

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
DECEMBER 18, 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: 4:00 p.m.

1. Comprehensive Plan Kick-Off

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.

2. Motion approving payment of claims
3. Motion approving Minutes of Special Meeting held December 4, 2018
4. Motion approving 5-day (Jan 12 - 17) Class C Liquor License for Christiani's Events LLC at the ISU Alumni Association, 429 Alumni Lane
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor - Cyclone Liquors, 626 Lincoln Way (Back Room Only)
 - b. Class C Beer & B Wine Permit - Fresh Thyme Farmers Market, 215 SE 5th Street
6. Motion rejecting all bids for Scaffolding and Related Services and Supply Contract for Electric Services and directing staff to re-bid at a later date
7. Resolution approving and adopting Supplement No. 2019-1 to the *Ames Municipal Code*
8. Resolution approving appointment of Council Member Betcher to Ames Convention and Visitors Bureau Board of Directors
9. Resolution awarding contract to Diamond Oil of Des Moines, Iowa, to provide and deliver fuel to Cy-Ride during Calendar Year 2019 in an amount not to exceed \$1,127,500
10. Resolution approving Change Order to Task Order 4.1 under Master Agreement with FOX Engineering for design, bidding, and construction of New Water Treatment Plant in an amount not to exceed \$75,000
11. Resolution approving partial completion of public improvements and reducing security for Aspen Business Park, 3rd Addition (aka The Quarters)
12. Resolution approving partial completion of public improvements and reducing security for Crane Farm Subdivision, 2nd Addition
13. Resolution approving partial completion of public improvements and reducing security for Crane Farm Subdivision, 4th Addition
14. Resolution approving partial completion of public improvements and reducing security for Crane Farm Subdivision, 6th Addition
15. Resolution accepting completion of 2017/18 Asphalt Street Pavement Improvements Program (Pierce/Tyler)

16. Resolution accepting completion of 2016/17 Downtown Street Pavement Improvements (Sherman Avenue)
17. 2017/18 and 2018/19 Seal Coat Street Pavement Improvements (E. 16th Street, Linden Drive, Carr Drive, and Crestwood Circle):
 - a. Resolution approving Balancing Change Order
 - b. Resolution accepting completion

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:

18. Flood Mitigation - River Flooding:
 - a. Resolution approving local match funding (as part of grant application through Iowa HSEMD to FEMA) in an amount up to \$1,260,000 for the Flood Mitigation - River Flooding project
 - b. Resolution designating Municipal Engineer Tracy Warner as City Authorized Representative for the project
 - c. Motion directing staff to immediately negotiate acquisition of a permanent easement for both 1016 S. Duff Avenue (front parcel) and 1008 S. Duff Avenue (rear parcel), using local funding (tabled from 10-23-18 and 11-27-18)
19. Staff Report regarding request from Duane Jensen for reimbursement of costs related to the 321 State Avenue Request for Proposals

WATER & POLLUTION CONTROL:

20. Staff Report regarding Requirement for Individual Metering of Water Usage in Multi-Unit Buildings

ADMINISTRATION:

21. Motion accepting biannual Progress Report from Sustainability Coordinator

ORDINANCES:

22. Second passage of ordinance placing limitations on expansion of nonconforming uses, discontinuance of a nonconforming use, and defining remodeling of a nonconforming use
23. Second passage of ordinance establishing parking regulations on Suncrest Drive, from Red Fox Road to Cedar Lane

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*.

Staff Report

COMPREHENSIVE PLAN CITY COUNCIL WORKSHOP #1

December 18, 2018

BACKGROUND:

The City Council will act in two distinct roles during the preparation of the Comprehensive Plan. The first role is advisory for providing guidance and feedback on the process of preparing the Comprehensive Plan. **This important advisory role is being used in lieu of a citizen steering committee so that the Council participates more frequently throughout the development of the Plan.** The second role is in the more customary decision making and approving authority role.

These roles will be interspersed throughout the preparation of the Plan. The Council will assume the first role based upon the need to seek input and form ideas. Your involvement in the second role will occur when the Council is asked to make decisions based on public feedback and data from the consultant and staff. **This first workshop is an important advisory role step in the Comprehensive Plan process.**

The kick off to the Comprehensive Plan project starts with a workshop designed for the City Council to provide initial thoughts concerning the process, topics, and big picture outcomes. **The intent of the meeting is for City Council to express their priorities to help RDG in preparation of the Plan. This meeting is designed as a City Council opportunity for discussion and input and is not designed as an opportunity for public input.** The initial public input phase for preparing the Plan will begin in January/February.

The upcoming workshop will be a guided discussion led by the RDG, with an emphasis on Item #3.

Agenda

1. Role of the Comprehensive Plan
2. Upcoming Public Outreach and Schedule
3. City Council Discussion-
 - a. Defining a Successful Process
 - b. Identifying Strengths and Challenges for Targeted Topic Areas
 - c. Big Picture Outcomes for the Comprehensive Plan

Outcomes for the workshop

1. Understanding of the Comprehensive Plan process's goals, concerns, challenges, and opportunities.
2. Understanding of strengths and challenges related to issues influencing the community.

In preparation for the Workshop, RDG asks for City Council to consider strengths and challenges as they pertain to topics identified within Comprehensive Plan RFP.

1. Expansion of the City
2. Opportunities for infill development
3. Future demand for housing and commercial use
4. Sustaining neighborhoods
5. Support of social and cultural connections
6. Transportation choices
7. Sustainability
8. Well-being and healthy living
9. Subarea planning
10. Urban fringe management (2-mile fringe planning area of the City)

During the workshop there will be an exercise asking the City Council to identify up to 10 strengths and challenges to help identify priority issues. RDG will review the responses with City Council during the workshop.

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

DECEMBER 4, 2018

The Special Meeting of the Ames City Council was called to order by Mayor John Haila at 6:06 p.m. on the 4th day of December, 2018, in the City Council Chambers in City Hall, 515 Clark Avenue. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, and Chris Nelson were present. Council Member David Martin and *Ex officio* Member Allie Hoskins were absent.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE YEAR CONSOLIDATED PLAN PUBLIC FORUM: Mayor Haila acknowledged the participants and introduced Housing Coordinator Vanessa Baker-Latimer. Ms. Baker-Latimer said this is the first public forum to prepare for the 2019-2023 Five Year Consolidated Plan. She said Department of Housing and Urban Development (HUD) likes when public participation is a part of the process. She gave an overview of the CDBG and HOME programs. She said tonight is only about the Consolidated Plan, and is a first step in preparing this plan for HUD.

Ms. Baker-Latimer told Council Members the CDBG program was created to address the housing and community development needs of low and moderate-income persons. She said the HOME Program was created as part of the National Affordable Housing Act of 1990 and HOME funds are appropriated annually to Participating Jurisdictions. HOME is focused on low-income households and is comprised of four programs: homeowner rehabilitation, home buyer assistance, rental development, and rental subsidy.

Council Member Gartin asked for examples of CDBG projects funded in the last five years. Ms. Baker-Latimer said a renter affordability program to assist with rental deposits and first month's rent was established, transportation assistance has been given in the forms of bus tickets and gas vouchers, the City has acquired foreclosed properties to resell, the City has bought land to convert to infrastructure for homeownership, updated property for handicap accessibility, and provided down payment and closing cost assistance for first-time home buyers. Mayor Haila asked if the Tripp Street project used CDBG funding. Ms. Baker-Latimer concurred.

Member Betcher asked about projects where CDBG and HOME programs can complement each other. Ms. Baker-Latimer said HOME funding can be used to construct homes and CDBG funds can be used for infrastructure but not construction.

Mayor Haila asked what housing can be paid for by CDBG funding. Ms. Baker-Latimer said funds can be used for down payments, closing costs, acquiring property, and demolishing property.

Matt Koehler, 2111 Furman Drive, Ames, asked what made Ames eligible to become an entitlement community. Ms. Baker-Latimer said in 2004 Ames hit the population threshold of 50,000 and met the formula to become its own metropolitan area. She said Ames became an entitlement community in 2004 and started receiving its own direct allocation of CDBG funds. Ms. Baker-Latimer noted that prior to 2004 Ames applied for state funding as a small city.

Trish Stauble, 1319 Top O Hollow Road, Ames, asked if being a Community Housing Development Organization (CHDO) gives priority for funding. Ms. Baker-Latimer said HUD has requirements for CHDO's including an application process and certification through HUD.

Mayor Haila asked Ms. Baker-Latimer to describe how Ames became a recipient of HOME funding. Ms. Baker-Latimer said allocations come out every year and when she saw HOME funds as part of the allocation for Ames she called to inquire. She said at first HUD thought it was a mistake, and then it was determined that Ames "hit the lottery" by meeting the formula for HOME entitlement.

Member Betcher asked if funds could go to a CHDO, and if so would the CHDO be responsible for coordinating projects. Ms. Baker-Latimer said 15% of HOME funds can go toward a qualified CHDO and it is responsible for meeting the requirements as a sub-recipient. Ms. Betcher asked if there are other sub-recipients. Ms. Baker-Latimer said Community Based Development Organizations and others agencies or groups could qualify as a sub-recipient. She said in past years the City has administered all programs, so if sub-recipients are involved the City would be the monitoring agent to sub-recipients.

Ms. Baker-Latimer told the Council that the Consolidated Plan is the planning document that is submitted to HUD and includes three components: Strategic Plan, Action Plan, and Consolidated Annual Performance and Evaluation Report (CAPER). She told the participants to think about the community as a whole during the discussions, and said the goals created in 2004, 2009, and 2014 are at the discussion area, and can be used for discussion.

Council Members facilitated small group discussions to receive public input regarding CDBG goals and priorities. At the conclusion of the small group discussions, Council Members presented highlights from each group. A summary of proposed goals were as follows:

Group facilitated by Council Member Betcher:

- No increase of mixed-development is needed
- Expand emergency shelter and transitional housing
- Increase supply and quality of affordable rental housing
- Increase availability of affordable owner-occupied housing
- Return to former emphasis on infrastructure/ use CDBG funding for promoting universal design of public facilities for accessibility
- Use CDBG money creatively

Group facilitated by Council Member Nelson:

- Prioritize objectives in the existing order (2014-18 Plan)
- Create/expand/maintain affordable housing for homeless and low-income persons
- Create unrestricted housing for the homeless population with mental health needs
- Consider longer term rental assistance for those with high risk of eviction

Group facilitated by Council Member Beatty-Hansen:

- No increase of mixed-use development
- Prefers language including individuals with special needs under 2009-13 Plan, Goal 2
- Add language including individuals with special needs under 2009-13 Plan, Goals 1a and 1b
- Support facilities and services that would address above goals
- Support infrastructure
- Consider requirements for multi-family dwellings to accept low to moderate-income residents

Group facilitated by Council Member Gartin:

- No increase of mixed-use development
- Address public service needs
- Increase availability of affordable owner-occupied housing

Group facilitated by Council Member Corrieri:

- Increase and improve supply of affordable rental housing
- Increase availability of affordable owner-occupied housing
- Address public service needs for homeless and special needs populations
- Look into supportive housing options
- Lower the priority of public infrastructure
- Address accessibility and deteriorating sidewalks

Group facilitated by Mayor Haila:

- Empower renters toward home ownership and consider employment training to help residents afford housing (2004-2008 Goal 4)
- Address mental health housing needs
- Address homeless population needs
- Consider subsidized units
- Review how CDBG funds have been used in the past
- Continue activities in Strengthening Neighborhoods program
- Use outcomes that can be measured

Ms. Baker-Latimer said it is engaging for Council Members to be part of the public forum process. She clarified the mixed-use development goal as listed in the priorities was related to housing. She said HUD has actively demolished public housing because it created a stigma for low-income people, and mixed-use development in this context means nobody knows who is who. Ms. Baker-Latimer referenced the Bentwood and Ken Maril Road areas where low-income housing has been incorporated in existing neighborhoods. It was noted that goal was misunderstood during the small group discussions.

Ms. Betcher asked about ways money could be used for things like Code enforcement or incentives to encourage compliance. Ms. Baker-Latimer said a Code enforcement program has been attempted where the Inspections Division identified dangerous buildings and followed up with owners, but every property owner in those situations did what was requested of them. She told the Council that

a rental rehabilitation program for property owners to fix up units with a low interest loan or grant was in place but there was a stigma with federal funds and owners thought they would have to rent to low-income individuals. She also told about a single family conversion program that also wasn't successful because it had to benefit low-income families. Ms. Baker-Latimer said more data will be collected as part of the Consolidated Plan process and she would like the community to remain engaged by attending public forums, offering feedback, and completing surveys.

Member Gartin asked about using CDBG funds for mobile homes. Ms. Baker-Latimer said CDBG funds have not been used for anything regarding mobile home parks in the past, but now that there's a combination of CDBG and HOME dollars there is an opportunity to focus CDBG funds on infrastructure. She said HOME funds are specifically for housing so the City will be able to expand what is done with another source of federal dollars.

Next steps were discussed by Ms. Baker-Latimer including a public hearing for the Consolidated Plan in May 2019 and the Consolidated Plan submission to HUD by May 17, 2019. The public hearing for the Action Plan will be June 2019 and the Action Plan will be submitted to HUD by July 1, 2019.

Mayor Haila asked about other opportunities for public input. Ms. Baker-Latimer said she is hoping to receive more data from HUD before continuing public forums. Ms. Baker-Latimer said a Press Release will be sent out, email communication to neighborhoods and non-profits will be sent, and advertisements will be utilized. Mr. Gartin asked if the information could be added to the City of Ames website. Ms. Baker-Latimer said she will add information to the Housing Division page.

Mayor Haila opened public input. He closed same after no came forward to speak.

Mayor Haila told the group Council has retained a consultant to do a Comprehensive Plan as an update to the Land Use Policy Plan, and said it is different than the Consolidated Plan. He said public input will be needed for the Comprehensive Plan also.

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

Moved by Corrieri, seconded by Nelson, to take no action regarding the rental property complaint and request for payment from Carson Sinclair.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Nelson, seconded by Betcher, to put on a future agenda the request from Justin Dodge of Hunziker Companies to reconsider the Ordinance that mandates individual water meters on apartment buildings effective January 1, 2019.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Beatty-Hansen, to put on a future agenda the request from Duane Jensen for reimbursement of costs related to the 321 State Avenue RFP.

Member Nelson said he wants to know how much of the design was used to construct the project.

He would like this information by the time this item appears on a future agenda.

Vote on Motion: 5-0. Motion declared carried unanimously.

Moved by Nelson, seconded by Betcher, to put on a future agenda the request from Quarry Estates regarding payment for off-site traffic improvements.

Vote on Motion: 5-0. Motion declared carried unanimously.

COUNCIL COMMENTS:

Ms. Betcher thanked the participants.

ADJOURNMENT: Moved by Nelson to adjourn at 7:57 p.m.

Erin Thompson, Recording Secretary

John A. Haila, Mayor

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: 01/12/2019

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: <u>Carol</u>	Last Name: <u>Christiani</u>	
City: <u>DesMoines</u>	State: <u>Iowa</u>	Zip: <u>50315</u>
Position: <u>member</u>		
% of Ownership: <u>100.00%</u>	U.S. Citizen: <u>Yes</u>	

Insurance Company Information

Insurance Company: <u>Founders Insurance Company</u>	
Policy Effective Date: <u>01/12/2019</u>	Policy Expiration <u>01/17/2019</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective	Temp Transfer Expiration Date:



MEMO

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Dan Walter, Ames Police Department
Date: December 9, 2018
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for December 18, 2018, includes beer permits and liquor license renewals for:

- Class C Liquor - LC0041438 - Cyclone Liquors, 626 Lincoln Way (Back Room Only)
- Class C Beer & B Wine Permit - Fresh Thyme Farmers Market, 215 SE 5th Street

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

COUNCIL ACTION FORM

SUBJECT: **SCAFFOLDING AND RELATED SERVICES AND SUPPLY
CONTRACT FOR POWER PLANT REJECT BIDS**

BACKGROUND:

On September 25, 2018, City Council approved preliminary plans and specifications for the Scaffolding and Related Services and Supplies Contract. This contract is for a contractor to provide and install scaffolding, bracing and fall protection when needed at the City's Power Plant.

This contract is to provide these scaffolding services for the period following final City Council approval of contract and performance bond through June 30, 2019. This strategy will enable future renewals to coincide with the City's fiscal year. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to twelve firms and three plan rooms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation and the Iowa League of Cities.

On October 24, 2018, two bids were received as shown on the attached report.

Based on the bids submitted staff determined that the bid document was not clear on how the winning bidder would be determined. Staff would like to reject the bids received, revise the Bid Form to make it clear on how the award would be made and then rebid the contract at a future date.


The approved FY 2018/19 Power Plant operating budget includes \$70,000 for these services. Invoices will be based on contract rates for time and materials for services that are actually received.

ALTERNATIVES:

1. Reject the bids received and direct staff to rebid at a later date.
2. Reject all bids and purchase scaffolding services on an as-needed basis.
3. Contract with one of the bidders.

MANAGER'S RECOMMENDED ACTION:

This contract is needed to carry out emergency and routine scaffolding services at the Power Plant. The contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service. Rebidding these services will allow staff to determine which bidding company has the lowest bid. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

	ITB 2019-016 Scaffolding and Related Services and Supply Contract Bid Summary					
	Central States Scaffolding LLC Grimes, IA			HTH Companies, Inc Union, MO		
DESCRIPTION	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Labor Rates:						
Supervisor:	\$50.00	\$75.00	\$100.00			
Apprentice:						
Foreman:				\$45.25	\$45.25	\$45.25
Journeyman:	\$50.00	\$75.00	\$100.00	\$42.50	\$42.50	\$42.50
Technician:				\$38.75	\$38.75	\$38.75
Subsistence:	\$75.00 per day			\$85.00 per day		
Travel:	\$100.00 per trip			employee hourly rate per hour		
Mileage:	\$2.50 per loaded mile			N/A		
Proposed Price Increase for Renewal Periods:						
Labor Rates:	5%			3.5%		
Travel & Subsistence:	5%			0%		
Base Case Cost for Typical Scaffolding Requirements Scenario						
Erect a free standing scaffold 32 feet high, 12 feet wide, and 12 feet long. A working platform should be provided every 8 feet. A staircase should be built the entire height of the scaffold that will be used to access each platform. The scaffold should be able to be used without the use of fall protection. It will need to be built in two days, stand for 2 weeks, and taken down in one day.						
Erection cost:	\$4,400.00			\$11,030.00		
Rental cost of material:	\$1,600.00			\$3,965.00		
Dismantle cost:	\$3,300.00			\$8,275.00		
Travel cost:	\$400.00					
OVERALL COST:	\$9,700.00			\$23,270.00		

Item No.: 7
Date: 12-11-18

RESOLUTION NO. _____

**RESOLUTION APPROVING AND ADOPTING
SUPPLEMENT NO. 2019-1 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 January 1, 2019, as Supplement No. 2019-1 to the Ames Municipal Code.

Adopted this _____ day of _____, 201_.

John A. Haila, Mayor

Attest:

Diane R. Voss, City Clerk



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MEMO

Item No. 8

TO: Members of the City Council

FROM: John A. Haila, Mayor

DATE: December 18, 2018

SUBJECT: Council Appointment to Ames Convention and Visitors Bureau (ACVB) Board of Directors

Gloria Betcher's term of office on the ACVB Board of Directors expires on December 31, 2018. Therefore, it will be necessary to appoint a Council member to fill this position.

I recommend that the City Council reappoint Gloria Betcher to the Ames Convention and Visitors Bureau Board of Directors with her term effective as of January 1, 2019.

JAH/alc

COUNCIL ACTION FORM

SUBJECT: CYRIDE FUEL PURCHASE FOR CALENDAR YEAR 2019

BACKGROUND:

CyRide purchases approximately 410,000 gallons of fuel each year, divided into smaller purchases every seven to ten days. In order to procure fuel, CyRide, in cooperation with the City of Ames Purchasing Department, annually releases a fuel bid for both diesel and biodiesel fuel.

For the 2019 calendar year, bids were received on November 29, 2018. Under the bid specifications, fuel would be purchased at the market rate with the competitive portion of the bid being the vendor's charge above or below that market rate for delivery of the fuel. Bids were received from the following four firms.

- Diamond Oil
- Petroleum Traders
- New Century FS

Diamond Oil's bid is the lowest overall cost bid. Their proposal included the lowest cost for #2 diesel, biodiesel and Cold Flow Improver categories, which represent a majority of CyRide's expenses. The bids received are as follows:

Bidder	#1 Diesel	#2 Diesel	Biodiesel	Cold Flow Improver
Diamond Oil	-\$0.033	-\$0.018	-\$1.16	-\$0.010
Petroleum Traders	-\$0.0357	\$0.0203	\$0.0203	\$0.0250
New Century FS	-\$0.025	\$0.015	\$0.005	\$0.018

In addition to awarding the fuel delivery bid, CyRide will need to establish a maximum or total contract amount for fuel costs so that the transit agency may order fuel when needed every seven to ten days under the successful bidder's contract. In estimating CyRide's maximum fuel cost for calendar year 2019, staff estimated its fuel usage for the year (410,000 gallons) and multiplied this by the budgeted price per gallon for the current and next year - 2.75/gallon. (This award spans the latter part of the current year and the first six months of next fiscal year.)

This calculation is as follows:

$$410,000 \text{ gallons} \times \$2.75 = \$1,127,500$$

CyRide received approval for the vendor bid and fuel cost from the Transit Board of Trustees at their December 12, 2018 meeting.

ALTERNATIVES:

1. Award the purchase of fuel during calendar year 2019 to Diamond Oil with the lowest cost bid and establish the maximum total contract amount for fuel and delivery not to exceed \$1,127,500.
2. Do not accept bids and request staff to rebid its fuel purchases for calendar year 2019.
3. Do not accept bids and request staff to contract for fuel purchases for calendar year 2019, locking into a contract for pre-determined prices next year.
4. Do not accept bids and purchase fuel at the market rate approximately every 7 days.

MANAGER'S RECOMMENDED ACTION:

This bid reflects the lowest price to purchase CyRide's fuel from a single vendor and will reduce the administrative burden by eliminating the need to complete fuel purchases every seven to ten days during the year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby purchasing fuel from Diamond Oil during calendar year 2019.

COUNCIL ACTION FORM

SUBJECT: NEW WATER PLANT – AMENDMENT FOR ADDITIONAL PROFESSIONAL SERVICES

BACKGROUND

On August 28, 2012, Council approved a professional services agreement with FOX Engineering of Ames, IA, for the final detailed design of the new water treatment plant, including bidding and construction phase services.

A portion of the construction phase services is for construction “office administration”, which includes work such as reviewing equipment manuals, reviewing punch list items and warranty items, meeting with the City and subcontractors to get work completed, and other construction related activities.

Construction “office administration” is provided under Task Order 4.1 of the agreement. Wrap up of the construction of the water plant is taking longer than expected and work has exceeded the substantial completion date. Services of the consulting team are still needed to ensure the project is completed according to contract requirements. The consulting team has informed the City that the delay in project completion has caused them to exceed the number of hours they had contracted for this phase of the work.

Council approved an amendment to the contract on February 13, 2018, but due to the continued delay in closing out the project, additional expenses have been, and are expected, expected to be incurred. **The consultant has estimated the amount required to reach the likely final completion of the project and is requesting a change order based on an hourly fee and associated reimbursables not to exceed \$75,000.** A copy of the change order is attached.

It should be noted that Staff anticipates being able to recover the additional \$75,000 portion of the change order from the general contractor through the Liquidated Damages provision of the construction contract.

Table 1: Total Project Expenses and Remaining Budget

	Water Fund	SRF Loan
All Prior Year Expenses	\$ 1,368,824	\$ 68,089,458
Current Year Budget	214,676	1,909,997
Subtotal	\$ 1,583,500	\$ 69,999,455
Total		\$ 71,582,955

Table 2: Total Project Costs To Date

Contract	Amount	Total
FOX Engineering		
Original Contract	\$ 8,240,000	
Change Orders 1-13	869,922	
Change Order 14 (<i>this action</i>)	75,000	\$ 9,184,922
Contract 1: Utilities – S.M. Hentges & Sons		
Original Contract	\$ 3,197,273	
Change Orders 1-7	- 123,626	\$ 3,073,647
Contract 2: Treatment Plant – Knutson Construction		
Original Contract	\$ 52,497,000	
Change Orders 1-25	1,214,111	\$ 53,711,111
All Other Expenses		\$ 3,163,437
(e.g., land acquisition, lime sludge disposal, environmental investigations, etc.)		
Subtotal		\$ 69,133,117
Contingency		\$ 2,449,838
Total		\$ 71,582,955

ALTERNATIVES:

1. Approve a change order to Task Order 4.1 under the Master Agreement with FOX Engineering for the design, bidding and construction of the new water treatment plant in the amount of \$75,000.
2. Do not approve a change order to Task Order 4.1.

MANAGER'S RECOMMENDED ACTION:

The new water treatment plant project is exceptionally important for the long-term viability of the Ames community, both in terms of increasing the capability of the utility to meet growing demands, as well as to improve the redundancy and reliability of the treatment process. An important part of the construction process is ensuring the project is completed as designed and in accordance with contract documents. Staff is currently in negotiations with the general contractor to close out the remainder of the contract. It is anticipated that the ultimate settlement agreement will recoup the City's out of pocket expenses due to delays, including the additional engineering fees. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.**

This is **EXHIBIT K**, consisting of two (2) pages, plus attachments, referred to in and part of the **Master Agreement between Owner and Engineer for Professional Services** dated October 13, 2009.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 11

1. BACKGROUND DATA:

- a. Effective Date of Owner-Engineer Agreement: October 13, 2009 – Master Agreement
August 28, 2012 – Task Order 4.1
- b. Owner: City of Ames
- c. Engineer: FOX Engineering Associates, Inc.
- d. Project: Ames Water Treatment Plant

2. DESCRIPTION OF MODIFICATIONS:

- a. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:
1. Task Order 4.1 is amended to include up to an estimated additional hourly fee and associated reimbursable expenses of Task Series 800 – Construction Office Administration beyond those noted in the original Task Order 4.1 and as previously amended. This provides for engineering administration time beyond the construction contract completion date of August 17, 2017 and the 33 months of construction time noted in Task Order 4.1.
 - This construction administration work will be performed as Task 803. Includes work identified in the Task Order as Tasks 801, 820, 830, 840, 850, 860, 870. Work associated with Task 865-Record Drawings is not included and will continue to be invoiced to Task 800.
 - Tasker Order 4.1 is amended to include an additional hourly fee of \$75,000 as Task 803. As of December 10, 2018, approximately \$160,600 has accrued.
- b. For the modifications to engineering services set forth above, Owner shall pay Engineer the following compensation:

Task Series	Basis of Fee	Current Amount	Change	Revised Amount
803	Method B-Hourly	\$100,000.00	Est at +\$75,000.00	\$175,000.00

- c. The schedule for rendering services is modified as follows:
1. As with the other services provided under Task Order 4.1, the Engineer shall perform these services with reasonable diligence and expediency consistent with sound professional practices.
 2. The services will be rendered throughout the construction phase of the project, Task Series 800.
- d. Other portions of the Agreement (including previous amendments, if any) are modified as follows:
(no additional modifications noted).
- e. The responsibilities of Owner are modified as follows: (no additional modifications noted).

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is _____, 2018.

OWNER:

City of Ames, Iowa

By: _____

Title: _____

Date Signed: _____

ENGINEER:

FOX Engineering Associates, Inc.

By: Lance Aldrich 

Title: Principal/Project Manager

Date Signed: 12/10/18



Smart Choice

Public Works Department

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

December 18, 2018

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

RE: Aspen Business Park 3rd Addition LOC Reduction #2

Ladies and Gentlemen:

I hereby certify that the storm sewer, street trees, water fixture adjustments, COSESCO (erosion control), and a portion of the sidewalk required as a condition for approval of the final plat of **Aspen Business Park 3rd Addition (The Quarters)** have been completed in an acceptable manner by **Mohs Contracting of Owatonna, MN**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards. The street trees were inspected by the City of Ames Planning Department and found to meet City Code standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be set at **\$43,104.00**. The remaining work covered by this financial security includes pedestrian ramp repairs and sanitary sewer pipe repairs.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John C. Joiner'.

John C. Joiner, P.E.
Director

JJ/nw

cc: Finance, Contractor, Planning & Housing, Subdivision file

Description	Unit	Quantity
Concrete Sidewalk Ramp Repairs	LS	1
8" PVC Sanitary Sewer Pipe, SDR 35	LF	1732



Item #12

Smart Choice

Public Works Department

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

December 18, 2018

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

RE: Crane Farm 2nd Addition LOC Reduction #3

Ladies and Gentlemen:

I hereby certify that the manhole adjustments required as a condition for approval of the final plat of **Crane Farm Subdivision 2nd Addition** have been completed in an acceptable manner by **Manatt's Inc. of Ames, Iowa**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$15,073.00**. The remaining work covered by this financial security includes the installation of street trees and public sidewalk/pedestrian ramps.

Sincerely,

John C. Joiner, P.E.
Director

JJ/nw

cc: Finance, Contractor, Planning & Housing, Subdivision file

Description	Unit	Quantity
Street Trees	EA	20
Sidewalk, PCC, 4"	SY	1460



Item #13

Smart Choice

Public Works Department

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

December 18, 2018

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

RE: Crane Farm 4th Addition LOC Reduction #3

Ladies and Gentlemen:

I hereby certify that the asphalt street surface and a portion of the public sidewalk required as a condition for approval of the final plat of **Crane Farm Subdivision, 4th Addition** has been completed in an acceptable manner by **Manatt's Inc. of Ames, Iowa and various homebuilders**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$16,798.00**. The remaining work covered by this financial security includes installation of public sidewalk/pedestrian ramps and COESCO (erosion control/seeding).

Sincerely,

John C. Joiner, P.E.
Director

JJ/nw

cc: Finance, Planning & Housing, Subdivision file

Description	Unit	Quantity
SIDEWALK, PCC, 4"	SY	349
SIDEWALK, PCC, 6"	SY	15
DETECTABLE WARNING	SF	20
CONVENTIONAL SEEDING, FERTILIZING, & MULCHING TYPE 4 LAWN	ACRE	0.6
COSESCO SECURITY	ACRE	0.6



Item #14

Smart Choice

Public Works Department

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

December 18, 2018

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

RE: Crane Farm 6th Addition LOC Reduction #1

Ladies and Gentlemen:

I hereby certify that the asphalt street surface and a portion of the public sidewalk required as a condition for approval of the final plat of **Crane Farm Subdivision, 6th Addition** has been completed in an acceptable manner by **Manatt's Inc. of Ames, Iowa and various homebuilders**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$20,447.00**. The remaining work covered by this financial security includes installation of public sidewalk/pedestrian ramps and street trees.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John C. Joiner'.

John C. Joiner, P.E.
Director

JJ/nw

cc: Finance, Planning & Housing, Subdivision file

Description	Unit	Quantity
SIDEWALK, PCC, 4"	SY	366
SIDEWALK, PCC, 6"	SY	21
DETECTABLE WARNING	SF	40
STREET TREES	EA	15

COUNCIL ACTION FORM

SUBJECT: FY 2017/18 ASPHALT STREET PAVEMENT IMPROVEMENTS
– PIERCE AVE, PIERCE CIR AND TYLER AVE.

BACKGROUND:

This is the annual program for reconstruction and resurfacing (rehabilitation) asphalt streets, typically located with residential neighborhoods. Streets within residential subdivisions have been installed using full-depth asphalt pavement since mid-1970. Full-depth replacement of these streets has become necessary due to structural pavement failure. Rehabilitation of existing asphalt streets is possible where the base asphalt layer is solid, but the surface course has failed. This program was created in accordance with City Council's goal of strengthening our neighborhoods. The locations for this project included **Pierce Avenue, Pierce Circle and Tyler Avenue.**

On March 27, 2018 City Council awarded this project to Manatt's Inc. of Ames, Iowa in the amount of \$776,412.35. Two change order was administratively approved by staff. Change Order No. 1 was approved in the amount of -\$1,865.53 as a cost savings for electing to use Geogrid instead of Subgrade Prep due to site conditions. Change Order No. 2 (balancing) was administratively approved at \$3,753.31 by staff to reflect the actual measured quantities completed during construction. **Construction was completed in the amount of \$778,300.13.**

Revenue and expenses for the project are summarized below:

	<u>Revenue</u>	<u>Expenses</u>
G.O. Bonds	\$ 850,000	
2017/18 Storm Water Improvement Program	\$ 45,050	
Construction		\$778,300.13
Engineering and Administration		\$116,745.00
	<hr/>	<hr/>
	\$ 895,050	\$895,045.13

ALTERNATIVES:

1. Accept the 2017/18 Asphalt Street Pavement Improvements (Pierce Avenue, Pierce Circle and Tyler Avenue project as completed by Manatt's Inc. of Ames, Iowa, in the amount of \$778,300.13.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the plans and specifications and has improved the ride for users and the aesthetics for the neighborhood. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

COUNCIL ACTION FORM

**SUBJECT: FY 2016/17 DOWNTOWN STREET PAVEMENT IMPROVEMENTS
(SHERMAN AVE)**

BACKGROUND:

The Downtown Street Pavement Improvement Program is for the rehabilitation/reconstruction of streets and alleys within the downtown area (Lincoln Way to 7th Street and Grand Avenue to Duff Avenue). These projects involve pavement reconstruction, rehabilitation of storm and sanitary sewers, and streetscapes. **The location for this project is Sherman Ave (Lincoln Way north to Lot W Parking Lot).**

On July 25, 2017, City Council awarded this project to Con-Struct, Inc. of Ames, Iowa in the amount of \$307,184.50. Three change orders were administratively approved by staff. Change Order No.1 was to change the completion date of the project to June 30, 2018. Change Order No.2, in amount of \$16,685.37, was for storm sewer items based on site conditions and field adjustments. Change Order No. 3 (Balancing) was administratively approved by staff to reflect the actual measured quantities completed during construction in an amount reducing the contract by (\$32,745.75). **Construction was completed in the amount of \$291,124.12.**

Revenue and expenses for the project are summarized below:

	<u>Revenue</u>	<u>Expenses</u>
G.O. Bonds	\$ 375,000	
Construction		\$ 291,124.12
Engineering and Administration		\$ 79,299.40
		<hr/>
	\$ 375,000	\$ 370,423.52

ALTERNATIVES:

1. Accept the 2016/17 Downtown Street Pavement Improvements (Sherman Avenue) project as completed by Con-Struct, Inc. of Ames, Iowa, in the amount of \$291,124.12.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the approved plans and specifications and will provide a better ride and improved aesthetics for users of the corridor.

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

COUNCIL ACTION FORM

SUBJECT: FY 2017/18 AND FY 2018/19 SEAL COAT STREET PAVEMENT IMPROVEMENTS (E. 16TH STREET, LINDEN DRIVE, CARR DRIVE, CRESTWOOD CIRCLE)

BACKGROUND:

The Seal Coat Street Pavement Improvements Program is the annual program for the removal of deteriorated seal coat pavement from local streets and replacement with a new asphalt surface. This program restores surface texture, corrects structural deficiencies, removes built-up seal coat, and prevents the deterioration of various local streets. The locations for the program were **E. 16th Street, Linden Drive, Carr Drive, and Crestwood Circle.**

On April 10, 2018 City Council awarded this project to Manatts Inc. of Ames, Iowa in the amount of \$923,326.38. Change Order No. 1 was approved in the amount of \$12,720 for the incorporation of sanitary sewer connections, sump connections, and the addition of placing sub-base under the new curb and gutter sections. Change Order No. 2 (balancing) was administratively approved by staff to reflect the actual measured quantities completed during construction in an amount reducing the contract by (\$99,212.81). **Construction was completed in the amount of \$836,833.57.**

Revenue and expenses for the project are summarized below:

Funding Source	Available Revenue	Final Expenses
17-18 Seal Coat Street Imp - G.O. Bonds	\$ 500,000.00	
18-19 Seal Coat Street Imp - G.O. Bonds	\$ 500,000.00	
Unallocated G.O. Bonds	\$ 75,000.00	
Construction Cost		\$ 836,833.57
Design & Administration		\$ 125,525.00
Total	\$ 1,075,000.00	\$ 962,358.61

Remaining funds from this project will be allocated on additional roadway improvements as a separate, future contract.

ALTERNATIVES:

- 1a. Approve the balancing change order reduction to the contract in the amount of \$99,212.81 to reflect the actual measured quantities completed during construction.
- 1b. Accept the 2017/18 and 2018/19 Seal Coat Street Pavement Improvements (E. 16th Street, Linden Drive, Carr Drive and Crestwood Circle) project as completed by Manatts Inc. of Ames, Iowa, in the amount of \$836,833.57.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project has replaced deteriorated pavement, providing a better ride for the users and an aesthetic enhancement for the neighbors. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

COUNCIL ACTION FORM

**SUBJECT: FLOOD MITIGATION – RIVER FLOODING
(CHANNEL SHAPING ON SQUAW CREEK AT SOUTH DUFF BRIDGE)**

BACKGROUND:

To provide flood mitigation in the South Duff area along Squaw Creek, the City Council directed staff to work toward “full build” channel shaping (Hydraulic Alternative No. 6 - 2010 Event). This would mean channel shaping with a reconnection to the floodplain. There would be major impacts to adjacent properties and represents the maximum flood level reduction that can be achieved with channel improvements.

An application for FEMA grant funding was made in 2017, however it was not selected for award. Staff worked with Iowa Homeland Security and Emergency Management Division (IHSEMD) and FEMA to find way in which the grant application could be enhanced. **A new funding application has now been prepared for consideration under FEMA’s Hazard Mitigation Grant Program for the Flood Mitigation – River Flooding project (Squaw Creek Channel Improvements at South Duff Avenue).** The grant application is submitted through IHSEMD to FEMA. This is a very competitive grant that is awarded on a National level. If funding for the grant program moves forward, money will be released for use approximately January 2020 (which would mean a 2020/21 construction at the earliest).

The estimated construction cost for this project is \$5,040,000, including construction, engineering, and land acquisition. If approved for funding, the cost share basis for this project would be in amounts not to exceed 75 percent (\$3,780,000) from federal funds and the remaining 25 percent (\$1,260,000) from local funds. Local match funding in the amount of \$1,144,000 was included in the 2015/16 and 2016/17 Capital Improvements Plans Flood Mitigation – River Flooding program. This funding has continued to be carried forward with budget amendments.

Due to the increased estimated cost of the project and a portion of the previously budgeted local funding being used to pay for engineering and land acquisition services, additional local funding will be requested as part of the draft 2019-2024 Capital Improvements Plan to be considered by City Council in January/February 2019; that amount is still being determined. The work items listed above (engineering and land acquisition services) are not included as part of the \$1,260,000 designated as minimum local match since they are not FEMA reimbursement eligible because this work needed to take place ahead of making application for the grant.

ALTERNATIVES:

- 1a. Approve a resolution as part of the grant application through Iowa HSEMD to FEMA for local match funding up to \$1,260,000 (a minimum of 25 percent) for the Flood Mitigation-River Flooding project with a total project estimated cost of \$5,040,000; and
 - b. Designate Tracy Warner, Municipal Engineer, as the applicant's Authorized Representative for the Flood Mitigation-River Flooding project.
2. Reject the FEMA application and direct staff on how to further mitigate flooding of the S. Duff Avenue area.

MANAGER'S RECOMMENDED ACTION:

By approving the resolution for this project, FEMA funding can be applied for as part of mitigating further public infrastructure damage in this area of town.

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

Staff Report

**DUANE JENSEN REQUEST FOR REIMBURSEMENT OF COSTS RELATED TO THE
321 STATE AVENUE RFP**

December 3, 2018

BACKGROUND:

The City issued a request for proposals (RFP) in the Spring of 2017 to solicit interest in a development partnership for the City's property at 321 State Avenue. The RFP outlined the City's development interests, developer obligations, and City funding assistance. The project was intended to be developed with single-family dwellings constructed by a developer for a mix of low and moderate income housing and market rate housing. The City intended to financially assist in the development of the site with the donation of the land and use of CDBG funding for the construction of infrastructure. **Notably, the RFP indicates the developer's responsibility would include costs related to the preparation of all subdivision and improvement plans for development of the site (RFP-Section V).**

The City received one response to the RFP. The response was from JCorp, Inc. represented by Duane Jensen. City Council first reviewed the proposal at its June 13th meeting and determined the initial proposal was not workable due to cost, but was interested in alternatives plans. At the July 11th meeting, the City Council reviewed an alternative design provided by JCorp and staff discussed the overall layout and the presumed financial gap related to the funding identified in the RFP and the cost estimates provided by the developer for the revised plan. **The City Council directed staff to proceed with negotiating a development agreement with JCorp for a plan that included 35-37 homes as the first phase, despite known concerns about the cost estimates for the project.**

With the direction from City Council to negotiate a development agreement consistent with the RFP and the concept presented in July, staff began to work with the developer on the language of an agreement that included a stated cap on the City's financial involvement in the project. **The draft agreement included language requiring that any costs exceeding the agreed upon amount of City funding highlighted in the RFP would be the responsibility of the developer.**

It became clear to staff and the developer in August 2017 that without specific plans and a construction bid for the project, the overall costs would be unknown and a risk for developer. Through conversations with the developer and email correspondence on August 3rd, it was determined that rather than ask the City Council to fund engineering work for public improvement plans, JCorp would work with Fox Engineering to prepare subdivision plans that included public improvement plans. **The work was understood**

to be at risk by the developer since no agreement had been reached on project with the City and City Council had not authorized any expenditures of city funds for preparing plans.

Staff received plans from Fox Engineering and worked to prepare plans and specifications for City Council approval and setting bid letting date of November 7th. **The City Manager's recommendation on proceeding with plans and specifications noted at that time that the work by JCorp and Fox Engineering had been at risk while continuing to negotiate a development agreement.** Ultimately, the contract for public improvement construction was not awarded and the process of negotiating a development agreement ended in January 2018. At that time Mr. Jensen asked if there was an opportunity for reimbursement of costs expended in the RFP process.

STAFF COMMENTS:

JCorp has indicated in correspondence to the City Council that they incurred a cost of approximately \$75,000 to develop the proposal for the 321 State Avenue project last year. However, JCorp has not provided an itemized bill for the specific work that was performed nor proof of a paid invoice.

Based upon the parameters of the RFP and the negotiations on finalizing a development agreement with JCorp, staff does not believe that there is any responsibility on the part of the City to reimburse JCorp for their work on the 321 State Avenue proposal. In addition, it should be noted that the use of federal funds, such as CDBG monies, for reimbursement would be prohibited due to federal bidding requirements.

Staff Report

ENGINEERING FOR DEVELOPMENT AT 321 STATE AVENUE

December 18, 2018

BACKGROUND:

At the December 4, 2018, City Council meeting, Council members were given a staff memo in response to a communication from Duane Jensen regarding the Community Development Block Grant (CDBG) development at 321 State Avenue. Direction was given for staff to provide information on how much of the FOX Engineering design was used for the 321 State Avenue project. See an excerpt from the minutes, below.

“Moved by Gartin, seconded by Beatty-Hansen, to put on a future agenda the request from Duane Jensen for reimbursement of costs related to the 321 State Avenue RFP.

Member Nelson said he wants to know how much of the design was used to construct the project. He would like this information by the time this item appears on a future agenda.

Vote on Motion: 5-0. Motion declared carried unanimously.”

STAFF COMMENTS:

Prior to preparing a RFP for the development of 321 State Avenue, City staff internally discussed development options for the site. City staff established a preliminary street and lot layout for the development at 321 State Avenue. The RFP indicated the need for a Tripp Street extension and identified design issues that would need to be addressed for developing the site.

JCorp responded to the RFP with a conceptual layout prepared by Fox Engineering. JCorp also used FOX for subsequent revisions to the JCorp proposal. Staff shared available information, including preliminary design work with FOX during the RFP process. Ultimately, FOX prepared public improvement plans at the request of JCorp while JCorp was negotiating a development agreement with the City. These plans were provided to the City in .pdf format for the purpose of soliciting bids on construction cost. **JCorp requested these plans be prepared in order to get a better understanding of the financial obligations for development. As stated in the December 3rd Staff Report, the developer was aware the preparation of these plans were at their own risk.**

After JCorp and the City ended negotiations for the development of 321 State Avenue, the City Council directed staff to proceed with the design and construction of Tripp Street. The public improvement plans created by FOX did not include any detailed design information regarding the horizontal alignment of the roadway. Staff performed a topographic field survey of the development and created the design for the horizontal alignment of Tripp Street, which was generally approximate to the plans given to FOX.

The FOX plans did include design information for the vertical alignment of the roadway. City staff did use this information in creating a vertical profile to fit the horizontal alignment of the roadway that staff had developed. Staff feel that using this vertical profile information from FOX resulted in saving approximately 5% of the design time effort of the Senior Design Technician working on the project. On Tuesday, December 18, 2018, staff will have a better idea of what this equates to in terms of staff hours and costs saved.

Staff Report

**REQUIREMENT FOR INDIVIDUAL METERING
OF WATER USAGE IN MULTI-UNIT BUILDINGS**

December 18, 2018

BACKGROUND:

On November 28, 2017, Council approved on third reading a series of updates to Chapter 28 of the Municipal Code (Utilities). One of the changes was the addition of a new paragraph that requires apartments, condominiums, and several other multi-family residential building types to provide individual water meters for each dwelling unit or tenant space. On March 27, 2018, Council adopted an effective date of that ordinance. With the Council action taken in March, the individual metering ordinance provision now has an effective date of January 1, 2019.

At the March meeting, there was public input that requested that Council rescind the individual metering requirement. While there was some discussion and possible interest by individual Council members, no direction was given to staff other than to establish an effective date of January 1, 2019.

On November 27, 2018, Justin Dodge with the Hunziker Companies sent a letter to Council asking that reconsideration of the individual metering requirement be placed on a future agenda prior to the January 1, 2019, implementation date. On December 4, Council directed that Mr. Dodge's letter be referred to staff to be placed on a future agenda.

As staff noted at the March 27, 2018, Council meeting, the issue is a balancing of two Council goals.

City Council Goal To Expand Sustainability Efforts

Peer-reviewed research^{1,2,3} has demonstrated that water consumption decreases by as much as 20% when the tenant in a rental property pays the water bill directly, as opposed to having the cost masked by being included in their monthly rent. Tenants who do not directly pay a monthly water and sewer bill have no monetary incentive to be conscientious consumers, or to repair or report malfunctioning plumbing fixtures.

¹ DeOreo, W.B., Mayer, P., Dziegielewski, B., & Kiefer, J. April 2016. Residential End Uses of Water, Version 2, Water Research Foundation

² Kiefer, Jack C. "RE: REMINDER: John, Learn About Multi-Family Water Use." Received by John R. Dunn. 31 January 2018.

³ Hodgins, Maureen. "RE: REMINDER: John, Learn About Multi-Family Water Use." Received by John R. Dunn. 30 January 2018.

City Council Goal To Address Housing Needs

Comments offered back in March suggested that the individual metering requirement could cost between \$4,000 and \$5,000 per unit. A simple amortization estimate suggests that this could add another \$35-40 per month to the rent. The landlord could choose to reduce the rent by that amount and still “break even” as a result of the tenant paying the water and sewer bill instead of the landlord. (The median residential combined water and sewer bill in Ames is \$51.02.) This approach would also remove a small number of square feet from each unit’s livable space. Developers also noted that the change would necessitate individual water heaters in each unit, which could pose a risk for increased leaks and are less energy efficient.

As staff noted in March, this is really a policy decision for Council. Achieving sustainability is not a goal that is made or lost by any one individual effort. Similarly, achieving more affordable housing is not something that can be achieved or lost by any one individual effort. In both cases, it is an accumulation of multiple small, incremental improvements that will add up to success. **The question for Council is this: In this instance, which would be seen as “more” advantageous in meeting the Council’s goals and priorities?**

OPTIONS:

1. **If Council feels that the potential of achieving a 20% reduction in water consumption from multi-family residential properties (by requiring individual metering in each dwelling unit) is a higher priority, then Council would not need to take any action.** The existing ordinance, as written, would already require individual metering for any multi-family project for which a site development plan was submitted to the Planning and Housing Department for review beginning on January 1, 2019.
2. **If Council feels that allowing multi-family residential buildings to be master-metered (as a way to contain the cost of developing these properties, and consequently containing rents paid by tenants) is a higher priority, then Council can direct staff to rescind the language that was initially adopted on November 28, 2017.** Nothing would preclude a developer from voluntarily choosing to install individual meters for each dwelling unit.

STAFF COMMENTS:

Because it is not practical to bring a revised ordinance back before Council prior to the January 1, 2019 effective date, if Option 2 is selected, the Council should also direct staff to suspend the individual metering requirement until such time as an ordinance can be brought to Council for further action.

Staff Report

FY 2018-19 Mid-Year Sustainability Report

December 18, 2018

This report provides a mid-year update of the FY2018-19 activities and accomplishments related to the Sustainability Advisory Services contract between the City of Ames and Iowa State University.

BACKGROUND:

On July 1, 2010, the City entered into a contract with Iowa State University to utilize the services of its full-time Director of Sustainability. The contract covers a maximum of 480 hours annually (or no more than 25 percent of the Director of Sustainability's time). The Initial Scope of Services focused on the reduction of electric consumption. As additional opportunities and needs have been identified related to sustainability, the Scope of Services has expanded and diversified. During FY 2018-19, in keeping with the Council's direction, the Scope of Services targets priority areas related to energy consumption reduction, as well as adding waste reduction and diversion:

- 1) Continue to work with Public Works Department and Water and Pollution Control Department on reuse and diversion programs related to the waste stream, including – but not limited to – the exploration of a composting and food waste program.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.
- 3) Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities including – but not limited to – the Eco Fair and WelcomeFest.
- 4) Coordinate the new Rummage RAMPage at the Ames Intermodal Facility in partnership with the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being

needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.

5) Continue to assist departments in enhancing and updating the EcoSmart program web pages and all material on the City of Ames website related to sustainability and conservation. Continue to provide student feedback on improving our sustainability marketing and education materials.

6) Additional requests from Council – Council voted to engage Merry Rankin to come back to Council with proposals of ways that Council can partner with ISU to address carbon reduction. (November 27, 2017, Council Meeting)

PROGRESS ON SCOPE OF SERVICES:

1. ***Continue to work with Public Works Department and Water and Pollution Control Department on reuse and diversion programs related to the waste stream, including – but not limited to – the exploration of a composting and food waste program.***

Mid-Year FY2019 accomplishments include the following for Priority Area #1:

- Continue to complete milestones related to the \$20,000 forgivable loan from the Iowa Department of Natural Resources exploring beneficial opportunities and options to improve the Resource Recovery Plant's (RRP) process and improve the quality of refuse derived fuel (RDF):
 - Completion of review and comments of multiple drafts of the Waste Diversion Enhancement and Recommendation report by SCS Engineers.
 - Report highlights will include the following five focus areas:
 - RRP Suitable Materials Identification
 - Recycling and Composting Opportunity Assessment
 - Community Engagement
 - Comparison of Other Communities
 - Recommendations

The SCS final report will come back to the City Council at the Jan. 22 meeting.

Collaboration partners: Public Works – Bill Schmitt, Mark Peebler and Lorrie Hanson; SCS Engineers and Public Relations Officer – Susan Gwiasda

2. Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.

Mid-year FY2019 accomplishments include the following for Priority Area #2:

- Continued recruitment of additional businesses for a total of 33 Smart Business Challenge participants, as well as efforts to certify additional current participants, resulting in one bronze, five silver, three gold and nine platinum certified businesses.
- Presented about the Smart Business Challenge (and the unique value-added collaboration offered for Iowa State University and the City of Ames) at the international conference of the Association for the Advancement of Sustainability in Higher Education in October in Pittsburg, PA, www.aashe.org/conference.
- Continued recognition of Challenge participants through publicizing success stories in City Side.
- Completed video "stories" of Platinum business reflections on impacts and opportunities in joining the Challenge, awaiting completion for posting.
- Held Platinum Business Discussion to gain feedback related to Challenge value and value-added opportunities, service provided by program staff, strategic visioning for continued growth and increased and enhanced participation.
- Annual Smart Business Challenge Recognition Event scheduled for Thursday, January 24, from 11:30am-1:30pm at Reiman Gardens.

Collaboration partners: Electric Services – Don Kom and Steve Wilson; Public Works – Bill Schmitt, Water & Pollution Control – John Dunn; Mark Peebler and Lorrie Hanson; The Energy Group, The Iowa Department of Natural Resources' Iowa Waste Exchange Program; Volunteer Center of Story County and Public Relations Officer – Susan Gwiasda

3. Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities including – but not limited to – the Eco Fair and WelcomeFest.

Mid-year FY2019 accomplishments include the following for Priority Area #3:

- Participated in the Iowa State University WelcomeFest.
- Continued a monthly radio program on KHOI focused on community sustainability accomplishments, initiatives, and opportunities.

- Continued sharing of City of Ames sustainability efforts as part of speaking engagements.
- Continued sharing of City of Ames and Ames community volunteer opportunities and sustainability events via Live Green! Monthly newsletter, Live Green! social media platforms and targeted emails.
- Continued work with Ames Electric Services in moving forward on a community solar project. Focus on marketing, outreach, and public education opportunities.

4. Coordinate the new Rummage RAMPage at the Ames Intermodal Facility in partnership with the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.

Year end FY2018 accomplishments include the following for Priority Area #4:

- The third annual Rummage RAMPage was held July 27 to Aug 2, 2018. The event surpassed last year's impact, both in tonnage diverted and support provided to community non-profits through sales. More than 51 tons of furniture and housewares (102,550 pounds) was diverted from being landfilled (an increase of 31%) and \$18,607 was raised for the local non-profit agencies (a \$4,000 increase from previous year). As with the 2017 event, tremendous support was received from ISU Parking, several City departments, the Volunteer Center of Story County, and more than 50 volunteers representing 15 community non-profit organizations.
- In addition to collecting items to sell, clothing, shoes, linens, books, DVDs, CDs, and non-perishable, unexpired food were once again collected and donated to community non-profit organizations for beneficial and value-added distribution.
- The addition of the ROAR (Rehoming Our Animals/Aquariums Responsibly) initiative, ensuring an opportunity for drop-off of pets that are not able to be moved with residents or residents are no longer able to care for – rather than releasing them – collected three pets – two fish and a bearded dragon. Support to continue this initiative as part of Rummage Rampage was expressed by both community members and the ROAR partnering organizations.
- Planning will kick-off in January for the 2019 Rummage RAMPage event scheduled for July 28 – August 3.

Collaboration partners: Iowa State University Parking Services, Volunteer Center of Story County, Iowa Department of Natural Resources, Story County Conservation, Iowa Wildlife Center, Resource Recovery Plant, City of Ames Police Department, Ames Electric Services, City of Ames Animal Shelter, Public

Relations Office, and community non-profit organizations and volunteers

5. Continue to assist departments in enhancing and updating the EcoSmart program web pages and all material on the City of Ames website related to sustainability and conservation. Continue to provide student feedback on improving our sustainability marketing and education materials.

Year end FY2019 accomplishments include the following for Priority Area #5:

- Offered assistance toward highlighting information for the Composting Rebate Program featured on the Smart Watersheds website
www.cityofames.org/government/departments-divisions-i-z/public-works/stormwater-program/smart-watersheds.
- Ongoing input, feedback and assistance regarding City of Ames Smart Energy, Smart Water, Smart Watersheds and other EcoSmart programs.

Collaboration partners: Electric Services, Public Works, Water and Pollution Control and Public Relations Office

6. Additional requests from Council – Council voted to engage Merry Rankin to come back to Council with proposals of ways that Council can partner with ISU to address carbon reduction. (November 27 Council Meeting)

Year end FY2018 accomplishments include the following for Priority Area #6:

- Opportunities are being identified for focus areas with relevance locally and on a broader level. One opportunity may emerge from recommendations identified in the final consultant report for Resource Recovery may offer unique collaboration opportunities with students.

Also, as progress continues with the City's solar project, a second opportunity related to expanding solar energy and renewable energy options may be appropriate for student collaboration or graduate level research.

Collaboration partners: Electric Services, Resource Recovery and Public Relations Office