bona fide need for the Project; and
 - iv. A statement that no further delay is anticipated and that the Project can be completed within the revised time schedule.

EDA reserves the right to withhold disbursements while the Recipient is not in compliance with the time schedule and to suspend or terminate this Award if the Recipient fails to proceed with reasonable diligence to accomplish the Project as intended.

9. Tax Refunds.

Refunds of Federal Insurance Contributions Act (“FICA”) or Federal Unemployment Tax Act (“FUTA”) taxes received by the Recipient during or after the period of performance must be refunded or credited to DOC where the benefits were financed with Federal funds under the Award. The Recipient agrees to contact the Grants Officer immediately upon receipt of these refunds. The Recipient further agrees to refund portions of FICA/FUTA taxes determined to belong to the Federal Government, including refunds received after the expiration of the Award period of performance.

10. Program Income.

For Projects that generate rental revenue (*e.g.*, buildings or real property constructed or improved for the purpose of renting or leasing space), the Recipient agrees, for the estimated useful life (as

determined by EDA) of the EDA-assisted facility, to use such income generated from the rental or lease of any Project facility in the following order of priority:

- a. Administration, operation, maintenance, and repair of Project facilities in a manner consistent with good property management practice and in accordance with established building codes. This includes, where applicable, repayment of indebtedness resulting from any EDA approved encumbrance (*e.g.*, approved mortgage) on the EDA-assisted facility.
- b. Economic development activities that are authorized for support by EDA, provided such activities meet the economic development purposes of PWEDA.
- c. Any income in excess of paragraphs a. and b. of this section must be deducted from total allowable Project costs in accordance with 2 CFR § 200.307(e).

See 2 CFR § 200.307 (“Program income”).

C. PROGRAMMATIC REQUIREMENTS.

1. Project Progress and Performance Reporting.

- a. Project progress reports must be submitted in accordance with the procedures set out in 2 CFR § 200.328 (“Monitoring and reporting program performance”), as applicable, and as indicated below. Failure to submit required reports in a timely manner may result in the withholding of payments under this Award; deferral of processing of new awards, amendments, or supplemental funding pending the receipt of the overdue reports; or the establishment of an account receivable for the difference between the total Federal share of outlays last reported and the amount disbursed. *See* 13 CFR § 302.18 (“Post-approval requirements”).
- b. Unless otherwise specified in this Award, the Project progress report will contain the following information for each Project program, function, or activity:
 - i. A comparison of planned and actual accomplishments according to the timetable or list of Project objectives in this Award;
 - ii. An explanation of any delays or failures to meet the Project timetable or Project goals; and
 - iii. Any other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Project progress reports shall be submitted for each calendar quarter to the Project Officer. Each Project progress report must be submitted in accordance with the deadlines outlined in the special award conditions, or, where not otherwise specified, Project progress reports will be due on a quarterly basis not later than January 31, April 30, July 31, and October 31 for the immediate previous quarter. The final Project progress report shall be submitted to EDA no more than 90 calendar days after the Project Closeout date. This reporting requirement begins with the Recipient’s acceptance of this Award and ends when EDA approves Project Closeout.

The Recipient shall submit quarterly Project progress reports to the EDA Project Officer electronically unless otherwise specified in the special award conditions.

2. Reporting on Real Property.

The Recipient must submit reports (using Form SF-429 “Real Property Status Report” or any successor form) at least annually on the status of real property in which EDA retains an interest, unless the Federal interest in the real property extends 15 years or longer. When EDA’s interest extends for a period of 15 years or more, EDA, at its option, may require the Recipient to report at various multi-year frequencies (*e.g.*, every two years or every three years, not to exceed a five-year reporting period; or annual reporting for the first three years of the Award and thereafter every five years). *See* 2 CFR § 200.329 (“Reporting on real property”) and section L.3.h “EDA’s Interest in Award Property” of these Construction ST&Cs.

3. Interim Reporting of Significant Project Developments.

The Recipient must report any event that will or may have a significant impact upon the Project, including delays or adverse conditions that materially may affect the ability of the Recipient to attain Project objectives within established time periods or meet the development time schedule. The Recipient should report such events to the Project Officer in the most time-expedient way possible and then, if the initial report was not in writing, report the event to the Project Officer in writing. Such a report shall include a statement of the event or issue, a statement of the course of action taken or contemplated to resolve the matter, and any Federal assistance needed to resolve the situation. If budget changes are required, the Recipient must submit a written budget revision request. *See* 2 CFR § 200.328(d) (“Monitoring and reporting program performance”).

4. Government Performance and Results Act Reporting.

In addition to quarterly Project progress reports, EDA may require the Recipient to report on Project performance beyond the Project Closeout date for Government Performance and Results Act (“GPRA”) purposes. In no case shall the Recipient be required to submit any report more than ten years after the Project Closeout date. Data used by the Recipient in preparing reports shall be accurate and, whenever possible, from independent sources. *See* 13 CFR § 302.16 (“Accountability”).

5. Unsatisfactory Performance.

Failure to perform the work in accordance with the Terms and Conditions of the Award and maintain at least satisfactory performance may result, at EDA’s discretion, in the assignment of additional award conditions pursuant to 2 CFR § 200.207 (“Specific conditions”) or other appropriate enforcement actions as specified in 2 CFR § 200.338 (“Remedies for noncompliance”). *See also* section A.6 “Noncompliance with Award Provisions” of these Construction ST&Cs.

6. Programmatic Changes.

- a. In accordance with 2 CFR § 200.308 (“Revisions of budget and program plans”), the Recipient shall report programmatic changes, including all changes to the scope of the Award, to the Project Officer. In accordance with section B.4 “Budget Revisions and Transfers of Funds Among Budget Categories” of these Construction ST&Cs, certain budget revisions require the prior written approval of EDA. In these cases, the Project Officer will

forward the request to the Grants Officer, who makes the final decision on approving the request. In addition, the Recipient shall request prior written approvals for certain items of cost in accordance with 2 CFR § 200.407 (“Prior written approval (prior approval)”).

- b. Any changes made to the Project without EDA’s approval are made at the Recipient’s risk of nonpayment of costs, suspension, termination, or other EDA action with respect to the Award. *See* 13 CFR § 302.7(b) (“Amendments and changes”).
- c. *Contract Change Orders.* After construction contracts for the Project have been executed, it may become necessary to alter them, which requires a formal contract change order that must be issued by the Recipient and accepted by the contractor. All contract change orders must be reviewed by EDA, even if EDA is not participating in the cost of the change order or the contract price is to be reduced. Work on the Project may continue pending EDA review and approval of the change order, but all such work shall be at the Recipient’s risk as to whether the cost of the work is eligible for EDA participation until the Recipient receives EDA’s written approval for the change order. *See* 13 CFR § 305.13 (“Contract change orders”).

7. Other Federal Awards with Similar Programmatic Activities.

The Recipient shall immediately notify the Project Officer and the Grants Officer in writing if, after receipt of this Award, other financial assistance is received to support or fund any portion of the scope of work incorporated into this Award. EDA will not pay for costs that are funded by other sources.

8. Beneficiary Compliance.

In the event a beneficiary of the Project fails to comply in any manner with certifications, assurances, or agreements that such beneficiary has entered into in accordance with EDA’s requirements, the Recipient will reimburse the Government the Award amount or an amount to be determined by the Government pursuant to 13 CFR §§ 314.4 (“Unauthorized use of property”) and 314.5 (“Federal share”). Where the Government determines that the failure of a beneficiary to comply with EDA requirements affects a portion of the property benefited by the Award, the Recipient will reimburse the Government proportionately.

9. Prohibition Against Assignment by the Recipient.

The Recipient shall not transfer, pledge, mortgage, or otherwise assign the Award, or any interest therein, or any claim arising thereunder, to any party or parties, banks, trust companies, or other financing or financial institutions without the express prior written approval of the Grants Officer, which approval may be provided in a special award condition.

10. Disclaimer Provisions; Hold Harmless Requirement.

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient, subrecipient, or third persons for the actions of the Recipient, subrecipient, or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this Award or any subaward or subcontract under this Award.

- b. The acceptance of this Award or any subaward by the Recipient or subrecipient does not in any way constitute an agency relationship between the United States and the Recipient or subrecipient.
- c. To the extent permitted by law, the Recipient agrees to indemnify and hold the Government harmless from and against all liabilities that the Government may incur as a result of providing an award to assist, directly or indirectly, in the preparation of the Project site or construction, renovation, or repair of any facility on the Project site, to the extent that such liabilities are incurred because of toxic or hazardous contamination or groundwater, surface water, soil, or other conditions caused by operations of the Recipient or any of its predecessors (other than the Government or its agents) on the property. *See* 13 CFR § 302.19 (“Indemnification”).

11. Prohibition on Use of Third Parties to Secure Award.

Unless otherwise specified in the special award conditions to this Award, the Recipient warrants that no person or selling agency has been employed or retained to solicit or secure this Award upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees, or bona fide established commercial or selling agencies maintained by the Recipient for the purpose of securing business. For breach or violation of this warrant, the Government has the right to annul this Award without liability, or at its discretion, to deduct from the Award sum, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

12. Payment of Attorneys’ or Consultants’ Fees.

No Award funds shall be used, directly or indirectly, to reimburse attorneys’ or consultants’ fees incurred in connection with obtaining Investment Assistance under PWEDA, such as, for example, preparing the Application for EDA Investment Assistance. However, ordinary and reasonable attorneys’ and consultants’ fees incurred for meeting Award requirements (*e.g.*, conducting a title search or preparing plans and specifications) may be eligible Project costs and may be paid out of Award funds, provided such costs are otherwise eligible. *See* 13 CFR § 302.10 (“Attorneys’ and consultants’ fees, employment of expeditors, and post-employment restriction”).

13. Recipient’s Duty to Refrain from Employing Certain Government Employees.

- a. Pursuant to section 606(2) of PWEDA (42 U.S.C. § 3216), for the two-year period beginning on the date EDA executes this Award, any Recipient that is a nonprofit organization, District Organization, or for-profit entity agrees that it will not employ, offer any office or employment to, or retain for professional services any person who:
 - i. On the date the Government executes this Award or within the one-year period ending on that date, served as an officer, attorney, agent, or employee of the Department, and
 - ii. Occupied a position or engaged in activities that the Assistant Secretary determines involved discretion with respect to the awarding of Investment Assistance under PWEDA.

- b. In addition to the types of Recipients noted in paragraph a above, EDA may require another Eligible Applicant to execute an agreement to abide by the above-described post-employment restriction on a case-by-case basis—for example, when an institution of higher education implements activities under or related to the Investment Assistance through a separate nonprofit organization or association.
- c. The two-year period and associated restrictions referenced above also shall apply beginning on the date that EDA executes any cost amendment to this Award that provides additional funds to the Recipient.

See also 13 CFR § 302.10 (“Attorneys’ and consultants’ fees, employment of expeditors, and post-employment restriction”).

14. Commencement of Construction and Project Sign.

- a. *Delayed Construction Starts.* If significant construction (as determined by EDA) is not commenced within two years of the Award date or by the date estimated for start of construction in this Award (or the expiration of any extension granted in writing by EDA), whichever is later, this Award will be automatically suspended and may be terminated if EDA determines, after consultation with the Recipient, that construction to completion cannot reasonably be expected to proceed promptly and expeditiously.
- b. *Early Construction Starts.* The Recipient shall make a written request to EDA for early construction start permission (that is, after the date of Award, but before EDA gives formal approval for construction to commence). For Project costs to be eligible for EDA reimbursement, EDA must determine that the award of all contracts necessary for design and construction of the Project facilities is in compliance with the Terms and Conditions of this Award. If construction commences prior to EDA’s determination, the Recipient proceeds at its own risk until EDA’s review and concurrence. *See* 13 CFR § 305.11 (“Contract awards; early construction start”).
- c. *Project Sign.* The Recipient is responsible for constructing, erecting, and maintaining in good condition throughout the construction period a sign (or signs) in a conspicuous place at the Project site indicating that the Federal Government is participating in the Project. EDA will provide specifications for the sign and may require more than one sign if site conditions so warrant. If the EDA-recommended sign specifications conflict with State or local law, the Recipient may modify such recommended specifications so as to comply with State or local law. *See* 13 CFR § 305.12 (“Project sign”).

15. Efficient Administration of Project.

The Recipient agrees to properly and efficiently administer, operate, and maintain the Project for its estimated useful life, as required by section 504 of PWEDA (42 U.S.C. § 3194). If the Government determines, at any time during the estimated useful life of the facility, that the Project is not being properly and efficiently administered, operated, and maintained, the Government may terminate this Award (if it is still active) and/or may take appropriate enforcement action to protect the Federal Interest in the Project, including requiring the Recipient to repay the Federal Share. *See* 13 CFR §§ 302.12 (“Project administration, operation and maintenance”), 302.18 (“Post-approval requirements”), and 314.2 (“Federal interest”) through 314.5 (“Federal share”).

16. Conflicts-of-Interest Rules.

- a. An “Interested Party” is defined in 13 CFR § 300.3 (“Definitions”) as “any officer, employee, or member of the board of directors or other governing board of the Recipient, including any other parties that advise, approve, recommend, or otherwise participate in the business decisions of the Recipient, such as agents, advisors, consultants, attorneys, accountants, or shareholders.” An Interested Party includes the Interested Party’s “Immediate Family” (defined in 13 CFR § 300.3 as “a person’s spouse (or domestic partner or significant other), parents, grandparents, siblings, children and grandchildren, but does not include distant relatives, such as cousins, unless the distant relative lives in the same household as the person”) and other persons directly connected to the Interested Party by law or through a business organization.
- b. The Recipient must disclose in writing any potential conflicts of interest to EDA or the pass-through entity. In addition, the Recipient must maintain written standards of conduct to establish safeguards to prohibit an Interested Party from using its position for a purpose that constitutes or presents the appearance of personal or organizational conflicts-of-interest or of personal gain in the administration of an award. *See* 13 CFR § 302.17(a) and (b) (“Conflicts of interest”), 2 CFR § 200.112 (“Conflict of interest”), as applicable, and Forms SF-424B (“Assurances – Non-Construction Projects”) and SF-424D (“Assurances – Construction Projects”).
- c. An Interested Party must not receive any direct or indirect financial or personal interests or benefits in connection with this Award or its use for payment or reimbursement of costs by or to the Recipient. A financial interest or benefit may include employment, stock ownership, a creditor or debtor relationship, or prospective employment with the organization selected or to be selected for a subaward. An appearance of impairment of objectivity could result from an organizational conflict where, because of other activities or relationships with other persons or entities, a person is unable or potentially unable to render impartial assistance, services, or advice. It also could result from non-financial gain to the individual, such as benefit to reputation or prestige in a professional field. *See* 13 CFR § 302.17(a) and (b).
- d. Procurement-related conflicts of interest. In addition, in accordance with 2 CFR § 200.318(c) (“General procurement standards”), the Recipient must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts. *See* 2 CFR §§ 200.317–200.326 (“Procurement Standards”).

17. Record-Keeping Requirements.

- a. *Records.* The Recipient must maintain records that document compliance with the Terms and Conditions of this Award. At a minimum, the Recipient’s records must fully disclose:
 - i. The amount and disposition of EDA investment assistance;
 - ii. All Project expenditures and procurement actions;
 - iii. The total cost of the Project that the Award funds;
 - iv. Copies of all reports and disbursement requests submitted to EDA;

- v. The benefits/impacts of the Project, as reported through GPRA and other reports to EDA;
 - vi. The amount and nature of the portion of Project costs provided by non-EDA sources;
 - vii. Contractor compliance with applicable Federal requirements; and
 - viii. Such other records as EDA determines will facilitate an effective audit.
- b. *Records Retention.* In general and in accordance with 2 CFR § 200.333 (“Retention requirements for records”), all records pertinent to this Award must be retained for a period of three years from the date of submission of the final Project expenditure report (the final Form SF-271 for disbursement). The only exceptions are the following:
- i. If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved and final actions taken.
 - ii. When the Recipient is notified in writing by EDA, the cognizant agency for either audit or indirect costs, the oversight agency for audit, or the relevant pass-through entity to extend the retention period, it must retain the records as directed.
 - iii. Records for real property and equipment acquired with Federal funds must be retained for three years after final disposition of the relevant real property or equipment.
 - iv. When records are transferred or maintained by EDA, the three-year retention requirement is not applicable to the Recipient.
 - v. Records for program income transactions after the period of performance. In some cases Recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the Recipient’s fiscal year in which the program income is earned.
 - vi. Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - (1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the three-year retention period for its supporting records starts from the date of such submission.
 - (2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the three-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.
- c. *Monitoring and Reporting Obligations.* The Recipient is responsible for monitoring any subrecipients and contractors to ensure their compliance with the records retention requirements. The Recipient must immediately notify the Project Officer if records are lost,

destroyed, or are otherwise no longer available, or if the Recipient anticipates that it will not be able to comply with the record retention requirements under the Award for the general retention periods noted above. *See* 13 CFR § 302.14 (“Records”), as applicable.

18. Termination Actions.

- a. In accordance with 2 CFR § 200.339 (“Termination”), this Award may be terminated in whole or in part as follows:
 - i. *Termination by EDA for the Recipient’s Failure to Comply with the Terms and Conditions of the Award.* EDA may terminate this Award, in whole or in part, if the Recipient fails to comply with the Terms and Conditions of the Award, including if:
 - (1) Any representation made by the Recipient to the Federal awarding agency in connection with the Application for Federal assistance is incorrect or incomplete in any material respect;
 - (2) The Project has changed substantially, without EDA approval, so as to affect significantly the accomplishment of the Project as intended (including an unauthorized use of property as provided in 13 CFR § 314.4 (“Unauthorized use of property”));
 - (3) The Recipient has violated commitments it made in its Application and supporting documents or has violated any of the Terms and Conditions of the Award;
 - (4) The conflicts-of-interest rules at 13 CFR § 302.17 (“Conflicts of interest”) are violated; or
 - (5) The Recipient fails to report immediately to the Federal awarding agency any change of authorized representative acting in lieu of or on behalf of the Recipient.
 - ii. *Termination by EDA for Cause.* EDA may terminate this Award for cause if required by a circumstance beyond EDA’s control, such as a Congressional mandate.
 - iii. *Termination by the Recipient.* The Recipient may terminate this Award in whole or in part upon sending the EDA Grants Officer written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if EDA determines in the case of partial termination that the reduced or modified portion of the EDA Award will not accomplish the purposes for which the EDA Award was made, EDA may terminate the Award in its entirety.
 - iv. *Termination Upon Mutual Agreement.* EDA and the Recipient may mutually agree to terminate this Award in whole or in part. In such cases, EDA and the Recipient must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated.
- b. If the Award is wholly or partially terminated, the Recipient remains responsible for compliance with the requirements in 2 CFR §§ 200.343 (“Closeout”) and 200.344 (“Post-closeout adjustments and continuing responsibilities”).

19. Project Closeout Procedures.

As noted above in section C.15 “Efficient Administration of Project” of these Construction ST&Cs, after construction is completed and the Project is closed out financially, the Recipient has an ongoing responsibility to properly administer, operate, and maintain the Project for its estimated useful life (as determined by EDA) in accordance with its original purpose. See 13 CFR § 302.12 (“Project administration, operation and maintenance”). The Recipient must comply with all Award requirements and maintain records to document such compliance, which shall be made available for inspection by EDA or other Government officials as required.

- a. *Final Disbursement.* When Project construction and final inspection have been completed, or substantially completed as determined by EDA, and the Recipient has accepted the Project from the contractor, the Recipient can begin the Closeout process by submitting the following documentation to EDA:
 - i. A request for final disbursement on an executed Form SF-271;
 - ii. A written certification that all costs charged against this Award (Federal and non-Federal shares) are for eligible activities and represent allowable costs, for which there is documentation in the Recipient’s records;
 - iii. An executed certificate of final acceptance signed by the Recipient and the Recipient’s architect/engineer;
 - iv. The Recipient’s certification that its currently valid single or program-specific audit in accordance with subpart F of 2 CFR part 200 (“Audit Requirements”), if applicable, does not contain any material findings (if the Recipient’s currently valid audit does contain material findings, the Recipient shall submit the applicable audit preferably via e-mail to the Project Officer, who will review with the Grants Officer);
 - v. The Recipient’s certification that its currently valid audit (in accordance with subpart F of 2 CFR part 200), if applicable, has been submitted to the Federal Audit Clearinghouse; and
 - vi. Other documentation as may be required by EDA.

EDA shall advise the Recipient of costs determined to be allowable and unallowable. If a balance of this Award is due to the Recipient, the balance will be paid by wire transfer. If the Recipient has received an amount in excess of the amount due the Recipient, the Recipient must refund the excess to EDA. The Recipient shall contact the Project Officer for refund instructions.

As noted above, if the Recipient’s currently valid audit completed pursuant to subpart F of 2 CFR part 200 contains material findings, the Recipient shall submit the audit, preferably via e-mail, to the Project Officer, who will review with the Grants Officer before final disbursement. If e-mail is unavailable, the Recipient may submit a hardcopy version of the audit to the Project Officer.

- b. The Recipient shall submit, within 90 calendar days after the Project Closeout date, all financial, performance, and other reports as required by the Terms and Conditions of this Award. The Grants Officer may extend the 90 calendar day Closeout period upon a written request from the Recipient.

- c. As required under GPRA and in accordance with a schedule that will be provided by EDA, the Recipient must submit additional Performance Measurement Reports, generally three, six, and nine years after the date of the Award to accurately and completely report the impacts of the Project, especially in terms of job creation and private investment leveraging.
- d. Unless EDA authorizes an extension, the Recipient shall liquidate all obligations incurred under this Award no later than 90 calendar days after acceptance of the Project from the contractor or within 90 calendar days of the expiration date of this Award, whichever occurs earlier.
- e. In accordance with 2 CFR § 200.344 “Post-closeout adjustments and continuing responsibilities,” the Closeout of this Award does not affect any of the following:
 - i. The right of EDA to disallow costs and recover funds on the basis of a later audit or other Project review;
 - ii. The Recipient’s obligation to return any funds due as a result of later corrections or other transactions;
 - iii. Audit requirements per subpart F of 2 CFR part 200; and
 - iv. Requirements for property management and disposition, records retention, and performance measurement reports. *See* subpart D of 2 CFR part 200 (“Post Federal Award Requirements”), as applicable.

20. Freedom of Information Act.

EDA is responsible for meeting its Freedom of Information Act (“FOIA”) (5 U.S.C. § 552) responsibilities for its records. DOC regulations at 15 CFR part 4 set forth the requirements and procedures that EDA must follow in order to make the requested material, information, and records publicly available. Unless prohibited by law and to the extent required under the FOIA, contents of Applications and other information submitted by applicants and Recipients may be released in response to a FOIA request. The Recipient should be aware that EDA may make certain Application and other submitted information publicly available. Accordingly, as set forth in 15 CFR § 4.9, the Recipient should identify in its Application any “business information” it believes to be protected from disclosure pursuant to 5 U.S.C. § 552(b)(4).

D. ADDITIONAL REQUIREMENTS RELATING TO CONSTRUCTION PROJECTS.

The Recipient and any subrecipients must, in addition to other statutory and regulatory requirements detailed in these Construction ST&Cs and the assurances made to EDA in connection with the Award, comply and require each of its contractors and subcontractors employed in the completion of the Project to comply with all applicable Federal, State, territorial, and local laws, and in particular, the following Federal public laws (and the regulations issued thereunder), executive orders, OMB circulars, Uniform Guidance, and local law requirements.

- 1. The Davis-Bacon Act, as amended (40 U.S.C. §§ 3141–3144, 3146, 3147; 42 U.S.C. § 3212),** which requires minimum wages for mechanics and laborers employed on Federal Government public works projects to be based on the wages that the Secretary of Labor determines to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State in which the Project is to be performed, or in the District of Columbia if the Project is to be performed there.

2. **The Contract Work Hours and Safety Standards Act, as amended (40 U.S.C. §§ 3701-3708)**, which provides work hour standards for every laborer and mechanic employed by any contractor or subcontractor in the performance of a Federal public works project.
3. **The National Historic Preservation Act of 1966, as amended (54 U.S.C. § 300101 *et seq.*), and the Advisory Council on Historic Preservation Guidelines (36 CFR part 800)**, which require stewardship of historic properties in projects involving Federal funds.
4. **The Historical and Archeological Data Preservation Act of 1974, as amended (16 U.S.C. § 469a-1 *et seq.*)**, which requires appropriate surveys and preservation efforts if a Federally licensed project may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data.
5. **The Architectural Barriers Act of 1968, as amended (42 U.S.C. § 4151 *et seq.*)**, and the regulations issued thereunder, which prescribe standards for the design and construction of any building or facility intended to be accessible to the public or that may house handicapped employees.
6. **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. § 4601 *et seq.*)**, and implementing regulations issued at 49 CFR part 24 (“Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs”), which establish uniform policies for the fair and equitable treatment of persons, businesses, or farm operations affected by the acquisition, rehabilitation, or demolition of real property acquired for a project financed wholly or in part with Federal financial assistance.
7. **The Energy Conservation and Production Act (42 U.S.C. § 6834 *et seq.*)**, which establishes energy efficiency performance standards for the construction of new residential and commercial structures undertaken with Federal financial assistance.
8. **Compliance with Local Construction Requirements.** The Recipient will comply with current local building codes, standards, and other requirements applicable to the Project.

E. NONDISCRIMINATION REQUIREMENTS.

No person in the United States shall, on the ground of race, color, national origin, handicap, age, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. The Recipient agrees to comply with the nondiscrimination requirements below.

1. Statutory Provisions.

- a. **Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*)** and DOC implementing regulations published at 15 CFR part 8 (“Nondiscrimination in Federally Assisted Programs of the Department of Commerce—Effectuation of Title VI of the Civil Rights Act of 1964”), which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving Federal financial assistance. *See* the Department’s Title VI compliance provisions at 15 CFR §§ 8.7 (“Cooperation, compliance reports and reviews and access to records”) through 8.15 (“Effect on other laws; supplementary instructions; coordination”).

- b. **Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*)**, which prohibits discrimination on the basis of sex under Federally assisted education programs or activities.
- c. **Pub. L. No. 92-65, 42 U.S.C. § 3123**, which proscribes discrimination on the basis of sex in EDA assistance provided under PWEDA; **Pub. L. No. 94-369, 42 U.S.C. § 6709**, which proscribes discrimination on the basis of sex under the Local Public Works Program; and the Department’s implementing regulations at 15 CFR §§ 8.7 (“Cooperation, compliance reports and reviews and access to records”) -8.15 (“Effect on other laws; supplementary instructions; coordination”).
- d. **The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 *et seq.*) (ADA)**, which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by State and local governments or instrumentalities or agencies thereof, as well as public or private entities that provide public transportation.
- e. **Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794)**, and DOC implementing regulations published at 15 CFR part 8b (“Prohibition of Discrimination Against the Handicapped in Federally Assisted Programs Operated by the Department of Commerce”), which prohibit discrimination on the basis of handicap under any program or activity receiving or benefiting from Federal assistance.

For purposes of complying with the accessibility standards set forth in 15 CFR § 8b.18(c) (“New construction”), Recipients must adhere to the regulations, published by the U.S. Department of Justice, implementing Title II of the Americans with Disabilities Act (“ADA”) (28 CFR part 35 (“Nondiscrimination on the Basis of Disability in State and Local Government Services”); 75 *Fed. Reg.* 56164, as amended by 76 *Fed. Reg.* 13285) and Title III of the ADA (28 CFR part 36 (“Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities”); 75 *Fed. Reg.* 56236, as amended by 76 *Fed. Reg.* 13286). The revised regulations adopted new enforceable accessibility standards called the “2010 ADA Standards for Accessible Design” (2010 Standards), which replace and supersede the former Uniform Federal Accessibility Standards for new construction and alteration projects.

- f. **The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*)** and DOC implementing regulations published at 15 CFR part 20 (“Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance”), which prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance.
- g. Other applicable Federal statutes, regulations, and executive orders, and other applicable nondiscrimination laws.

2. Other Provisions.

- a. Parts II and III of Executive Order 11246 (30 *Fed. Reg.* 12319, 1965), as amended by Executive Orders 11375 (32 *Fed. Reg.* 14303, 1967) and 12086 (43 *Fed. Reg.* 46501, 1978), requiring Federally assisted construction contracts to include the nondiscrimination provisions of sections 202 and 203 of that Executive Order and Department of Labor regulations implementing Executive Order 11246 (41 CFR § 60-1.4(b) (“Equal Opportunity Clause”), 1991).

- b. Executive Order 13166 (August 11, 2000), “Improving Access to Services for Persons With Limited English Proficiency,” requiring Federal agencies to examine the services provided, identify any need for services to those with limited English proficiency (“LEP”), and develop and implement a system to provide those services so that LEP persons can have meaningful access to them. The DOC issued policy guidance on March 24, 2003 (“Guidance to Federal Financial Assistance Recipients on the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons”, 68 *Fed. Reg.* 14180) to articulate the Title VI prohibition against national origin discrimination affecting LEP persons and to help ensure that Recipients provide meaningful access to their LEP applicants and beneficiaries.

3. Title VII Exemption for Religious Organizations.

Generally, Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*) provides that it shall be an unlawful employment practice for an employer to discharge any individual or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of such individual’s race, color, religion, sex, or national origin. However, Title VII, 42 U.S.C. § 2000e-1(a), expressly exempts from the prohibition against discrimination on the basis of religion, a religious corporation, association, educational institution, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities.

F. AUDITS.

Under the Inspector General Act of 1978, as amended (5 U.S.C. App. 3, § 1 *et seq.*), an audit of the Award may be conducted at any time. The Department’s Inspector General, or any of his or her duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the Recipient, whether written, printed, recorded, produced, or reproduced by any electronic, mechanical, magnetic, or other process or medium, in order to make audits, inspections, excerpts, transcripts, or other examinations as authorized by law. This right also includes timely and reasonable access to the Recipient’s personnel for the purpose of interview and discussion related to such documents. *See* 2 CFR § 200.336 (“Access to records”). When the Office of the Inspector General (“OIG”) requires a program audit on a DOC Award, the OIG will usually make the arrangements to audit the Award, whether the audit is performed by OIG personnel, an independent accountant under contract with DOC, or any other Federal, State, or local audit entity.

1. Organization-Wide, Program-Specific, and Project Audits.

- a. Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996, as implemented by subpart F of 2 CFR part 200 (“Audit Requirements”). Recipients that expend \$750,000 or more in Federal awards during their fiscal year shall have an audit conducted for that year in accordance with the requirements set forth in subpart F of 2 CFR part 200. Within the earlier of 30 calendar days after receipt of the auditor’s report, or nine months after the end of the audit period, a copy of the audit shall be submitted electronically to the Federal Audit Clearinghouse website at <http://harvester.census.gov/sac/>.

If it is necessary to submit using paper, the address for submission is:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

Within 90 days of the end of the fiscal year of a Recipient subject to subpart F of 2 CFR part 200, the entity is responsible for notifying the Grants Officer of the amount of Federal awards, including all DOC and non-DOC awards, the Recipient expended during its fiscal year.

A Recipient that expends less than \$750,000 in Federal awards during its fiscal year is exempt from Federal audit requirements for that year, except as noted at 2 CFR § 200.503 (“Relation to other audit requirements”), but records must be available for review and audit by EDA, DOC, or other designated Government officials.

Failure to provide audit reports within the timeframes specified may result in appropriate enforcement action, up to and including termination of the Award, and may jeopardize eligibility for receiving future DOC awards.

- b. Unless otherwise specified in the Terms and Conditions of this Award, for-profit hospitals, commercial entities, and other organizations that are not subject to subpart F of 2 CFR part 200 (“Audit Requirements”) shall have a program specific audit performed by an independent auditor when the Federal share amount awarded is \$750,000 or more over the duration of the period of performance. An audit is required at least once every two years using the following schedule for audit report submission:
 - i. For Awards where the period of performance is less than two years, an audit is required within 90 calendar days of the end of the period of performance to cover the entire Project (the Project Closeout period is included in the 90 days);
 - ii. For Awards with a two- or three-year period of performance, an audit is required within 90 calendar days after the end of the first year to cover Year 1, which is the period of time when Federal funding is available for obligation by the Recipient, and within 90 calendar days of the end of the period of performance to cover Year 2 and Year 3 (if applicable) (the Project Closeout period is included in the 90 days); or
 - iii. For Awards with a four- to five-year period of performance, an audit is required within 90 calendar days after the end of the first year to cover Year 1, within 90 calendar days after the end of the third year to cover Year 2 and Year 3, and within 90 calendar days of the end of the period of performance to cover Year 4 and Year 5 (if applicable) (the Project Closeout period is included in the 90 days).
- c. EDA’s Public Works and Economic Adjustment Assistance programs generally have specific audit guidelines that will be incorporated into the Award and may be found in the annual Compliance Supplement, which is Appendix XI to 2 CFR part 200 and is available on OMB’s website (https://www.whitehouse.gov/omb/circulars_default). When DOC does not have a program-specific audit guide available for the program, the auditor will follow the requirements for a program-specific audit as described in 2 CFR § 200.507

(“Program-specific audits”). The Recipient may include a line item in the budget for the cost of the audit for approval. A copy of the program-specific audit shall be submitted to the Grants Officer.

- d. Recipients are responsible for compliance with the above audit requirements and for informing the Grants Officer of the status of their audit, including when the relevant audit has been completed and submitted in accordance with the requirements of this section. In accordance with 2 CFR § 200.331(d)(3) (“Requirements for pass-through entities”), pass-through entities are responsible for issuing a management decision for any audit findings pertaining to the Federal Award provided to a subrecipient.

2. Requirement to Submit a Copy of the Audit to EDA.

If the Recipient’s currently valid audit required under subpart F of 2 CFR part 200 (“Audit Requirements”) contains material findings, the Recipient must submit a copy of the audit to the Project Officer, who will review it with the Grants Officer. *See also* section C.19.a.iv “Project Closeout Procedures” of these Construction ST&Cs.

3. Audit Resolution Process.

- a. An audit of the Award may result in the disallowance of costs incurred by the Recipient and the establishment of a debt (account receivable) due to EDA. For this reason, the Recipient should take seriously its responsibility to respond to all audit findings and recommendations with adequate explanations and supporting evidence whenever audit results are disputed.
- b. In accordance with the *Federal Register* notice dated January 27, 1989 (54 *Fed. Reg.* 4053), a Recipient has the following opportunities to dispute the proposed disallowance of costs and the establishment of a debt after an audit:
 - i. The Recipient has 30 business days from the date of the transmittal of the “Draft Audit Report” to submit written comments and documentary evidence.
 - ii. The Recipient has 30 business days from the date of the transmittal of the “Final Audit Report” to submit written comments and documentary evidence. There will be no extension of this deadline.
 - iii. EDA shall review the documentary evidence submitted by the Recipient and shall notify the Recipient of the results in an “Audit Resolution Determination Letter.” The Recipient has 30 business days from the date of receipt of the Audit Resolution Determination Letter to submit a written appeal. There will be no extension of this deadline. The appeal is the last opportunity for the Recipient to submit written comments and documentary evidence that dispute the validity of the Audit Resolution Determination Letter.
 - iv. An appeal of the Audit Resolution Determination Letter does not prevent the establishment of the audit-related debt nor does it prevent the accrual of interest on such debt. If the Audit Resolution Determination Letter is overruled or modified on appeal, appropriate corrective action will be taken retroactively. An appeal will stay the offset of funds owed by the auditee against funds due to the auditee.
 - v. The EDA or DOC, as applicable, shall review the Recipient’s appeal. EDA shall notify the Recipient of the results in an Appeal Determination Letter. After the opportunity to

appeal has expired or after the appeal determination has been rendered, EDA or DOC will not accept any further documentary evidence from the Recipient. No other EDA or DOC administrative appeals are available.

G. DEBTS.

1. Payment of Debts Owed the Federal Government.

- a. The Recipient must promptly pay any debts determined by the Federal Government to be owed by the Recipient. Any funds paid to the Recipient in excess of the amount to which the Recipient is finally determined to be entitled under the terms of the Award constitute a debt to the Federal Government. In accordance with 2 CFR § 200.345 (“Collection of amounts due”), if not paid within 90 calendar days after demand, DOC may reduce a debt owed to the Federal Government by:
 - i. Making an administrative offset against other request for reimbursement;
 - ii. Withholding advance payments otherwise due to the Recipient; or
 - iii. Taking any other action permitted by Federal statute.
- b. DOC debt collection procedures are set out in 15 CFR part 19. In accordance with 2 CFR § 200.345 (“Collection of amounts due”), failure to pay a debt owed to the Federal Government shall result in the assessment of interest, penalties and administrative costs under 31 U.S.C. § 3717 and 31 CFR § 901.9. DOC entities will transfer any DOC debt that is more than 180 calendar days delinquent to the U.S. Department of the Treasury’s Financial Management Service for debt collection services, a process known as “cross-servicing,” pursuant to 31 U.S.C. § 3711(g), 31 CFR § 285.12, and 15 CFR § 19.9, and may take further action as specified in section A.6 “Noncompliance with Award Provisions” of these Construction ST&Cs. Funds for payment of a debt must not come from other Federally sponsored programs, and DOC may conduct on-site visits, audits and other reviews to verify that other Federal funds have not been used to pay a debt.

2. Late Payment Charges.

- a. Interest shall be charged on the delinquent debt in accordance with section 3717(a) of the Debt Collection Act, as amended (31 U.S.C. § 3701 *et seq.*). The minimum annual interest rate to be assessed is the U.S. Department of the Treasury’s Current Value of Funds Rate (“CVFR”). The CVFR is available online at <http://www.fms.treas.gov/cvfr/index.html> and also published by the Department of the Treasury in the *Federal Register* (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>) and in the *Treasury Financial Manual Bulletin*. The assessed rate shall remain fixed for the duration of the indebtedness.
- b. Penalties shall accrue at a rate of not more than six percent per year or such other higher rate as authorized by law.
- c. Administrative charges (*i.e.*, the costs of processing and handling a delinquent debt) shall be determined by the DOC entity collecting the debt, as directed by the Office of the Chief Financial Officer and Assistant Secretary for Administration.

3. Barring Delinquent Federal Debtors from Obtaining Federal Loans or Loan Insurance Guarantees.

Pursuant to 31 U.S.C. § 3720B and 31 CFR § 901.6, unless waived, DOC is not permitted to extend financial assistance in the form of a loan, loan guaranty, or loan insurance to any person delinquent on a non-tax debt owed to a Federal agency. This prohibition does not apply to disaster loans.

4. Effect of Judgment Lien on Eligibility for Federal Grants, Loans, or Programs.

Pursuant to 28 U.S.C. § 3201(e), unless waived by DOC, a debtor who has a judgment lien against the debtor's property for a debt to the United States shall not be eligible to receive any grant or loan that is made, insured, guaranteed, or financed directly or indirectly by the United States or to receive funds directly from the Federal Government in any program, except funds to which the debtor is entitled as beneficiary, until the judgment is paid in full or otherwise satisfied.

H. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT).

The Recipient shall comply with the provisions of 2 CFR part 1326 ("Nonprocurement Debarment and Suspension") (published in the *Federal Register* on December 21, 2006, 71 *Fed. Reg.* 76573), which generally prohibit entities that have been debarred, suspended, or voluntarily excluded from participating in Federal nonprocurement transactions through either primary or lower-tier covered transactions, and which set forth the responsibilities of Recipients of Federal financial assistance regarding transactions with other persons, including subrecipients and contractors. In addition, as provided in section K.4.b "Applicability of Provisions to Subawards, Contracts, and Subcontracts" of these Construction ST&Cs, in accordance with subpart C of 2 CFR part 1326, the Recipient must include a term or condition in lower tier transactions (subawards, contracts, and subcontracts) requiring lower tier participants to comply with subpart C (entitled "Responsibilities of Participants Regarding Transactions Doing Business With Other Persons") of the OMB guidance in 2 CFR part 180 "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)."

I. DRUG-FREE WORKPLACE.

The Recipient shall comply with the provisions of the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8102), and DOC's implementing regulations found at 15 CFR part 29 ("Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)") which require that the Recipient take steps to provide a drug-free workplace.

J. LOBBYING RESTRICTIONS.

1. *Statutory and Regulatory Provisions.* The Recipient shall comply with 2 CFR § 200.450 ("Lobbying"), which incorporates the provisions of 31 U.S.C. § 1352; the "New Restrictions on Lobbying" published at 55 *Fed. Reg.* 6736 (February 26, 1990); and OMB guidance and notices on lobbying and restrictions. In addition, the Recipient must comply with the DOC's regulations published at 15 CFR part 28, which implement the "New Restrictions on Lobbying." These provisions prohibit the use of Federal funds for lobbying the executive or legislative branches of the Federal government in connection with an award, and require disclosure of the use of

non-Federal funds for lobbying. Lobbying includes attempting to improperly influence, meaning any influence that induces or tends to induce a Federal employee or officer to give consideration or to act regarding a Federal award or regulatory matter on any basis other than the merits of the matter, either directly or indirectly. Costs incurred to improperly influence are unallowable. See 2 CFR § 200.450(b) and (c).

2. *Disclosure of Lobbying Activities.* Any Recipient that receives more than \$100,000 in Federal funding shall submit a completed Form SF-LLL, “Disclosure of Lobbying Activities,” regarding the use of non-Federal funds for lobbying. The Form SF-LLL shall be submitted within 30 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. The Recipient must submit any required Forms SF-LLL, including those received from subrecipients, contractors, and subcontractors, to the Project Officer.
3. *Special Provisions Relating to Indian Tribes.* As set out in 31 U.S.C. § 1352, special provisions are applicable to Indian tribes, tribal organizations, and other Indian organizations eligible to receive Federal contracts, grants, loans, or cooperative agreements. In accordance with DOC policy, EDA recognizes Tribal Employment Rights Ordinances (“TEROs”), which may provide for preferences in contracting and employment, in connection with its financial assistance awards. Federal awards granted to American Indian and Alaska Native tribal governments generally may provide for preference in contracting, hiring, firing, and the payment of a TERO fee. The payment of the TERO fee, which supports the tribal employment rights office to administer the preferences, should generally be allowable as an expense that is “necessary and reasonable for the performance of the Federal award,” as provided under 2 CFR § 200.403 (“Factors affecting allowability of costs”).

K. CODES OF CONDUCT AND SUBAWARD, CONTRACT, AND SUBCONTRACT PROVISIONS.

1. Code of Conduct for Recipients.

- a. *General conflicts-of-interest requirements.* The Recipient must comply with EDA’s regulation at 13 CFR § 302.17 (“Conflicts of interest”), which articulates EDA’s requirements to prevent conflicts of interest, which generally exist when an Interested Party participates in a matter that has a direct and predictable effect on the Interested Party’s personal or financial interests or there is an appearance that an Interested Party’s objectivity in performing his or her responsibilities under the Project is impaired. In addition, in accordance with 2 CFR § 200.112 (“Conflict of interest”), the Recipient must disclose to EDA in writing any potential conflict of interest. In addition, pursuant to the certification in Form SF-424D, paragraph 7, the Recipient must maintain written standards of conduct to establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflicts of interest or personal gain in the administration of this Award.
- b. *Procurement-related conflicts of interest.* In addition, in accordance with 2 CFR § 200.318 (“General procurement standards”), the Recipient must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts.

2. Applicability of Award Provisions to Subrecipients.

- a. The Recipient or pass-through entity shall require all subrecipients, including lower tier subrecipients, under the Award to comply with the provisions of this Award, including applicable provisions of the Uniform Guidance (2 CFR part 200), and all associated terms and conditions. *See* 2 CFR §§ 200.330 (“Subrecipient and contractor determinations”) through 200.332 (“Fixed amount subawards”) and 2 CFR § 200.101(b)(1) (“Applicability”), which describes the applicability of 2 CFR part 200 to various types of Federal awards.
- b. In accordance with 2 CFR § 200.331 (“Requirements for pass-through entities”), all pass-through entities must:
 - i. *Subaward Identification*. Clearly identify every subaward to the subrecipient at the time of the subaward, including subsequent subaward modification. In accordance with 2 CFR § 200.331(a), required information includes:
 - (1) All Award information data elements set out at 2 CFR § 200.331(a)(1);
 - (2) All requirements imposed by the pass-through entity on the subrecipient so that the Federal Award is used in accordance with Federal statutes, regulations and the Terms and Conditions of the Award;
 - (3) Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency, including identification of required financial and performance reports;
 - (4) Indirect cost rate information in accordance with 2 CFR § 200.331(a)(4);
 - (5) Access requirements for the subrecipient’s records and financial statements in accordance with 2 CFR § 200.331(a)(5); and
 - (6) Appropriate terms and conditions concerning closeout of the subaward.
 - ii. *Risk-Based Subrecipient Evaluation*. Evaluate each subrecipient’s risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring in accordance with 2 CFR § 200.331(b).
 - iii. *Subaward Conditions*. Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in 2 CFR § 200.207 (“Specific conditions”).
 - iv. *Subrecipient Monitoring*. In accordance with 2 CFR § 200.331(d), monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal requirements, and that the subaward performance goals are achieved. Subrecipient monitoring must include:
 - (1) Reviewing financial and programmatic reports required by the pass-through entity;
 - (2) Following up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means; and

- (3) Issuing a management decision for audit findings pertaining to the Award provided to the subrecipient from the pass-through entity as required by 2 CFR § 200.521 (“Management decision”).
- v. *Utilizing Risk-Based Monitoring Tools.* In accordance with 2 CFR § 200.331(e), depending on the Recipient’s evaluation of each subrecipient’s risk, utilize appropriate monitoring tools, including training and technical assistance, performing on-site reviews, and arranging agreed-upon-procedures engagements as described in 2 CFR § 200.425 (“Audit services”).
- vi. *Subrecipient Audits.* Verify that every subrecipient is audited as required by subpart F of 2 CFR part 200 (“Audit Requirements”) when it is expected that the subrecipient’s Federal awards expended during the fiscal year equaled or exceeded the threshold set forth in 2 CFR § 200.501 (“Audit requirements”).
- vii. *Necessary Adjustments to the Pass-Through Entity’s Records.* Consider whether the results of the subrecipient’s audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity’s own records.
- viii. *Enforcement Action.* Consider taking enforcement action against noncompliant subrecipients as described in 2 CFR § 200.338 (“Remedies for noncompliance”) and in applicable program regulations.

See also 2 CFR § 200.331 for the full text of requirements for pass-through entities.

3. Competition and Codes of Conduct for Subawards.

- a. The Recipient must be alert to organizational conflicts of interest as well as other practices among subrecipients that may restrict or eliminate competition.
- b. The Recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of subawards. No employee, officer, or agent shall participate in the selection, award, or administration of a subaward supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization in which he or she serves as an officer or which employs or is about to employ any of the parties mentioned in this section, has a financial interest or other interest in the organization selected or to be selected for a subaward. The officers, employees, and agents of the Recipient shall neither solicit nor accept anything of monetary value from subrecipients. However, the Recipient may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct shall provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the Recipient.
- c. A financial interest may include employment, stock ownership, a creditor or debtor relationship, or prospective employment with the organization selected or to be selected for a subaward. An appearance of impairment of objectivity could result from an organizational conflict where, because of other activities or relationships with other persons or entities, a person is unable or potentially unable to render impartial assistance or advice. It could also result from non-financial gain to the individual, such as benefit to reputation or prestige in a professional field.

4. Applicability of Provisions to Subawards, Contracts, and Subcontracts.

- a. The Recipient shall include the following notice in each request for applications or bids for a subaward, contract, or subcontract, as applicable:

Applicants/bidders for a lower tier covered transaction (except procurement contracts for goods and services under \$25,000 not requiring the consent of a DOC official) are subject to subpart C of 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).” In addition, applicants/bidders for a lower tier covered transaction for a subaward, contract, or subcontract greater than \$100,000 of Federal funds at any tier are subject to 15 CFR part 28, “New Restrictions on Lobbying.”

Applicants/bidders should familiarize themselves with these provisions, including the certification requirement. Therefore, Applications for a lower tier covered transaction must include a Form CD-512, “Certification Regarding Lobbying–Lower Tier Covered Transactions,” completed without modification.

- b. The Recipient shall include a term or condition in all lower tier covered transactions (subawards, contracts, and subcontracts) requiring lower tier participants to comply with subpart C of 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).”
- c. Required subaward and contractual provisions:
 - i. The Recipient shall include a statement in all lower tier covered transactions (subawards, contracts, and subcontracts) exceeding \$100,000 in Federal funds that the subaward, contract, or subcontract is subject to 31 U.S.C. § 1352, as implemented at 15 CFR part 28 (“New Restrictions on Lobbying”). The Recipient shall further require the subrecipient, contractor, or subcontractor to submit a completed “Disclosure of Lobbying Activities” (Form SF-LLL) regarding the use of non-Federal funds for lobbying. The Form SF-LLL shall be submitted within 15 days following the end of the calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed. The Form SF-LLL shall be submitted from tier to tier until received by the Recipient. The Recipient must submit all disclosure forms received, including those that report lobbying activity on its own behalf, to the Project Officer within 30 days following the end of the calendar quarter.
 - ii. In addition to other provisions required by the Federal agency or Recipient, in accordance with 2 CFR § 200.326 (“Contract provisions”), all contracts made by the Recipient under this Award must contain the applicable provisions set out in Appendix II to 2 CFR part 200 (“Contract Provisions for Non-Federal Entity Contracts Under Federal Awards”), which address various contractual requirements including remedies, termination for cause and convenience, Equal Employment Opportunity, the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, rights to inventions, environmental quality, energy efficiency, debarment and suspension, the Byrd Anti-Lobbying Amendment, and procurement of recovered materials. *See Appendix II to 2 CFR part 200 for a full explanation of these requirements.*

5. Pilot Program for Enhancement of Employee Whistleblower Protections.

The National Defense Authorization Act (“NDAA”) for Fiscal Year 2013 (Pub. L. No. 112-239, enacted January 2, 2013 and codified at 41 U.S.C. § 4712) includes a pilot program for whistleblower protection. It applies to all DOC awards, subawards, and contracts under awards issued beginning July 1, 2013 through January 1, 2017. This term implements that law.

In accordance with 41 U.S.C. § 4712, an employee of a Recipient or contractor under a Federal award or subaward may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body information that the employee reasonably believes is evidence of gross mismanagement of a Federal award or subaward or contract under a Federal award or subaward, a gross waste of Federal funds, an abuse of authority related to a Federal award or subaward or contract under a Federal award or subaward, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal award or subaward or contract under a Federal award or subaward. These persons or bodies include:

- a. A Member of Congress or a representative of a committee of Congress.
- b. An Inspector General.
- c. The Government Accountability Office.
- d. A Federal employee responsible for contract or grant oversight or management at the relevant agency.
- e. An authorized official of the Department of Justice or other law enforcement agency.
- f. A court or grand jury.
- g. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Recipients and contractors under Federal awards and subawards shall inform their employees in writing of the rights and remedies provided under 41 U.S.C. § 4712, in the predominant native language of the workforce.

6. Small Businesses, Minority Business Enterprises, and Women’s Business Enterprises.

In accordance with 2 CFR § 200.321 (“Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms”), the Recipient must take all necessary affirmative steps to ensure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. DOC encourages Recipients to utilize small businesses, minority business enterprises, and women’s business enterprises in contracts under financial assistance awards. The Minority Business Development Agency (“MBDA”) within DOC will assist Recipients in matching qualified minority business enterprises with contract opportunities. For further information, the Recipient may visit MBDA’s website at <http://www.mbda.gov> or contact MBDA via telephone or mail:

U.S. Department of Commerce
Minority Business Development Agency
Herbert C. Hoover Building
14th Street and Constitution Avenue, N.W.

7. Subaward to or Contract with a Federal Agency.

- a. The Recipient, contractor and/or subcontractor shall not subgrant or subcontract any part of the approved Project to any agency or employee of DOC or any other Federal department, agency, or instrumentality without the prior written approval of the Grants Officer.
- b. The Recipient must submit requests for approval of such action to the Project Officer, who shall review and make a recommendation to the Grants Officer. The Grants Officer must forward all requests to the Federal Assistance Law Division in the Office of the Department of Commerce Assistant General Counsel for Administration and Transactions for review prior to making the final determination. The Grants Officer will notify the Recipient in writing of the final determination.

8. EDA Contracting Provisions for Construction Projects.

The Recipient shall use the “*EDA Contracting Provisions for Construction Projects*” as guidance in developing all construction contracts. The “*EDA Contracting Provisions for Construction Projects*” lists applicable EDA and other Federal requirements for construction contracts.

L. PROPERTY.

1. Standards.

With respect to any property acquired or improved in whole or in part with EDA investment assistance under this Award, the Recipient shall comply with the Property Standards set forth at 2 CFR §§ 200.310 (“Insurance coverage”) through 200.316 (“Property trust relationship”), and EDA’s regulations at 13 CFR part 314. Property acquired or improved in whole or in part by the Recipient under this Award may consist of real property; personal property, including equipment and supplies; and intangible property, such as money, notes, and security interests. Any property reports required under 2 CFR §§ 200.310 through 200.316, such as periodic inventories and requests for disposition instructions, must be submitted to the Grants Officer through the Project Officer on Form SF-428 and/or SF-429, as applicable. *See also* section C.2 “Reporting on Real Property” of these Construction ST&Cs.

2. Title.

- a. Title to equipment, supplies, and intangible property acquired in whole or in part under this Award generally vests upon acquisition in the Recipient. The use, management and disposition of equipment, supplies, and intangible property acquired in whole or in part under this Award shall be in accordance with 2 CFR §§ 200.313 (“Equipment”), 200.314 (“Supplies”), and 200.315 (“Intangible property”), as applicable, and EDA regulations at 13 CFR part 314. *See also* section O.4 “Intellectual Property Rights” of these Construction ST&Cs.
- b. Title to real property acquired in whole or in part under this Award generally vests upon acquisition in the Recipient, subject to the condition that the Recipient uses the real property

for the authorized purpose of the Project. *See* 2 CFR § 200.311 (“Real property”) and EDA regulations at 13 CFR part 314.

3. EDA’s Interest in Award Property.

- a. *General - Evidence of Title.* As stated in section A.4 “Grant Recipient as Trustee” of these Construction ST&Cs, real property, equipment, and intangible property acquired or improved under this Award must be held in trust by the Recipient as trustee for the beneficiaries of the Project for which the property was acquired or improved. This trust relationship exists throughout the duration of the property’s estimated useful life, as determined by the Grants Officer in consultation with the Project Officer, during which time the Federal Government retains an undivided, equitable reversionary interest in the property (Federal Interest).

Before advertising for construction bids or at such other time as EDA requires, the Recipient must furnish evidence, satisfactory in form and substance to the Government, that title to real property required for the Project (other than property of the United States and as provided in 13 CFR § 314.7(c) (“Title”)) is vested in the Recipient and that such easements, rights-of-way, State or local government permits, long-term leases, or other items required for the Project have been or will be obtained by the Recipient within an acceptable time, as determined by the Government. All liens, mortgages, other encumbrances, reservations, reversionary interests, or other restrictions on title or the Recipient’s interest in the property must be disclosed to EDA. With limited exceptions set forth at 13 CFR § 314.6(b) (“Encumbrances”) or as otherwise authorized by EDA, Recipient-owned property acquired or improved in whole or in part with EDA investment assistance must not be used to secure a mortgage or deed of trust or in any way otherwise encumbered. *See* 13 CFR § 314.6.

- b. *Recording EDA’s Interest in Real Property.*
 - i. For all Projects involving the acquisition, construction, or improvement of a building, as determined by EDA, the Recipient shall execute and furnish to the Government, prior to initial Award disbursement, a lien, covenant, or other statement, satisfactory to EDA in form and substance, of EDA’s interest in the property acquired or improved in whole or in part with the funds made available under this Award. EDA may require such statement after initial Award disbursement in the event that grant funds are being used to acquire such property. The statement must specify the estimated useful life of the Project and shall include but not be limited to the disposition, encumbrance, and the Federal Share compensation requirements. *See* 13 CFR §§ 314.1 (“Definitions”) and 314.8(a) (“Recorded statement for real property”). *See also* 2 CFR § 200.316 (“Property trust relationship”).
 - ii. This lien, covenant, or other statement of the Government’s interest must be perfected and placed of record in the real property records of the jurisdiction in which the property is located, all in accordance with applicable law. EDA may require an opinion of counsel for the Recipient to substantiate that the document was validly executed and properly recorded. *See* 13 CFR § 314.8(b).
 - iii. Facilities in which the EDA investment is only a small part of a larger project, as determined by EDA, may be exempted from the requirements listed in paragraphs L.3.b.i and ii above. *See* 13 CFR § 314.8(c).

- iv. In extraordinary circumstances and at EDA's sole discretion, EDA may choose to accept another instrument to protect EDA's interest in the Project property, such as an escrow agreement or letter of credit, provided that EDA determines such instrument is adequate and a recorded statement in accord with section L.3.b.i above is not reasonably available. The terms and provisions of the relevant instrument shall be satisfactory to EDA in EDA's sole judgment. The costs and fees for escrow services or letters of credit shall be paid by the Recipient. *See* 13 CFR § 314.8(d).
- c. *Recording EDA's Interest in Personal Property.* For all Projects involving the acquisition or improvement of significant items of personal property, including but not limited to ships, machinery, equipment, removable fixtures, or structural components of buildings, the Recipient shall execute a security interest, covenant, or other statement of EDA's reversionary interest in the personal property acceptable in form and substance to EDA, which statement must be perfected and placed of record in accordance with applicable law (usually accomplished by filing a Uniform Commercial Code Financing Statement (Form UCC-1), as provided by State law), with continuances re-filed as appropriate. EDA may require an opinion of counsel for the Recipient to substantiate that the Form UCC-1 or other filing was validly executed and properly recorded. *See* 13 CFR § 314.9 ("Recorded statement for personal property").
- d. The Recipient acknowledges that the Government retains an undivided equitable reversionary interest in property acquired or improved in whole or in part with grant funds made available through this Award throughout the estimated useful life (as determined by EDA) of the Project, except in applicable instances set forth at 13 CFR § 314.7(c) ("Title"). *See* 13 CFR § 314.2(a) ("Federal interest").
- e. The Recipient agrees that if any interest in property acquired or improved in whole or in part with EDA investment assistance is disposed of, encumbered or alienated in any manner, or no longer used for the authorized purposes of the Award during the Project's estimated useful life without EDA's written approval, the Government will be entitled to recover the Federal Share, as defined at 13 CFR § 314.5 ("Federal share"). If, during the Project's estimated useful life, the property is no longer needed for the purposes of the Award, as determined by EDA, EDA may permit its use for other acceptable purposes consistent with those authorized by PWEDA and 13 CFR Chapter III. *See* 13 CFR § 314.3(b) ("Authorized use of property").
- f. For purposes of any lien or security interest, the amount of the Federal Share shall be the portion of the current fair market value of any property (after deducting any actual and reasonable selling and repair expenses incurred to put the property into marketable condition) attributable to EDA's participation in the Project. *See* 13 CFR § 314.5 ("Federal share").
- g. The alienation of Award property includes sale or other conveyance of the Recipient's interest, leasing or mortgaging the property, or granting an option for any of the foregoing.
- h. In accordance with 2 CFR § 200.329 ("Reporting on real property"), the Federal awarding agency or pass through entity must require a non-Federal entity to submit reports (using Form SF-429 "Real Property Status Report" or any successor form) at least annually on the status of real property in which the Federal Government retains an interest, unless the Federal Interest in the real property extends 15 years or longer. In those instances where the Federal Interest attached is for a period of 15 years or more, the Federal awarding agency or

pass-through entity, at its option, may require the non-Federal entity to report at various multi-year frequencies (*e.g.*, every two years or every three years, not to exceed a five-year reporting period; or annual reporting for the first three years and thereafter every five years). The Federal awarding agency or pass-through entity may also require a non-Federal entity to periodically submit reports (using Form SF-428 “Tangible Personal Property Report” or any successor form) concerning tangible personal property in which the Federal Government retains an interest. In addition, the Federal awarding agency or pass-through entity may require a non-Federal entity to submit Form SF-429 and/or Form SF-428 in connection with a non-Federal entity’s request to acquire, encumber, dispose of, or take any other action pertaining to real property or tangible personal property acquired or improved, in whole or in part, under this Award or pertaining to Federally owned property under this Award. *See also* section C.2 “Reporting on Real Property” of these Construction ST&Cs.

4. Insurance and Bonding.

- a. *Insurance.* The Recipient shall, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided for property owned by the Recipient. Federally owned property need not be otherwise insured unless required by the Terms and Conditions of the Award. *See* 2 CFR § 200.310 (“Insurance coverage”).
- b. *Bonding.* If the Award exceeds the simplified acquisition threshold as defined at 2 CFR § 200.88, EDA may accept the Recipient’s or subrecipient’s bonding policy and requirements if EDA or the pass-through entity determines that the Federal Interest is adequately protected. If not, the following minimum requirements shall apply:
 - i. A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
 - ii. A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.
 - iii. A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to ensure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract. *See* 2 CFR § 200.325 (“Bonding requirements”).

5. Leasing Restrictions.

Leasing or renting of facilities or property is prohibited unless specifically authorized by EDA. The Recipient agrees that any leasing or renting of any facilities or property involved in this Project will be subject to the following:

- a. That said lease arrangement is consistent with the authorized general and special purpose of the Award;
- b. That said lease arrangement is for adequate consideration; and

- c. That said lease arrangement is consistent with applicable EDA requirements concerning but not limited to nondiscrimination and environmental compliance.

6. Eminent Domain.

The Recipient will use funds solely for the authorized purpose of the Project. Pursuant to Executive Order 13406, “Protecting the Property Rights of the American People,” the Recipient agrees:

- a. Not to exercise any power of eminent domain available to the Recipient (including the commencement of eminent domain proceedings) for use in connection with the Project for the purpose of advancing the economic interests of private parties; and
- b. Not to accept title to land, easements, or other interests in land acquired by the exercise of any power of eminent domain for use in connection with the Project for such purposes.

The Recipient agrees that any use of the power of eminent domain to acquire land, easements, or interests in land, whether by the Recipient or any other entity that has the power of eminent domain, in connection with the Project without the prior written consent of EDA is an unauthorized use of the Project. If the Recipient puts the Project to an unauthorized use, the Recipient shall compensate EDA for its fair share in accordance with 13 CFR §§ 314.4 (“Unauthorized use of property”) and 314.5 (“Federal share”), as the same may be amended from time to time.

7. Disposal of Real Property.

- a. During the estimated useful life of the Project, if EDA and the Recipient determine that property acquired or improved in whole or in part with EDA investment assistance is no longer needed for the original purposes of this Award, EDA may, in its sole discretion, approve use of the property in other Federal grant programs or in programs that have purposes consistent with those authorized by PWEDA and 13 CFR Chapter III. *See* 13 CFR § 314.3(b) (“Authorized use of property”).
- b. When property is not disposed of as provided in section L.7.a above, the Government shall determine final disposition and must be compensated by the Recipient for the Federal Share of the value of the property, plus costs and interest, as provided in 13 CFR § 314.4 (“Unauthorized use of property”).

M. FEDERAL ENVIRONMENTAL REQUIREMENTS.

Environmental impacts must be considered by Federal decision-makers in their decisions whether or not to approve: (i) a proposal for Federal assistance; (ii) the proposal with mitigation; or (iii) a different proposal/grant having less adverse environmental impacts. Federal environmental laws require that the funding agency initiate an early planning process that considers potential impacts of the projects funded with Federal assistance on the environment. Each Recipient must comply with all environmental standards, to include those prescribed under the following statutes and executive orders, and shall identify to the awarding agency any impact a proposed project may have on the environment. In some cases, Award funds can be withheld by the Grants Officer under a special award condition requiring the Recipient to submit additional environmental compliance information

sufficient to enable the DOC to make an assessment on any impacts that a project may have on the environment.

1. The National Environmental Policy Act of 1969 (42 U.S.C. § 4321 *et seq.*).

The National Environmental Policy Act (“NEPA”) and the Council on Environmental Quality (“CEQ”) implementing regulations (40 CFR parts 1500–1508) require that an environmental analysis be completed for all major Federal actions significantly affecting the environment. NEPA applies to the actions of Federal agencies and may include a Federal agency’s decision to fund non-Federal projects under grants and cooperative agreements when the Award activities remain subject to Federal authority and control. Recipients are required to identify to the awarding agency any impact an award will have on the quality of the human environment, and assist the agency in complying with NEPA. Recipients may also be requested to assist EDA in drafting an environmental assessment if EDA determines an assessment is required. Until the appropriate NEPA documentation is complete, and if any additional information is required during the period of performance to assess Project environmental impacts, funds can be withheld by the Grants Officer under a special award condition requiring the Recipient to submit the appropriate NEPA documentation sufficient to enable EDA to make an assessment on any environmental impacts of a Project.

2. National Historic Preservation Act (54 U.S.C. § 300101 *et seq.*).

Section 106 of the National Historic Preservation Act (“NHPA”) (54 U.S.C. § 300101 *et seq.* (formerly codified at 16 U.S.C. § 470f)) and the Advisory Council on Historic Preservation implementing regulations (36 CFR part 800) require that Federal agencies take into account the effects of their undertakings on historic properties. Recipients are required to identify to the awarding agency any effects the Award may have on properties included on or eligible for inclusion on the National Register of Historic Places. Recipients may also be requested to assist EDA in consulting with State or Tribal Historic Preservation Officers or other applicable interested parties necessary to identify, assess and resolve adverse effects on historic properties. Until the appropriate NHPA consultations and documentation are complete and if any additional information is required during the period of performance in order to assess Project impacts on historic properties, funds can be withheld by the Grants Officer under a special award condition requiring the Recipient to submit any information sufficient to enable EDA to make the requisite assessment under the NHPA.

3. Environmental Quality Improvement Act of 1970, as amended (42 U.S.C. §§ 4371–4375).

Federally supported public works facilities and activities that affect the environment shall be implemented in compliance with policies established under existing law.

4. Clean Air Act (42 U.S.C. § 7401 *et seq.*), Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*) (Clean Water Act), and Executive Order 11738 (“Providing for Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants or Loans”).

The Recipient must comply with the provisions of the Clean Air Act (42 U.S.C. § 7401 *et seq.*), Clean Water Act (33 U.S.C. § 1251 *et seq.*), and Executive Order 11738 (38 *Fed. Reg.* 25161, 1973), and shall not use a facility on the Environmental Protection Agency’s (“EPA’s”) *List of*

Violating Facilities (this list is incorporated into the Excluded Parties List System located at <https://www.sam.gov/portal/public/SAM/>) in undertaking work that is nonexempt under 2 CFR § 1532, and shall notify the Project Officer in writing if it intends to use a facility that is on the EPA's *List of Violating Facilities* or knows that the facility has been recommended to be placed on the list.

5. The Safe Drinking Water Act of 1974, as amended (42 U.S.C. § 300f *et seq.*).

This Act precludes Federal assistance for any project that the EPA determines may contaminate a sole source aquifer so as to threaten public health.

6. Executive Order 11988 (“Floodplain Management”) and Executive Order 11990 (“Protection of Wetlands”).

Recipients must identify proposed actions in Federally defined floodplains and wetlands to enable the agency to make a determination whether there is an alternative to minimize any potential harm.

7. The Flood Disaster Protection Act (42 U.S.C. § 4002 *et seq.*), and regulations and guidelines issued thereunder by the U.S. Federal Emergency Management Administration (“FEMA”) or by EDA.

Flood insurance, when available, is required for Federally assisted construction or acquisition in flood-prone areas.

8. The Coastal Zone Management Act (16 U.S.C. § 1451 *et seq.*).

Funded projects must be consistent with a coastal State's approved management plan for the coastal zone.

9. The Coastal Barrier Resources Act (16 U.S.C. § 3501 *et seq.*).

Only in certain circumstances can Federal funding be provided for actions within a Coastal Barrier System.

10. The Wild and Scenic Rivers Act (16 U.S.C. § 1271 *et seq.*).

This Act applies to awards that may affect existing or proposed components of the National Wild and Scenic Rivers system.

11. The Fish and Wildlife Coordination Act (16 U.S.C. § 661 *et seq.*).

This Act requires the evaluation of impacts to fish and wildlife from Federally assisted proposed water resource development projects.

12. The Endangered Species Act (16 U.S.C. § 1531 *et seq.*).

The Recipient must identify any impact or activities that may involve a threatened or endangered species. Federal agencies have the responsibility to ensure that no adverse effects to a protected species or habitat occur from actions with Federal financial assistance and to conduct the required reviews under the Endangered Species Act, as applicable.

13. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, more commonly known as Superfund) (42 U.S.C. § 9601 *et seq.*), and the Community Environmental Response Facilitation Act (Pub. L. No. 102-426, 42 U.S.C. §§ 9601 *note et seq.* and 9620(h)(4)).

These requirements address responsibilities related to hazardous substance releases, threatened releases, and environmental cleanup. They also impose reporting and community involvement requirements to ensure disclosure of the release or disposal of regulated substances and cleanup of hazards to State and local emergency responders.

14. The Resource Conservation and Recovery Act (42 U.S.C. § 6901 *et seq.*).

This Act regulates the generation, transportation, treatment, and disposal of hazardous wastes, and also provides that Recipients give preference in their procurement programs to the purchase of recycled products pursuant to EPA guidelines.

15. Executive Order 12898 (“Environmental Justice in Minority Populations and Low-Income Populations”).

Federal agencies are required to identify and address any disproportionately high adverse human health or environmental effects of Federal programs, policies, and activities on low-income and minority populations.

16. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4821 *et seq.*).

Use of lead-based paint in residential structures constructed or rehabilitated by the Federal Government or with Federal assistance is prohibited.

17. The Farmland Protection Policy Act (7 U.S.C. §§ 4201–4209).

Projects are subject to review under this Act if they may irreversibly directly or indirectly convert farmland, including forest land, pastureland, cropland, or other land, to nonagricultural use.

18. The Noise Control Act of 1972 (42 U.S.C. § 4901 *et seq.*).

Federally supported facilities and activities shall comply with Federal, State, interstate, and local requirements respecting control and abatement of environmental noise to the same extent that any person is subject to such requirements.

19. The Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001 *et seq.*).

This Act provides a process for returning certain Native American cultural items to lineal descendants, culturally affiliated Indian tribes, and Native Hawaiian organizations.

N. NOTICE AND EVIDENCE OF COMPLIANCE WITH ALL APPLICABLE ENVIRONMENTAL REQUIREMENTS.

The Recipient agrees to promptly notify the Grants Officer in writing of any environmental requirement or restriction, regulatory or otherwise, with which it must comply. Before Project Closeout and final disbursement of Award funds, the Recipient further agrees to provide evidence satisfactory to the Grants Officer that any required environmental remediation has been completed: (1) in compliance with all applicable Federal, State and local regulations; and (2) as set forth in the

applicable lease, finding of suitability to lease (“FOSL”), lease in furtherance of conveyance, quitclaim deed, or other conveyance instrument and any amendments, supplements, or succeeding documents. Compliance with said laws or restrictions shall be included in any contract documents for Project construction. The Recipient must certify compliance before final disbursement of grant funds.

O. MISCELLANEOUS REQUIREMENTS.

1. Criminal and Prohibited Activities.

- a. The Program Fraud Civil Remedies Act (31 U.S.C. § 3801 *et seq.*) provides for the imposition of civil penalties against persons who make false, fictitious, or fraudulent claims to the Federal Government for money (including money representing grants, loans, or other benefits).
- b. The False Claims Amendment Act of 1986 and the False Statements Accountability Act of 1996 (18 U.S.C. §§ 287 and 1001, respectively) provide that whoever makes or presents any false, fictitious, or fraudulent statement, representation, or claim against the United States shall be subject to imprisonment of not more than five years and shall be subject to a fine in the amount provided by 18 U.S.C. § 287.
- c. The Civil False Claims Act (31 U.S.C. §§ 3729–3733) provides that suits can be brought by the Government, or a person on behalf of the Government, for false claims under Federal assistance programs.
- d. The Copeland “Anti-Kickback” Act (18 U.S.C. § 874) prohibits a person or organization engaged in a Federally supported Project from enticing an employee working on the Project from giving up a part of his or her compensation under an employment contract. The Copeland “Anti-Kickback” Act also applies to contractors and subcontractors pursuant to 40 U.S.C. § 3145.

2. Foreign Travel.

- a. The Recipient shall comply with the provisions of the Fly America Act (49 U.S.C. § 40118). The implementing regulations of the Fly America Act are found at 41 CFR §§ 301-10.131 through 301-10.143.
- b. The Fly America Act requires Federal travelers and others performing U.S. Government financed air travel to use U.S. flag air carriers, to the extent that service by such carriers is available. Foreign air carriers may be used only in specific instances, such as when a U.S. flag air carrier is unavailable or when use of U.S. flag air carrier service will not accomplish the agency’s mission.
- c. One exception to the requirement to fly U.S. flag carriers is transportation provided under a bilateral or multilateral air transport agreement, to which the United States Government and the government of a foreign country are parties, and which the Department of Transportation has determined meets the requirements of the Fly America Act pursuant to 49 U.S.C. § 40118(b). The United States Government has entered into bilateral and multilateral “Open Skies Agreements” (U.S. Government Procured Transportation) that allow Federally funded transportation services for travel and cargo movements to use foreign air carriers under certain circumstances. There are multiple Open Skies Agreements currently

in effect. For more information about the current bilateral and multilateral agreements, visit the General Services Administration (“GSA”) website at <http://www.gsa.gov/portal/content/103191>. Information on the Open Skies Agreements (U.S. Government Procured Transportation) and other specific country agreements may be accessed via the Department of State’s website at <http://www.state.gov/e/eeb/tra/>.

- d. If a foreign air carrier is anticipated to be used for any portion of travel under this Award, the Recipient must receive prior approval from the Grants Officer. When requesting such approval, the Recipient must provide a justification in accordance with the guidance provided by 41 CFR § 301-10.142, which requires the Recipient to provide the Grants Officer with the following: (i) his or her name; (ii) dates of travel; (iii) the origin and destination of travel; (iv) a detailed itinerary of travel; (v) the name of the air carrier and flight number for each leg of the trip; and (vi) a statement explaining why the Recipient meets one of the exceptions to the regulations. If the use of a foreign air carrier is pursuant to a bilateral agreement, the Recipient must provide the Grants Officer with a copy of the agreement or a citation to the official agreement available on the GSA website. The Grants Officer shall make the final determination and notify the Recipient in writing. Failure to adhere to the provisions of the Fly America Act will result in disallowance of any transportation costs for which any Recipient improperly used a foreign air carrier.

3. American-Made Equipment and Products.

Recipients are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this Award.

4. Intellectual Property Rights.

- a. **General.** The rights to any work produced or purchased under this Award are determined by 2 CFR § 200.315 (“Intangible property”). The Recipient owns any work produced or purchased under a Federal award subject to the DOC’s royalty-free, nonexclusive, and irrevocable right to obtain, reproduce, publish, or use the work or authorize others to receive, reproduce, publish, or otherwise use the work for Government purposes. In accordance with 2 CFR § 200.315(d), the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award and authorize others to receive, reproduce, publish or otherwise use such data for Federal purposes.

- b. **Inventions.** Unless otherwise provided by law, the rights to any invention made by a Recipient under this Award are determined by the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and as codified at 35 U.S.C. § 200 *et seq.*, except as otherwise required by law. The specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from Federal awards are described in more detail at 37 CFR part 401 and, in particular, in the standard patent rights clause at 37 CFR § 401.14, which is hereby incorporated by reference into this Award.

- i. **Ownership.**

- (1) *Recipient.* The Recipient has the right to elect to retain title to any invention it makes (conceived or first actually reduced to practice) or that is made by its employees. A Recipient that is a nonprofit organization, which includes a university or other institution of higher learning, may not assign to a third party its rights to such an

invention without the permission of DOC unless that assignment is to a patent management organization (*e.g.*, a university's Research Foundation). The Recipient's ownership rights are subject to the Government's nonexclusive, nontransferrable, irrevocable, paid-up license and other rights.

- (2) *Department*. If the Recipient elects not to retain title, fails to disclose the invention to the agency within the required time limits, or does not file a patent application within the time limits set forth in the standard patent rights clause, DOC may request an assignment of all rights, which is normally subject to a limited royalty-free, nonexclusive, revocable license for the Recipient. DOC owns any invention made solely by its employees, but may license to the Recipient in accordance with the procedures in 37 CFR part 404.
 - (3) *Inventor/Employee*. If neither the Recipient nor DOC is interested in owning an invention by a Recipient employee, the Recipient, with the written concurrence of the DOC, may allow the inventor/employee to retain ownership of the invention subject to certain restrictions as described at 37 CFR § 401.9.
 - (4) *Joint Inventions*. Inventions made jointly by a Recipient and a DOC employee will be owned jointly by the Recipient and DOC. However, DOC may transfer or license its rights to the Recipient as authorized by 35 U.S.C. § 202(e) and 37 CFR § 401.10 if the Recipient is willing to patent and license the invention, usually in exchange for a share of "net" royalties based on the number of inventors (*e.g.*, 50-50 if there is one Recipient inventor and one DOC employee inventor). The agreement will be prepared by DOC and may include other provisions, such as a royalty-free license to the Government and certain other entities. The provision at 35 U.S.C. § 202(e) also authorizes the Recipient to transfer its rights to the Government, which can agree to share royalties similarly as described above.
- ii. *Responsibilities – iEdison*. The Recipient has responsibilities and duties set forth in the standard patent rights clause, which are described below. The Recipient is expected to comply with all requirements of the standard patent rights clause and 37 CFR part 401 and is required to submit its disclosures, elections, and requests for waivers from any requirement for substantial U.S. manufacture electronically using the Interagency Edison extramural invention reporting system (iEdison) at www.iedison.gov. The Recipient may obtain a waiver of this electronic submission requirement by providing DOC compelling reasons for allowing the submission of paper copies of reports related to inventions.
- c. **Patent Notification Procedures**. Pursuant to Executive Order 12889 (58 *Fed. Reg.* 69681, 1993), DOC is required to notify the owner of any valid patent covering technology whenever DOC or a Recipient, without making a patent search, knows (or has demonstrable reasonable grounds to know) that technology covered by a valid United States patent has been or will be used without a license from the owner. To ensure proper notification, if the Recipient uses or has used patented technology under this Award without a license or permission from the owner, the Recipient must notify the Grants Officer. This notice does not constitute authorization or consent by the Government to any copyright or patent infringement occurring under the Award.
 - d. **Copyright**. A Recipient may copyright any work produced under this Award subject to DOC's royalty-free, nonexclusive, and irrevocable right to obtain, reproduce, publish or

otherwise use the work or authorize others to do so for Government purposes. Works jointly authored by DOC and Recipient employees may be copyrighted, but only the part of such works authored by the Recipient is protectable in the United States because, under 17 U.S.C. § 105, works produced by Government employees are not copyrightable in the United States. On occasion and as permitted under 17 U.S.C. § 105, DOC may require the Recipient to transfer to DOC a copyright in a particular work for Government purposes or when DOC is undertaking the primary dissemination of the work.

5. Increasing Seat Belt Use in the United States.

Pursuant to Executive Order 13043, Recipients should encourage employees and contractors to enforce on-the-job seat belt policies and programs when operating company-owned, rented, or personally-owned vehicles.

6. Research Involving Human Subjects.

- a. All proposed research involving human subjects must be conducted in accordance with 15 CFR part 27 (“Protection of Human Subjects”). No research involving human subjects is permitted under this Award unless expressly authorized by special award condition or otherwise authorized in writing by the Grants Officer.
- b. Federal policy defines a human subject as a living individual about whom an investigator conducting research obtains (i) data through intervention or interaction with the individual, or (ii) identifiable private information. Research means a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.
- c. DOC regulations at 15 CFR part 27 require that the Recipient maintain appropriate policies and procedures for the protection of human subjects. In the event it becomes evident that human subjects may be involved in this Project, the Recipient shall submit appropriate documentation to the Project Officer for approval. This documentation may include:
 - i. Documentation establishing approval of the Project by an institutional review board (“IRB”) approved for Federal-wide use under Department of Health and Human Services guidelines (*see* 15 CFR § 27.103);
 - ii. Documentation to support an exemption for the Project under 15 CFR § 27.101(b); or
 - iii. Documentation of IRB approval of any modification to a prior approved protocol or to an informed consent form.
- d. No work involving human subjects may be undertaken, conducted, or costs incurred and/or charged for human subjects research until the appropriate documentation is approved in writing by the Grants Officer. In accordance with 15 CFR § 27.118, if research involving human subjects is proposed after an award is made, the Recipient must contact the Grants Officer and provide required documentation. Notwithstanding this prohibition, work may be initiated or costs incurred and/or charged to the Project for protocol or instrument development related to human subjects research.

7. Federal Employee Expenses.

Federal agencies are generally barred from accepting funds from a Recipient to pay transportation, travel, or other expenses for any Federal employee. Use of Award funds (Federal or non-Federal) or the Recipient's provision of in-kind goods or services for the purposes of transportation, travel, or any other expenses for any Federal employee may raise appropriation augmentation issues. In addition, DOC policy prohibits the acceptance of gifts, including travel payments for Federal employees, from Recipients or applicants regardless of the source.

8. Minority Serving Institutions Initiative.

Pursuant to Executive Orders 13555 ("White House Initiative on Educational Excellence for Hispanics") (75 *Fed. Reg.* 65417, 2010), 13592 ("Improving American Indian and Alaska Native Educational Opportunities and Strengthening Tribal Colleges and Universities") (76 *Fed. Reg.* 76603, 2011), and 13532 ("Promoting Excellence, Innovation, and Sustainability at Historically Black Colleges and Universities") (75 *Fed. Reg.* 9749, 2010), DOC is strongly committed to broadening the participation of minority serving institutions ("MSIs") in its financial assistance programs.

DOC's goals include achieving full participation of MSIs in order to advance the development of human potential, strengthen the nation's capacity to provide high-quality education, and increase opportunities for MSIs to participate in and benefit from Federal financial assistance programs. DOC encourages all applicants and recipients to include meaningful participation of MSIs. Institutions eligible to be considered MSIs are listed on the Department of Education website at <https://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html>.

9. Research Misconduct.

The DOC adopts, and applies to financial assistance for research, the Federal Policy on Research Misconduct ("Federal Policy") issued by the Executive Office of the President's Office of Science and Technology Policy on December 6, 2000 (65 *Fed. Reg.* 76260). As provided for in the Federal Policy, research misconduct refers to the fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest errors or differences of opinion. Recipient organizations that conduct extramural research funded by the DOC must foster an atmosphere conducive to the responsible conduct of sponsored research by safeguarding against and resolving allegations of research misconduct. Recipient organizations also have the primary responsibility to prevent, detect, and investigate allegations of research misconduct and, for this purpose, may rely on their internal policies and procedures, as appropriate, to do so. Recipients must notify the Grants Officer of any allegation that meets the definition of research misconduct and detail the entity's inquiry to determine whether there is sufficient evidence to proceed with an investigation, as well as the result of any investigation. DOC may take appropriate administrative or enforcement action at any time under the Award, up to and including Award termination and possible suspension or debarment, and referral to the DOC Office of the Inspector General ("OIG"), the U.S. Department of Justice, or other appropriate investigative body.

10. Publications, Videos, and Acknowledgment of Sponsorship.

- a. Publication of results or findings in appropriate professional journals and production of video or other media are encouraged as important methods of recording and reporting results of Federally funded projects, such as scientific research, and expanding access to Federally funded projects.
- b. Recipients must submit a copy of any publication materials, including but not limited to print, recorded or Internet materials, to their EDA Project Officer.
- c. When releasing information related to a funded Project, Recipients must include a statement that the Project or effort undertaken was or is sponsored by DOC.
- d. Recipients are responsible for ensuring that every publication of material based on, developed under, or produced under this Award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer:

This [report/video] was prepared by [Recipient name] using Federal funds under award [number] from the Economic Development Administration, U.S. Department of Commerce.

The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of the Economic Development Administration or the U.S. Department of Commerce.

11. Care and Use of Live Vertebrate Animals.

Recipients must comply with the Laboratory Animal Welfare Act of 1966 (Pub. L. No. 89-544), as amended (7 U.S.C. § 2131 *et seq.*) (“Animal acquisition, transport, care, handling, and use in projects”), and the implementing regulations at 9 CFR parts 1, 2, and 3; the Endangered Species Act (16 U.S.C. § 1531 *et seq.*); the Marine Mammal Protection Act (16 U.S.C. § 1361 *et seq.*) (“Taking possession, transport, purchase, sale, export or import of wildlife and plants”); the Non-indigenous Aquatic Nuisance Prevention and Control Act (16 U.S.C. § 4701 *et seq.*) (“Ensure preventive measures are taken or that probable harm of using species is minimal if there is an escape or release”); and all other applicable statutes pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by Federal financial assistance. No research involving vertebrate animals is permitted under any DOC award unless authorized by the Grants Officer.

12. Homeland Security Presidential Directive 12.

If performance under the Award requires Recipient personnel to have routine access to Federally controlled facilities and/or Federally controlled information systems (for purposes of this condition, “routine access” is defined as more than 180 business days), such personnel must undergo the personal identity verification credential process. In the case of foreign nationals, the DOC will conduct a check with the U.S. Citizenship and Immigration Services (“USCIS”) Verification Division, a component of the Department of Homeland Security (“DHS”), to ensure that the individual is in a lawful immigration status and that he or she is eligible for employment within the U.S. Any items or services delivered under this Award shall comply with DOC personal identity verification procedures that implement Homeland Security Presidential Directive 12, “Policy for a Common Identification Standard for Federal Employees and

Contractors,” Federal Information Processing Standards Publication (“FIPS PUB”) Number 201, and OMB Memorandum M-05-24. The Recipient shall ensure that its subrecipients and contractors (at all tiers) performing work under this Award comply with the requirements contained in this term. The Grants Officer may delay final payment under this Award if a subrecipient or contractor fails to comply with the requirements listed below. The Recipient shall insert the following term in all subawards and contracts when the subrecipient or contractor is required to have routine physical access to a Federally controlled facility or routine access to a Federally controlled information system:

The subrecipient or contractor shall comply with DOC personal identity verification procedures identified in the subaward or contract that implement Homeland Security Presidential Directive 12 (HSPD-12), Office of Management and Budget (OMB) Guidance M-05-24, as amended, and Federal Information Processing Standards Publication (FIPS PUB) Number 201, as amended, for all employees under this subaward or contract who require routine physical access to a Federally controlled facility or routine access to a Federally controlled information system.

The subrecipient or contractor shall account for all forms of Government-provided identification issued to the subrecipient or contractor employees in connection with performance under this subaward or contract. The subrecipient or contractor shall return such identification to the issuing agency at the earliest of any of the following, unless otherwise determined by DOC: (1) When no longer needed for subaward or contract performance; (2) Upon completion of the subrecipient or contractor employee’s employment; (3) Upon subaward or contract completion or termination.

13. Compliance with Department of Commerce Bureau of Industry and Security Export Administration Regulations.

- a. This term applies to the extent that this Award involves access to export-controlled items.
- b. In performing under this Award, the Recipient may gain access to export-controlled information or technology. The Recipient is responsible for compliance with all applicable laws and regulations regarding export-controlled information and technology, including the deemed exports and reexports provisions of the Export Administration Regulations (“EAR”). The Recipient shall establish and maintain throughout performance of this Award effective export compliance procedures at non-DOC facilities. At a minimum, these export compliance procedures must include adequate controls of physical, verbal, visual, and electronic access to export-controlled information and technology.
- c. Definitions.
 - i. *Export-controlled items.* Items (commodities, software, or technology) that are subject to the EAR (15 CFR §§ 730–774), implemented by the DOC’s Bureau of Industry and Security. These are generally known as “dual-use” items—that is, items with a military and commercial application.
 - ii. *Deemed export/reexport.* The EAR defines a deemed export as a release of export-controlled items (specifically, technology or source code) to a foreign national in the U.S. Such release is “deemed” to be an export to the home country of the foreign national. 15 CFR § 734.2(b)(2)(ii). A release may take the form of visual inspection, oral exchange

of information, or the application abroad of knowledge or technical experience acquired in the U.S. If such a release occurs abroad, it is considered a deemed reexport to the foreign national's home country. Licenses from DOC may be required for deemed exports or reexports.

- d. The Recipient shall control access to all export-controlled information and technology that it possesses or that comes into its possession in performance of this Award, to ensure that access is restricted, or licensed, as required by applicable Federal laws, executive orders, or regulations, including the EAR.
- e. As applicable, Recipient personnel and associates at DOC sites will be informed of any procedures to identify and protect export-controlled items.
- f. Nothing in the Terms and Conditions of this Award is intended to change, supersede or waive the requirements of applicable Federal laws, executive orders, or regulations.
- g. The Recipient shall include this subsection entitled "Compliance with Department of Commerce Bureau of Industry and Security Export Administration Regulations," including this subparagraph g, in all lower-tier transactions (subawards, contracts, and subcontracts) under this Award that may involve access to export-controlled information technology.

14. The Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7104(g)), as Amended, and the Implementing Regulations at 2 CFR part 175.

The Trafficking Victims Protection Act of 2000 authorizes termination of financial assistance provided to a private entity, without penalty to the Federal Government, if the Recipient engages in certain activities related to trafficking in persons. The Department hereby incorporates the following Award term required by 2 CFR § 175.15(b). See <http://www.gpo.gov/fdsys/pkg/CFR-2012-title2-vol1/pdf/CFR-2012-title2-vol1-sec175-15.pdf>

- a. *Provisions applicable to a Recipient that is a private entity.*
 - i. The Recipient, its employees, subrecipients under this Award, and subrecipients' employees may not:
 - (1) Engage in severe forms of trafficking in persons during the period of time that the Award is in effect;
 - (2) Procure a commercial sex act during the period of time that the Award is in effect; or
 - (3) Use forced labor in the performance of the Award or subawards under the Award.
 - ii. EDA, as the Federal awarding agency, may unilaterally terminate this Award, without penalty, if the Recipient or a subrecipient that is a private entity:
 - (1) Is determined to have violated a prohibition in paragraph a.i of this Award term; or
 - (2) Has an employee who is determined by the Grants Officer to have violated a prohibition in paragraph a.i of this Award term through conduct that is either:
 - (A) associated with performance under this Award; or (B) imputed to the Recipient or a subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided at 2 CFR part 180 ("OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)") as

implemented by DOC at 2 CFR part 1326 (“Nonprocurement Debarment and Suspension”).

- b. *Provision applicable to a Recipient other than a private entity.* EDA, as the Federal awarding agency, may unilaterally terminate this Award, without penalty, if a subrecipient that is a private entity:
 - i. Is determined to have violated an applicable prohibition in paragraph a.i of this Award term; or
 - ii. Has an employee who is determined by the Grants Officer to have violated an applicable prohibition in paragraph a.i of this Award term through conduct that is either:
 - (1) Associated with performance under this Award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided at 2 CFR part 180 (“OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)”), as implemented by DOC at 2 CFR part 1326 (“Nonprocurement Debarment and Suspension”).
- c. *Provisions applicable to any Recipient.*
 - i. The Recipient must inform EDA immediately of any information it receives from any source alleging a violation of a prohibition in paragraph a.i of this Award term.
 - ii. EDA’s right to terminate this Award unilaterally, as described in paragraph a.ii or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (“TVPA”), as amended (22 U.S.C. § 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to EDA under this Award.
 - iii. The Recipient must include the requirements of paragraph a.i of this Award term in any subaward made to a private entity.
- d. *Definitions.* For purposes of this Award term:
 - i. “Employee” means either:
 - (1) An individual employed by the Recipient or a subrecipient who is engaged in the performance of the Project under this Award; or
 - (2) Another person engaged in the performance of the Project under this Award and not compensated by the Recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward Matching Share requirements.
 - ii. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - iii. “Private entity”:

- (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined at 2 CFR § 175.25;
- (2) Includes: (A) a nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of “Indian tribe” at 2 CFR § 175.25(b); and (B) a for-profit organization.
- iv. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given in section 103 of the TVPA, as amended (22 U.S.C. § 7102).

15. The Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282, 31 U.S.C. § 6101 Note), as Amended by the Government Funding Transparency Act of 2008 (Pub. L. No. 110-252).

- a. **Searchable Website Requirements.** The Federal Funding Accountability and Transparency Act of 2006 (“FFATA” or “Transparency Act”) requires that information on Federal awards (Federal financial assistance and expenditures) be made available to the public via a single, searchable website. This information is available at www.USASpending.gov. To meet these requirements, Recipients and subrecipients must include the following data elements in their Application:
 - i. Name of entity receiving Award;
 - ii. Award amount;
 - iii. Transaction type, funding agency, Catalog of Federal Domestic Assistance Number, and descriptive Award title;
 - iv. Location of entity and primary location of performance (city, State, Congressional District, and country); and
 - v. Unique identifier of entity.

See also 2 CFR § 200.211 (“Public access to Federal award information”).

- b. **Subaward and Executive Compensation Data Reporting Requirements.** A Recipient awarded a new Federal grant greater than or equal to \$25,000 on or after October 1, 2010, other than those funded by the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) (“Recovery Act”), are subject to FFATA subaward reporting requirements as outlined in the OMB guidance issued August 27, 2010. The Recipient is required to file a FFATA subaward report by the end of the month following the month in which the Recipient awards any subgrant greater than or equal to \$25,000. *See* Pub. L. No. 109-282, as amended by section 6202(a) of Pub. L. No. 110-252 (*see* 31 U.S.C. § 6101 note). The reporting requirements are located in Appendix A of 2 CFR part 170 and are available at <https://www.gpo.gov/fdsys/pkg/CFR-2015-title2-vol1/pdf/CFR-2015-title2-vol1-part170.pdf>.

- i. Reporting of first-tier subawards.
 - (1) Applicability. Unless exempt as provided in paragraph b.iv of this Award term, the Recipient must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery Act funds (as defined in section 1512(a)(2) of the

Recovery Act, Pub. L. No. 111-5) for a subaward to an entity (*see* definitions in paragraph b.v of this Award term).

(2) Where and when to report.

- (a) The Recipient must report each obligating action described in paragraph b.i(1) of this Award term to <http://www.fsr.gov>.
- (b) For subaward information, the Recipient must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2015, the obligation must be reported by no later than December 31, 2015.)

(3) What to report. The Recipient must report information about each obligating action that the submission instructions posted at <http://www.fsr.gov> specify.

ii. Reporting total compensation of Recipient executives.

(1) Applicability and what to report. The Recipient must report total compensation for each of its five most highly compensated executives for the preceding completed fiscal year, if:

- (a) The total Federal funding authorized to date under this Award is \$25,000 or more;
- (b) In the preceding fiscal year, the Recipient received:
 - (i) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and
 - (ii) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and
- (c) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. § 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, *see* the U.S. Securities and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

(2) Where and when to report. The Recipient must report executive total compensation described in paragraph b.ii of this Award term:

- (a) As part of its registration profile at <http://www.ccr.gov>.
- (b) By the end of the month following the month in which this Award is made, and annually thereafter.

iii. Reporting total compensation of subrecipient executives.

(1) Applicability and what to report. Unless the subrecipient is exempt as provided in paragraph b.iv of this Award term, each first-tier subrecipient under this Award shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if:

- (a) In the subrecipient’s preceding fiscal year, the subrecipient received:
 - (i) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR § 170.320 (and subawards); and
 - (ii) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - (b) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. § 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, *see* the U.S. Securities and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
See also 2 CFR § 200.300(b) (“Statutory and national policy requirements”).
- (2) Where and when to report. The subrecipient must report its executive total compensation described in paragraph b.iii of this Award term:
- (a) To the Recipient.
 - (b) By the end of the month following the month during which the subaward is made. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), the required compensation information of the subrecipient must be reported by November 30 of that year.
- iv. Exemptions. If, in the previous tax year, the Recipient had gross income, from all sources, under \$300,000, it is exempt from the requirements to report:
- (1) Subawards, and
 - (2) The total compensation of the five most highly compensated executives of any subrecipient.
- v. Definitions. For purposes of this Award term:
- (1) “Entity” means all of the following, as defined at 2 CFR part 25:
 - (a) A Governmental organization, which is a State, local government, or Indian tribe;
 - (b) A foreign public entity;
 - (c) A domestic or foreign nonprofit organization;
 - (d) A domestic or foreign for-profit organization; and
 - (e) A Federal agency, but only as a subrecipient under an award or subaward to a Recipient.
 - (2) “Executive” means officers, managing partners, or any other employees in management positions.
 - (3) “Subaward”:

- (a) This term means a legal instrument to provide support for the performance of any portion of the substantive Project or program for which the Recipient received this Award and that the Recipient awards to an eligible subrecipient.
 - (b) The term does not include the Recipient's procurement of property and services needed to carry out the Project or program (for further explanation, *see* 2 CFR § 200.330).
 - (c) A subaward may be provided through any legal agreement, including an agreement that the Recipient or a subrecipient considers a contract.
- (4) "Subrecipient" means an entity that:
- (a) Receives a subaward from the Recipient under this Award; and
 - (b) Is accountable to the Recipient for the use of the Federal funds provided by the subaward.
- (5) "Total compensation" means the cash and noncash dollar value earned by the executive during the Recipient's or subrecipient's preceding fiscal year and includes the following (for more information, *see* 17 CFR § 229.402(c)(2)):
- (a) Salary and bonus.
 - (b) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Share Based Payments.
 - (c) Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives and are available generally to all salaried employees.
 - (d) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
 - (e) Above-market earnings on deferred compensation which is not tax-qualified.
 - (f) Other compensation, if the aggregate value of all such other compensation (*e.g.*, severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.
- c. **Central Contractor Registration ("CCR") and Universal Identifier Requirements.** In accordance with 2 CFR part 25, the Recipient must obtain a Data Universal Numbering System ("DUNS") number and maintain an active registration in the CCR database. In addition, the Recipient must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the Recipient. The requirements are located in Appendix A of 2 CFR part 25 and are available at <http://www.gpo.gov/fdsys/pkg/CFR-2015-title2-vol1/pdf/CFR-2015-title2-vol1-part25.pdf>.
- i. Requirement for CCR. Unless exempted from this requirement under 2 CFR § 25.110, the Recipient must maintain the currency of its information in the

CCR until it submits the final financial report required under this Award or receives the final payment, whichever is later. This requires that the Recipient review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another Award term.

ii. Requirement for DUNS Numbers. If authorized to make subawards under this Award, the Recipient:

(1) Must notify potential subrecipients that no entity (*see* definition in paragraph b.v of this Award term) may receive a subaward from the Recipient unless the entity has provided its DUNS number to the Recipient.

(2) May not make a subaward to an entity unless the entity has provided its DUNS number to the Recipient.

iii. Definitions for purposes of this Award term:

(1) “Central Contractor Registration (“CCR”)” means the Federal repository into which an entity must provide information required for the conduct of business as a Recipient. Additional information about registration procedures may be found at the System for Award Management website (currently at <https://www.sam.gov/portal/public/SAM/>).

(2) “Data Universal Numbering System (“DUNS”)” number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

(3) “Entity,” as it is used in this Award term, means all of the following, as defined at 2 CFR part 25, subpart C:

(a) A Governmental organization, which is a State, local government, or Indian Tribe;

(b) A foreign public entity;

(c) A domestic or foreign nonprofit organization;

(d) A domestic or foreign for-profit organization; and

(e) A Federal agency, but only as a subrecipient under an award or subaward to a Recipient.

(4) “Subaward”:

(a) This term means a legal instrument to provide support for the performance of any portion of the substantive Project or program for which the Recipient received this Award and that the Recipient awards to an eligible subrecipient.

(b) The term does not include the Recipient’s procurement of property and services needed to carry out the Project or program (for further explanation, *see* 2 CFR § 200.330).

(c) A subaward may be provided through any legal agreement, including an agreement that the Recipient considers a contract.

(5) “Subrecipient” means an entity that:

- (a) Receives a subaward from the Recipient under this Award; and
- (b) Is accountable to the Recipient for the use of the Federal funds provided by the subaward.

See also 2 CFR § 200.300(b) (“Statutory and national policy requirements”).

16. Federal Financial Assistance Planning During a Funding Hiatus or Government Shutdown.

This term sets forth initial guidance that will be implemented for Federal financial assistance awards in the event of a lapse in appropriations, or a Government shutdown. The Grants Officer may issue further guidance prior to an anticipated shutdown.

- a. Unless there is an actual rescission of funds for specific grant obligations, Recipients under Federal financial assistance awards for which funds have been obligated generally will be able to continue to perform and incur allowable expenses under the Award during a funding hiatus. Recipients are advised that ongoing activities by Federal employees involved in grant administration (including payment processing) or similar operational and administrative work cannot continue when there is a funding lapse. Therefore, there may be delays, including payment processing delays, in the event of a shutdown.
- b. All Award actions will be delayed during a Government shutdown; if it appears that a Recipient’s performance under a grant or cooperative agreement will require agency involvement, direction, or clearance during the period of a possible Government shutdown, the Project Officer or Grants Officer, as appropriate, may attempt to provide such involvement, direction, or clearance prior to the shutdown or advise the Recipient that such involvement, direction, or clearance will not be forthcoming during the shutdown. Accordingly, Recipients whose ability to withdraw funds is subject to prior agency approval, which in general are Recipients that have been designated high risk, Recipients under construction awards, and other Recipients limited to reimbursements or subject to agency review, will be able draw funds down from the relevant Automatic Standard Application for Payment (“ASAP”) account only if agency approval is given and coded into ASAP prior to any Government shutdown or closure. This limitation may not be lifted during a Government shutdown. Recipients should plan to work with the Grants Officer to request prior approvals in advance of a shutdown wherever possible. Recipients whose authority to draw down award funds is restricted may decide to suspend work until the Government reopens.
- c. The ASAP system should remain operational during a Government shutdown. Recipients that do not require any Grants Officer or agency approval to draw down advance funds from their ASAP accounts should be able to do so during a shutdown. The 30-day limitation on the drawdown of advance funds will still apply notwithstanding a Government shutdown and advanced funds held for more than 30 days will have to be returned with interest.

APPENDIX

The following reference materials and forms are available online:

1. 2 CFR part 200, “*Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*”
2. 2 CFR part 1326, “*Nonprocurement Debarment and Suspension*”
3. 13 CFR Chapter III (EDA’s regulations)
4. 15 CFR part 4, “*Disclosure of Government Information*”
5. 15 CFR part 27, “*Protection of Human Subjects*”
6. 15 CFR part 28, “*New Restrictions on Lobbying*”
7. 15 CFR part 29, “*Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)*”
8. 48 CFR part 31, “*Contract Cost Principles and Procedures*”
9. Code of Federal Regulations (CFR): Government Printing Office’s Federal Digital System (FDSYS) at <https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>
10. EDA’s regulations: <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>; search for Title 13, Chapter III after selecting the relevant year
11. OMB Circulars: www.whitehouse.gov/omb/circulars/index.html
12. Davis-Bacon wage rate determinations: <http://www.wdol.gov/dba.aspx>

Governmentwide and DOC-Specific Forms:

1. Form CD-281, “Report of Government Property in Possession of Contractor”
2. Form CD-450, “Financial Assistance Award”
3. Form CD-451, “Amendment to Financial Assistance Award”
4. Form SF-425, “Federal Financial Report”
5. Form SF-428, “Tangible Personal Property”
6. Form SF-429, “Real Property Status Report”
7. Form SF-271, “Outlay Report and Request for Reimbursement for Construction Programs”
8. Form SF-272, “Federal Cash Transaction Report”
9. Form SF-LLL, “Disclosure of Lobbying Activities”

Commerce Department (“CD”) forms:

http://ocio.os.doc.gov/ITPolicyandPrograms/Electronic_Forms/index.htm

Governmentwide Standard Forms (“SF”): https://www.whitehouse.gov/omb/grants_forms



United States Department of Commerce
Economic Development Administration
Denver Regional Office
1244 Speer Boulevard, Suite 431
Denver, Colorado 80204

September 20, 2018

In reply refer to:
Investment No.: 05-01-05898

Steve Carter, President
Iowa State University Research Park
1805 Collaboration Place, Suite 1250
Ames, Iowa 50010

John Joiner, Public Works Director
City of Ames
515 Clark Avenue
Ames, Iowa 50010

Dear Mr. Carter and Mr. Joiner:

The Department of Commerce's Economic Development Administration (EDA) has approved your application for a \$1,743,558 EDA investment for the Iowa State University Research Park Phase IV Road and utility improvements in Ames, Iowa.

Enclosed are two signed copies of the Financial Assistance Award. Your agreement to the terms and conditions of the award should be indicated by the signature of your principal official on each of the signed copies of the Financial Assistance Award. One of the executed copies should be returned to the Economic Development Administration. If not signed and returned within 30 days of receipt, EDA may declare the Award null and void.

Please do not make any commitments in reliance on this award until you have carefully reviewed and accepted the terms and conditions. Any commitments entered into prior to obtaining the approval of EDA in accordance with its regulations and requirements will be at your own risk.

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Through strategic investments that foster job creation and attract private investment, EDA supports development in economically distressed and other areas of the United States.

EDA shares your expectations regarding the impact of this investment and looks forward to working with you to meet the economic development needs of your community.

Sincerely,

A handwritten signature in black ink that reads "Angela B. Martinez". The signature is written in a cursive, flowing style.

Angela B. Martinez
Regional Director

Enclosures

SPECIAL AWARD CONDITIONS
 U.S. DEPARTMENT OF COMMERCE
 Economic Development Administration (EDA)

CONSTRUCTION PROJECTS: Public Works Program under Section 201 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. §3121 et seq.) (PWEDA)

Project Title: ISURP Phase IV road and utility improvements	
Recipients Name: Iowa State University Research Park & City of Ames, Iowa	Project Number: 05-01-05898

1. This EDA Award supports the work described in the approved final scope of work, which is incorporated by reference into this Award, as the *Authorized Scope of Work*. All work on this project should be consistent with this *Authorized Scope of Work*, unless the Grants Officer has authorized a modification of the scope of work in writing through an amendment memorialized by a fully executed Form CD-451.

The *Authorized Scope of Work* for this project consists of paving approximately 1,570 linear feet of South Riverside Drive (31 feet wide), paving approximately 1,860 linear feet of Collaboration Place (36 feet wide), installing approximately 1,975 linear feet of 5 inch PCC trail along South Riverside Drive, and installing associated utilities including street lighting, storm sewer, water main, and sanitary sewer for the Iowa State University Research Park - Phase IV.

2. The Authorized Representative's name, title, address, and telephone number are:

Steve Carter President 515-296-4204 stc@iastate.edu	Iowa State University Research Park 1805 Collaboration Place, Suite 1250 Ames, Iowa 50010
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John Joiner Public Works Director 515-239-5165 jjoiner@city.ames.ia.us	City of Ames 515 Clark Avenue Ames, Iowa 50010
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The Point of Contact's name, title, address, and telephone number are:

Steve Carter President 515-296-4204 stc@iastate.edu	Iowa State University Research Park 1805 Collaboration Place, Suite 1250 Ames, Iowa 50010
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John Joiner Public Works Director 515-239-5165 jjoiner@city.ames.ia.us	City of Ames 515 Clark Avenue Ames, Iowa 50010
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The Grants Officer is authorized to award, amend, suspend, and terminate financial assistance awards. The Grants Officer is:

Angela B. Martinez Regional Director Phone: 303-844-3909 Email: AMartinez@eda.gov	Economic Development Administration 1244 Speer Boulevard, Suite 431 Denver, Colorado 80204
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The Federal Program Officer oversees the programmatic aspects of this Award. The Federal Program Officer is:

Cindy Edwards Area Director Phone: 303-844-5360 Email: cedwards@eda.gov	Economic Development Administration 1244 Speer Boulevard, Suite 431 Denver, Colorado 80204
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The Project Officer is responsible for day-to-day administration and liaison with the Recipient and receives all reports and payment requests. The Project Officer is:

Veronica Jacobson Engineer Phone: 303-844-4703 Email: vjacobson@eda.gov	Economic Development Administration 1244 Speer Boulevard, Suite 431 Denver, Colorado 80204
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3. ADDITIONAL INCLUDED DOCUMENTS:

In addition to the regulations, documents, or authorities incorporated by reference on the Financial Assistance Award form (Form CD-450) the following additional documents are included with and considered to be part of the Award’s terms and conditions:

- A Recipient’s final completed Application including subsequently submitted documents (this item not enclosed in this Award package);

Should there be a conflict between the above referenced documents and the Special Award Conditions (this document), the Special Award Conditions, including any attachments, shall prevail.

4. PROJECT DEVELOPMENT TIME SCHEDULE: The Recipient agrees to the following Project Development Time Schedule:

Date of AwardSeptember 20, 2018
 Return of Executed Financial Assistance Award/Amendment....30 calendar days after receipt of Form CD-450/CD-451
 Start of Construction.....September 20, 2020 (24 Months from Date of Award)
 Construction Completed.....September 20, 2022 (48 Months from Date of Award)
 Authorized Award End Date.....March 20, 2023 (54 Months from Date of Award)

Project Closeout – All Project closeout documents, including any required program reports, shall be submitted to EDA not more than 90 calendar days after the date the Recipient accepts the completed project from the contractor(s).

The Recipient shall diligently pursue the development of the Project so as to ensure completion within this time schedule. Moreover, the Recipient shall promptly notify EDA in writing of any event that could substantially delay meeting any of the proscribed time limits for the Project as set forth above. The Recipient further acknowledges that failure to meet the Project Development Time Schedule may result in EDA's taking action to terminate the Award in accordance with the regulations set forth at 2 C.F.R. §§ 200.338 through 200.342, as applicable.

5. PROJECT REPORTING AND FINANCIAL DISBURSEMENTS INSTRUCTIONS:

- A. **AWARD DISBURSEMENTS: Reimbursable basis only:** EDA will make disbursements under this Award on a reimbursement basis only, based on actual costs. The “*Request for Reimbursement*” (Form SF-271) is used to request a disbursement, which shall be approved in writing by the Project Officer.

Please note that prior to the initial disbursement, Recipients must complete the attached Form SF-3881, “*ACH Vendor/Miscellaneous Payment Enrollment Form*” and submit it to NOAA's Accounting Office by FAX to 301-528-3675 (*FAX is required to secure confidentiality of sensitive information*). The form must be completed by the respective parties (EDA, Recipient Bank, and Recipient) at the start of each new award.

B. REPORTS:

- a. *Project Progress Reports:* The Recipient shall submit project progress reports to the Project Officer on a quarterly basis for the periods ending **December 31, March 31, June 30, and September 30**, or any portion thereof until the final grant payment is made by EDA. Reports should be submitted using the approved EDA template, which will be provided by the Project Officer and discussed during the project kick-off meeting. Reports are due no later than 15 days following the end of the quarterly period.
- b. *Financial Reports:* The Recipient shall submit a “*Federal Financial Report*” (Form SF-425) on a semi-annual basis for the periods ending **March 31 and September 30**, or any portion thereof, for the entire project period. Reports are due no later than 30 days following the end of the semiannual reporting period. Form SF-425 (and instructions for completing this form) is available at:
<https://www.gsa.gov/portal/forms/download/149786>.

A final Form SF-425 must be submitted no more than 90 calendar days after the expiration date of the Award (e.g., the Award end date specified on the Form CD-450 or Form CD-451). Final Financial reports should follow the guidance outlined by the form instructions for submitting mid-term financial reports, but should ensure that all fields accurately reflect the total outlays for the entire project period, and that all matching and program income (if

applicable) is fully reported. Final grant rate and determinations of final balances owed to the government will be determined by the information on the final Form SF-425, so it is imperative that this final financial form is submitted in a timely and accurate manner.

6. **ALLOWABLE COSTS AND AUTHORIZED BUDGET:** Total allowable costs will be determined at the conclusion of the award period in accordance with the administrative authorities applicable pursuant to the *Financial Assistance Award* (Form CD-450), including the applicable requirements set forth in 2 C.F.R. part 200, after Final Financial Documents are submitted.

Except as otherwise expressly provided for within these Special Award Conditions, the Investment Rate for the award (see 13 C.F.R. §§ 300.3 and 301.4) shall apply to allowable costs incurred by the Recipient in connection with the project. The Federal share in the allowable costs shall be based upon the Investment Rate (see 2 C.F.R. § 200.43). In the event of an underrun in total allowable costs for this project, the Federal share of allowable costs shall be determined by the Investment Rate established in the Form CD-450, or subsequently executed Form CD-451. The Federal Share of total allowable costs shall not exceed the dollar amount of the original Award and subsequent amendments, if any.

- A. Under the terms of the Award, the total approved authorized budget is:

Federal Share (EDA Amount)	\$1,743,558
Non-Federal Matching Share	\$1,743,559
Total Project Cost	\$3,487,117

- B. Under the terms of this Award, the total approved **Line Item Budget** is:

COST CLASSIFICATION	Proposed	Approved
Administrative and legal expenses	\$0	\$0
Land, structures, rights-of-way, etc.	\$0	\$0
Relocation expenses and payments	\$0	\$0
Architectural and engineering fees	\$493,939	\$493,939
Other architectural and engineering fees	\$0	\$0
Project inspection fees	\$0	\$0
Site work	\$0	\$0
Demolition and removal	\$0	\$0
Construction	\$2,869,693	\$2,869,693
Equipment	\$0	\$0
Contingencies	\$123,485	\$123,485
Total Project Costs	\$3,487,117	\$3,487,117

7. **MATCHING SHARE:** The Recipient agrees to provide the Recipient’s non-Federal Matching Share contribution for eligible project expenses in proportion to the Federal share requested for such project expenses. (See 13 C.F.R. § 300.3) The Recipient also certifies that, in accepting the Financial Assistance Award, the Recipient’s Matching Share of the project costs is

committed and unencumbered, from authorized sources, and shall be available as needed for the project.

8. **REFUND CHECKS, INTEREST, OR UNUSED FUNDS:** Treasury has given EDA two options for having payments deposited to EDA's account:

- i. The first one is Pay.Gov. This option allows the payee to pay EDA through the Internet. The payee will have the option to make a one-time payment or to set up an account to make regular payments.
- ii. The second option is Paper Check conversion. All checks must identify on their face the name of the DOC agency funding the award, award number, and no more than a two-word description to identify the reason for the refund or check. A copy of the check should be provided to the EDA Project Officer. This option allows the payee to send a check to NOAA's Accounting Office, who processes EDA's accounting functions at the following address:

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
Finance Office, AOD, EDA Grants
20020 Century Boulevard, Germantown, MD 20874

The accounting staff will scan the checks in to an encrypted file and transfer to the Federal Reserve Bank, where the funds will be deposited in EDA's account. While this process will not be an issue with most payees, there are occasionally issues for entities remitting funds to EDA via check. If you are remitting funds to EDA via check, please make note of the following:

- If a check is sent to EDA, it will be converted into an electronic funds transfer by copying the check and using the account information to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will appear on your regular account statement.
- EDA will not return your original check; the original will be destroyed and a copy will be maintained in our office. If the Electronic Funds Transfer (EFT) cannot be processed for technical reasons, the copy will be processed in place of the original check. If the EFT cannot be completed because of insufficient funds, EDA will charge you a one-time fee of \$25.00, which will be collected by EFT.

9. **CONSTRUCTION COMPLETION:** In keeping with prudent grants management policy, EDA construction projects must be completed within five (5) years from the date the Form CD-450 is signed by the Recipient accepting the Award. If construction is not completed by this date and the Grants Officer determines, after consultation with the Grant Recipient, that construction to completion cannot reasonably be expected to proceed promptly and expeditiously, the grant may be terminated. Extensions beyond the five-year project period are

exceedingly rare and can only be authorized by the Assistant Secretary. Nothing in this paragraph is intended to alter the Project Development Time Schedule set forth in provision 4 above.

10. **GOALS FOR WOMEN AND MINORITIES IN CONSTRUCTION:** Department of Labor regulations set forth in 41 C.F.R. § 60-4 establishes goals and timetables for participation of minorities and women in the construction industry. These regulations apply to all federally assisted construction contracts in excess of \$10,000. The Recipient shall comply with these regulations and shall obtain compliance with 41 C.F.R. § 60-4 from contractors and subcontractors employed in the completion of the Project by including such notices, clauses and provisions in the Solicitations for Offers or Bids as required by 41 C.F.R. § 60-4. The goal for the participation of women in each trade area shall be as follows: From April 1, 1981, until further notice: 6.9 percent.

All changes to this goal, as published in the Federal Register in accordance with the Office of Federal Contract Compliance Programs regulations at 41 C.F.R. § 60-4.6, or any successor regulations, shall hereafter be incorporated by reference into these Special Award Conditions.

Goals for minority participation shall be as prescribed by Appendix B-80, Federal Register, Volume 45, No. 194, October 3, 1980, or subsequent publications. The Recipient shall include the “*Standard Federal Equal Employment Opportunity Construction Contract Specifications*” (or cause them to be included, if appropriate) in all Federally-assisted contracts and subcontracts. The goals and timetables for minority and female participation may not be less than those published pursuant to 41 C.F.R. § 60-4.6.

11. **PROCUREMENT:** The Recipient agrees that all procurement transactions shall be in accordance with the regulations at 2 C.F.R. §§200.317 through 200.326, as applicable.
12. **ARCHITECT/ENGINEER AGREEMENT:** Prior to initial disbursement of funds by EDA, the Recipient must submit to the Government for approval, an Architect/Engineer Agreement that meets the requirements in the EDA’s “Summary of EDA Construction Standards,” as well as the competitive procurement standards of 2 C.F.R. part 200, as applicable. The fee for basic Architect/Engineer Services will be a lump sum or an agreed maximum, and no part of the fees for other services will be based on a cost-plus-a-percentage-of-cost or a cost using a multiplier.
13. **EVIDENCE OF GOOD TITLE:** Prior to the initial disbursement of funds by EDA, the Recipient shall provide opinion of counsel, satisfactory to EDA, that the Recipient has acquired good and marketable title to land, free of all encumbrances, as well as rights-of-way, long term leases, easements, state or local government permits or other items necessary for the completion of the project in accordance with 13 C.F.R. § 314.7.
14. **USEFUL LIFE:** The Estimated Useful Life of this project is hereby determined to be 20 years from the date of Award.
15. **AGENCY CONSULTATIONS:** Prior to EDA’s approval of the bid documents, and in any case prior to the commencement of any earth-moving activities, consultations must be completed with the U.S. Army Corps of Engineers (USACE) and the State Historic

Preservation Officer. Any mitigation measures from the agency consultations will be added as a special award condition to the Financial Assistance Award and National Environmental Policy Act (NEPA) documentation. No ground disturbing activity is permitted until the consultations are complete and approved by the Denver Regional Environmental Officer.

16. **ARCHEOLOGICAL AND HISTORICAL RESOURCES:** If during construction of the project, historical and archeological resources, including burial grounds and artifacts are discovered, the Recipient shall immediately stop construction in the area, contact the State Historic Preservation Officer and EDA and follow the SHPO's instruction for the preservation of resources.
17. **ENVIRONMENTAL PERMITS:** Prior to EDA's approval of bid documents, the Recipient shall provide documentation satisfactory to EDA that the permits listed below have been obtained or that the bid documents include language requiring the contractor to obtain the permits prior to the start of construction. If the contractor obtains the permits, then prior to initial disbursement of any construction costs, the Recipient shall provide EDA with satisfactory documentation that the permits have been obtained.
- Iowa National Pollution Discharge Elimination System permit

18. **NONRELOCATION:** In signing this award of financial assistance, the Recipient(s) attests that the EDA funded project will not be used to induce the relocation or the movement of existing jobs from one Region to another Region by a primary beneficiary of the Award. (See 13 C.F.R. § 300.3) In the event that EDA determines that its assistance was used for such relocation purposes, EDA reserves the right to pursue all rights and remedies, including suspension of disbursements and termination of the award for convenience or cause, and disallowance of any costs attributable, directly or indirectly, to the relocation and the recovery of the Federal share thereof.

For purposes of ensuring that EDA assistance will not be used for relocation purposes, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project assisted by EDA. EDA considers an employer to be a "primary beneficiary" if, in seeking EDA assistance, the applicant estimates that such employer will create or save 100 or more permanent jobs as a result of the investment assistance and specifically names the employer in its application to EDA to make the Award. In smaller communities, EDA may consider a primary beneficiary to be an employer of 50 or more jobs permanent jobs so identified.

19. **PERFORMANCE MEASURES:** The Recipient agrees to report on program performance measures and program outcomes in such a form and at such intervals as may be prescribed by EDA in compliance with the Government Performance and Results Act (GPRA) of 1993, and the Government Performance and Results Modernization Act of 2010.

At this time, all Awards for construction assistance require Recipients to report actual job creation/retention and private investment leverage three (3), six (6), and nine (9) years after an EDA investment. Recipients are to retain sufficient documentation so that they can submit these required reports. Failure to submit this required report can adversely impact the ability of the Recipient to secure future funding from EDA.

Performance measures and reporting requirements that apply to program activities funded by this investment will be provided in a separate GPRA information collection document. EDA staff will contact Recipients in writing within a reasonable period prior to the time of submission of the reports with information on how this data should be submitted. Recipients should ensure adequate and sufficient records are kept to support the methodology for computing initial job and private investment estimates and all subsequent actual performance data calculations so that this information can be made available to EDA in the event of an audits or performance site visits.

20. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE:

A. General Reporting Requirement

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph B of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

B. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

1. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
2. Reached its final disposition during the most recent five year period; and
3. Is one of the following:
 - (a) A criminal proceeding that resulted in a conviction, as defined in paragraph E of this award term and condition;
 - (b) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (c) An administrative proceeding, as defined in paragraph E. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(d) Any other criminal, civil, or administrative proceeding if:

- (i) It could have led to an outcome described in paragraph B.3.(a), (b), or (c) of this award term and condition;
- (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and
- (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

C. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph B of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

D. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph A of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

E. Definitions

For purposes of this award term and condition:

1. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (*e.g.*, Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
2. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of *nolo contendere*.
3. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

- (a) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and
- (b) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY DIGESTER IMPROVEMENTS, PHASE II PROJECT

BACKGROUND:

A comprehensive evaluation of the mechanical condition of the Water Pollution Control Facility was performed in 2012. The end product of that evaluation was a prioritized schedule for the repair or replacement of key mechanical equipment. Based on that prioritized plan, funds were designated in the Capital Improvements Plan (CIP) to address mechanical systems in the Digester Complex. On May 9, 2017 the City Council awarded a contract for engineering services to Strand Associates, Inc. of Madison, Wisconsin, for design of the Water Pollution Control Facility (WPCF) Digester Pump, Piping, and Valve Replacement Project.

During preliminary design, Strand reviewed the applicable building code requirements related to the digester complex along with standards set by the National Fire Protection Association (NFPA) for wastewater treatment plants (NFPA Standard 820). The overall goal of these standards is to improve workplace safety by providing protection against fire and explosive hazards. The Digester Complex was originally designed and constructed in accordance with the building codes that were in place at the time. **Based on Strand's review, however, the complex does not comply with current NFPA and National Electric Code (NEC) requirements. The FY 18/19 CIP provided additional funding to allow the deficiencies to be corrected as a part of the mechanical improvements project.**

This project is a consolidation of a number of smaller projects identified in the Capital Improvements Plan over a period of several years. A summary of the authorized project budget is show below.

FY 17/18 CIP + Prior Year Carryover	\$ 1,795,818
Pump Room Pipes & Valves	
Primary Pumps	
Secondary Pumps	
Digester Lid Painting	
FY 17/18 Actual Expenses	- 148,319
FY 18/19 Adopted CIP	2,600,000
Gas Piping & Safety Equipment	
Repaint Pump Room	
NFPA Code Upgrades	
<hr/> Total Available Budget	<hr/> \$ 4,247,499

On August 28, 2018, Council issued a Notice to Bidders for the Digester Improvements Phase II Project. Bids were opened on September 26, 2018. Four bids were received and are summarized below:

Bidder	Total Project Bid Price
Shank Constructors, Inc.	\$2,165,200
Story Construction Co.	\$2,671,000
Rice Lake Construction	\$2,808,400
Henkel Construction	\$2,825,000
<i>Engineer's Estimate (w/ 10% Contingency)</i>	<i>\$3,240,000</i>

Shank Constructors, Inc. is the lowest responsible bidder. Staff has worked with Shank Constructors, Inc. before and has made several reference calls to ensure the contractor is capable of the work and confirmed that Shank is comfortable with their bid amount given the difference between their bid and the second lowest bid. Staff feels confident in their ability to perform the work and recommends awarding them the project.

The revised project costs based on this bid award are as follows:

Engineering fees	\$ 515,700
Construction	\$ 2,165,200
Contingency (20%)	\$ 433,100
Total project cost	\$ 3,114,000

ALTERNATIVES:

1. Award a contract for the Digester Improvements Phase II Project to Shank Constructors, Inc. of Minneapolis, Minnesota, in the amount of \$2,165,200.
2. Do not award contract at this time.

CITY MANAGER'S RECOMMENDED ACTION:

Equipment (piping, valves, and pumps), coatings, and fire protection safety features associated with the digester complex have reached the end of their useful life. To ensure that the Water Pollution Control Facility remains operational, these upgrades are necessary. Staff has reviewed the bid amount and feels confident in the ability of the contractor to perform the required work.

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

COUNCIL ACTION FORM

**SUBJECT: TEXT AMENDMENT TO DOWNTOWN SERVICE CENTER (DSC)
ZONING FOR EXCEPTION TO MINIMUM STORIES AND MINIMUM
FLOOR AREA RATIO**

BACKGROUND:

The City Council held a workshop on June 19th about Downtown related issues, including development standards. Mr. Kurt Friedrich spoke at the workshop and identified minimum development standards of a 1.0 floor area ratio (FAR) and two-stories as constraints on redevelopment. The City Council responded by asking for information about how areas other than Main Street, but within the DSC zoning, might have height and FAR standards that were different.

On July 31st, staff reported back offering alternatives: to amend the FAR standard, to modify the minimum two-story requirement, to modify the exception criteria, or to rezone south side of 6th Street to Neighborhood Commercial. The staff report described the pros and cons of the original list of options and can be found [here](#). **After much discussion of goals for Downtown intensification and integrity of the desired design features for Downtown, City Council initiated a consideration of a change to modify the exception criteria for the perimeter of Downtown, specifically the 6th Street area.**

City staff returned to the City Council on September 25th with proposed ordinance language for review and sought direction to move forward with publishing notice for adoption of a zoning change. Staff proposed an exception process that is restricted to additions and includes design requirements as justifications for exception. Although the properties are on the perimeter of the Downtown, the intent of the exception process is to ensure the design of a building and site are similar to the scale and features of a traditional downtown main street, but at a lower intensity of use than required for other areas of Downtown. Staff has prepared standards that articulate minimum design requirements to ensure compatibility of character within the limits of the exception process. **Staff has prepared an ordinance for an exception process addressing the following issues:**

1. The proposed project must be an expansion or enlargement of an existing building and not for new construction,
2. The property must have frontage on 6th Street. For properties on a through lot, existing buildings on the south half of the lot shall have a second story along the entire 5th Street frontage,
3. The proposed project must retain or create an active pedestrian street entrance,
4. The proposed project must demonstrate a height and building placement that

emphasizes an urban design of Main Street style development characterized by a height compatible with buildings in Downtown and maintaining or creating a street edge with buildings,

5. The proposed project must deemphasize the quantity and visibility of surface parking spaces, and
6. The proposed project must have a minimum floor area ratio of 0.50

More information on the criteria are included in the addendum. Draft zoning text changes are included as Attachment 3.

The Planning and Zoning Commission reviewed the proposed text amendment at its September 5th meeting. After reviewing the applicability of the proposed exception and discussing how it would relate to properties with 5th street frontage, the Commission voted 6-0 to recommend adopting new exception criteria for building additions on sites with frontage along 6th street.

Staff has received no public comment on the proposed changes. However, staff did reach out to Mr. Friedrich to discuss his concept for redevelopment of his property at the corner of 6th and Duff. It appears from our discussion that many of the criteria of the exception can be met. However, Mr. Friedrich's concept plan shows an orientation of the primary entrance to a parking lot to the west, located in the middle of the site. Other doorways are also planned for the project as secondary egress points, rather than pedestrian entrances. Mr. Friedrich is concerned that his planned design may not achieve the pedestrian primary entrance criterion and would prefer to not to have an absolute requirement for a primary entrance with a street orientation. Although not a stated requirement of the DSC zoning, staff believes that street entrances are essential to the traditional Downtown character of Ames.

ALTERNATIVES:

1. The City Council can adopt on first reading, the attached zoning text amendment to allow for exceptions to minimum number of stories and floor area ratio for additions within the DSC zoning district.
2. The City Council can direct staff to modify the text of the proposed ordinance.
3. The City Council decline to act on the ordinance, thus retaining the existing language.

CITY MANAGER'S RECOMMENDED ACTION

The proposed amendment is narrowly scoped to properties with frontage along 6th Street and for additions to existing buildings. The criteria are designed to require features typical of a traditional Main Street design while lowering the intensity of use requirements. Some of the exception criteria are more specific than the DSC base zoning requirements, such as the pedestrian entrance requirement to a street. Staff believes the combination of

standards address the concerns about intensity of use while incorporating expectations for a compatible design as part of the evaluation for the exception.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 which is to adopt on first reading the zoning text amendment to allow for a zoning exception to minimum stories and FAR for properties along 6th Street.

Addendum

The current downtown zoning standards were adopted in 2000 to further the objectives of the Land Use Policy Plan (LUPP) for the DSC, intended to be the most intense area of development of the city and to ensure new development is of the same character as the current surroundings. Goal 8 of the LUPP addresses Downtown. The Urban Core Policies section of Chapter 2 describe the expected intensity as 1.0 FAR for the traditional Downtown Area. Additionally, the LUPP describes the intent to preserve older buildings and support their reuse versus their demolition and replacement.

The Downtown Service Center zoning district (DCS, shown in Attachment 1) is “intended to provide for high-density development within the City’s Urban Core.... Development is intended to be very dense with high building coverage, large buildings in scale with the predominant building pattern in the Downtown commercial area, and buildings placed close together. Development is intended to encourage pedestrian activity with a strong emphasis on safe, vital and attractive streets.” The Downtown Service Center requirements (Section 29.808) can be found in [Article 8](#) of the Ames Zoning Ordinance.

To that end, the Development Standards for DSC require a minimum Floor Area Ratio¹ (FAR) of 1.0 and a two-story minimum height² (with an exception for certain uses that require a Special Use Permit). The standards also allow for (but do not require) a zero setback on all sides of the building. There are no other specific design standards as part of the zoning, although Design Guidelines exists for projects eligible for Urban Revitalization property tax abatement.

These standards are typical of many cities’ downtown standards and certainly reflect the development patterns of much of the Main Street and 5th Street corridors in Ames. The perimeter of Downtown, including 6th Street, has a less cohesive development pattern than the core of Downtown and more closely resembles the development pattern of the Neighborhood Commercial (NC) zoning district on the north side of 6th Street.

The current zoning allows for an exception from the zoning standards in two circumstances. The Zoning Board of Adjustment (ZBA) is able to review, on a case-by-case basis, a request for a reduction in the height based on site specific findings about the unique site and use. Uses requiring a Special Use Permit may also be approved for exceptions to height and FAR. Other permitted uses, such as retail, office, and mixed use are required to conform to both standards. **The proposed text amendment is to create an additional exception option subject to ZBA approval based upon specific criteria. Relevant criteria and options are described below.**

6th Street Only

The exception allowance in Section 29.808 is explicit in referring to only lots that have frontage on 6th Street. Currently, there are twelve lots with frontage on 6th Street between Duff Avenue and Grand Avenue. Of these, 5 are zoned S-GA. The seven impacted parcels are identified in Attachment 2. Additionally, some of the lots have frontage along

¹ The Floor Area Ratio is calculated by dividing the gross floor area of all buildings on a lot by the lot area.

² The two-story minimum height is intended to apply to the whole building, not just a portion if it does not meet FAR.

5th Street. The intent of the exception process is to retain the requirement for two-story buildings along 5th Street frontage if it is a through lot situation.

New Construction vs. Existing Structures

The proposed exception would apply only to additions and expansions to existing buildings that may not meet current FAR and/or height standards. This substantially limits the use of the exception compared to allowing it to apply to all new construction.

The current general exception for the height requirement for new construction is retained and clarified to apply to height and FAR, but explicitly notes as applying only to new construction. The current exception applies to all of the DSC zoning. The threshold of approval of an exception for new construction is a higher threshold than the criteria proposed by staff.

Construction of a new building should meet the existing height and FAR standards as there would not be similar impediments to meeting those standards. The exception would not be allowed to apply to a surface parking lot only due to the recommendation of at least at 0.50 FAR even with approval of an exception. This standard means each property must be developed with a building, not just a parking lot.

Design Criteria

An exception is granted by the Zoning Board of Adjustment per the authority granted in Section 29.1506 (4) in [Article 15](#). Subparagraph 29.1506 (4)(b) will need to be updated to include FAR in the DSC. The intent is to only grant the exception when the proposed design meets the overall objectives of the City and not have it based upon use.

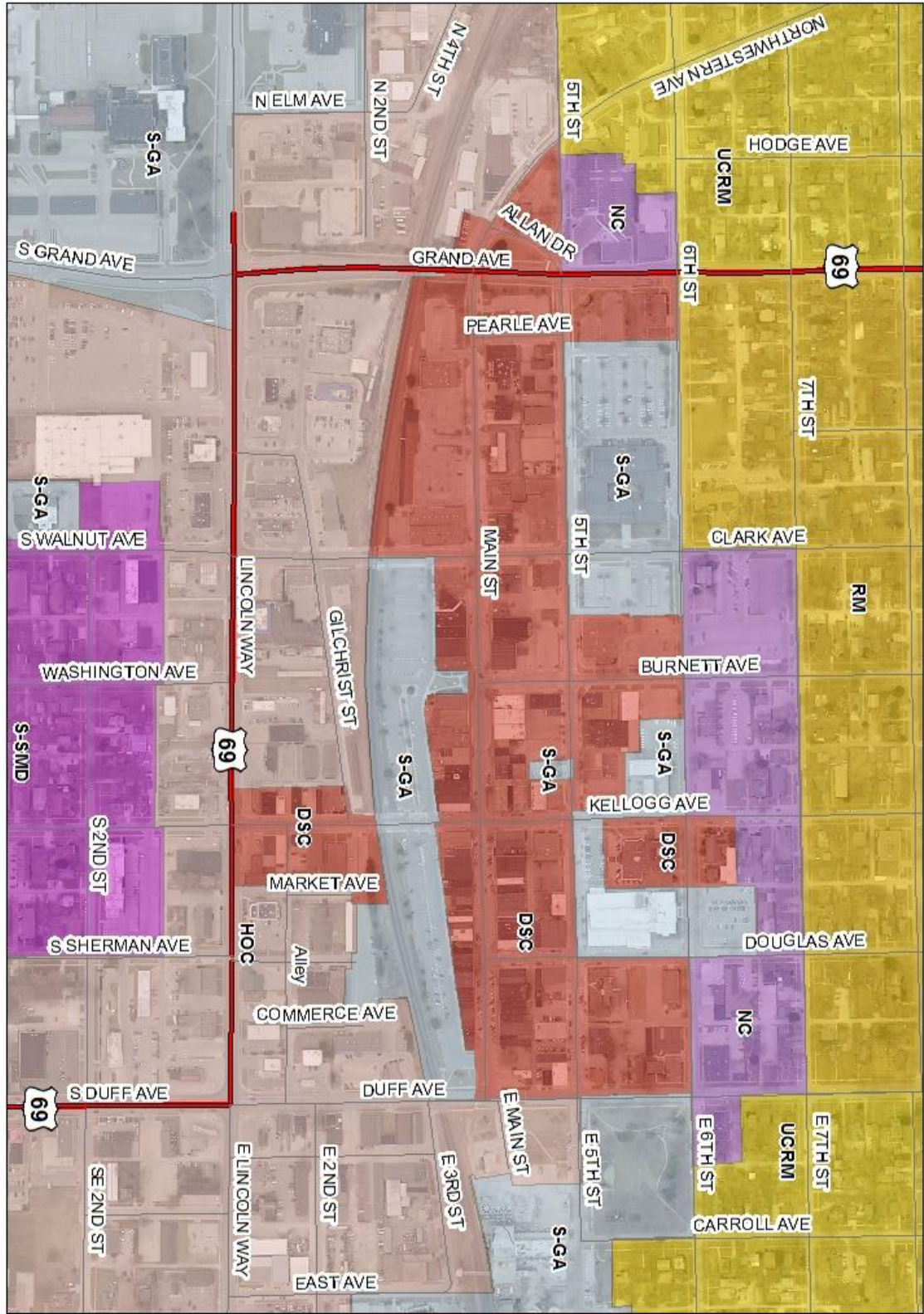
The proposed standards include a requirement that a façade shall support pedestrian orientation with front facade placed near the street and that there be a primary pedestrian entrance. Additional pedestrian entrances may face an adjacent parking lot but, to maintain the pedestrian orientation consistent with the existing built environment in the urban core, there must be a primary street entrance.

The proposed design would also need to be of a height that is compatible with buildings in downtown, meaning that the height of a one story building be extended with a parapet or including some element of two-stories even if there is not a whole second floor. The criteria also include a requirement to maintain or create a building edge along the sidewalk—a feature typical of the urban development patterns of Main Street.

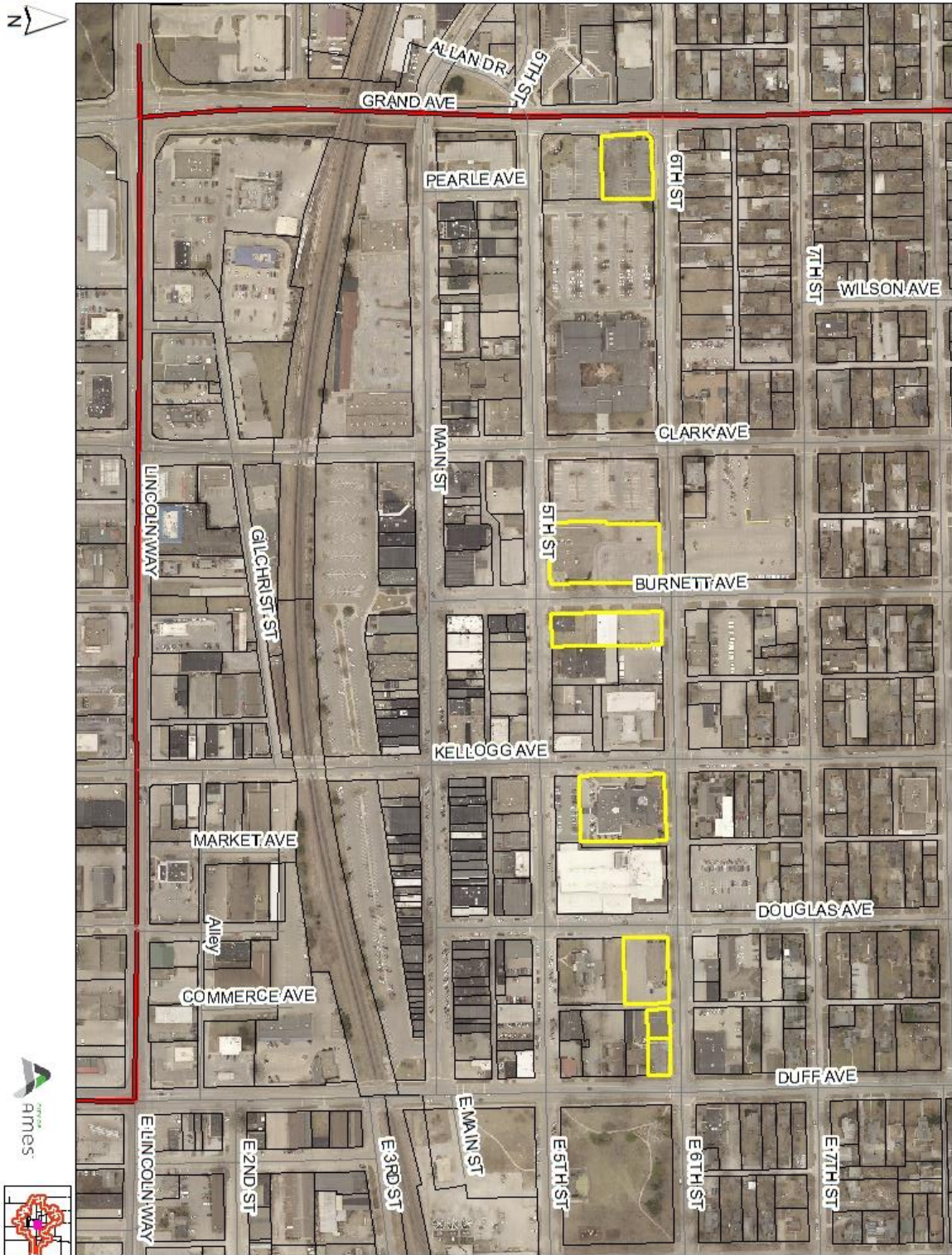
The exception also is written to allow for only a 50% reduction in the minimum required FAR. This assists in assuring the goal for intensity of use is still met and that projects do not focus solely on providing on-site parking with a small amount of building area.

The exception extends design authority to the Site Plan review to consider the whole of the site not just the building to address parking design. The likely replacement of building area with parking and the relationship of the parking to the street is an important consideration with the exception allowance.

Attachment 1: Downtown Service Center Zoning [North to Right]



Attachment 2: 6th Street Corridor [North to Right]



Attachment 3: Proposed Amendments for DSC FAR and Height Requirements

Section 29.808

...

(4) Standards for the Granting of Exceptions to the Minimum Requirement for Two Story Buildings and the Minimum 1.0 Floor Area Ratio in the DSC (Downtown Service Center) District. Before an exception to the requirement for two-story buildings or the minimum 1.0 floor area ratio in the DSC (Downtown Service Center) can be granted, the Zoning Board of Adjustment shall establish that the following standards have been, or shall be satisfied:

(a) Standards for New Construction. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed one-story building, in the DSC zone, meets the following standards:

- (i) Physical circumstances exist for the property which result in a lot with a size and shape that is not conducive to a multi-story structure, and
- (ii) It can be demonstrated that there is a direct benefit to the community to have a one-story structure, at the proposed location, as opposed to a multi-story structure.

(b) Standards for Existing Structures. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed expansion or enlargement of a building not meeting the minimum number of stories or floor area ratio, meets the following standards:

- (i) The proposed project is an expansion or enlargement of an existing building and not for new construction,
- (ii) The property has frontage on 6th Street. For properties on a through lot, existing buildings on the south half of the lot shall have a second story along the entire 5th Street frontage,
- (iii) The proposed project retains or creates an active pedestrian street entrance,
- (iv) The proposed project demonstrates a height and building placement that emphasizes an urban design of Main Street style development characterized by a height compatible with buildings in downtown and maintaining or creating a street edge with buildings,
- (v) The proposed project deemphasizes the quantity and visibility of surface parking spaces, and
- (vi) The proposed project has a minimum floor area ratio of 0.50

(bc) Procedure. The procedure to follow for an “exception” is described in Section 29.1506(3).

Section 29.1506 EXCEPTIONS

...

(4) When Authorized. The Zoning Board of Adjustment is authorized to grant the following exceptions:

(a) Parking stall exceptions pursuant to Sec. 29.406(9)(c).

(b) ~~DSC and CSC~~ minimum height exceptions pursuant to ~~Sec. 29.808(4) and 29.809(4)~~. (Ord. No. 3872, 03-07-06)

(c) DSC minimum height and floor area ratio exceptions pursuant to Sec. 29.808(4).

(ed) Exceptions for minor area modifications. The Board is authorized to grant exceptions from the requirements of the zoning ordinance to allow minor area modifications for single family attached and detached dwellings that are existing in developed areas, but not in cases of new construction. These are authorized for the following situations:

(i) reduction of required residential side yard setbacks for principal structures by no more than two feet

(ii) reduction of required residential front and rear yard setbacks for principal structures by no more than five feet;

(iii) reduction of minimum lot area requirements by no more than 10%;

(iv) reduction of required residential front, rear and side yard setbacks without limit as required to provide handicapped access ramps to a dwelling;

(v) reduction of front, rear, and side yard setbacks without limit to allow reconstruction of a historically accurate structure.

(de) Commercial Parking lot side and rear landscape setback requirement of 29.403.

(ef) Commercial Parking Lot area percentage requirement of 29.403.

(5) Review Criteria. Before an exception can be granted, the Board of Adjustment shall establish that the following standards have been or shall be satisfied:

(a) Parking Stall Dimension Exceptions. The Board may grant specific limited exceptions to the minimum parking space and drive aisle dimensions in accordance with the standards set forth at Sec. 29.406(9)(c).

(b) ~~DSC and CSC~~ Minimum Height Exceptions. The Board may grant exceptions to the minimum height requirements for buildings in the ~~DSC and CSC~~ districts in accordance with the standards set forth at ~~Sec. 29.808(4) and 29.809(4)~~.

(c) DSC Minimum Stories and FAR exceptions. The Board may grant exceptions to the minimum number of stories and floor area ratio requirements for buildings in the DSC district in accordance with the standards set forth at 29.808(4)

(ed)...

...

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 29.808(4)(a)(i)(ii),(b), SECTION 29.1506(4)(a)(b)(c)(d)(e),(5)(a)(b) AND ENACTING A NEW SECTION 29.808(4)(a)(i)(ii),(b)(i)(ii)(iii)(iv)(v)(vi),(c) AND SECTION 29.1506(4)(a)(b)(c)(d)(e)(f),(5)(a)(b)(c) AND RE-LETTERING FORMER SUBSECTIONS (5)(c)(d)(e)(f) AS (5)(d)(e)(f)(g) THEREOF, FOR THE PURPOSE OF EXCEPTION TO MINIMUM STORIES AND MINIMUM FLOOR AREA RATIO REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 29.808(4)(a)(i)(ii),(b)(i)(ii)(iii)(iv)(v)(vi),(c), Section 29.1506(4)(a)(b)(c)(d)(e)(f),(5)(a)(b)(c) and re-lettering former subsections (5)(c)(d)(e)(f) as (5)(d)(e)(f)(g) as follows:

“Sec. 29.808. "DSC" DOWNTOWN SERVICE CENTER.

...

(4) Standards for the Granting of Exceptions to the Minimum Requirement for Two Story Buildings and the Minimum 1.0 Floor Area Ratio in the DSC (Downtown Service Center) District. Before an exception to the requirement for two-story buildings or the minimum 1.0 floor area ratio in the DSC (Downtown Service Center) can be granted, the Zoning Board of Adjustment shall establish that the following standards have been, or shall be satisfied:

(a) Standards for New Construction. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed one-story building, in the DSC zone, meets the following standards:

(i) Physical circumstances exist for the property which result in a lot with a size and shape that is not conducive to a multi-story structure, and

(ii) It can be demonstrated that there is a direct benefit to the community to have a one-story structure, at the proposed location, as opposed to a multi-story structure.

(b) Standards for Existing Structures. The Zoning Board of Adjustment shall review each application for the purpose of determining that each proposed expansion or enlargement of a building not meeting the minimum number of stories or floor area ratio, meets each of the following standards:

(i) The proposed project is an expansion or enlargement of an existing building and not for new construction,

(ii) The property has frontage on 6th Street. For properties on a through lot, existing buildings on the south half of the lot shall have a second story along the entire 5th Street frontage,

(iii) The proposed project retains or creates an active pedestrian street entrance,

(iv) The proposed project demonstrates a height and building placement that emphasizes an urban design of Main Street style development characterized by a height compatible with buildings in downtown and maintaining or creating a street edge with buildings,

(v) The proposed project deemphasizes the quantity and visibility of surface parking spaces, and

(vi) The proposed project has a minimum floor area ratio of 0.50.

(c) Procedure. The procedure to follow for an “exception” is described in Section 29.1506(3).

Sec. 29.1506. EXCEPTIONS.

...

(4) **When Authorized.** The Zoning Board of Adjustment is authorized to grant the following exceptions:

- (a) Parking stall exceptions pursuant to Sec. 29.406(9)(c).
- (b) CSC minimum height exceptions pursuant to 29.809(4). (Ord. No. 3872, 03-07-06)
- (c) DSC minimum height and floor area ratio exceptions pursuant to Sec. 29.808(4).
- (d) Exceptions for minor area modifications. The Board is authorized to grant exceptions

from the requirements of the zoning ordinance to allow minor area modifications for single family attached and detached dwellings that are existing in developed areas, but not in cases of new construction. These are authorized for the following situations:

- (i) reduction of required residential side yard setbacks for principal structures by no more than two feet;
- (ii) reduction of required residential front and rear yard setbacks for principal structures by no more than five feet;
- (iii) reduction of minimum lot area requirements by no more than 10%;
- (iv) reduction of required residential front, rear and side yard setbacks without limit as required to provide handicapped access ramps to a dwelling;
- (v) reduction of front, rear, and side yard setbacks without limit to allow reconstruction of a historically accurate structure.
- (e) Commercial Parking lot side and rear landscape setback requirement of 29.403.
- (f) Commercial Parking Lot area percentage requirement of 29.403.

(5) **Review Criteria.** Before an exception can be granted, the Board of Adjustment shall establish that the following standards have been or shall be satisfied:

- (a) Parking Stall Dimension Exceptions. The Board may grant specific limited exceptions to the minimum parking space and drive aisle dimensions in accordance with the standards set forth at Sec. 29.406(9)(c).
- (b) CSC Minimum Height Exceptions. The Board may grant exceptions to the minimum height requirements for buildings in the CSC districts in accordance with the standards set forth at 9.809(4).
- (c) DSC Minimum Stories and FAR exceptions. The Board may grant exceptions to the minimum number of stories and floor area ratio requirements for buildings in the DSC district in accordance with the standards set forth at 29.808(4)".

...

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor