

**AGENDA  
REGULAR MEETING OF THE AMES CONFERENCE BOARD  
AND REGULAR MEETING OF THE AMES CITY COUNCIL  
COUNCIL CHAMBERS - CITY HALL  
FEBRUARY 26, 2019**

**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.

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

**CALL TO ORDER:** 6:00 p.m.

1. Roll Call
2. Motion approving Minutes of January 22, 2019
3. Resolution approving appointment of Gail Johnston to Board of Review
4. Public hearing on proposed 2019/20 budget for City Assessor's Office:
  - a. Motion adopting budget

**CONFERENCE BOARD COMMENTS:**

**ADJOURNMENT:**

**REGULAR MEETING OF AMES CITY COUNCIL\***

\*The Regular Meeting of the Ames City Council will immediately follow the Regular Meeting of the Ames Conference Board.

**PROCLAMATION:**

1. Proclamation designating February 27, 2019, as "Iowa Honey Bee Day"

**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 Regular Meeting of February 12, 2019
4. Motion approving new 8-month Class B Beer License with Outdoor Service and Sunday Sales for Homewood Golf Course, 401 E 20<sup>th</sup> Street
5. Motion approving ownership change for Class C Beer Permit for Kwik Trip, Inc., 204 S Duff
6. Resolution authorizing the City's StoryComm representative to approve the recommendation for a radio vendor and authorizing Iowa State University's Purchasing Department to issue a Letter of Intent
7. Resolution approving Police Department's application for and participation in Governor's Traffic Safety Bureau Enforcement Grant program
8. Resolution approving 2019 Neighborhood Art acquisitions

9. Resolution approving submission of Nutrient Reduction Feasibility Study for the Water Pollution Control Facility to the Iowa Department of Natural Resources
10. Request from India Cultural Association of Central Iowa for Zero Hunger Run/Walk on May 18, 2019:
  - a. Resolution approving closure of State Avenue between Mortensen Road and Arbor Street from 5:00 a.m. to 12:00 p.m.
11. Requests from Greek Week Committee for Greek Week activities:
  - a. Polar Bear Plunge event on April 5, 2019
    - i. Motion approving Temporary Obstruction Permit
    - ii. Resolution closing a portion of Sunset Drive and the eastern portion of Pearson Avenue along the Greek Triangle from 10:00 a.m. to 11:00 p.m.
    - iii. Resolution suspending parking regulations from 10:00 a.m. to 11:00 p.m.
  - b. Greek Week activities on April 6, 2019:
    - i. Motion approving blanket Temporary Obstruction Permit
    - ii. Resolution approving closure of the following streets from 6:00 a.m. to 6:00 p.m. on April 6:
      - (1) Sunset Drive, Ash Avenue from Gable Lane to Knapp Street
      - (2) Gray Avenue, Gable Lane to Greeley Street
      - (3) Greeley Street
      - (4) Pearson Avenue, Sunset to Greeley
      - (5) Lynn Avenue, Chamberlain to Knapp
12. Resolution approving Change Order No. 1 with Pioneer Industrial Corp, Hastings, NE, for the Valve Maintenance Related Services and Supplies Contract in the not-to-exceed amount of \$16,000
13. Resolution accepting completion of 2016/17 CyRide Route Pavement Improvements (South 3rd/4th Street)

**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.**

**SPECIAL EVENT:**

14. Requests for Ames Pridefest on September 7, 2019:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
  - b. Resolution approving closure of Douglas Avenue from Main Street to 6<sup>th</sup> Street and 5<sup>th</sup> Street between Kellogg and the alley east of Adams Funeral Home from 7:00 a.m. to 10:00 p.m.
  - c. Resolution approving waiver of parking meter fees and enforcement in Downtown Ames
  - d. Resolution approving waiver of fee for blanket Vending License

**FIRE:**

15. Request from Al Warren for text amendment to allow bedrooms in progress to count toward occupancy:
  - a. Motion providing direction to staff
16. Discussion of Property Sale Hardship Exemption Request from Robert Howell for 107 S. Riverside

**ORDINANCES:**

17. First passage of revised Post-Construction Stormwater Management Ordinance (second and third readings and adoption requested)
18. First passage of ordinance prohibiting parking at all times on the east side of North Riverside Drive and prohibiting parking at all times on the north side of Harris Street
19. Third passage and adoption of “Game Day Parking” ORDINANCE NO. 4379:
  - a. Resolution designating areas

**PLANNING & HOUSING:**

20. Update on regulation of short-term rentals:
  - a. Motion providing direction to staff
21. Resolution approving 2019 Urban Revitalization tax abatement requests

**WATER & POLLUTION CONTROL:**

22. New Water Treatment Plant Contract 2:
  - a. Resolution approving Settlement Agreement with Knutson Construction
  - b. Resolution approving final Change Order
  - c. Resolution accepting completion and authorizing payment to Knutson Construction in accordance with Settlement Agreement

**ADMINISTRATION:**

23. Discussion regarding Resident Satisfaction Survey 2019

**HEARINGS:**

24. Hearing on Environmental Information regarding improvements to sanitary sewer system for Munn Woods and Emma McCarthy Lee Park
25. Hearing on Major Site Development Plan Amendment for 3331 and 3405 Aurora Avenue:
  - a. Resolution approving Amendment changing design and building material for the proposed residential buildings along with roof design and siding material on the eight-stall garages

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:**

**COUNCIL COMMENTS:**

**CLOSED SESSION:**

26. Motion to hold Closed Session as provided by Section 20.17(3), Code of Iowa, to discuss collective bargaining strategy:
  - a. Resolution ratifying contract with IUOE, Local 234C – Power Plant Unit

**ADJOURNMENT:**

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

**MINUTES OF THE REGULAR MEETING OF THE  
AMES CONFERENCE BOARD**

CB2

AMES, IOWA

JANUARY 22, 2019

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The Regular Meeting of the Ames Conference Board was called to order by Chairman John Haila at 5:30 p.m. on January 22, 2019. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, David Martin, and Chris Nelson. Story County Board of Supervisors present were Lauris Olson and Rick Sanders. Representing the Ames Community School Board was Gina Perez. Leanne Harter attended on behalf of the Nevada Community School Board. Gilbert Community School District and United Community School District were not represented.

**MINUTES OF FEBRUARY 27, 2018:** Moved by Olson, seconded by Betcher, to approve the Minutes of the February 27, 2018, meeting of the Ames Conference Board.

Council Member Olson commented that the February 27, 2018, Minutes had stated that the study on consolidation of the City and County Assessor positions would be forwarded to the Conference Board members, but she did not recall receiving same. Ms. Olson requested that the study be sent out again.

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

**ASSESSOR'S BUDGET PROPOSALS:** Ames City Assessor Greg Lynch highlighted information from the City Assessor's Annual Report. He brought the Board's attention specifically to Tables 1 and 2 on Page 3, Assessed Values and Taxable Values, respectively. The Assessed Values increased 4.2% from 2017 to 2018, and the Taxable Values increased 5.7% from 2017 to 2018.

Mr. Lynch explained several line items shown on Exhibit A of the Report, which is the 2019-2020 Budget Proposal. Regarding salaries, Mr. Lynch replied that the City Assessor's Office tries to match the percentage of increase that is forecast for City of Ames employees. He stated that 5% has been budgeted for salary increases: 3% for cost-of-living and 2% for merit; the merit increase is based on employee review and performance. He explained that it is anticipated that all employees would meet their performance goals; however, not everyone will get the same merit increase. Upon being questioned by Ms. Olson, Assistant City Manager Bob Kindred stated that City of Ames employees' increases are being proposed at 3% for cost-of-living; however, the Council has not approved the City Budget for next fiscal year. The two Union Contracts that have settled have settled at 3%. Ms. Olson indicated that the County is budgeting a 2% cost-of-living increase, although the County's budget has not yet been approved.

Mr. Lynch indicated that the insurance expense is only going up 2.3% this year, which is the lowest percentage of increase he has seen since he has been the City Assessor.

According to Mr. Lynch, one of the largest budget line item is for data processing services/major software. He brought the Board's attention to the breakdown of data processing-related expenses.

City Assessor Lynch informed the Board that the FY 2019-20 Proposed Budget totals \$1,206,970, which is a decrease of 1.0% from the current budget. Discussion ensued about comparing FY 2017-18 expenses with the FY 2019-20 Budget Proposal. Supervisor Sanders noted that last year was a re-valuation year and commented that he believed they are comparing valuation years versus non-re-valuation years. Mr. Lynch pointed out that the expenses did not go up that much. He further explained that they did not use \$20,000 that had been budgeted last year for a model to be built for this year, which was not needed and will not be carried forward. In addition, the \$34,000 budgeted for a Content Management System was not spent and will not be carried forward. Mr. Lynch commented that the staff's work is the same, regardless of whether or not it is a re-valuation year. In terms of a true scope of work, Mr. Sanders believes that that would not be comparing "apples-to-apples." City Assessor Lynch stated that they only ask for the amount of money that is absolutely necessary to run the office.

At the inquiry of Supervisor Olson, Administrative Assistant Dawn Tank compared the proposed budget to the 2017-18 budget year, specifically noting that IPERS changed, and there were new data processing expenses. She identified the Eagle Recorder (\$704), Data Cloud Solutions (\$5,755), and maintenance for the Document Management System (estimated \$10,000) as being new expenses. Utilities, Equipment Rental and Maintenance, and Equipment and Machinery will increase, and efficiency improvements to the Deputy Assessor's office are being requested.

City Assessor Lynch noted that the proposed taxation rate per \$1,000 valuation is proposed to be \$0.35032.

Mr. Lynch noted that the purpose of the Mini Board meeting is where a lot of the expenses are reviewed, not at the Conference Board meeting. Ms. Olson stated that the Story County Board of Supervisors sets its Supervisor assignments on January 2. This year, she only had a few hours to advise Mr. Lynch that she would be staying on the Mini Board for another year. Ms. Olson suggested that more advance notice be given regarding the dates for the Mini Board meetings and that they be scheduled later in January.

Moved by Beatty-Hansen, seconded by Harter, to approve the recommendations of the Assessor's Report.

Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Corrieri, seconded by Perez, to receive the proposed budget, with adoption of the budget occurring after the hearing is held.

Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Nelson, seconded by Olson, to set February 26, 2019, as the date of public hearing on the proposed FY 2019/20 City Assessor's budget.

Roll Call Vote: 3-0. Motion declared carried unanimously.

**REAPPOINTMENT OF GREG LYNCH AS CITY ASSESSOR:** Chairperson Haila asked Mr. Lynch to explain his request for reappointment given his current term runs through December 31, 2020. Mr. Lynch explained that once the continuing education requirements have been met, Assessors become eligible for reappointment. He noted that he asked for reappointment in a similar manner the last time.

Board Member Sanders stated his preference that Mr. Lynch's request for reappointment wait until next January. He noted that Mr. Lynch and his staff do a good job, and his desire to wait for the discussion of Mr. Lynch's reappointment is not a reflection of his or his staff's performance.

It was the concurrence of the Board to take no action on the request for reappointment.

**ADJOURNMENT:** Moved by Sanders to adjourn the Ames Conference Board meeting at 5:59 p.m.  
Vote on Motion: 3-0. Motion declared carried unanimously.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor

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Gregory Lynch, Ames City Assessor



*Caring People ♦ Quality Programs ♦ Exceptional Service*

# MEMO

Item # CB3

**TO:** Members of the City Council  
**FROM:** John A. Haila, Mayor  
**DATE:** February 26, 2019  
**SUBJECT:** Appointment to Board of Review

Tanya Anderson's term of office on the Board of Review expired on December 31, 2018. Tanya has indicated that she chooses not to serve another term. Therefore, it will be necessary for the Conference Board to make an appointment to this position.

Gail Johnston has submitted an application indicating her interest in serving on the Board of Review. It is my recommendation that the Conference Board appoint Ms. Johnston to serve a six-year term on the Board of Review.

JAH/alc

**MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL  
AND REGULAR MEETING OF THE AMES CITY COUNCIL**

**AMES, IOWA**

**FEBRUARY 12, 2019**

**SPECIAL MEETING OF THE AMES CITY COUNCIL**

The Ames City Council met in Special Session for the budget wrap-up at 5:17 p.m., followed by its Regular Meeting, on the 12<sup>th</sup> day of February, 2019, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor John Haila presiding and the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and David Martin. *Ex officio* Member Allie Hoskins was also in attendance.

**FY 2019/20 BUDGET WRAP-UP:**

**PUBLIC ART COMMISSION (PAC):** Assistant City Manager Bob Kindred introduced the Public Art Commission Treasurer David Faux. Mr. Faux pointed out that they did not ask for any changes in the budget this year. He mentioned that the Public Art Commission is currently going over requests from neighborhoods for sculptures and will be working later on the new birdhouse project.

Moved by Gartin, seconded by Corrieri, to approve the Public Art Commission budget.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**ARTS FUNDING (COTA):** Management Analyst Tashiek Kerr mentioned that the City Council had previously approved a 3% increase for the FY 2019/20. Ms. Kerr noted that COTA has recommended allocating \$163,338 directly to agencies for FY 2019/20 annual grants, and reserving \$5,560 for spring and fall special project grants. She explained that COTA had a total of 17 agencies submit an application for funding this year compared to 14 in FY 2018/19.

Moved by Corrieri, seconded by Betcher, to approve Arts Funding (COTA) budget.  
Vote on Motion: 5-0-1. Voting aye: Betcher, Martin, Beatty-Hansen, Nelson, Corrieri. Abstaining due to conflict of interest: Gartin.

**HUMAN SERVICES FUNDING (ASSET):** Assistant City Manager Brian Phillips noted that the City Council had approved a 3% increase in ASSET funding over last year's allocation. This is a total of \$1,466,202 for human services agency funding. The City's portion will go towards 71 different programs at 24 different agencies.

Council Member Gartin mentioned that there were still a large amount of unfunded requests and wanted to know what the amount was. Mr. Phillips stated that the total amount of all the requests that came in that was the City's portion was \$1,667,899, and the authorized amount was \$1,466,202, which resulted in a shortfall of \$201,687.



Mr. Phillips explained the process of how each volunteer reviews each budget request and the amount of time it takes to make recommendations for the City and other Funders.

Moved by Gartin, seconded by Betcher, to approve the Human Services Funding (ASSET) funding.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**OUTSIDE FUNDING REQUESTS:** Mayor Haila stated that there has been a lot of discussion regarding Outside Funding requests and before moving forward, he wanted to know if there was any interest from the Council in allocating some money towards funding The Community Academy.

Moved by Gartin, seconded by Martin, to include The Community Academy as a recipient of outside funding requests.

Motion withdrawn.

Moved by Gartin, seconded by Martin, to include some funds for The Community Academy.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Mayor Haila asked the Council where the funds should come from to support The Community Academy. He asked if it should come from the \$197,474 that was authorized for Outside Funding or would the Council like it to come from a different source of funds.

Moved by Corrieri, seconded by Betcher to provide a one-time funding allocation from a source to be determined especially for the Brookside portion of the request.  
Vote on Motion: 6-0. Motion declared carried unanimously.

Mike Todd, 3114 Cottontail Lane, Ames, stated he is part of a group of teachers that started The Community Academy. He noted that their goals are to give parents, students, and community members an opportunity to see what education can look like in the future. Mr. Todd explained the process of how The Community Academy works and is a Pre-K through 12 grade programs. He mentioned that the program tries to target low-and moderate-income families to help bring them into their program.

Council Member Beatty-Hansen asked to hear from someone from the Outside Funding Committee who can explain the justification on recommending \$11,667 for The Community Academy.

Tara Andrews, 108 Jewel Drive, Ames, stated that she is on the committee and after reading through the proposal, saw that it was an opportunity that wasn't normally afforded to low income and minority kids at all and couldn't rightly give them anything. She noted that after much discussion with the committee it was agreed to give them something rather than nothing.

Abdullah Muhammad, 1426 Clark Avenue, Ames, noted that he is on the same committee. He noted that in addition to what Ms. Andrews stated they wanted to make sure it was duplicated by other

agencies, example being the Boys Scouts, and this agency is different from others.

Moved by Beatty-Hansen, seconded by Corrieri, to fund the \$11,667 from Council Contingency to The Community Academy.

Council Member Gartin stated that the amount requested is \$58,000 and The Community Academy has some of the best teachers and are being creative and thinking outside the box.

Motion withdrawn.

City Manager Steve Schainker noted that there is about \$31,000 left in Council Contingency for this current year.

Moved by Gartin to fund The Community Academy with \$30,000. Motion failed for lack of second.

Further discussion ensued about how much funding to allocate to The Community Academy.

Moved by Beatty-Hansen to fund The Community Academy with \$20,000. Motion failed for lack of second.

Moved by Nelson, seconded by Beatty-Hansen, to fund The Community Academy with \$15,000.

Council Member Betcher asked Mr. Nelson to explain how he came up with the \$15,000 amount. Mr. Nelson stated it is a combination of the funding recommendation from the board and slightly removes their constraint as to what they have available in addition to what is available in Council Contingency. Ms. Betcher stated her concerns over bringing the Council Contingency down to half of the amount they have left.

Assistant City Manager Brian Phillips stated that tonight's discussion is to assign an amount and then after that a contract is drawn up. The contract can include what types of tasks the Council would like to see done.

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

Mr. Schainker stated that they have prepared an option for the Council in case the Council decided to not take away from the rest of the agencies. Assistant City Manager Brian Phillips displayed overhead, the recommendations for Outside Funding Requests: FY 2019/20 and explained there was a consensus for fully funding the Hunziker Youth Sports Complex and the Story County Housing Trust. He also stated that the Ames International Partner Cities request will be fully funded, and the remaining funds would be distributed to Ames Historical Society, Campustown Action Association, and Main Street Cultural District.

Sharon Wirth, 515 Douglas Avenue, Ames, stated she is from the Ames Historical Society and appreciates the time that the City Council and staff have put into the budget. She wanted to let the Council know that the Ames Historical Society will be having a lecture series that will be starting in March 2019.

Moved by Nelson, seconded by Betcher to approve the funding recommendation that was shown overhead by Mr. Phillips which approves the funds for the following agencies:



Mr. Phillips wanted to point out that the AEDC Workforce Development Program had a request that is reviewed but comes out of a separate fund that comes out of the Hotel/Motel Tax Fund and is requesting for \$15,000.

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

Moved by Martin, seconded by Beatty-Hansen, to add a requirement in the funding contracts that City matters that are communicated involving Campustown and Downtown are actually getting pushed out to those communities by the agencies.

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

**PUBLIC INPUT ON CAPITAL IMPROVEMENTS PLAN (CIP) AND OPERATING BUDGET:** The public hearing was opened. No one came forward to speak, and the hearing was closed.

**SALARIES FOR COUNCIL APPOINTEES:** Moved by Corrieri, seconded by Betcher, to table the discussion of the salaries for Council.

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

**APPROVAL OF 2019-24 CAPITAL IMPROVEMENTS PLAN (CIP):** Moved by Nelson, seconded by Martin, to replace the City-Wide Radio System page in the Capital Improvements Plan showing a new total of \$1,750,000 for FY 2019/20.

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

Council Member Martin stated he would like to see the Outdoor Storm Warning System on page 14

of the Capital Improvements Plan be removed from Local Option Sales Tax Community Betterment Funding. It was recommended to remove page 14 from the Capital Improvements Plan and then add it to the FY 2018/19 adjusted budget.

Moved by Martin, seconded by Betcher, to remove page 14 from the Capital Improvements Plan,

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

Moved by Nelson, seconded by Betcher, to approve the 2019-24 Capital Improvements Plan as amended.

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

**AMENDMENTS TO FY 2018/19 BUDGET:** Moved by Beatty-Hansen, seconded by Betcher, to amend the 2018/19 budget to include \$25,000 to the Greenhouse Gas Inventory from the General Fund.

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

Move by Martin, seconded by Betcher, to add \$40,000 for the Outdoor Warning System to the 2018/19 budget to be paid for out of the General Fund available balance.

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

Moved by Nelson, seconded by Betcher, to add \$25,000 in funding for a Cyber Security study to be funded from the Information Technology Fund 2018/19 available balance.

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

**APPROVAL OF ADJUSTED BUDGET FOR FY 2018/19, AS AMENDED:** Moved by Betcher, seconded by Beatty-Hansen, to approve the adjusted budget for FY2018/19 as amended.

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

**SET PUBLIC HEARING DATE ON BUDGET AMENDMENTS FOR FY 2018/19:** Moved by Gartin, seconded by Corrieri, to set March 5, 2019, as the date of final public hearing on the proposed amended budget for FY 2018/19.

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

**AMENDMENTS TO PROPOSED FY 2019/20 BUDGET:** Moved by Gartin, seconded by Betcher, to approve the FY 2019/20 budget as amended.

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

**APPROVAL OF PROPOSED BUDGET FOR FY 2019/20, AS AMENDED:** Moved by Gartin, seconded by Betcher, to approve the proposed FY 2019/20 Budget, as amended.

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

**SET PUBLIC HEARING DATE ON PROPOSED BUDGET FOR FY 2019/20:** Moved by Corrieri, seconded by Beatty-Hansen, to set March 5, 2019, as the date of public hearing on the proposed budget for FY 2019/20.

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

The meeting recessed at 6:10 p.m. and reconvened at 6:16 p.m.

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

**CONSENT AGENDA:** Moved by Nelson, seconded by Gartin, to approve the following items on the Consent Agenda.

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meetings of January 15, January 31, February 1, February 2, February 5, February 6, and 7, 2019, and Regular Meeting of January 22, 2019
3. Motion canceling March 12, 2019, City Council meeting
4. Motion approving certification of civil service applicants
5. Motion approving Report of Change Orders for January 15 - 31, 2019
6. Motion approving new 5-day Class C Liquor License (February 23 - 28) for Gateway Market MLK at ISU Alumni Center.
7. Motion approving new 12-month Class C Liquor License with Outdoor Service and Sunday Sales for The Angry Irishmen, 119 Main Street, Pending Dram Shop
8. Motion approving new 12-month Class C Liquor License with Outdoor Service and Sunday Sales for Blue Owl Bar, 223 Welch Avenue
9. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor - Hy-Vee Market Café, 3800 Lincoln Way - Café area
  - b. Class C Liquor - Cy's Roost, 121 Welch Avenue
  - c. Class C Liquor - Mickey's Irish Pub, 109 Welch Avenue
  - d. Special Class C Liquor - Blaze Pizza, 2320 Lincoln Way Ste 109
  - e. Class C Liquor - El Azteca, 2727 Stange Road
  - f. Class E Liquor - Fareway Stores, Inc. #093, 3619 Stange Road
  - g. Class E Liquor - Fareway Stores, Inc. #386, 619 Burnett Avenue
  - h. Class C Liquor - Ge' Angelo's, 823 Wheeler St. Suite #9
  - i. Class E Liquor - Wal-Mart Supercenter 4256, 534 South Duff Avenue
  - j. Class C Liquor - Buffalo Wild Wings, 400 South Duff Avenue
  - k. Special Class C Liquor - Stomping Grounds, 303 Welch Avenue
  - l. Special Class C Liquor - Wing Stop, 703 South Duff Avenue #101
10. RESOLUTION NO. 19-031 setting public hearing for March 5, 2019, regarding entering into a General Obligation Loan Agreement in an amount not to exceed \$11,880,000
11. RESOLUTION NO. 19-032 approving Comprehensive Annual Financial Report (CAFR)
12. RESOLUTION NO. 19-033 approving 2018 Resource Recovery Plant Annual Report
13. RESOLUTION NO. 19-034 approving Amendment to Professional Services Agreement for East Industrial Area Utility Extension Project
14. Requests from Ames Main Street (AMS) for MusicWalk on Friday, April 26:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in

- Central Business District
- b. RESOLUTION NO. 19-035 approving closure of 11 metered parking spaces for food trucks and musicians
  - c. RESOLUTION NO. 19-036 approving waiver of parking meter fees and enforcement, usage and waiver of electrical fees, and waiver of fee for blanket Vending License for Ames Main Street from 3:00 p.m. to 9:00 p.m.
15. Requests from Ames Main Street (AMS) for ArtWalk on Friday, June 7:
- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District
  - b. RESOLUTION NO. 19-037 approving closure of ten metered parking spaces for vendors
  - c. RESOLUTION NO. 19-038 approving waiver of parking meter fees and enforcement, usage and waiver of electrical fees, and waiver of fee for blanket Vending License for Ames Main Street from 3:00 p.m. to 8:30 p.m.
16. Requests for 4<sup>th</sup> of July Activities:
- a. Requests of City of Ames:
    - i. RESOLUTION NO. 19-039 approving closure of Clark Avenue between 5<sup>th</sup> Street and 6<sup>th</sup> Street from 5:00 p.m. on Wednesday, July 3, until conclusion of parade on July 4 and closure of City Hall Parking Lot N on July 4 for City Council Community Pancake Breakfast
  - b. Requests of Ames Main Street:
    - i. Motion approving blanket Temporary Obstruction Permit and blanket Vending License in Central Business District on Thursday, July 4
    - ii. RESOLUTION NO. 19-040 approving usage and waiver of electrical fees and waiver of fee for blanket Vending License
    - iii. RESOLUTION NO. 19-041 approving closure of portions of Main Street, Northwestern Avenue, 5th Street, Douglas Avenue, Burnett Avenue, Kellogg Avenue, Clark Avenue, Allan Drive, and Pearle Avenue from 6:00 a.m. until end of parade
    - iv. RESOLUTION NO. 19-042 approving closure of Parking Lot MM and south portion of Lot M and Depot Lots V and TT from 6:00 a.m. to 2:00 p.m.
17. RESOLUTION NO. 19-043 awarding contract to Titan Machinery of Des Moines, Iowa, for purchase of Case Tractor Backhoe-Loader and extended warranty for Public Works Department in the amount of \$125,057
18. RESOLUTION NO. 19-044 approving preliminary plans and specifications for Concrete Replacement at two CyRide bus turnarounds; setting March 14, 2019 as bid due date and March 26, 2019, as date of public hearing
19. RESOLUTION NO. 19-045 approving preliminary plans and specifications for Replacement of CyRide's Bus Wash; setting March 14, 2019 as bid due date and March 26, 2019, as date of public hearing
20. RESOLUTION NO. 19-046 approving preliminary plans and specifications for Steam Turbine No. 7 Parts Procurement; setting March 13, 2019, as bid due date and March 26, 2019, as date of public hearing
21. RESOLUTION NO. 19-047 approving contract and bond for 2017/18 Accessibility Enhancement Program (Airport Road Sidewalk)

22. Underground Trenching Contract for Electric Services:
  - a. RESOLUTION NO. 19-048 approving Primary Contract Change Order No. 1 with Ames Trenching & Excavating, Ames, Iowa, in the not-to-exceed amount of \$50,000
  - b. RESOLUTION NO. 19-049 approving Secondary Contract Change Order No. 2 with Communication Data Link, LLC, Grimes, Iowa, in the not-to-exceed amount of \$29,000
23. RESOLUTION NO. 19-050 approving Change Order No. 1 with Earth Services & Abatement, LLC, Des Moines, Iowa, for Asbestos Maintenance Services for the Power Plant in the not-to-exceed amount of \$130,000
24. RESOLUTION NO. 19-051 accepting completion of 2017/18 Low-Point Drainage Improvements (Ridgetop Road)
25. RESOLUTION NO. 19-052 accepting completion of Brookside Path Lighting
26. RESOLUTION NO. 19-053 accepting completion of WPC Structural Rehab Phase 2 Project
27. RESOLUTION NO. 19-054 approving Plat of Survey for 2119, 2125, and 2131 Isaac Newton Drive

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

**PUBLIC FORUM:** Erv Klaas, 1405 Grand Avenue, Ames, stated he wanted to present some information he received from the Yale University. He then provided some data points on attitudes toward climate change communications. Mr. Klaas noted that the survey results are reflective of the City of Ames and action is needed.

**TEXT AMENDMENT TO ALLOW BEDROOMS IN PROGRESS TO COUNT TOWARD RENTAL OCCUPANCY:** Mayor Haila stated that staff had asked to pull this item and it will come back on a future Council meeting agenda.

**PRE-ANNEXATION AGREEMENT FOR CONNECTION CHARGES IN THE SOUTH ANNEXATION AREA:** Planning and Housing Director Kelly Diekmann stated that Steve Burgason had been working for the past several months to get surrounding property owners to consider participating in a voluntary annexation request for land located between Cedar Lane and University Boulevard. Mr. Diekmann mentioned that Mr. Burgason is asking the City Council to consider a Pre-Annexation Agreement that allows for reduced connection charges for water and sewer. He stated that staff agrees that Mr. Burgason's request is within the scope of the prior Agreement and would not have a detrimental effect on the City's funding for water and sewer operations, and it could be beneficial to bring in a cohesive application for annexation. Director Diekmann explained what the next steps would be if the Council decided to move ahead with a Pre-Annexation Agreement.

Ms. Beatty-Hansen inquired how the road improvements were done before in regards to the City paying for the improvements versus the homeowners. Mr. Diekmann explained the difference between Cedar Lane and what was done for the property owners in North Ames along Hyde Avenue (formerly Grant Avenue) in 2013. Further discussion ensued as to what roads may or may not be paved in the future.

Mr. Diekmann explained that if someone wants to connect to the water or sewer system it would be at the private property owners cost; the only reduction would be the fee to the City. If the private property owner has a contract with Rural Water, it is the property owner's responsibility to secure the rights to connect to City water. Mayor Haila quoted from Mr. Burgason's email that stated "As you know most of the land owners, if not all of them, will not pay the \$20,700 to buy out the Xenia water rights to hook up to the City water."

Steve Burgason, 3314 Cedar Lane, Ames, commented that almost all of the homeowners are under a Xenia contract and his statement in the email comes from conversations with his neighbors. Council Member Martin asked Mr. Burgason if it is their hope that the Cedar Lane development cost not fall on the homeowners. Mr. Burgason stated he does not want the expense of the development to fall on them or the City.

Mr. Gartin asked if a thorough analysis has been done showing that Xenia water definitely has the rights for delivery of water service in the area. Assistant City Manager Bob Kindred noted that he has the information and will verify whether the area is in Xenia's Water District.

Moved by Gartin, seconded by Beatty-Hansen, to have staff provide information regarding the boundaries of Xenia water service territory as it pertains to the proposed annexation area.

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

Moved by Beatty-Hansen, seconded by Betcher, directing staff to prepare a Pre-Annexation Agreement for voluntary annexation within the area located south of the existing city limits between Cedar Lane and University Boulevard, to be modeled after the Hyde Avenue Agreement that includes the following:

- Connection fees to water lines based upon an 80-foot lot frontage with deferral of remaining costs.
- Requirements of a property owner to secure any Xenia service territory rights prior to connecting to City water.
- Connection fees to sanitary sewer lines based upon an 80-foot lot frontage with deferral of remaining costs.
- The property owner would provide to the City any needed temporary or permanent easements related to road, water, and sewer improvements. The City would bear the cost related to surveying, construction, and restoration.

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

**REQUEST FROM GARY AND KATHY MAY TO CONNECT TO EXTENDED WATER**

**MAIN AT 3520 S RIVERSIDE DRIVE:** Public Works Director John Joiner explained where the May property is located in correlation with the Iowa State University Research Park Phase IV Improvements. He noted that Gary and Kathy May were annexed into the City along with the Research Park in 2014 and are now requesting connection to the City's water main. Typically, a connection fee of \$20.00 per linear foot of property frontage is charged. The May property frontage is 320 feet, which would result in a standard connection fee of \$6,400. Mr. Joiner stated that the



Iowa State University Park Phase IV Improvements project would be 50% covered by the Economic Development Administration (EDA) grant funding. He noted that an alternative, which had been utilized in the past, is applying a reduction of the lot frontage width to be used in the connection fee calculation.

Kathy May, 3520 South Riverside Drive, Ames, stated that her home is about 250 feet from the road, and in addition to the frontage cost, they would be responsible for running the water line from the road to their home.

Moved by Gartin, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 19-055 to approve the request from Gary and Kathy May to connect to the City's water main using a typical urban lot frontage width of 80 feet and reduce the standard rate by 50% to account for the 50% EDA grant funding of the water main installation, resulting in a total cost of \$10/linear foot x 80 feet = \$800. Roll Call Vote: 6-0. Motion carried unanimously.

**ORDINANCE OF REVISED POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE:** Municipal Engineer Tracy Warner stated the Council directed at a Special Meeting in November 2018, that two amendments be made to the Post-Construction Stormwater Management Ordinance. She noted that these two revisions were being presented tonight.

Council Member Nelson commented that he had a few questions and needed some further clarification on definitions. He stated that new development is defined in the report and then development and redevelopment is defined earlier in 5B.2, and the definitions are not aligned. Mr. Nelson would like more information from staff as to why the definitions are different and would like to see the definitions coordinated.

Moved by Nelson, seconded by Gartin, asking staff to coordinate the definitions for 5B.2 with the proposed revisions for 5B.1 in General Provisions in regards to redevelopment and new development.

Motion withdrawn.

Moved by Nelson, seconded by Gartin, to direct staff to prepare an ordinance that clarifies the definitions of development versus redevelopment and correlates them with 5B.1 and 5B.2, and also to add residential use as a component to redevelopment.

Ms. Warner then read aloud the definition of redevelopment and recommended removing the word "multi-family" from the Ordinance, which will cover the rest of the uses and help clarify the definition.

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

Moved by Beatty-Hansen, seconded by Nelson, to modify the ordinance to add wording which states

that for any redevelopment an acre is the threshold and for any new development, the threshold of 10,000 would still apply.

Public Works Director John Joiner stated he would recommend leaving the threshold as it is in the current Ordinance for development and new development, and then create a revised threshold for redevelopment only with a one acre impervious threshold. Further discussion was had about whether to include pervious along with impervious to the one-acre threshold.

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

Mayor Haila mentioned that there are inconsistencies regarding the wording for the Financial Security and Performance Bond and recommended cleaning up the wording. Ms. Warner stated that staff had worked with Legal before to come up with the current language.

Moved by Gartin, seconded to Betcher, to have staff clarify the form of financial security that would be required.

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

Ms. Warner stated they will make the recommended changes and this Ordinance will come back for first passage on the February 26, 2019, meeting.

**ORDINANCE REGARDING “GAME DAY PARKING” REGULATIONS:** Moved by Beatty-Hansen, seconded by Betcher, to pass on second reading an Ordinance regarding “Game Day Parking” regulations.

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

**HEARING ON ASSESSMENT FOR COSTS OF ASBESTOS TESTING ON AND DEMOLITION OF DANGEROUS BUILDING LOCATED AT 1107 GRAND AVENUE:** The Mayor noted the hearing had been continued from January 22, 2019. He asked if there was anyone wishing to speak. The Mayor closed the hearing when no one came forward.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 19-056 to assess the costs of the asbestos testing on and demolition of a dangerous building to the property owner, Katherine Fisher, 1126 Grand Avenue, Ames, Iowa; instruct the Finance Director to prepare the spread sheet on the assessment; and, direct the City Clerk to file the assessment with the Story County Treasurer. Roll Call Vote: 6-0. Motion declared carried unanimously.

**ENDORSEMENT OF IOWA ECONOMIC DEVELOPMENT AUTHORITY APPLICATION FOR FINANCIAL ASSISTANCE FOR VERTEX SOFTWARE, LLC, WITH LOCAL MATCH IN THE FORM OF A \$300,000 LOAN WITH HALF FORGIVABLE:** Finance Director Duane Pitcher stated that the typical process is that when a company applies for assistance with the state, a local government has to endorse the application. He noted that at this point the

Council would be endorsing the application and would be making a commitment that the City will be providing the local match with the terms still to be specified. City Manager Steve Schainker noted that most of the match is dictated by the state, and in this case, the state wants a certain amount plus the five-year tax abatement. The Council discussed further what types of applications they have endorsed in the past.

Dan Murray, 2243 Quail Ridge Road, Ames, stated he has been a resident of Ames for 40 years. He explained that Vertex is a culmination of all the businesses he had built over the past 30 years. Vertex provides cloud-based solutions for manufacturing companies. Currently, Vertex has 65 employees with more positions becoming available. Mr. Murray is excited to continue to grow the economy in Ames, retain talent from Iowa State University, and said that the company will attract other people from other states.

Dan Culhane, 304 Main Street, Ames, President and Chief Executive Officer stated this project is very unique. He explained he would love to talk more with the Council about the housing issue and how to find a way to retain new employees to stay within the City of Ames.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 19-057 supporting the submittal of an application from Vertex Software, LLC requesting economic development assistance from IEDA, with local match to be provided in the form of a \$300,000 loan with half forgivable, along with authorizing staff to modify the existing agreement with ISU Research Park to allow them to apply for the five-year industrial tax abatement.

Roll Call Vote: 6-0. Resolution declared adopted unanimously.

**CONSUMPTION OF ALCOHOL ON WATER PLANT PREMISES DURING AFTER-HOURS EVENT FOR AMERICAN WATER WORKS ASSOCIATION, IOWA SECTION CONFERENCE:** Water Pollution Control Director John Dunn stated that the Iowa section of the American Water Works Association is holding its annual conference from October 22-24, 2019, in Ames. Mr. Dunn mentioned that the reception is normally held at a convention center however, with the new Water Treatment Plant and fellow peers being in town, it would be a great opportunity to host the event at the Water Treatment Plant.

Moved by Nelson, seconded by Corrieri, to express support for the American Water Works Association - Iowa Section's intent to seek a temporary license to serve beer and wine on the Water Treatment Plant property for an after-hours reception on October 22, 2019.

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

**DISPOSITION OF COMMUNICATIONS TO COUNCIL:** Moved by Martin, seconded by Nelson, to refer to staff for a memo the letter from Chuck Winkleblack concerning two billboards on the two-block stretch on the north side of Lincoln Way between Clark and Kellogg.

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

**COUNCIL COMMENTS:** Council Member Betcher reminded the Council that if they are interested in going to the International Town and Gown Association Conference the early bird registration closes on Friday, February 15, 2019.

Council Member Martin inquired if the Outside Funding Requests process is being utilized correctly. Mr. Schainker recommended bringing back the criteria to review to see if they need to be changed.

Moved by Corrieri, seconded by Betcher, to direct that the Outside Funding Requests they process be reviewed by City staff.

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

Moved by Betcher, seconded by Corrieri, to direct staff to bring back the criteria for Outside Funding Requests allocation for the Council to consider, with staff deciding when to put it back on an agenda.

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

**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 20.17(3) to discuss collective bargaining strategy.

Moved by Gartin, seconded by Betcher, to go into Closed Session under Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.

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

The Council went into Closed Session at 7:35 p.m. and returned to Regular Session at 7:48 p.m.

Moved by Corrieri, seconded by Beatty-Hansen, to ratify the contract with IAFF Local 625 (Firefighters).

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

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 7:51 p.m.

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Amy L. Colwell, Deputy City Clerk

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John A. Haila, Mayor

**Applicant License Application ( )**

<b>Name of Applicant:</b>	<u>City of Ames</u>		
<b>Name of Business (DBA):</b>	<u>Homewood Golf Course</u>		
<b>Address of Premises:</b>	<u>401 E 20th Street</u>		
<b>City</b>	<u>Ames</u>	<b>County:</b>	<u>Story</u>
		<b>Zip:</b>	<u>50010</u>
<b>Business</b>	<u>(515) 239-5363</u>		
<b>Mailing</b>	<u>401 E 20th Street</u>		
<b>City</b>	<u>Ames</u>	<b>State</b>	<u>IA</u>
		<b>Zip:</b>	<u>50010</u>

**Contact Person**

<b>Name</b>	<u>Brooke Rogers</u>		
<b>Phone:</b>	<u>(515) 290-8847</u>	<b>Email</b>	<u>brogers@city.ames.ia.us</u>

**Classification** Class B Beer (BB) (Includes Wine Coolers)**Term:** 8 months**Effective Date:** 04/01/2019**Expiration Date:** 01/01/1900**Privileges:**Class B Beer (BB) (Includes Wine Coolers)Outdoor ServiceSunday Sales**Status of Business**

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

**Ownership****Steve Schainker****First Name:** Steve**Last Name:** Schainker**City:** Ames**State:** Iowa**Zip:** 50010**Position:** City Manager**% of Ownership:** 0.00%**U.S. Citizen:** Yes**Insurance Company Information**

<b>Insurance Company:</b>	<u>Iowa Communities Assurance Pool</u>		
<b>Policy Effective Date:</b>	<u>04/01/2019</u>	<b>Policy Expiration</b>	<u>11/30/2019</u>
<b>Bond Effective</b>		<b>Dram Cancel Date:</b>	
<b>Outdoor Service Effective</b>		<b>Outdoor Service Expiration</b>	
<b>Temp Transfer Effective Date</b>		<b>Temp Transfer Expiration Date:</b>	



**Name of Applicant:** Kwik Trip, Inc.

**Name of Business (DBA):** Tobacco Outlet Plus #530

**Address of Premises:** 204 S Duff Ave

**City** Ames **County:** Story **Zip:** 5001000

**Business** (608) 781-8988

**Mailing** 1626 Oak St

**City** La Crosse **State** WI **Zip:** 54603

**Contact Person**

**Name** Deanna Hafner

**Phone:** (608) 793-6262 **Email** dhafner@kwiktrip.com

**Classification** Class C Beer Permit (BC)

**Term:**12 months

**Effective Date:** 06/02/2018

**Expiration Date:**

**Privileges:**

Class C Beer Permit (BC)

**Status of Business**

**BusinessType:** Privately Held Corporation

**Corporate ID Number:** XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

**Ownership**

**Donald Zietlow**

**First Name:** Donald **Last Name:** Zietlow

**City:** Ames **State:** Wisconsin **Zip:** 54650

**Position:** President

**% of Ownership:** 100.00% **U.S. Citizen:** Yes

**Thomas Reinhart**

**First Name:** Thomas **Last Name:** Reinhart

**City:** Onalaska **State:** Wisconsin **Zip:** 54650

**Position:** Secretary

**% of Ownership:** 0.00% **U.S. Citizen:** Yes

**Jeffrey Wrobel**

**First Name:** Jeffrey **Last Name:** Wrobel

**City:** La Crosse **State:** Wisconsin **Zip:** 54601

**Position:** Treasurer

**% of Ownership:** 0.00% **U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b>	<u>First Western Insurance</u>
<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>



**COUNCIL ACTION FORM**

**SUBJECT: AUTHORIZATION TO SELECT VENDOR FOR A NEW RADIO SYSTEM**

**BACKGROUND:**

After a competitive bidding process that included City representatives, in September of 2017 the Story County 911 Board entered into a contract with Mission Critical Partners (MCP) of Port Matilda, PA, for a radio system needs analysis study for all public agencies in Story County. The 911 Board recognized that the radio system that provided service to the public safety (emergency responders) and public service (non-emergency radio systems users like Public Works and CyRide) agencies throughout Story County no longer met the requirements of the users. MCP delivered a final report on the radio study in December of 2017. The report called for the complete replacement of the existing radio system with a new system based on current radio technology and standards. The report also recommended that we use the opportunity to join one of the larger existing or developing radio systems in Iowa as that would facilitate interoperable communications with surrounding counties, state entities, and others who might provide support in emergency situations. The report also encouraged that the process proceed as quickly as possible to take advantage of the competitive bidding environment that exists in Iowa.

The City of Ames, Story County, Iowa State University, and the Story County 911 Board recognized that they could more efficiently and cost effectively acquire a new countywide radio system by working together. In February of 2018 the four entities entered into a 28E Intergovernmental Agreement to retain MCP for a second phase of the radio project, and to equally share the costs for those services. During Phase 2, MCP met with public safety agencies and public service agencies throughout Story County, and specifically with City departments, to more closely determine the needs of the radio system users. From those meetings MCP developed a model for a new radio system and cost estimates for its purchase and implementation.

The 28E Agreement that funded MCP work in Phase 2 also established a process for oversight and review of the activity and work. An Operational Committee had the overall responsibility for the project. The City's representative on the Operational Committee was Assistant City Manager Bob Kindred. A Working Committee was tasked with the day-to-day activity of the work with MCP. The City's representatives on the Working Committee were Joshua Bennett from the Fire Department and Doug Houghton from the Police Department. Together with partners from the other 28E Agreement agencies, these committees determined that a purchasing process should proceed through Iowa State University's Purchasing Department, in part because the state purchasing rules are the most comprehensive. ISU assigned two purchasing agents to assist with the project. In

October of 2018, based on the work from MCP and after review and approval from the 28E Agreement agencies, a Request for Proposals for a countywide radio system was issued by Iowa State University. Responses to that RFP were received on November 30, 2018. In December of 2018 the two vendors who provided responses made in-person presentations on their proposals to more than 40 people from agencies around Story County.

The City recognized that this project would require significant investment. Based on the cost projections provided by MCP, the 2018-2019 CIP included an initial \$1,000,000 to fund the radio system infrastructure. The 2019-2020 CIP includes an additional \$1,750,000 to complete the funding of the radio infrastructure and to purchase new radios. In addition, the City's on-going costs have been apportioned throughout the budget utilizing the funds that are spent on the current radio system.

As the project developed, the 28E Agreement agencies understood that there needed to be a mechanism that would allow the agencies, as a group, to purchase, own, and operate the elements of a new radio system. To achieve that end, in December of 2018 the agencies entered in to a new 28E Agreement to create StoryComm. StoryComm is governed by a Board of Directors that includes one voting member each from the City of Ames, Story County and Iowa State University. The Story County 911 Board is represented by three non-voting members. StoryComm will guide the next steps in the process and will own and manage the new radio system. StoryComm met for the first time on February 1, 2019, to answer questions posed by the Working Committee and to provide guidance on the purchasing process. Bob Kindred is the City's representative on the StoryComm Board.

MCP, ISU Purchasing and the Working Committee have now completed a comprehensive review of the responses to the RFP. Discussions with the vendors, particularly focusing on costs, have been on-going. In early March MCP, ISU Purchasing and the Working Committee will meet with StoryComm and, through ISU Purchasing, make a recommendation for a vendor for a new radio system. The details of the recommendation, including anticipated costs, will be available to StoryComm members in advance of the meeting. Should that recommendation be accepted by the StoryComm Board, ISU Purchasing will issue a Letter of Intent to Award to the recommended vendor. The Letter of Intent is followed by final contract negotiations and, if agreement is reached, a contract signing with the successful vendor. **For a variety of reasons including the condition and cost of the current radio system and incentives provided by the vendors, this process needs to move ahead promptly.**

City staff has kept Council informed in each step of the process over the past few years by requesting approval for the various agreements and CIP items. With that history, the City's StoryComm representative now seeks Council's approval to authorize him to act on ISU's Purchasing Department's recommendation to issue a Letter of Intent to negotiate a contract. That would only occur if the terms and conditions of the recommendation are in line with the City's performance and financial expectations. The Representative would then return to Council to present details of the final contract for approval before authorizing

StoryComm to complete the agreement with the vendor. The steps to a final contract are expected to take three to four weeks.

**ALTERNATIVES:**

1. Authorize the City's StoryComm Representative to approve a recommendation for a radio vendor as long as the recommendation is in line with the City's performance and financial expectations.
2. Do not authorize the StoryComm Representative's request and provide guidance to the staff on the next steps toward a new radio system.

**CITY MANAGER'S RECOMMENDED ACTION:**

The City will greatly benefit in this joint effort with other agencies to acquire and operate a new interoperable communications system. ISU Purchasing has provided a strong framework for the process and the Letter of Intent is the next step. Authorizing StoryComm to proceed with the Letter of Intent will facilitate reaching final terms that can then be presented to Council.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby authorizing the City's StoryComm Representative to approve a recommendation for a radio vendor as long as the recommendation is in line with the City's performance and financial expectations.

**COUNCIL ACTION FORM**

**SUBJECT: GOVERNOR'S TRAFFIC SAFETY BUREAU ENFORCEMENT GRANT**

**BACKGROUND:**

The Police Department is again requesting permission to apply for funding from the Governor's Traffic Safety Bureau to support additional overtime traffic enforcement and to participate in the project should funding be awarded.

This program is conducted through the Governor's Traffic Safety Bureau in cooperation with local and county law enforcement agencies. Its purpose is to address traffic safety problems including alcohol, excessive speed, pedestrian and bicycle safety, and vehicle occupant protection. The program is designed with both enforcement and educational components to improve driver safety and protection, to reduce impaired driving, and to enhance overall traffic safety. The Ames Police Department has participated in similar annual programs in the past.

This grant will support additional traffic enforcement during periods of high risk for impaired driving, excessive speed and crashes. The officers conducting this intensified traffic enforcement will be added to the normal staffing levels for the Police Department and will work on an overtime basis. The areas in which these officers work will be selected on the basis of citizen complaints, officer observations and traffic incident data.

The grant application would request \$36,000 in funding for the following uses:

- To pay officers at an overtime rate,
- To replace an in-car video camera,
- To fund acquisition of educational materials on traffic safety,
- To send an officer to an annual national traffic safety conference.

**There is no local match required with this grant.**

**ALTERNATIVES:**

1. Approve the Police Department's application for and participation in the Governor's Traffic Safety Bureau Enforcement Grant program.
2. Do not approve this application.

**CITY MANAGER'S RECOMMENDED ACTION:**

Participation in this program allows our Police Department to devote additional resources to traffic safety without additional local costs. These funds help reduce traffic violations and improve traffic safety for the citizens of Ames.

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



**TO:** Mayor and City Council  
**FROM:** Diane Voss  
**DATE:** February 22, 2019  
**SUBJECT:** Item No. 8

The staff report on the 2019 Neighborhood Art Acquisitions is still being worked on at the time of the posting of the agenda packet. It will be sent to you on Monday.

Thank you.

/drv

**COUNCIL ACTION FORM**

**SUBJECT: AUTHORIZATION TO SUBMIT NUTRIENT REDUCTION FEASIBILITY STUDY FINAL REPORT TO IOWA DEPARTMENT OF NATURAL RESOURCES**

**BACKGROUND:**

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

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

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

The approximately 150 largest wastewater treatment facilities in the state, both municipal and industrial, are being required to develop a course of action that will lead towards a reduction in their nutrient discharges. The process starts by conducting a feasibility study that looks at:

- The feasibility and reasonableness of reducing the amounts of nitrogen and phosphorus discharged into surface water;
- Identifying the preferred method(s) for reducing total nitrogen and total phosphorus in the final effluent; and
- Identifying a schedule for making operational changes and/or installing new or additional treatment technologies to achieve the nutrient removal goals.

**Even though no new NPDES discharge permit has been issued and the obligation to perform a nutrient reduction feasibility study has not formally been imposed by the Iowa Department of Natural Resources, the City chose to perform that evaluation now.** The reason was a concern about the remaining life of the trickling filter media. The four filters are packed with corrugated plastic sheeting that provides a surface

for the waste-consuming bacteria to attach to and grow. The plastic modular media is original to the plant construction, and has been in service for 29 years. The media has an assumed life of 20-30 years, and staff estimate a cost in excess of \$10 million to replace the media in the filters. While trickling filters are very good at removing conventional pollutants like biochemical oxygen demand (BOD) and Total Suspended Solids (TSS), they perform poorly at removing nutrients. **As such, staff felt this was a significant financial reason for determining a long-term strategy to comply with the Nutrient Reduction Strategy.**

On April 24, 2018, Council awarded a professional services agreement to HDR Engineers to conduct the feasibility study for the Ames Water Pollution Control Facility (WPCF). On November 20, 2018, City staff along with representatives from HDR presented the conclusions from the feasibility study to the City Council. The final recommendation from the study is that the City should pursue a two-track approach to meet the goals of the Nutrient Reduction Strategy.

- **The first track is to modify the WPCF to achieve the targeted 67% reduction in Total Nitrogen and 75% reduction in Total Phosphorus, with the implementation being phased in over a period of 20 years at a total estimated cost of \$39.6 million.** The phased approach allows existing infrastructure with remaining useful life to be fully utilized before being replaced. It also allows for the facility's capacity to be expanded over time to accommodate growth in the Ames community.
- **The second track is to pursue watershed-based Best Management Practices (such as wetlands, buffer strips, cover crops, stream bank stabilization and similar land practices).** These practices will not reduce the size or scope of the mechanical upgrades at the WPCF. However, staff believes that the nutrient reduction from these sorts of projects will ultimately be able to be "banked" in the newly created Iowa Nutrient Reduction Exchange, and be available as an offset for any further reductions in the nutrient standards in the future.

Projects that would be pursued under this track would be those that would offer additional ancillary benefits in addition to nutrient reduction. Potential ancillary benefits would vary by project, but could include things like flood mitigation; drinking water source protection; new or improved recreational opportunities; improved or restored wildlife habitat; and water quality benefits beyond nutrient reduction.

HDR has now completed the final report, which is ready to be submitted to the Iowa Department of Natural Resources. A copy of the full submittal is attached, along with a brief "lay summary" of the report.

**It is important for Council to know that once the report has been reviewed and accepted by the Iowa Department of Natural Resources, the recommendations included in the first track (a three-phase, \$39.6 million treatment modification of the**



**facility over the next 20 years) will be incorporated into future NPDES permits for the Ames WPCF. Thus, the City will be making a binding commitment to implement these steps.**

The final report has been drafted in such a way that the City is not making an irrevocable commitment to the second track (off-site modifications), and is not agreeing to their inclusion as a mandatory element in future NPDES permits. The report states the following regarding this second track:

*“The City anticipates that this will be an on-going element of its Capital Improvements Plan, but is not proposing or committing to it as a part of its formal response to addressing nutrients in its discharge.”*

This approach preserves the ability for those funds to be redirected to other needs should something of a higher importance arise.

### **ALTERNATIVES:**

1. Adopt a resolution authorizing staff to submit the Ames Nutrient Reduction Feasibility Study Final Report to the Iowa Department of Natural Resources. **Once reviewed and accepted by the Iowa Department of Natural Resources, the City will be committed to implementing the treatment works modifications recommended in the report.**
2. Provide direction to staff to make modifications to the Ames Nutrient Reduction Feasibility Study prior to submitting it to the Iowa DNR.
3. Direct staff not to submit the report at this time. Until a new NPDES permit is issued by the State, the City does not have a formal obligation to submit a study. **However, delaying submission of the report could result in the Iowa DNR requiring that the report be updated with additional data if the submission is delayed.**

### **CITY MANAGER’S RECOMMENDED ACTION:**

The City’s consultant has completed a formal nutrient reduction feasibility study that includes the recommendations shared with Council at the November 20, 2018 workshop. The final report from that study is ready to be submitted to the Iowa Department of Natural Resources in fulfillment of the City’s eventual obligation to perform a study and submit the results to the IDNR.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 directing staff to submit the Ames Nutrient Reduction Feasibility Study Final Report to the Iowa Department of Natural Resources. **It is important to reiterate that, once accepted by the State, the recommendation to undertake a three-phase, \$39.6 million modification to the WPCF over the next 20 years will become a binding**

**requirement in future NPDES permits for the Ames WPCF.** The off-site improvements are included in the final report as a non-binding commitment by the City.

Attachment A: Lay Summary

Attachment B: Final Report – to be submitted to IDNR



CITY OF AMES

# Nutrient Reduction Feasibility Study

FEBRUARY 2019



# NUTRIENT REDUCTION FEASIBILITY STUDY

The existing Ames Water Pollution Control Facility (WPCF) went into initial operation in 1989. It has and continues to meet National Pollutant Discharge Elimination Permit (NPDES) requirements.

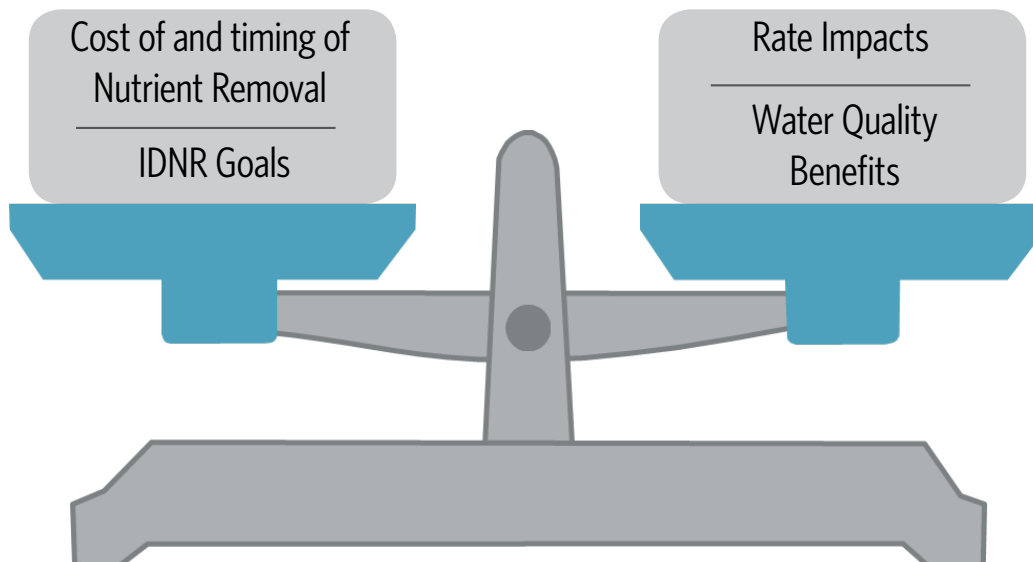
As the Ames WPCF approaches 30 years in age, it faces two major challenges.

- More stringent regulatory requirements to remove the nutrients nitrogen and phosphorus as required in Iowa's 2013 Nutrient Reduction Strategy
- The age, condition, and remaining useful life of the four existing trickling filters that are the heart of the treatment process



This Summary of the Ames WPCF Nutrient Reduction Feasibility Study provides:

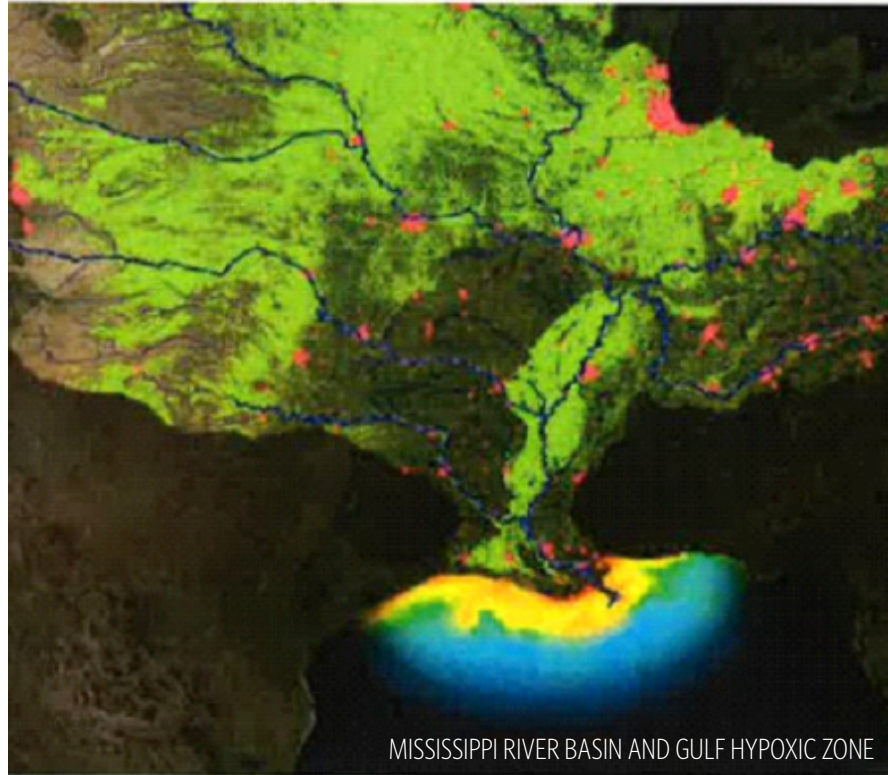
- A brief overview of work completed by HDR in collaboration with the City of Ames (City) Water Pollution Control staff in 2018.
- A cost-effective plan to address both challenges facing the Ames WPCF while providing additional capacity for the future.



The resulting plan recommends both off-site watershed nutrient reductions and on-site Ames WPCF nutrient reductions. In doing so, it balances the cost and timing of nutrient reduction to achieve Iowa Department of Natural Resources (IDNR) goals with customer rate impacts and associated water quality benefits.

# DRIVERS

The primary driver for the Ames WPCF Nutrient Reduction Feasibility Study is the 2013 Iowa Nutrient Reduction Strategy which is part of a broader regional plan to address nutrient related issues; both water quality related hypoxic issues in the Gulf of Mexico and water quality issues in local watersheds. The Nutrient Reduction Strategy targets 45 percent reductions in nitrogen and phosphorus leaving the State. It does so through a) required reductions at wastewater treatment plants, like the Ames WPCF, referred to as point sources and b) voluntary reductions in rural and urban watersheds, referred to as nonpoint sources, through implementation of best management practices.



MISSISSIPPI RIVER BASIN AND GULF HYPOXIC ZONE

A second driver for the Ames WPCF Nutrient Reduction Feasibility Study is the age, condition, and remaining useful life of the four existing trickling filters that are the heart of the Ames WPCF.



EXISTING TRICKLING FILTERS



MEDIA INSIDE



EXTERIOR STRUCTURE

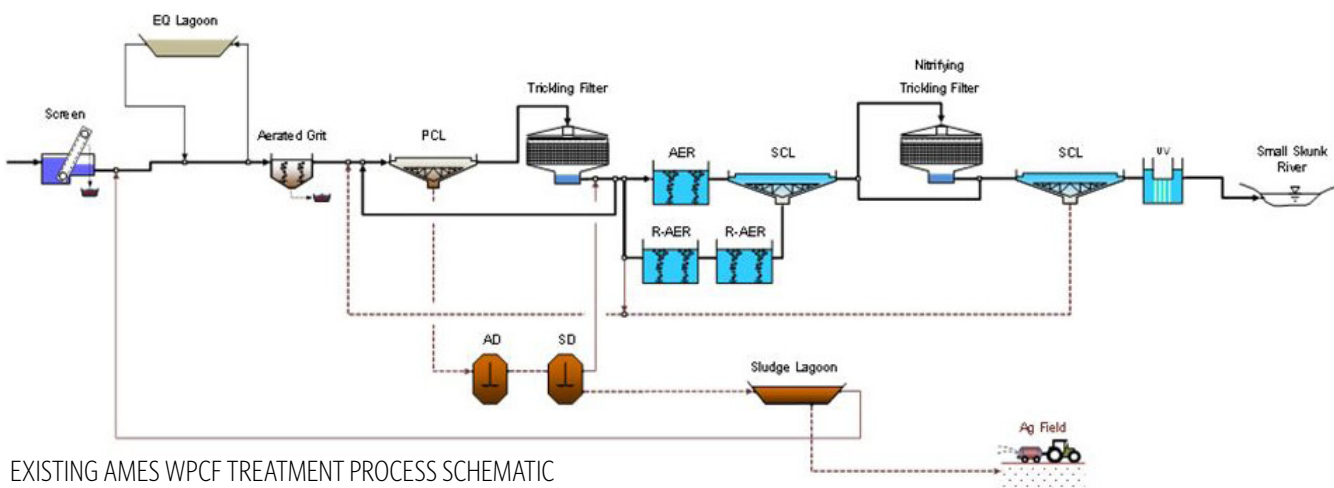
The trickling filters have performed exceedingly well for their original design purpose, but both the exterior structure and the interior media are approaching the end of their useful life. The existing trickling filters would cost an estimated \$8.8 million to replace, and would provide limited value treatment process wise with respect to the biological nutrient removal required by the 2013 Iowa Nutrient Reduction Strategy.

# EXISTING AMES WPCF

The existing Ames WPCF is a trickling filter solids contact facility that treats an average daily flow of 6.19 million gallons per day, the equivalent of nearly 700 tanker trucks per day. The facility is designed to treat organic loadings (biochemical oxygen demand and total suspended solids) and ammonia. It was not designed to remove nutrients, but does currently remove approximately 42 percent of the nitrogen and 25 percent of the phosphorus. Both are less than the 66 percent nitrogen and 75 percent phosphorus reductions required by the Iowa Nutrient Reduction Strategy

## EXISTING AMES WPCF AVERAGE FLOWS AND LOADS

Parameter	Average
Flow, Million Gallons per Day	6.19
Biochemical Oxygen Demand, Pounds per Day	9,360
Total Suspended Solids, Pounds per Day	11,000
Ammonia, Pounds per Day	1,300
Nitrogen, Pounds per Day	2,050
Phosphorus, Pounds per Day	263

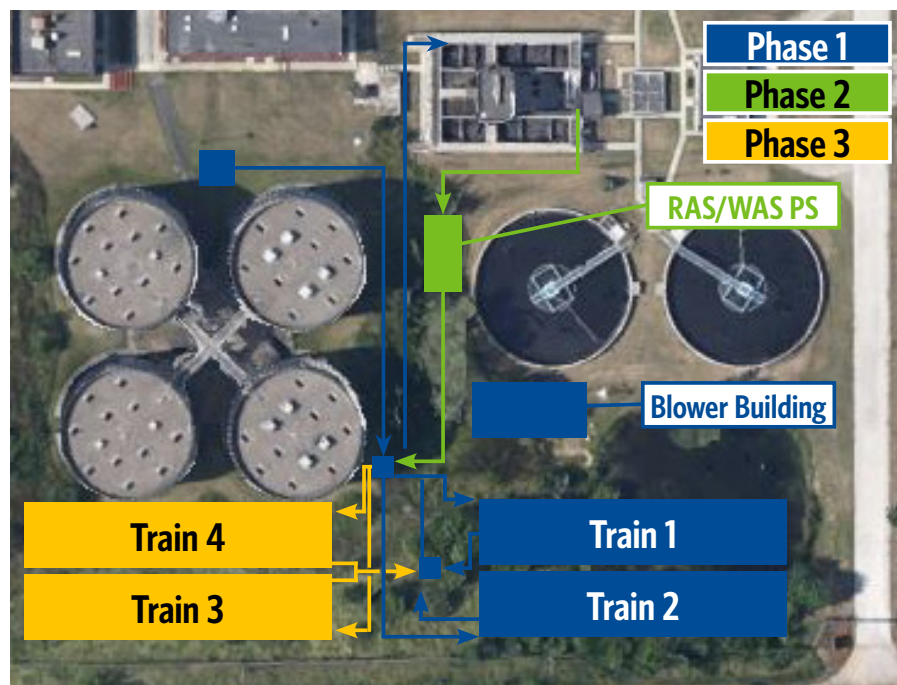


# RECOMMENDED PLAN

The recommended plan to achieve the nutrient reductions required by the Iowa Nutrient Reduction Strategy was developed based on the following.

- ✓ Rigorous analysis of current and forecast future flows and loadings on the Ames WPCF
- ✓ Thorough assessment of existing WPCF performance capabilities
- ✓ Extensive quantification of nutrient sources throughout the watershed including influent to the WPCF
- ✓ Identification, screening, development, and evaluation of multiple watershed and WPCF nutrient reduction alternatives.

The recommended plan will transition the Ames WPCF from an existing trickling filter solids contact process to a future biological nutrient reduction process, incorporating one of three alternative technologies, simultaneous nitrification denitrification, carbonaceous activated sludge, or granular activated sludge. When complete, the Ames WPCF will provide capacity for projected growth and progressively achieve compliance with the 2013 Iowa Nutrient Reduction Strategy. The specific biological nutrient removal technology will be determined at the beginning of the first phase of implementation since all three alternative technologies are comparable in cost and merit.



FUTURE BIOLOGICAL NUTRIENT REMOVAL

With implementation of the recommended plan, the Ames WPCF will progressively increase from current maximum month flows and loadings to projected future influent maximum month capacities as follows:

- 12.6 million to 15.7 million gallons per day flow
- 12,100 to 16,600 pounds per day 5-day biochemical oxygen demand
- 16,300 to 22,400 pounds per day total suspended solids
- 1,680 to 2,300 pounds per day ammonia
- 2,340 to 3,210 pounds per day total nitrogen
- 299 to 410 pounds per day total phosphorus

Limited, if any, nutrient reduction will be achieved in Phase 1, seasonal reduction will be achieved in Phase 2, and full biological nutrient reduction will be achieved in Phase 3. Two factors drive this progressive reduction. First, the need to take advantage of prior investment and the remaining useful life of the existing trickling filters while providing reliable capacity for growth. Second, the configuration of the existing Ames WPCF prevents separate parallel operation of the existing trickling filters and new alternative technology.

The recommended plan also includes a parallel track to continue to incorporate stormwater best management practices in public works projects and target additional off site watershed nutrient reduction projects to demonstrate commitment and progress toward the 2013 Iowa Nutrient Reduction Strategy. Projects will be targeted that achieve nutrient reduction in conjunction with other ancillary benefits such as flood mitigation, source water protection, erosion control, habitat restoration, water quality, and recreation.



Example sites have been identified and grouped by location on City Property, within the City, and upstream of the City. Example projects include bioreactors, constructed wetlands, conservation reserve, research, hydraulic modifications, stormwater detention, and riparian buffer. The City's future Capital Improvements Plan includes \$200,000 per year for use in conjunction with available grant funding for these types of projects. Nutrient reductions will be registered with the Iowa Nutrient Reduction Exchange as potential offsets to more stringent future requirements at the Ames WPCF.



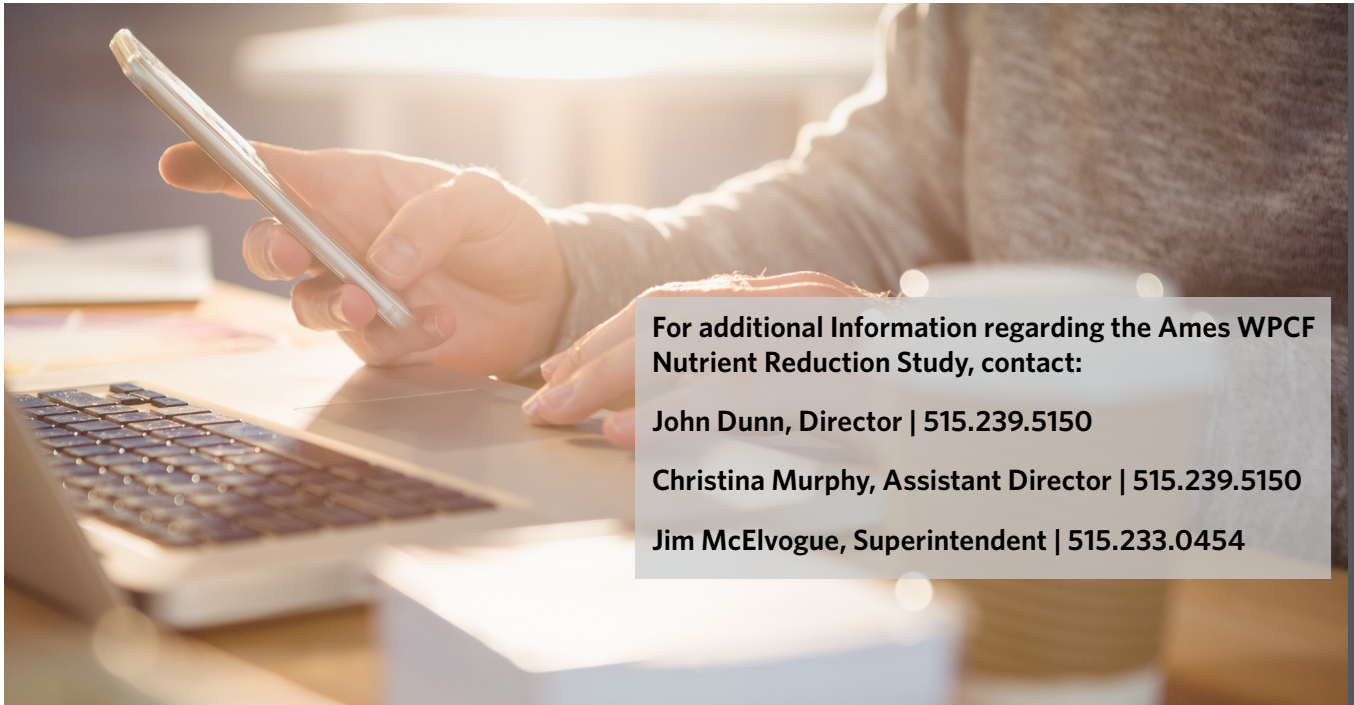
# IMPLEMENTATION

The estimated capital cost, including both engineering and construction, and timing for each phase of the recommended plan at the Ames WPCF is presented below. It is noteworthy that the estimate does not include any additional capital investment in the existing trickling filters to prolong their remaining useful life. The recommended plan will be implemented in 3 phases over the next 20 years at an estimated cost of \$30.5 million. Inflated to the actual construction periods, the estimated cumulative capital cost for all three phases is \$39.63 million.

<b>PHASE 1</b>	<p><b>\$10.20 million</b> (\$8.5 million in 2018 dollars)</p> <p>1<sup>st</sup> - 5 years</p>	<ul style="list-style-type: none"> <li>• Keep Trickling Filters in Services</li> <li>• Incorporate 1<sup>st</sup> Phase of Alternative Technology</li> <li>• Provides Redundant and some Growth Capacity (Current Permit Limits)</li> <li>• Provides Limited, if Any, Nutrient Reduction</li> </ul>
<b>PHASE 2</b>	<p><b>\$14.26 million</b> (\$11 million in 2018 dollars)</p> <p>2<sup>nd</sup> - 5 years</p>	<ul style="list-style-type: none"> <li>• Take Trickling Filters Out of Services as they Fail</li> <li>• Incorporate 2<sup>nd</sup> Phase of Alternative Technology</li> <li>• Provides Additional / Redundant Capacity</li> <li>• Provides Seasonal Biological Nutrient Reduction</li> </ul>
<b>PHASE 3</b>	<p><b>\$15.17 million</b> (\$11 million in 2018 dollars)</p> <p>Last - 10 years</p>	<ul style="list-style-type: none"> <li>• Take Remaining Trickling Filters Out of Service</li> <li>• Incorporate 3<sup>rd</sup> Phase of Alternative Technology</li> <li>• Provides Forecast 2040 Treatment Capacity</li> <li>• Provides Full Biological Nutrient Reduction</li> </ul>

Water and sewer are on the same utility bill, so the timing of rate adjustments are coordinated to avoid doubling up in a single year and projected for 10 years to provide a long-term picture where utility rates are heading. The 10-year plan presented to City Council spring shows 5- or 6-percent sewer rate increases in alternating years to pay for the recommended nutrient plan along with other ongoing needs.

TEN YEAR PLAN FOR PROPOSED AMES WATER AND SEWER RATE INCREASES										
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	19-20	20-21	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29
Water Fund	7%		9%		9%		9%		9%	
Sewer Fund		5%		5%		6%		6%		5%



**For additional information regarding the Ames WPCF  
Nutrient Reduction Study, contact:**

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**Christina Murphy, Assistant Director | 515.239.5150**

**Jim McElvogue, Superintendent | 515.233.0454**

# Ames Nutrient Reduction Feasibility Study

February 14, 2019

Prepared for



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# Water Pollution Control Facility

# Nutrient Reduction Feasibility Study



**Final**

February 14, 2019

A circular professional engineer seal for David M. Dechant, License No. 13723, State of Iowa. The seal contains the text 'LICENSED PROFESSIONAL ENGINEER' around the top edge, 'DAVID M. DECHANT' and '13723' in the center, and 'IOWA' at the bottom.	<p><b>Certification of the Engineer of Record</b> I hereby certify these documents were prepared by me, or under my direct personal supervision, and I am a duly Licensed Professional Engineer under the laws of the State of Iowa.</p> <hr/> <p>David Dechant <span style="float: right;">02/14/2019</span> Iowa License No. P13723 My License Renewal Date is 12/31/2019</p>
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HDR Engineering, Inc. 2019



**Acknowledgements:**

*This document reflects the collaborative efforts and input of the following Project Team*

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## Attachments

Attachment A – Ames WPCF Optimization Options



# 1 Introduction

The existing Ames Water Pollution Control Facility (WPCF) went into initial operation in 1989. As the Ames WPCF approaches 30 years in age, it faces two significant challenges. Those challenges include the following:

- More stringent regulatory requirements to remove the nutrients nitrogen and phosphorus outlined in the Iowa's 2013 Nutrient Reduction Strategy
- The age, condition, and remaining useful life of the four existing trickling filters that are the heart of the treatment process

The Ames WPCF Nutrient Reduction Feasibility Study documents the work conducted by HDR in collaboration with the City of Ames (City) Water Pollution Control staff, toward finding solutions to those challenges. The study also documents a cost-effective plan to address both challenges while providing additional capacity at the facility for the future.

This document provides a summary of the resulting plan for review and approval by the Iowa Department of Natural Resources (IDNR) even though the obligation to perform a nutrient reduction feasibility study has yet to be incorporated into the City's National Pollution Discharge Elimination System (NPDES) permit. This document is outlined as follows.

- Summary
- Existing Treatment Facility
- Nutrient Baseline
- Ames WPCF Nutrient Reduction
- Watershed Nutrient Reduction
- Integrated Strategy and Implementation
- Attachment A. Ames WPCF Optimization Options

## 2 Summary

The Ames WPCF Nutrient Reduction Feasibility Study recommends an integrated strategy that comprises off-site watershed nutrient reductions and on-site Ames WPCF nutrient reductions. The integrated strategy balances the cost and timing of nutrient reduction to achieve IDNR goals with customer rate impacts and associated water quality benefits.

The first component of the integrated strategy would transition the Ames WPCF from an existing trickling filter solids contact process to a future biological nutrient reduction process, incorporating one of three alternative technologies: 1) simultaneous nitrification denitrification (SNDN); 2) carbonaceous activated sludge (CAS); or 3) granular activated sludge (GRAS). In doing so, the Ames WPCF would provide capacity for projected flows and loadings and would progressively achieve compliance with the 2013 Iowa Nutrient Reduction Strategy. The transition would occur in three phases over the next 20 years to take advantage of the remaining useful life of existing facilities, most notably the trickling filters. The specific biological nutrient removal technology would be determined at the beginning of the first phase.

The required capital investment, in 2018 dollars, is estimated to be as follows.

- Phase 1: \$8.5 million over the first 5 years
- Phase 2: \$11 million over the next 5 years
- Phase 3: \$11 million over the last 10 years

With this integrated strategy, nutrient reduction at the Ames WPCF would progressively increase from current reductions of approximately 42 percent nitrogen and 25 percent phosphorus to the targeted 2013 Iowa Nutrient Reduction Strategy reductions of 66 percent nitrogen and 75 percent phosphorus, both on an annual average basis. The anticipated progression is outlined in the following.

- Minimal additional removal following Phase 1
- Seasonal biological nutrient removal following Phase 2
- Full biological nutrient removal following Phase 3

The configuration of the existing Ames WPCF and the goal of fully using the remaining useful life of the existing trickling filters precludes using more aggressive nutrient reductions earlier than what is planned with the integrated strategy.

The Ames WPCF would concurrently and progressively increase from current maximum month flows and loadings to projected future influent maximum month capacities as follows:

- 12.6 to 15.7 million gallons per day flow
- 12,100 to 16,600 pounds per day 5-day biochemical oxygen demand (BOD<sub>5</sub>)
- 16,300 to 22,400 pounds per day total suspended solids (TSS)
- 1,680 to 2,300 pounds per day ammonia
- 2,340 to 3,210 pounds per day total nitrogen
- 299 to 410 pounds per day total phosphorus

While not specifically Ames WPCF permit related, the second component of the integrated strategy would continue the City's practice to incorporate stormwater best management practices (BMPs) in public works projects and target additional off-site watershed nutrient reduction projects to demonstrate commitment and progress towards nutrient reduction. Likewise, the City anticipates continued collaboration with Iowa State University as they explore additional agricultural BMPs such as perennial cover crops.

The Ames WPCF Nutrient Reduction Feasibility Study identifies example sites and projects to convey the associated concepts and established criteria to prioritize off-site nutrient reduction projects. The associated capital investment is budgeted at \$200,000 per year in the City's fiscal year 2020 *Capital Improvements Plan*. It is anticipated that the City would leverage that amount to obtain additional funding from available state and federal funding sources. Nutrient reductions would be registered with the Iowa Nutrient Reduction Exchange as potential offsets to more stringent future requirements at the Ames WPCF. The City anticipates that this will be an ongoing element of the *Capital Improvements Plan*, but is not proposing or committing to it as part of its formal response to addressing nutrients in the Ames WPCF discharge.

### 3 Existing Treatment Facility

The Ames WPCF is a trickling filter solids contact (TF/SC) facility (Figure 1) that has been in full operation since 1989. At the facility, raw influent is screened and degritted before being pumped to primary clarification. Wet weather flows in excess of the rated capacity of 20.4 million gallons per day (MGD) are pumped to two, lined 2.2-million-gallon equalization basins. Equalization lagoon content flows back by gravity to the influent pump station when flows drop below the diversion set point and when TF/SC capacity is available. Diversion to the equalization lagoon varies, but usually ranges between 5 and 20 times per year.

During extreme wet weather events, the equalization basins overflow, blending with the disinfected secondary effluent and then discharging to the river. Historically, this has occurred in 6 of the last 11 years. In 3 of those 6 years, the equalization basins overflowed on multiple days, while during the other years the equalization basins overflowed on a single day.

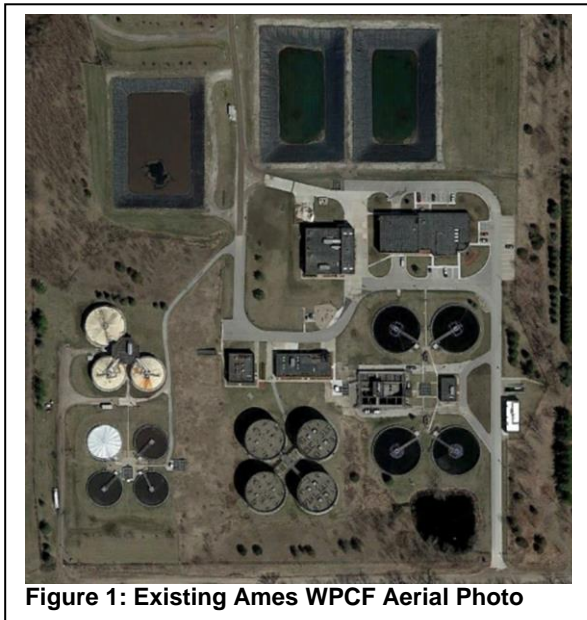


Figure 1: Existing Ames WPCF Aerial Photo

After primary treatment in four, 70-foot diameter clarifiers, primary effluent flows by gravity to the Stage 1 trickling filters for BOD removal. The Stage 1 trickling filter effluent flows to the solids contact tanks for polishing and flocculation. A portion of the Stage 1 trickling filter effluent is recycled back and combined with primary influent to maintain wetting on the Stage 1 trickling filters. The solids contact effluent enters the intermediate clarifiers and clarified effluent is pumped to the downstream Stage 2 trickling filters before final clarification and disinfection with ultraviolet light.

Figure 2 shows a simplified process schematic for the Ames WPCF. The solids contact process includes return activated sludge (RAS) reaeration tanks, which help increase the solids holding capacity to improve polishing in the solids contact tank, as well as aid floc formation for better solids settling in the Stage 1 clarifiers.

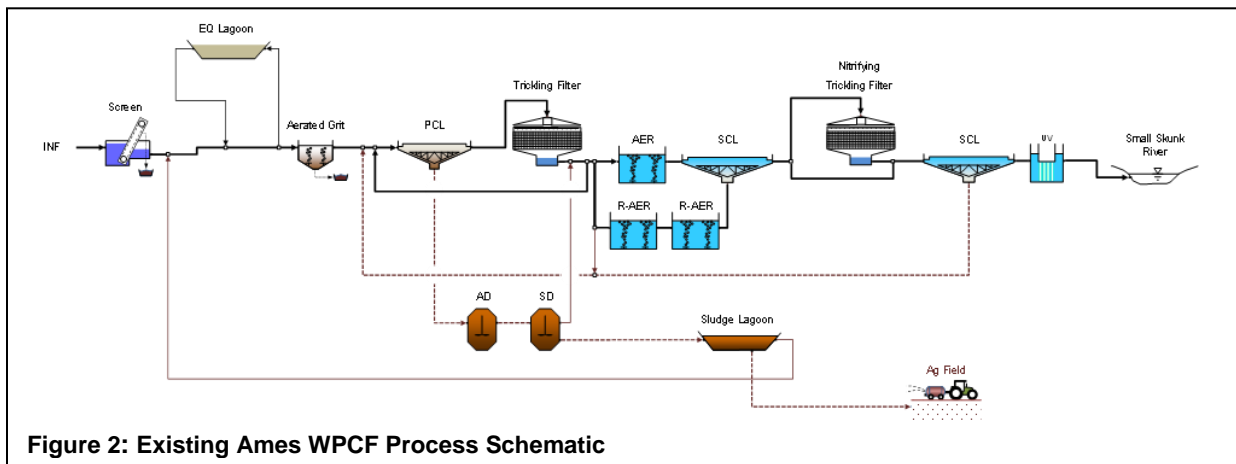
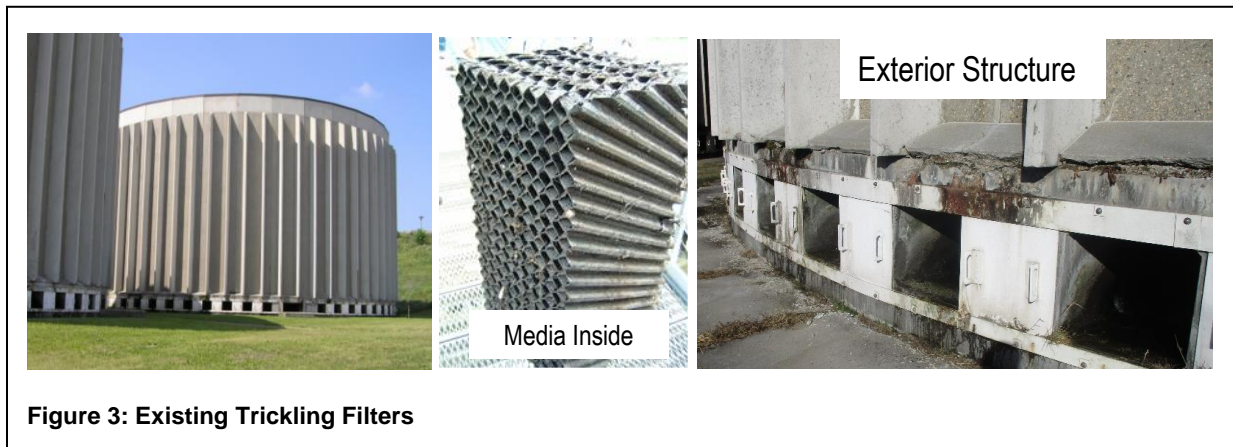


Figure 2: Existing Ames WPCF Process Schematic

Waste activated sludge (WAS) from the intermediate and final clarifiers are pumped to the primary clarifier for co-thickening with primary solids. The thickened solids are pumped to the anaerobic digesters and the digested sludge is stored in a sludge lagoon before liquid land application.

Table 1 provides existing unit process design information. The main constraint of the existing facility is the trickling filters. The trickling filter process is not well suited for biological nutrient removal, which requires anaerobic and anoxic conditions as well as a carbon source. As shown in Figure 3, the structural conditions of the trickling filters has diminished and the media is at or nearing the end of its useful life. With the anticipated nutrient limits in mind, major capital investments to extend the life of the trickling filters are not prudent. Minor improvements and repairs to extend their useful life and provide interim nutrient reduction may be included as necessary.



Most of the existing unit processes and equipment are from original construction completed in 1979. Some pumps have been rebuilt or replaced. Overall, much of the mechanical equipment is approaching 30 years in service and nearing the end of useful life. While the facility remains functional, safe, and in regulatory compliance, the age and condition of the existing equipment translates into ongoing capital investment.

The receiving stream for Ames WPCF effluent is the South Skunk River, with the receiving stretch being designated as Class A(1), B(WW-2), and a 7Q10 stream flow of 0 cubic feet per second (cfs). Current numeric limits for Ames WPCF effluent are shown in Table 2 through Table 5. Limits in the tables include typical secondary standards for carbonaceous biochemical oxygen demand (cBOD) and total suspended solids (TSS), seasonally variable ammonia (NH<sub>3</sub>-N) limits, acute toxicity (Pimaphales) requirements, seasonal bacterial (*Escherichia coli* [*E. coli*]) limits, pH, and dissolved oxygen (DO).

The Ames WPCF has maintained a 100 percent compliance record with the numeric limits of its permit since becoming fully operational in 1989; a streak that, according to the National Association of Clean Water Agencies, is the second-longest active compliance record in the nation.

**Table 1: Ames WPCF Existing Unit Processes**

Parameter	Unit	Value
<b>Screens</b>		
Type		1/2 inch Bar
Number of units		2
Capacity each	MGD	16
Firm Capacity	MGD	32
Type		3/8 inch Bar
Number of units		1
Capacity each	MGD	13.3
<b>Grit Removal</b>		
Type		Accelerated Gravity
Capacity	MGD	20.4
<b>Primary Clarifiers</b>		
Number		4
Diameter each	ft	70
Area each	ft <sup>2</sup>	3,848
Total Capacity (ave – one unit out of service)	MGD	10.5
Total Capacity (peak)	MGD	38.5
<b>First Stage Trickling Filters</b>		
Number		2
Diameter	ft	80 ft
Media		Plastic Cross Flow
Media Depth	ft	26 ft
Media Specific Area	ft <sup>2</sup> /ft <sup>3</sup>	30
Total Media Area	ft <sup>2</sup>	3.92 x 10 <sup>6</sup>
Media Volume - Each	ft <sup>3</sup>	130,690
<b>Second Stage Trickling Filters</b>		
Number		2
Diameter	ft	80
Media		Plastic Cross Flow
Media Depth	ft	26
Media Specific Area	ft <sup>2</sup> /ft <sup>3</sup>	50
Total Media Area	ft <sup>2</sup>	6.53 x 10 <sup>6</sup>
Media Volume – Each	ft <sup>3</sup>	130,690
<b>Solids Contact Basins</b>		
Number of Basins		2
Number of Cells per Basin		5
Cell Width	ft	18
Cell Length	ft	18
Side Water Depth	ft	15

Parameter	Unit	Value
Total Solids Contact Volume	gal	363,530
<b>Sludge Reaeration Basin</b>		
Number of Basins		2
Number of Cells per Basin		5
Basin Width	ft	14
Basin Length	ft	28
Side Water Depth	ft	15
Total Solids Contact Volume	gal	87,960
<b>Secondary Clarifiers</b>		
Number		4
Diameter	ft	100
Side Water Depth	ft	14
Area	ft <sup>2</sup>	7854
Weir Length	ft	298
<b>Disinfection</b>		
Type		UV
Capacity	MGD	25
<b>Primary Digesters</b>		
Number		2
Volume Each	MG	0.72
<b>Secondary Digesters</b>		
Number		1
Volume Each	MG	0.92

**Table 2: Ames WPCF NPDES Permit Limits: 5-day Carbonaceous Biochemical Oxygen Demand**

Month	Concentration, mg/L			Mass, pounds/day		
	Daily Maximum	7-day Average	Monthly Average	Daily Maximum	7-day Average	Monthly Average
Jan		30.0	20.0		3,027.0	2,018.0
Feb		30.0	20.0		3,027.0	2,018.0
Mar		30.0	20.0		3,027.0	2,018.0
Apr		30.0	20.0		3,027.0	2,018.0
May		30.0	20.0	--	3,027.0	2,018.0
Jun	30.0		20.0	3,027.0		2,018.0
Jul	30.0		20.0	3,027.0		2,018.0
Aug	30.0	--	20.0	3,027.0		2,018.0
Sept	30.0		20.0	3,027.0		2,018.0
Oct		30.0	20.0		3,027.0	2,018.0
Nov		30.0	20.0		3,027.0	2,018.0
Dec		30.0	20.0		3,027.0	2,018.0
%Removal			>85%			>85%

**Table 3: Ames WPCF NPDES Permit Limits: Total Suspended Solids**

	Concentration, mg/L			Mass, pounds/day		
	Daily Maximum	7-day Average	Monthly Average	Daily Maximum	7-day Average	Monthly Average
Monthly		45.0	30.0		4,541.0	3,027.0
%Removal		--	>85%		-	>85%

**Table 4: Ames WPCF NPDES Permit Limits: Ammonia-Nitrogen**

Month	Concentration, mg/L			Mass, pounds/day		
	Daily Maximum	7-day Average	Monthly Average	Daily Maximum	7-day Average	Monthly Average
Jan	15.2		5.2	1,533.0		521.0
Feb	14.2		5.7	1,433.0		575.0
Mar	14.7		4.5	1,482.0		454.0
Apr	15.7		2.1	1,584.0		212.0
May	15.2		1.8	1,533.0		182.0
Jun	11.5		1.3	1,161.0		131.0
Jul	8.5		1.1	858.0		109.0
Aug	10.0		1.0	1,009.0		99.0
Sept	16.5		1.5	1,664.0		150.0
Oct	15.7		2.3	1,584.0		232.0
Nov	14.7		3.4	1,482.0		343.0
Dec	16.0		4.0	1,611.0		399.0

**Table 5: Ames WPCF NPDES Permit Limits: Acute Toxicity, E. coli, pH, and DO**

Parameter / Season	Requirement	
<b>Acute Toxicity</b>	Daily Maximum	
Yearly	No Toxicity (Ceriodaphnia or Pimephales)	
<b>E. coli</b>	Geometric Mean, # cfu / 100 ml	
March through November	126	
<b>pH</b>	Daily Minimum, s.u.	Daily Maximum, s.u.
Yearly	6.5	9.0
<b>Dissolved Oxygen (D.O.)</b>	Daily Minimum	
Yearly	5.0	

### 3.1 Raw and Effluent Data

Current and projected AMES WPCF influent flows and loads are summarized in Table 6. Ames WPCF effluent data is summarized in Table 7.



**Table 6: Ames WPCF Current and Projected Influent Wastewater Flows and Loads**

	2015-2017 Data		2020			2025			2030			2035			2040		
		Concentration, mg/L	Residential/ Commercial Growth	Reserve	Total	Residential/ Commercial Growth	Reserve	Total	Residential/ Commercial Growth	Reserve	Total	Residential/ Commercial Growth	Reserve	Total	Residential/ Commercial Growth	Reserve	Total
<b>Flow, MGD</b>																	
Average Annual	6.19	N/A	6.25	0.50	6.75	6.43	0.50	6.93	6.62	1.00	7.62	6.81	1.00	7.81	6.99	1.50	8.49
Maximum Month	12.6*	N/A	12.7	0.50	13.2	13.1	0.50	13.6	13.5	1.00	14.5	13.9	1.00	14.9	14.2	1.50	15.7
Maximum Day	37.2**	N/A	37.5	0.50	38.0	38.7	0.50	39.2	39.8	1.00	40.8	40.9	1.00	41.9	42.0	1.50	43.5
<b>BOD<sub>5</sub>, lb/day</b>																	
Average Annual	9,360	181	9,450	800	10,250	9,720	800	10,520	10,000	1,500	11,500	10,300	1,500	11,800	10,600	2,300	12,900
Maximum Month	12,100	115	12,200	1,000	13,200	12,600	1,000	13,600	13,000	1,900	14,900	13,300	1,900	15,200	13,600	3,000	16,600
Maximum Day	18,100	58	18,200	1,500	19,700	18,800	1,500	20,300	19,400	2,900	22,300	19,900	2,900	22,800	20,400	4,400	24,800
<b>TSS, lb/day</b>																	
Average Annual	11,000	213	11,100	900	12,000	11,400	900	12,300	11,800	1,800	13,600	12,100	1,800	13,900	12,400	2,700	15,100
Maximum Month	16,300	155	16,400	1,300	17,700	16,900	1,300	18,200	17,500	2,700	20,200	18,000	2,700	20,700	18,400	4,000	22,400
Maximum Day	31,300	101	31,600	1,700	33,300	32,600	1,700	34,300	33,500	3,500	37,000	34,400	3,500	37,900	35,300	5,200	40,500
<b>Ammonia, lb-N/day</b>																	
Average Annual	1,300	25.2	1,310	110	1,420	1,350	110	1,460	1,390	210	1,600	1,430	210	1,640	1,470	320	1,790
Maximum Month	1,680	16.0	1,690	140	1,830	1,750	140	1,890	1,800	270	2,070	1,850	270	2,120	1,890	410	2,300
Maximum Day	2,360	7.6	2,380	200	2,580	2,460	200	2,660	2,520	380	2,900	2,590	380	2,970	2,660	580	3,240
<b>TKN, lb-N/day</b>																	
Average Annual	2,050	39.7	2,070	170	2,240	2,130	170	2,300	2,190	330	2,520	2,260	330	2,590	2,310	500	2,810
Maximum Month	2,340	22.3	2,360	190	2,550	2,430	190	2,620	2,510	380	2,890	2,580	380	2,960	2,640	570	3,210
Maximum Day	2,720	8.8	2,740	230	2,970	2,830	230	3,060	2,910	440	3,350	2,990	440	3,430	3,070	660	3,730
<b>TP, lb-P/day</b>																	
Average Annual	263	5.09	266	21	287	273	21	294	281	42	323	289	42	331	297	64	361
Maximum Month	299	2.85	301	24	325	311	24	335	320	48	368	330	48	378	337	73	410
Maximum Day	324	1.04	327	26	353	337	26	363	347	52	399	356	52	408	366	79	445
*Based on second largest maximum month flow recorded in August 2015.																	
**Based on largest maximum day flow recorded on May 31, 2008.																	

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**Table 7: Effluent Data (January 1, 2015 – December 31, 2017)**

	<b>Load, lb/day</b>	<b>Concentration, mg/L</b>
<b>Flow, MGD</b>		
Average Annual	6.19	-
Maximum Month	8.65	-
Maximum Day	18.4	-
<b>cBOD<sub>5</sub>, lb/day</b>		
Average Annual	223	4.0
Maximum Month	396	7.0
Maximum Day	1,400	15.8
<b>TSS, lb/day</b>		
Average Annual	306	5.9
Maximum Month	698	13.0
Maximum Day	2,900	26.7
<b>Ammonia, lb-N/d</b>		
Average Annual	6.76	0.13
Maximum Month	16.9	0.27
Maximum Day	116	1.07
<b>TN, lb-N/d</b>		
Average Annual	1,250	23.0
Maximum Month	1,510	31.3
Maximum Day	1,970	38.7
<b>TP, lb-P/d</b>		
Average Annual	199	3.8
Maximum Month	249	5.3
Maximum Day	300	5.9

Based on Monthly Operating Report Data

### 3.2 Nutrient Reduction Capability

The existing Ames WPCF achieves nutrient reductions relative to 2013 Iowa Nutrient Reduction Strategy targets as summarized in Table 8. As indicated in the table, the Ames WPCF is achieving an annual average total nitrogen (TN) reduction of 42.1 percent relative to the strategy target of 66 percent and an average annual total phosphorus (TP) reduction of 25.3 percent relative to the strategy target of 75 percent.

**Table 8: WPCF Nutrient Reduction (January 1, 2015 – December 31, 2017)**

Parameter	Total Nitrogen		Total Phosphorus	
Average Influent Load*	2,050	lb-N/day	263	lb-P/day
Average Effluent Load*	1,187	lb-N/day	196	lb-P/day
Average Influent Concentration	39.7	mg-N/L	5.09	mg-P/L
Average Effluent Concentration	23.0	mg-N/L	3.80	mg-P/L
Current Nutrient Removal	42.1	%	25.3	%
NRS** Target Reduction	66	%	75	%
Average Effluent Concentration Target	13.5	mg-N/L	1.27	mg-P/L
Average Effluent Load Target	697	lb-N/day	65.6	lb-P/day

\*Loading based on average annual flow of 6.34 MGD

\*\*NRS = Iowa Nutrient Reduction Strategy

## 4 Nutrient Baseline

Table 9 provides estimated total watershed loadings for the South Skunk River Watershed. Nonpoint source loadings were based on the United States Geological Survey (USGS) SPATIally Referenced Regressions On Watershed Attributes (SPARROW). Point source loadings were estimated from typical pollutant concentrations and average dry weather flows. Figure 4 and Figure 5 present the distributions of the SPARROW nonpoint source loadings.

**Table 9: Nutrient Loadings in the South Skunk River Watershed**

Location		Total Phosphorus, lb/year	Total Nitrogen, lb/year
Total Skunk River Watershed	Nonpoint	769,000	19,115,000
	Point	136,000	775,000
	Total	905,000	19,890,000
Skunk River Watershed Upstream of the Ames WPCF	Nonpoint	276,000	8,950,000
	Point*	80,000	491,000
	Total	356,000	9,441,000

\*Inclusive of the Ames WPCF

On an average annual basis, agricultural contributions of nutrients represent the largest fraction of the TP and TN loading in the watershed. Depending on the location within the South Skunk River Watershed, SPARROW results suggest that farm fertilizer and manure collectively represent approximately 72 percent to 76 percent of TP loadings and 66 percent to 68 percent of TN loadings. SPARROW results suggest that urban stormwater loadings represent approximately 14 percent to 16 percent of TP loadings and 4 percent to 5 percent of TN loadings within the watershed.

In contrast, Table 10 presents the estimated annual nutrient loadings from the Ames WPCF. Approximately 71,540 pounds per year of TP (approximately 8 percent of the total watershed load and approximately 20 percent of the upstream watershed load) and 433,255 pounds per year of TN (approximately 2 percent of the total watershed load and 5 percent of the upstream watershed load).

**Table 10: Ames WPCF Nutrient Loadings in the South Skunk River Watershed**

	Total Phosphorus	Total Nitrogen
Average Effluent Concentration (2015-2017), mg/L	3.80	23.0
Average Load*, lb/day	196	1,187
Average Load*, lb/year	71,540	433,255

\*Loading based on average annual flow of 6.34 MGD

The South Skunk River Watershed includes 23 municipal and semi-public wastewater treatment facilities. Total point source loadings within the South Skunk River Watershed are estimated at 136,000 pounds per year of TP and 775,000 pounds per year of TN. Based on available information, the Ames WPCF represents the largest point source discharge within the watershed at approximately 53 percent of the total TP point source load and 56 percent of the total TN point source load.

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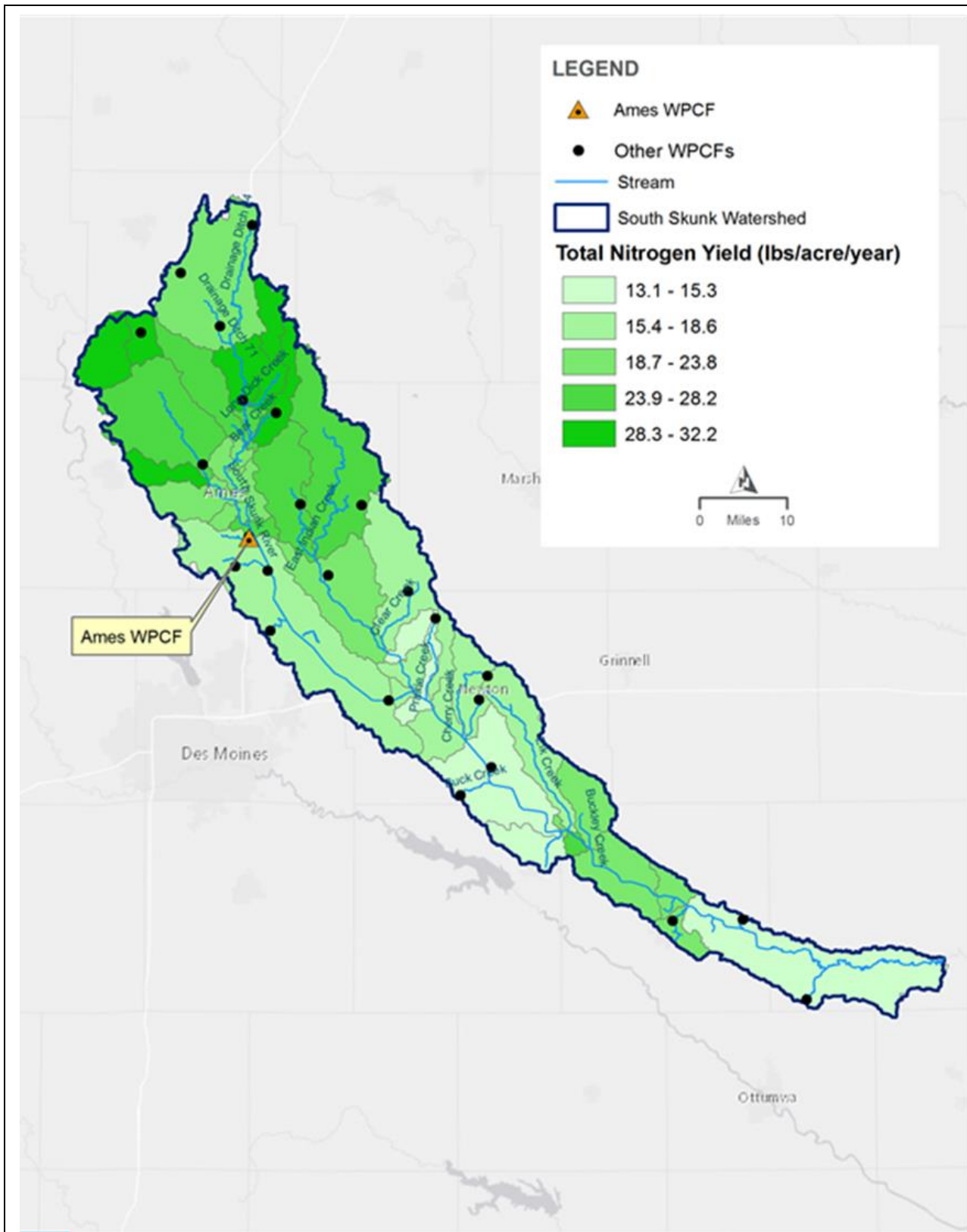


Figure 4: SPARROW Model Total Nitrogen Nonpoint Source by Area

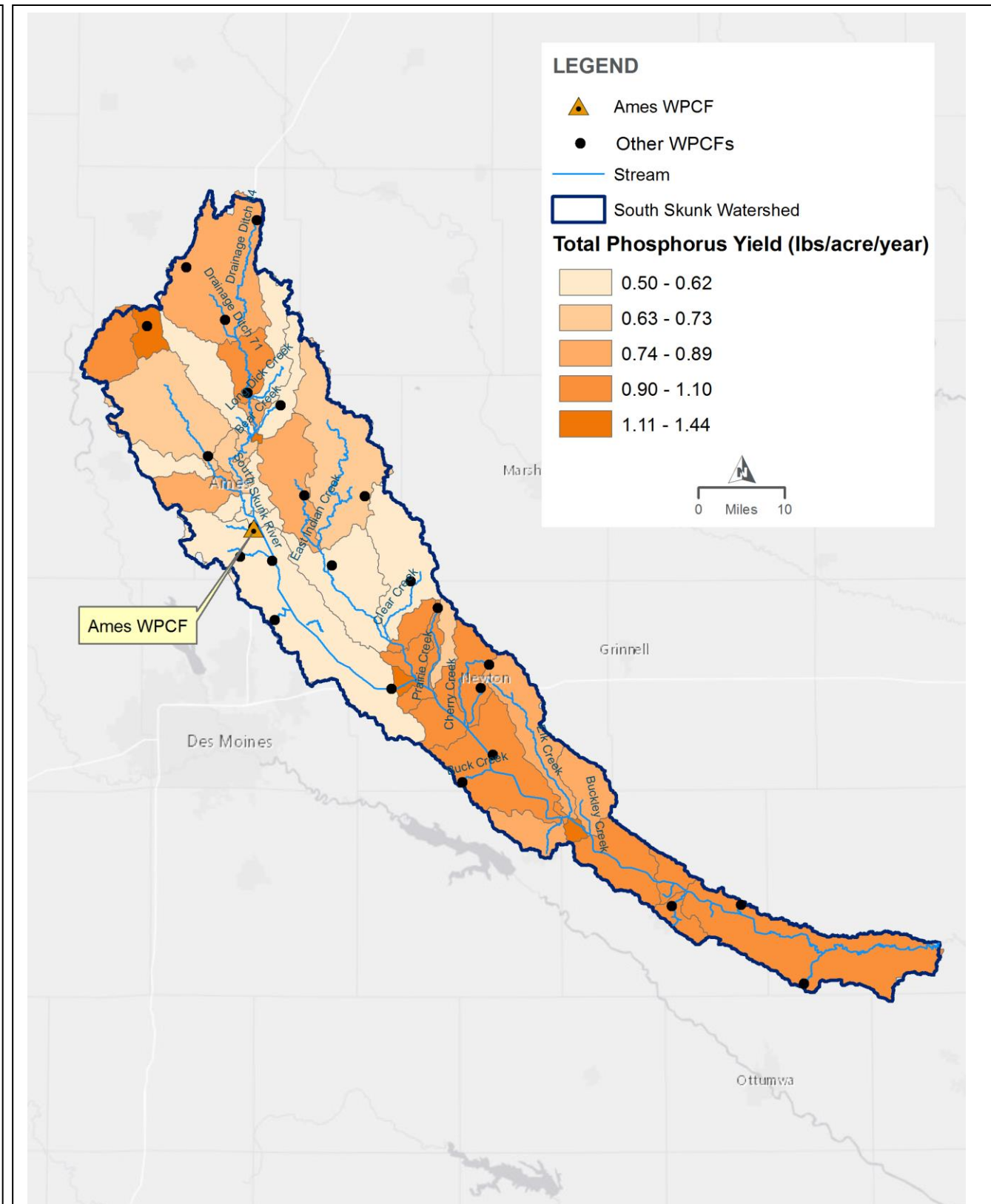


Figure 5: SPARROW Model Total Phosphorus Nonpoint Source by Area

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The 2013 Iowa Nutrient Reduction Strategy targets 66 percent of TN and 75 percent of TP equivalent annual reductions in raw wastewater point source discharges. Based on current loadings, Ames WPCF targeted reductions are as follows.

- Approximately 72,000 pounds per year of TP, of which the Ames WPCF is currently removing approximately 24,500 pounds per year of TP.
- Approximately 493,800 pounds per year of TN, of which the Ames WPCF is currently removing approximately 315,000 pounds per year of TN.

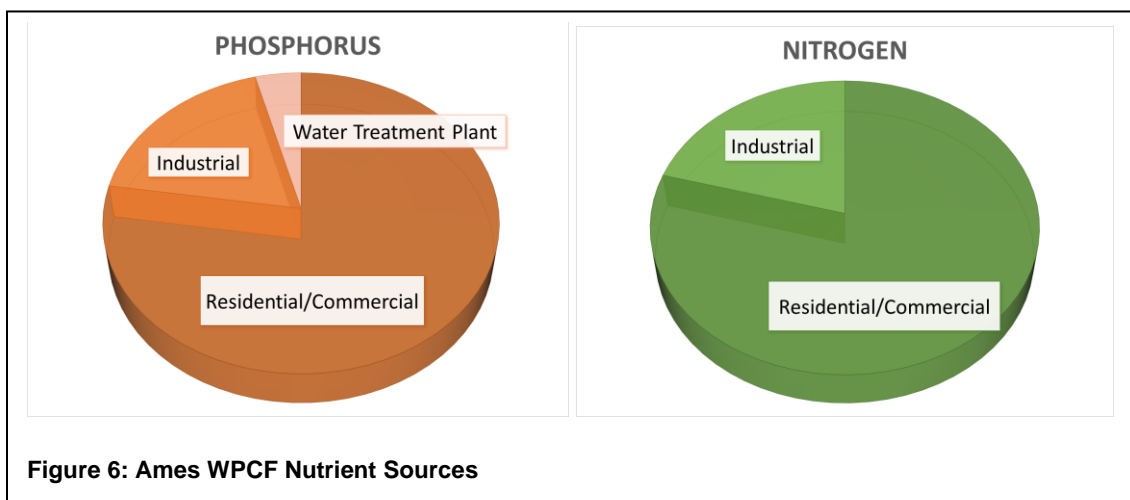
Relative to upstream nonpoint source loads, the Ames WPCF targeted reductions suggest that opportunities exist for addressing nutrient reduction targets through implementation of BMPs upstream of the Ames WPCF, particularly for TN reductions.

# 5 Ames WPCF Nutrient Reduction

Several approaches have been considered for Ames WPCF nutrient reduction, including source reduction, solids recycle stream management, operation changes, and alternative technology implementation. Each is discussed in the following.

## 5.1 Ames WPCF Source Reduction

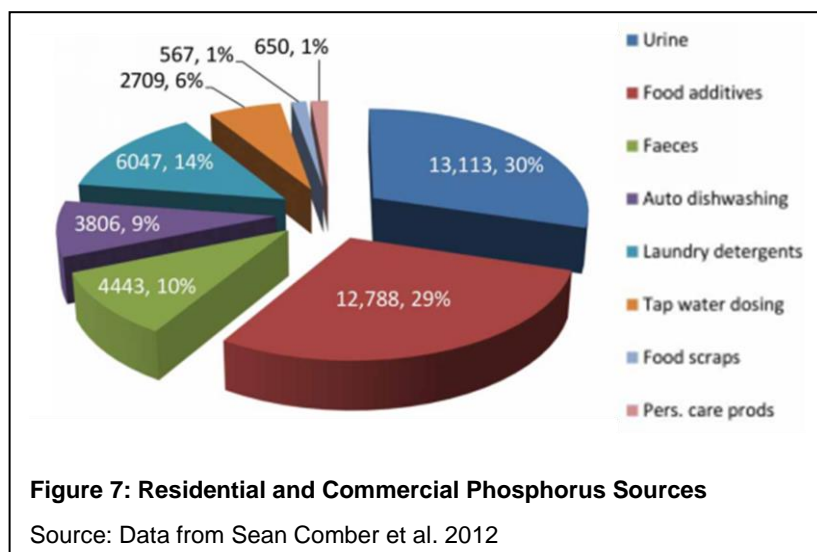
Figure 6 shows that industry and university sources contribute just under 20 percent of the phosphorus and just over 20 percent of the nitrogen influent loadings at the Ames WPCF. The City’s water treatment plant contributes an estimated 4 percent of the phosphorus loading at the Ames WPCF. Residential and commercial sources account for the majority of influent loadings, nearly 80 percent for both phosphorus and nitrogen.



Additional data should be obtained and discussions should occur with the most significant industry and university sources, but it appears unlikely that such reductions could be a particularly significant part of the City’s nutrient reduction strategy. There is no single large contributor of either phosphorus or nitrogen.

Similarly, water treatment plant phosphorus discharges are not likely a significant part of the City’s nutrient reduction strategy; they are a relatively insignificant contributor to Ames WPCF influent phosphorus loadings and are critical to the production of a stable noncorrosive potable water supply to the City.

Figure 7 identifies various sources of phosphorus in residential and commercial wastewater based on research by Sean Comber et al. in 2012.



As reflected in the data (Figure 7), urine, food additives, and faeces (sp) account for nearly 70 percent of the phosphorus, with dishwashing and laundry detergents accounting for approximately 23 percent.

Phosphorus contributions from detergents reflect a downward trend that began with restrictions on phosphate in laundry detergent in the early 1970s, continued with a nationwide voluntary ban in 1994, and multiple states following up with bans on phosphate use in automatic dishwasher detergent in 2010. Additional investigations specific to the City of Ames could be conducted, but it appears unlikely that residential and commercial wastewater source reductions could be a particularly significant part of the City's nutrient reduction strategy.

## 5.2 Solids Recycle Management

Currently, Ames WPCF generated solids are anaerobically digested and land applied on adjacent property as liquid biosolids. Nutrients associated with the land applied biosolids are effectively removed and not recycled to the liquid treatment train. As waste solids are discharged to anaerobic digestion, the primary digester overflows to the secondary digester, which overflows to either the sludge lagoon or to the first stage trickling filter wetwell. Sludge lagoon supernatant is returned to the raw wastewater pump station wetwell.

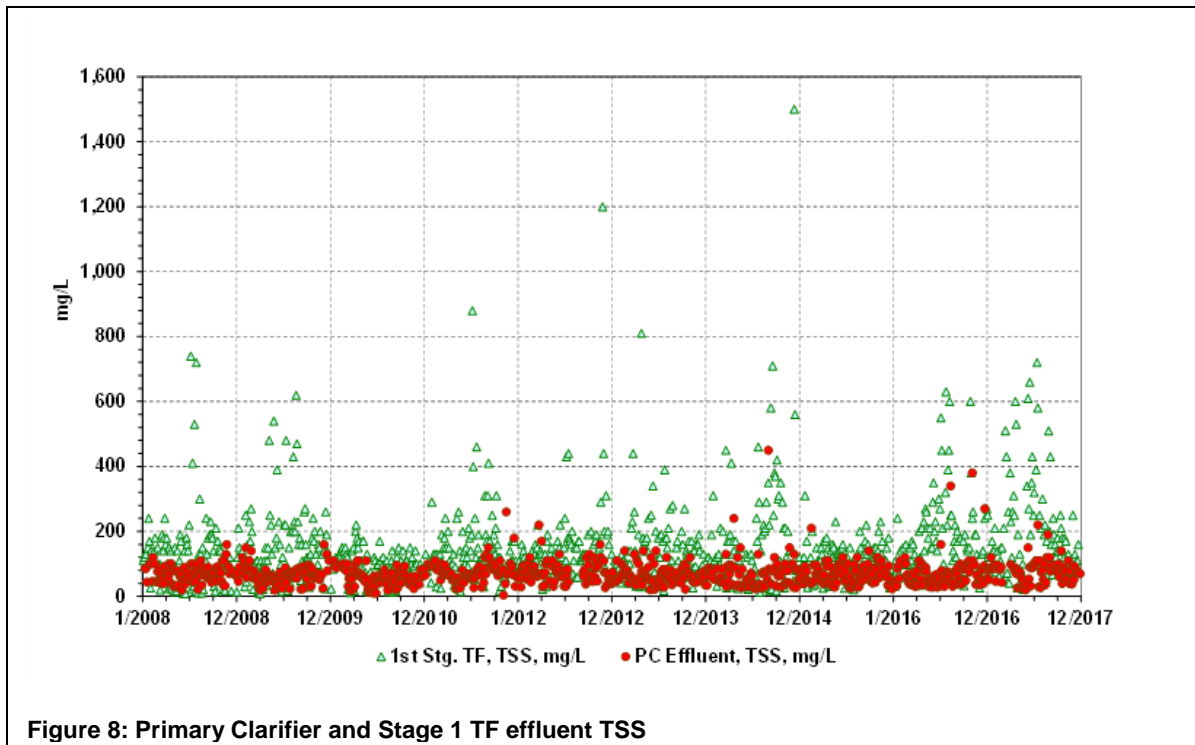
The nutrient loading on the secondary treatment process at the Ames WPCF is increased by both the sludge lagoon supernatant return to the raw wastewater wetwell and the digester overflow to the first stage trickling filter wetwell. It varies significantly day to day and seasonally, but an estimated 10,000 gallons per day of supernatant or decant returned to the Ames WPCF on an annual average basis.

The amount of phosphorus in the digester supernatant and lagoon decant is highly dependent on metals precipitation, struvite formation, and pH in the digester and precipitation, temperature related turnover, and solids dredging activities in the lagoon. On average, phosphorus concentration is estimated to be as high as 400 to 500 milligrams per liter (mg/L), but more likely is lower in field conditions. This translates to a resulting solids recycle loading estimated to be 33 pounds per day of phosphorus on average, the equivalent of 0.66 mg/L of effluent TP.

Likewise, the sludge lagoon decant and digester supernatant streams also include high amounts of ammonia. On average, the ammonia concentration is estimated to be up to 1,300 mg/L. At this concentration, these streams could be returning up to 108 pounds per day of ammonia on an average, the equivalent of 2.2 mg/L in the liquid stream.

Solids recycle treatment to remove these nutrient loads from the Ames WPCF would not be sufficient by itself to achieve nutrient reduction targets. However, treatment or mitigation of these solids recycle streams could benefit the overall nutrient removal performance of the Ames WPCF. Given limited available data, sampling and testing would need to be performed on the decant and supernatant to confirm actual concentrations of TP and ammonia and the benefit of treatment.

Without nutrient limits, solids recycle loadings are benign with regard to permit compliance; this changes with nutrient limits in place. Figure 8 shows the primary effluent and Stage 1 trickling filter TSS. The periodic spikes in TSS are likely due to the digester decant or lagoon overflow returned to the raw wastewater and trickling filter pump station wet wells. With elevated solids loadings come elevated TP loadings.



**Figure 8: Primary Clarifier and Stage 1 TF effluent TSS**

Table 11 identifies a number of options that could be considered for improvement recycle management.

**Table 11: Improvement Recycle Management Options**

Option	Description
1. Digested sludge dewatering	Dewater enough digested sludge with small machine to eliminate lagoon overflows.
2. Mechanical thickening	By improving thickening upstream of the digester, less decanting will be required to achieve the same storage capacity.
3. Blending digester decant with waste activated sludge (WAS)	If mechanical thickening of WAS is implemented, the digester decant can be blended with the WAS upstream of thickening, which would retain most of the solids.
4. Eliminate digester decanting	Solids will thicken in the sludge lagoon and its overflow is much lower in TSS (most of the time).
5. Lagoon overflow control and isolation	The normal sludge lagoon operating water level would be lowered by 1 foot, the overflow would be monitored for TSS, and lagoon decanting would be discontinued at TSS levels above a setpoint.

Options 1 through 3 require implementation of solids thickening and/or dewatering and a significant change from the current liquid biosolids land application practice. Options 4 and 5 depend on sufficient liquid sludge storage, either in the digesters or in the sludge lagoons. Available sludge storage volume is already a limiting factor at the existing Ames WPCF with respect to seasonal limits on biosolids land application. Coupled with the limited nutrient reduction potential, improved solids recycle management is not a viable approach to achieve

the targeted reductions on its own. However, one or more of the solids recycle management options should be considered in conjunction with implementation of alternative technology to achieve targeted nutrient reductions.

### 5.3 Ames WPCF Operation Changes

The existing trickling filter solids contact treatment process is not adaptable operationally to increased nutrient reduction. It is not configured to provide the anaerobic and anoxic environments and associated carbon source for phosphorus and nitrogen removal. Nutrient removal optimization opportunities focus on ways to integrate biological phosphorus removal by creating anaerobic conditions in the RAS reaeration tanks and providing a carbon source. To achieve anaerobic conditions, denitrification of the RAS is necessary and, coincidentally, would achieve some nitrogen removal with phosphorus removal. The carbon could be supplied either by diversion of some primary effluent around the trickling filters or by providing filtrate from primary sludge thickening.

Currently WAS is co-thickened with primary sludge in the primary clarifiers and pumped directly to the anaerobic digesters. To operate biological phosphorus removal, WAS must be handled separate from primary sludge. Otherwise, co-thickening in the primary clarifier would most certainly result in stored phosphorus release to the liquid stream, because any extended contact between the WAS and raw influent results in stored phosphorus release to the degree that volatile fatty acids would be present. The phosphorus release is quick, with only 15 to 30 minutes contact time required during which the raw influent volatile fatty acids are consumed by non-beneficial phosphorus release and are no longer available as a carbon source for biological phosphorus removal in the RAS tanks. Therefore, all optimization options need to have dedicated WAS thickening.

Six optimization options were identified for the Ames WPCF to target biological phosphorus removal and produce lower effluent phosphorus concentrations. All six options include various combinations of flow routing, repurposing of facilities, separate solids thickening, and modified operations noted in Table 12 to create an anaerobic zone with sufficient carbon source for phosphorus uptake. Specifics for each of the optimization options are presented in Attachment A.

**Table 12: Ames WPCF Optimization**

Number	Ames WPCF Optimization
1	Create anaerobic zone for phosphorus uptake using a) part or all of existing RAS reaeration tanks, b) one primary clarifier, and/or c) one secondary clarifier
2	Increase carbon loading on anaerobic zone by a) diverting a portion of primary effluent around the trickling filters and b) installing dedicated sludge thickening and diverting thickening liquid stream

The resulting model predicted effluent quality for each is presented in Table 13. The construction cost, TP reduction, and comparative cost for each optimization option is reflected in Table 14. The construction costs are estimates for comparative purposes only that do not include engineering. The identified percent TP reductions represent the incremental annual average reduction beyond the reduction currently achieved at the Ames WPCF as reported previously in Table 8. The reported pounds TP reduction reflects a 20-year period at an average flow rate of 7.0 MGD.

**Table 13: Nutrient Reduction Option Effluent Summary**

Option	Flow (MGD)	Model* Predicted Effluent Concentrations, mg/l*				
		PO4-P	TP	NH4-N	TN	TSS
Existing	6.0	3.2	3.3	0.1	24.0	11
1	7.0	1.2	1.4	2.7	27.5	7
2	7.0	1.0	1.2	2.8	27.4	6
3	7.0	1.1	1.5	10.0	27.9	9
4	7.0	1.0	1.5	10.0	28.0	9
5	7.0	1.4	1.8	2.5	24.5	9
6	7.0	5.6	2.7	9.9	28.0	9

\*GPS-X™ Wastewater Modeling Software

**Table 14: Nutrient Reduction Option Comparative Costs**

Option	Construction Cost	Effluent TP	% TP Red.	TP Red	Relative Cost
		mg/L	%	lb	\$/lb TP
1	\$4,850,000	1.4	58%	809,800	\$6
2	\$8,325,000	1.2	64%	895,000	\$9
3	\$4,850,000	1.5	55%	767,200	\$6
4	\$8,325,000	1.5	55%	767,200	\$11
5	\$10,575,000	1.8	45%	639,300	\$17
6	\$9,325,000	2.7	18%	255,800	\$36
7	\$9,450,000	2.6	21%	298,400	\$32

Nitrogen removal performance will be similar to existing Ames WPCF nitrogen removal performance.

Five of the six optimization options achieved the targeted phosphorus reduction at reasonable costs ranging from \$6 to \$17 per pound of phosphorus removal. However, none of the options provided any additional nitrogen reduction. Additionally, construction costs ranged from \$4.9 million to \$10.6 million, the optimization concepts would require pilot testing prior to implementation, and all optimization options reflected continued dependency on trickling filter technology that needs to be replaced to achieve biological nitrogen and phosphorus removal. Components of the optimization options should be incorporated into the alternative treatment technology options identified in the following to the extent that they are compatible.

## 5.4 Ames WPCF Treatment Technologies

Treatment technologies to achieve biological nutrient removal at the Ames WPCF were initially identified and screened, then further developed and evaluated before selection of the preferred technology. Both steps are described in the following.

### 5.4.1 Alternatives Identification and Screening

Five biological nutrient removal technologies are identified as potentially applicable for implementation at the Ames WPCF. All five alternatives shown in Table 15 represent a conversion from the current trickling filter solids contact technology and are capable of achieving the targeted 2013 Iowa Nutrient Reduction Strategy requirements.

**Table 15: Alternative Technology**

Number	Alternative Technology
1	2012 Baseline Alternative – Simultaneous Nitrification and Denitrification
2	Alternative 1 – Carbonaceous Activated Sludge BNR with RAS Fermentation
3	Alternative 2 – Integrated Fixed Film Activated Sludge BNR with RAS Fermentation
4	Alternative 3 – Granular Activated Sludge
5	Alternative 4 – Membrane Aerated Bioreactor

Simultaneous nitrification and denitrification is the baseline alternative given that it was the alternative with the lowest present worth cost at the time of the *2012 Long Range Facility Plan*. That Plan was developed in anticipation of, but prior to, the 2013 Iowa Nutrient Reduction Strategy. The Plan contemplated three potential levels of nutrient reduction: levels achieved through biological nutrient removal; lower levels achieved through enhanced nutrient reduction; and the lowest levels achievable within the limits of technology.

The other four alternatives identified in Table 15 reflect advancements in nutrient reduction technology since 2012 and specifically target biological nutrient removal consistent with the 2013 Iowa Nutrient Reduction Strategy. Given site limitations, alternatives with a smaller footprint are preferable from a constructability perspective. The degree to which each alternative can be implemented in phases is important given the need for phase implementation to manage rate impacts on customers. Likewise, the ability to accommodate peak wet weather flows and consistency with current solids handling facilities are important to consider when selecting technology.

Several other emerging technologies were identified as potentially applicable in the future, but were not selected at the screening level for inclusion in the current planning effort. Those technologies include:

- Use of lime solids from the City's water treatment plant for chemical phosphorus removal at the Ames WPCF.
- Algae treatment for effluent or solids recycle nutrient reduction.
- Microvi MNETM process for targeted removal of soluble contaminants including nitrification and denitrification.
- Mainstream or sidestream annamox for nitrogen removal.
- InDence hydro cyclones for increasing the density of activated sludge flocs for enhanced activated sludge performance.

Figure 9 provides preliminary site layouts for each of the alternative technologies. Comparative costs are presented in Table 16, and nonmonetary criteria comparisons are presented in Table 17.

**Table 16: Comparative Costs (\$2018)**

Parameter	Unit	SNDN	CAS-BNR	IFAS BNR	GRAS	MABR
Capital Cost	mil \$	20.9***	20.0	26.6	22.2	30.4
Annual Operation Cost	mil \$/yr	0.95	1.12	1.33	1.03	1.32
Present Worth Operation Cost	mil \$	14.2	16.6	19.8	15.3	19.6
Total Present Worth*	mil \$	35.1	36.7	46.4	37.6	50.0
Cost per Nitrogen Removed	\$/lb	2.55	2.67	3.38	2.74	3.64
Cost per Phosphorus Removed	\$/lb	17.96	18.78	23.74	19.24	25.58
Rank (1 to 5 Best to Worst)		1	2	4	3	5

\*Present worth costs reflect a 3 percent interest rate over 20 years

\*\*Capital Costs include construction, contingency, engineering, and administration

\*\*\*Updated from 2012 using the approach and tools as other alternatives

Table 16 identifies the Baseline SNDN, CAS BNR, and GRAS alternatives are the lowest total present worth cost alternatives in that order, but have comparable capital, operations and maintenance, and present worth costs. Based on estimating accuracy, all three should be considered equal. Notably, there was a clear break in costs with integrated fixed film activated sludge (IFAS) BNR and membrane aerated bioreactor (MABR) being significantly higher than the other three alternatives.

Table 16 also identifies nitrogen reduction costs an estimated \$2.50 to \$2.75 per pound removed and phosphorus reduction costs an estimated \$18.0 to \$19.25 per pound removed.



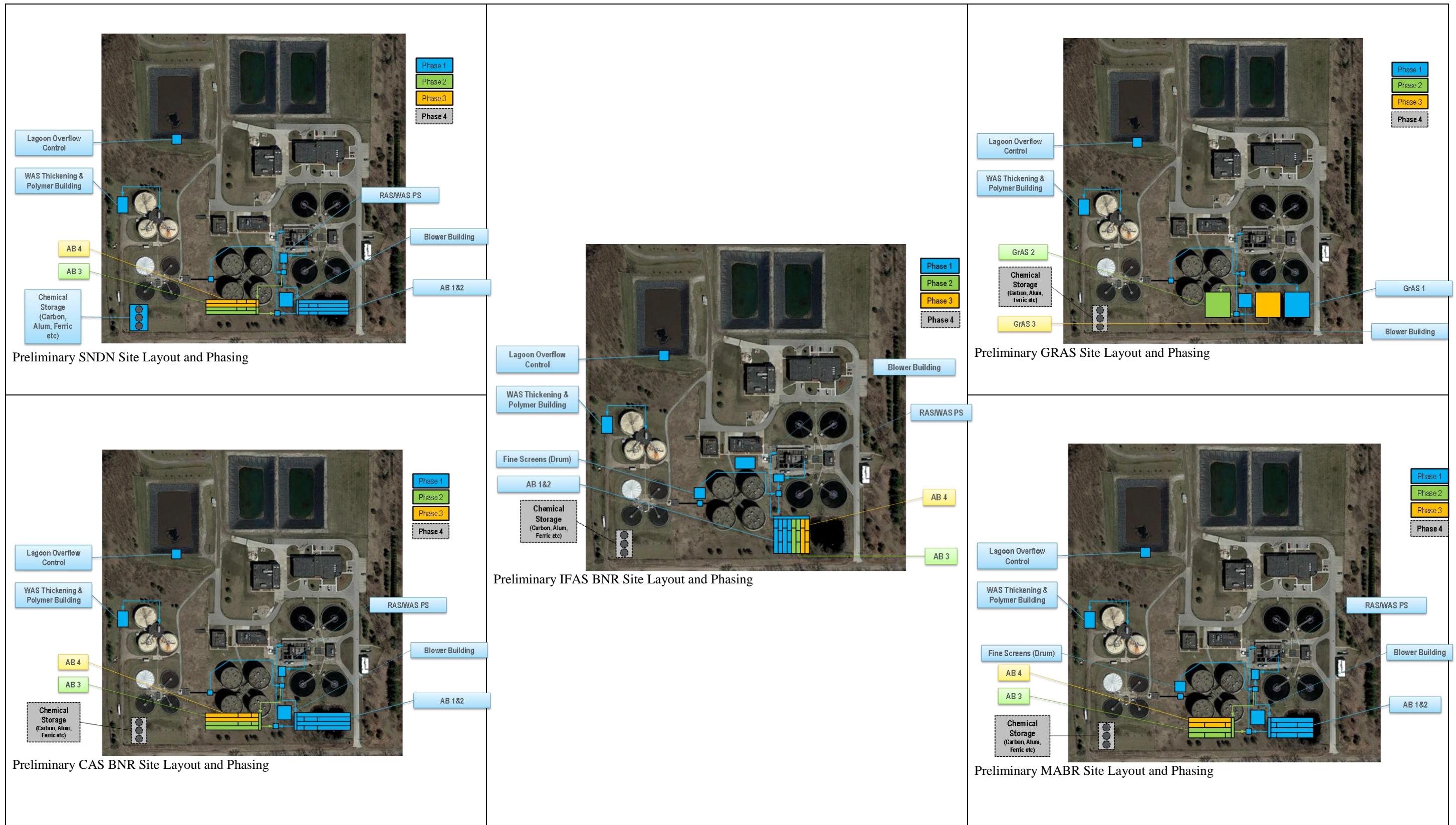


Figure 9: Ames WPCF Alternative Site Layouts

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Table 17 indicates that the Baseline SNDN, CAS BNR, and GRAS alternatives scored most favorably with respect to both nonmonetary performance and acceptance criteria. Again, with a clear break in favorability with IFAS BNR and MABR being less favorable.

**Table 17: Nonmonetary Criteria Comparison\***

	<b>Performance Criteria</b>	<b>SNDN</b>	<b>CAS-BNR</b>	<b>IFAS BNR</b>	<b>GRAS</b>	<b>MABR</b>
1	Reliability	4	5	3	4	2
2	Amenable to wet weather flow	4	4	4	3	3
3	Solids handling	4	4	4	4	4
4	Effectiveness-Consistently meet permit	4	5	3	4	3
5	Adaptability to more stringent nutrient standards	3	3	2	3	2
6	Constructability	2	3	4	5	4
	<b>TOTAL</b>	<b>21</b>	<b>24</b>	<b>20</b>	<b>23</b>	<b>18</b>
	<b>Rank (1 to 5 Best to Worst)</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>5</b>

	<b>Acceptance Criteria</b>	<b>SNDN</b>	<b>CAS-BNR</b>	<b>IFAS BNR</b>	<b>GRAS</b>	<b>MABR</b>
1	Consistency with current operations	3	3	2	1	1
2	Safety	5	5	5	5	5
3	Positive public opinion	4	4	4	5	5
4	Operational requirements	4	4	3	4	3
5	Maintenance requirements	4	4	3	4	3
6	Operations during construction	3	3	5	5	3
	Reliability	21	24	20	23	18
	<b>TOTAL</b>	<b>21</b>	<b>24</b>	<b>20</b>	<b>23</b>	<b>18</b>
	<b>Rank (1 to 5 Best to Worst)</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>5</b>

\*Each alternative is rated for each criteria on a scale of 1 (worst) to 5 (best)

Based on both comparative costs and nonmonetary criteria considerations, Baseline SNDN, CAS BNR, and GRAS were selected for further development and evaluation. IFAS media and MABR membranes can be subsequently retrofitted into any of the other three alternatives at a future date if the City were to experience a significant increase in organic loading, causing the footprint to become a significant consideration at that time.

### 5.4.2 Key Findings and Ames WPCF Strategy

Key findings with respect to on-site Ames WPCF nutrient reductions are as follows, with the first three being most significant.

1. Facilities incorporating alternative treatment technology would be required at Ames WPCF to achieve 2013 Iowa Nutrient Reduction Strategy required reductions.
2. The existing trickling filters are not part of the long-term solution at Ames WPCF due to process limitations and condition.
3. The existing trickling filters should be used as long as condition allows, minimizing customer rate impacts.
4. Influent wastewater source reductions alone cannot achieve the required reductions.
5. Ames WPCF solids recycle management alone cannot achieve the required reductions.
6. Ames WPCF optimization alone cannot achieve the required reductions.

Table 18 identifies the resulting on-site Ames WPCF nutrient reductions strategies.

**Table 18: On-site Ames WPCF Nutrient Reduction Strategies**

Number	On-site Ames WPCF Nutrient Reduction Strategy
1	Convert from trickling filters to an alternative technology that provides additional capacity as well as nutrient removal capability that achieves the goals of the 2013 Iowa Nutrient Reduction Strategy
2	Minimize costs and associated customer rate impacts through phased implementation that continues to use existing trickling filter capacity as long as condition allows
3	Implement the alternative technology in phases that allows performance and capacity to be demonstrated and design criteria to be refined
4	Incorporate existing trickling filter and solids contact optimization options to the extent they are affordable and consistent with the alternative technology selected
5	Consider bench and pilot testing of lime sludge addition as alternative solution for phosphorus removal and/or chemical feed for phosphorus removal as interim solution

### 5.4.3 Alternatives Development and Evaluation

Three alternatives were further developed and evaluated with respect to process performance, solids considerations, wet weather issues, capital costs, and operations and maintenance costs. The following phasing goals provided the basis for further evaluation and development of the three alternatives:

- Meet existing permit limits, specifically ammonia limits, as the first priority throughout construction of each phase.
- Provide current and forecast future capacity while allowing the existing trickling filters to operate to failure over the next 5 to 10 years.
- Achieve Ames WPCF 2013 Iowa Nutrient Reduction Strategy targets progressively with full compliance by 2040.
- Minimize capital investment in Phase 1, deferring large capital investment due to rate and operations considerations.

- Minimize wasted new infrastructure through a phased implementation of the selected technology.
- Minimize complexity, impacts on operations, and solids handling.

Each alternative was developed based on the projected flow and loads previously presented in Table 6 for three phases:

- Phase 1: First 5 Years (2030 Flows and Loads)
  - Increase investment in urban watershed BMPs
  - Implement First Phase of alternative technology at Ames WPCF
- Phase 2: Second 5 Years (2035 Flows and Loads)
  - Continued investment in urban watershed BMPs
  - Implement Second Phase of alternative technology at Ames WPCF
- Phase 3: Last 10 Years (2040 Flows and Loads)
  - Implement Third Phase of alternative technology at Ames WPCF

Because of the configuration of the existing Ames WPCF, there are a number of complexities with respect to transitioning from the existing trickling filter solids contact process to an alternative technology for biological nutrient removal.

- Figure 10 shows that raw influent wastewater is mixed with first stage trickling filter effluent and then pumped to the primary clarifiers. Mixing produces a low BOD, high dissolved oxygen primary effluent that makes biological nutrient removal difficult. As long as the first stage trickling filters are in service, biological nutrient removal performance in the mainstream treatment process would be compromised because of low organic loading.
- For two of the three alternatives, Baseline SNDN and CAS BNR, the existing intermediate and final clarifiers need to remain in service, producing a common sludge for the existing trickling filter and parallel alternative technology trains. As long as the existing trickling filters are in service, the common sludge produced by the existing clarifiers precludes operation of alternative technology trains for biological nutrient removal.
- The third alternative, GRAS would not require continued operation of the intermediate and final clarifiers. This alternative could be configured to achieve biological nutrient removal simultaneously while still using the existing trickling filters.

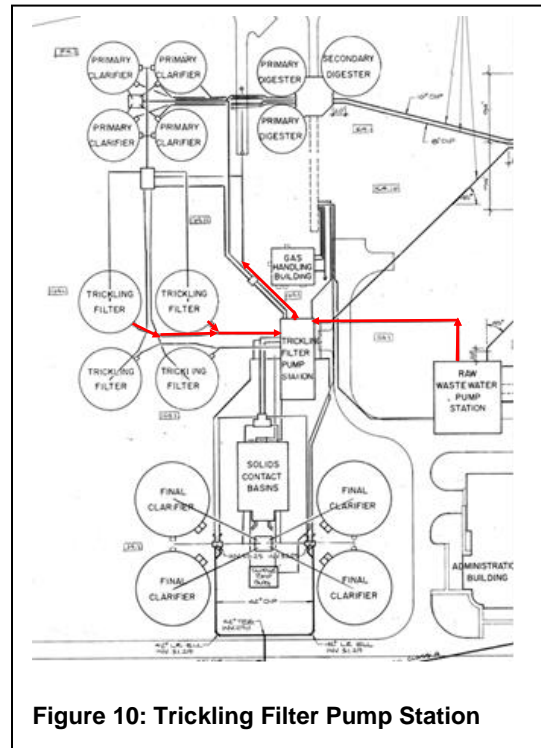
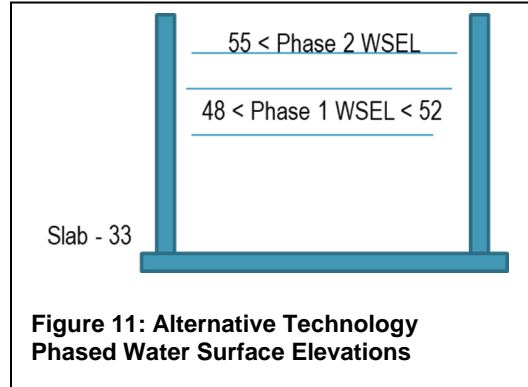


Figure 10: Trickling Filter Pump Station

- As long as the existing return activated sludge screw pumps are in service, the hydraulic profile for the existing Ames WPCF precludes operation of the alternative technology at the desired water surface elevation. To capitalize on the remaining useful life of the existing pumps, the first phase of alternative technology would need to operate at a lower water surface elevation and reduced liquid depth as shown in Figure 11. Operating this way would adversely affect biological nutrient removal capability.
- Separate thickening of WAS would be required as the Ames WPCF transitions from trickling filter humus to WAS and to produce a recycle stream that serves as a carbon source for biological nutrient removal. Without the additional organic loading, biological nutrient removal would be compromised.



Refined site layout and process flow schematics for the three alternatives are presented in Figure 12; potential phasing is also shown in the figure.

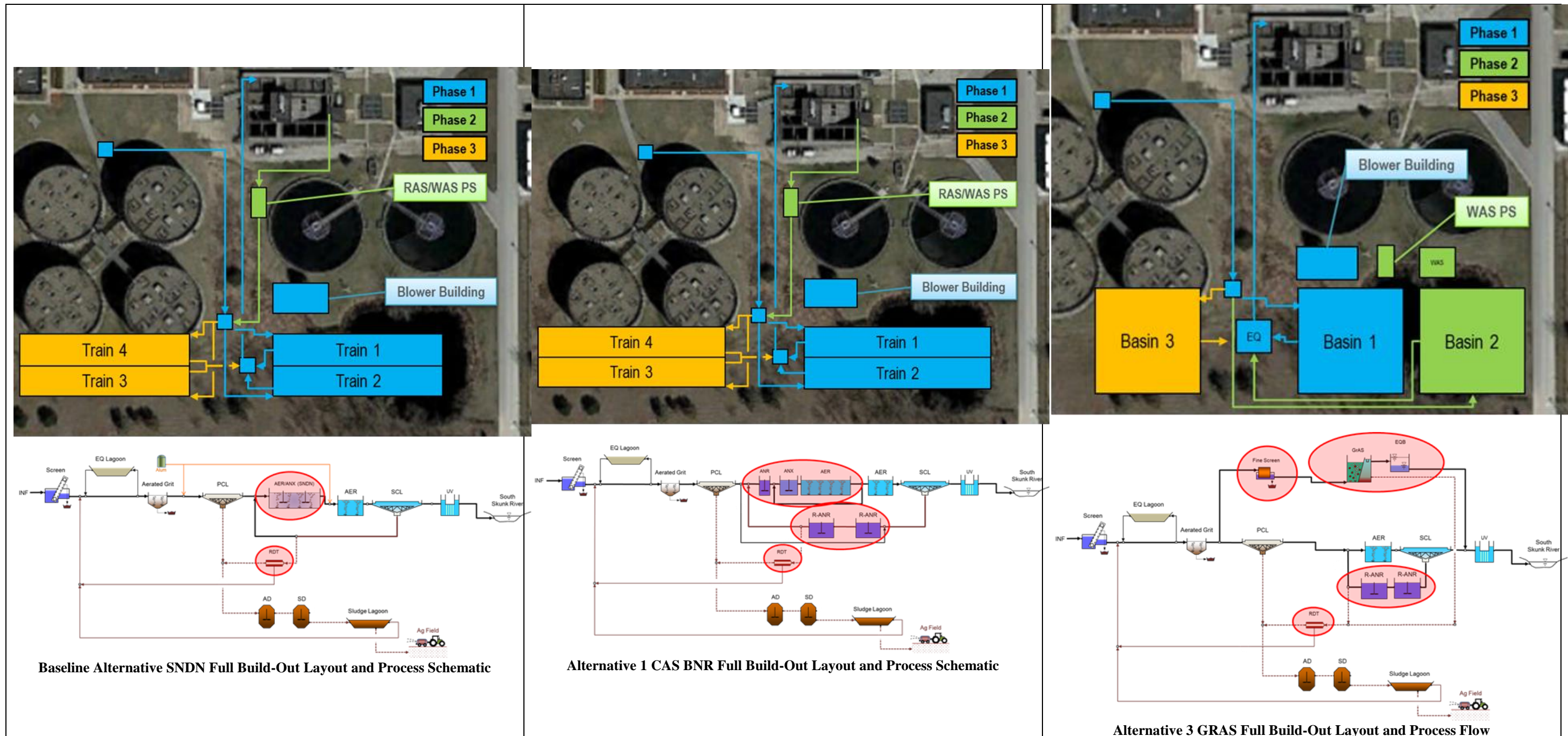


Figure 12: Ames WPCF Nutrient Reduction Alternatives

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Table 19 identifies the preliminary planning level estimated capital costs, operations and maintenance costs, and present worth costs for each alternative. All costs are expressed in 2018 dollars. Because cost depends on whether biological nutrient removal capabilities are incorporated into Phase 1 or incorporated into Phase 2 (which is similar the two other alternatives), two costs are presented for the GRAS alternative.

**Table 19: Planning Level Estimated Costs (\$2018)**

	<b>SNDN</b>	<b>CAS BNR</b>	<b>GRAS without BNR in Phase 1</b>	<b>GRAS with BNR in Phase 1</b>
<b>Preliminary Planning Level Capital Costs</b>				
Phase 1 (mil \$)	8.2	8.5	7.3	19.0
Phase 2 (mil \$)	11.2	10.0	18.6	7.0
Phase 3 (mil \$)	8.6	7.8	6.2	6.1
Total	28.0	26.3	32.1	32.1
Total Rating	2	1	3	3
<b>Preliminary Planning Level Operations and Maintenance Costs</b>				
Phase 1 (mil \$)	0.28	0.31	0.30	0.34
Phase 2 (mil \$)	0.70	0.45	0.42	0.41
Phase 3 (mil \$)	0.70	0.45	0.42	0.41
Total	1.68	1.21	1.14	1.16
Total Rating	4	3	1	2
<b>Preliminary Planning Level Present Worth Costs</b>				
Phase 1 (mil \$)	12.3	13.1	11.7	24.0
Phase 2 (mil \$)	21.7	16.7	24.9	13.1
Phase 3 (mil \$)	19.1	14.5	12.5	12.2
Total	53.1	44.3	49.1	49.3
Total Rating	4	1	2	3

Capital costs include contingency, engineering, and administrative costs. Operations and maintenance costs include chemical, electrical, material, labor, and solids handling costs. Labor costs were based on the hours required for operations and maintenance of the proposed capital improvements for each alternative and do not include operation of existing facilities. Labor costs were based on a rate of \$35 per hour. Solids handling and disposal costs include new WAS thickeners for activated sludge based options and continued disposal using land application. The total present worth summarizing capital costs and operations and maintenance costs for a 20-year period assuming an interest rate of 3 percent were developed for each alternative.

The CAS BNR alternative has the lowest capital cost and total present value cost, but all three alternatives are similar in life-cycle costs and nonmonetary value.

- Baseline SNDN
- Alternative 1 CAS BNR
- Alternative 3 GRAS

Final selection of a specific technology should be deferred until design of Phase 1 begins. Deferred selection allows City and Ames WPC staff to become familiar with each technology by providing time to make site visits to other operating facilities. As an emerging technology, this allows the GRAS technology to continue to be developed, potentially yielding additional benefits and cost reductions that are unknown and unrealized at this time.

# 6 Watershed Nutrient Reductions

Off-site watershed nutrient reductions could be part of an integrated strategy for the Skunk River Watershed and Ames WPCF to potentially supplement or offset current or future WPCF nutrient reduction requirements. Nutrient offset is a form of water quality trading whereby pollutant control requirements for point sources can be met through off-site watershed reductions. The Nutrient Reduction Exchange program under development in Iowa will provide a mechanism to capture and document watershed nutrient reductions.

## 6.1.1 Potential Practices

Potential agricultural and urban stormwater BMPs targeted at nutrient reduction are presented in the following. These BMPs could be synergistic with flood mitigation, wetland mitigation banking, source water protection, water quality, and other ancillary benefits.

Agricultural BMPs. Figure 13 identifies several agricultural BMPs. Table 20 presents the associated performance and cost. Most are well established and shown to not only be effective at reducing nutrient loadings, but to have other ancillary benefits including reduced soil erosion and improved habitat. Performance, as measured by nutrient reduction rates and costs, are highly variable and site specific for individual BMPs. Table 20 reflects assumed performance and cost numbers estimated from literature, 2013 Iowa Nutrient Reduction Strategy, and the Natural Resources Conservation Service (NRCS) Environmental Quality Incentives Program (EQIP) practice costs. Actual agricultural BMP performance and costs could vary significantly.



Analysis suggests that constructed wetlands appear to be the best value for nitrogen and phosphorus, denitrifying bioreactors appear to offer value with respect to nitrogen, and water and sediment control basins appear to offer value with respect to phosphorus.

The nutrient reduction targets for the Ames WPCF are 47,450 pounds per year for phosphorus and 179,200 pounds per year for nitrogen. In comparison, Table 21 identifies the availability of potential nutrient reduction credits for individual BMPs to offset Ames WPCF requirements. The estimated reduction credits reflect the results of an Agricultural Conservation Planning Framework (ACPF) analysis. ACPF is a toolset for identifying and optimizing the placement of BMPs on the landscape.

Based on ACPF findings, there are sufficient nitrogen credits upstream of the Ames WPCF to address its reduction targets for most individual BMPs. From a credit supply and cost perspective, the BMP of using constructed wetlands appears to be the most promising of all the BMPs. While there appears to be sufficient nitrogen credits upstream, the analysis suggests that offsetting 100 percent of Ames WPCF phosphorus removal targets with upstream reduction credits would be impractical given that doing so would require nearly 100 percent implementation of potential upstream BMP sites.

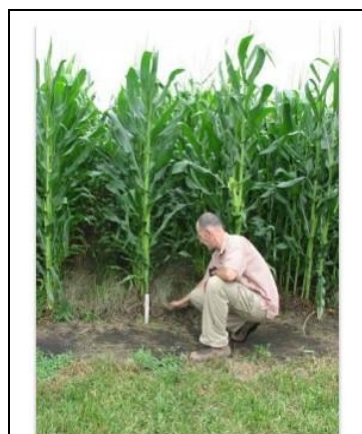
Iowa State University is researching an additional practice that could make cover crops significantly more attractive. That concept, perennial groundcover in the presence of row crops (see Figure 14), appears to offer multiple benefits in terms of both continued crop productivity, improved water quality, and reduced cost. However, cost information and nutrient removal rates for this practice were not readily available for analysis.

**Table 20: Performance and Cost of Agricultural Best Management Practices**

Practice	% Reduction		Cost of TN Reduction, \$/lb	Cost of TP Reduction, \$/lb
	TN	TP		
Cover crops	31%	29%	\$6.00	\$210
Water and sediment control basins	0%	80%	--	\$29
Constructed wetlands	52%	58%	\$1.20	\$35
Denitrification bioreactors	43%	0%	\$1.50	--
Riparian buffers	7%	18%	\$5.50	\$70
Grassed waterways	7%	18%	\$33	\$410

**Table 21: Potential Applicability of Agricultural Best Management Practices**

Practice	Treatment Area, ac	Potential Credits (lbs/yr)	
		TN	TP
Cover crops	304,133	2,262,768	65,280
Water & Sediment Control Basins	7,768	0	4,896
Constructed wetlands	176,507	2,202,792	75,752
Denitrification bioreactors	57,870	597,176	0
Riparian buffers	235,100	394,944	31,280
Grassed waterways	65,663	110,296	8,704



**Figure 14: Perennial Cover Crop**

Urban Stormwater BMPs. The City has a history of incorporating urban stormwater BMPs into public works projects, notably the following:

- City Hall Parking Lot Reconstruction
- Stormwater Erosion Control Project – South Skunk River from Carr Park to Homewood Golf Course
- Bioretention Cells on 24th Street with Street Rehabilitation Project
- Riffle Pools and Streambank Stabilization with Squaw Creek Water Main Stabilization at Lincoln Way
- Phosphorus Free Fertilizer on Parks
- Water Quality Treatment of Stormwater Runoff through City's Current Post-Construction Ordinance

These urban stormwater BMPs can achieve off-site watershed nutrient reduction and can provide other ancillary benefits. As standalone projects, these urban stormwater BMPs are significantly more expensive, ranging from several hundred to several thousand dollars per pound for both nitrogen and phosphorus.

### **6.1.2 Key Findings and Strategy**

Ancillary benefits of agricultural BMPs and urban stormwater BMPs include potential flood mitigation, other water quality improvements such as reduced sedimentation, wetland mitigation, additional wildlife habitat, water source protection, and recreational opportunities. Potential synergies provide additional incentive for the City to pursue off-site watershed nutrient reductions.

Use of off-site watershed nutrient reductions as potential offsets to Ames WPCF required reductions is in the formative stage in Iowa. As currently envisioned, offsets are more a means to avoid more stringent Ames WPCF requirements in the future than to reduce the initial Ames WPCF requirements. In any case, there are a number of regulatory issues to be addressed before offsets may be directly applied toward meeting permit requirements. These include, but are not limited to, defining baseline conditions for generating nutrient credits, determining the watershed trading area and trading ratios, and addressing issues of liability, monitoring, and enforcement.

Key findings with respect to off-site watershed nutrient reductions are as follows, with the first being most significant.

1. It is not practical to offset the need for Ames WPCF nutrient reductions entirely with watershed nutrient reductions.
2. Land requirements for offsetting watershed nutrient reductions are surprisingly large.
3. There is no guarantee that watershed nutrient reductions are acceptable offsets to Ames WPCF reductions short term, but an exchange program is under development to enable watershed nutrient reductions to offset future, more stringent Ames WPCF nutrient reductions longer term.
4. The City has effectively implemented and should continue to implement urban BMPs to achieve nutrient reductions as ancillary benefits.
5. Implementation of off-site watershed BMPs for nutrient reduction can be configured to achieve ancillary benefits including flood mitigation, erosion control, habitat restoration, source water protection, and/or recreation opportunities.
6. Off-site watershed reductions may still be useful to demonstrate leadership, make progress, and offset future Ames WPCF requirements.

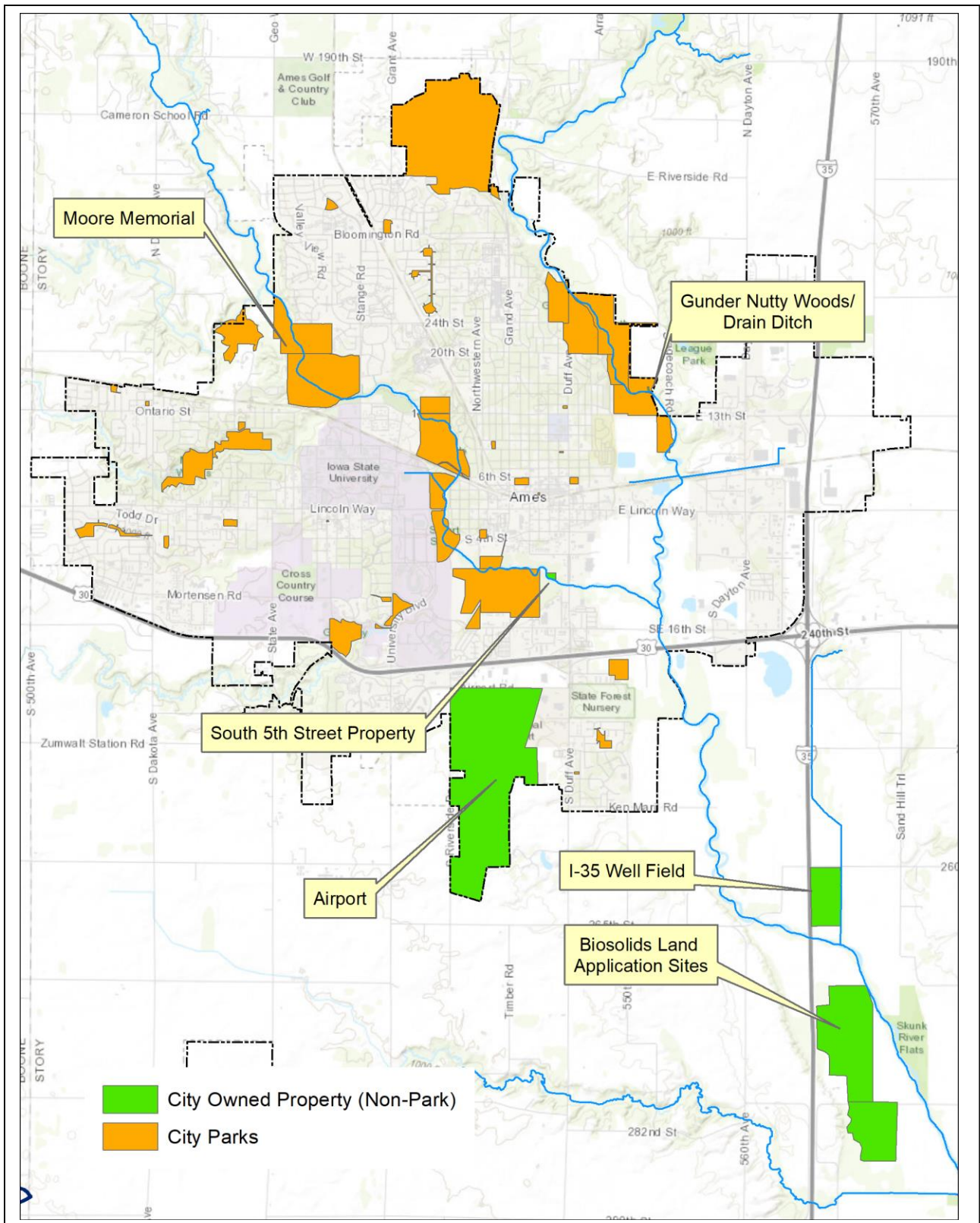
Table 22 identifies the resulting off-site watershed nutrient reduction strategies.

**Table 22: Potential Off-site Nutrient Reduction Strategy**

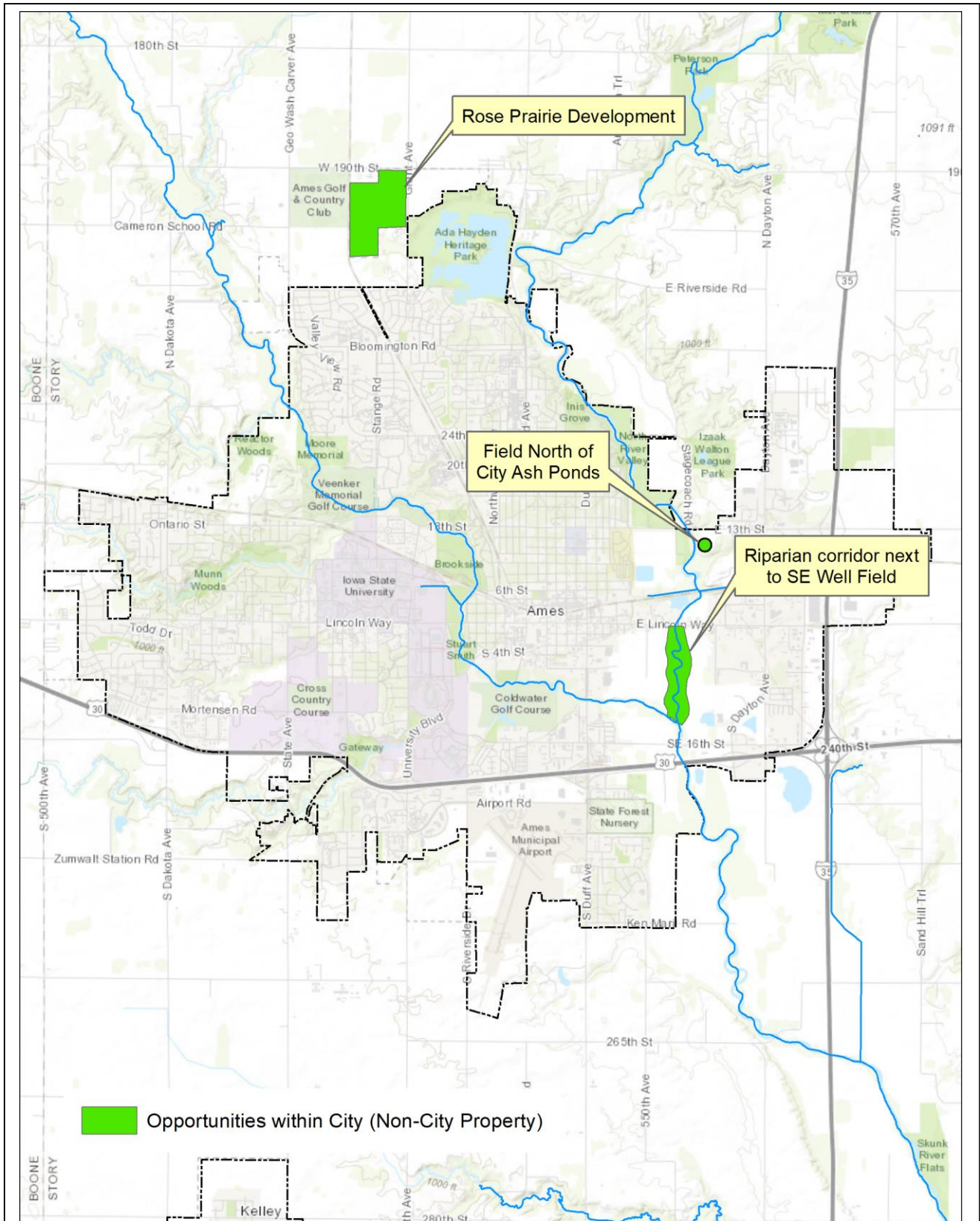
Number	Potential Off-site Nutrient Reduction Strategies
1	Demonstrate commitment and progress to the 2013 Iowa Nutrient Reduction Strategy through continued implementation of urban best management practices with added emphasis on the associated watershed nutrient reductions
2	Identify and prioritize projects that demonstrate good stewardship of City property, provide multiple benefits on sites located within the City of Ames, and then provide multiple benefits on sites outside of the City of Ames.
3	Establish a goal and commit the required annual funding for implementing watershed-based practices that provide nutrient reduction and other ancillary benefits such as flood mitigation, erosion control, source water protection, habitat restoration, and recreational opportunities.
4	Register and bank credits with the Nutrient Reduction Exchange to offset potential future requirements such as water quality-based nutrient limits.
5	Support Iowa State University efforts to develop innovative and alternative watershed based nutrient reduction.

### 6.1.3 Watershed Alternatives

The potential sites and projects identified in Figure 15 through Figure 17 have been identified as examples to convey concepts and potential ancillary benefits for off-site watershed nutrient reduction. The examples include sites and projects on property owned by the City, within the City of Ames, and outside the City of Ames. The City has identified the prioritization criteria as shown in Table 23 for off-site watershed nutrient reduction. Table 24 identifies ancillary benefits for the example sites and projects.



**Figure 15: Off-site Nutrient Reduction Example Sites and Projects - City Property**



**Figure 16: Off-site Nutrient Reduction Example Sites and Projects – Within City**



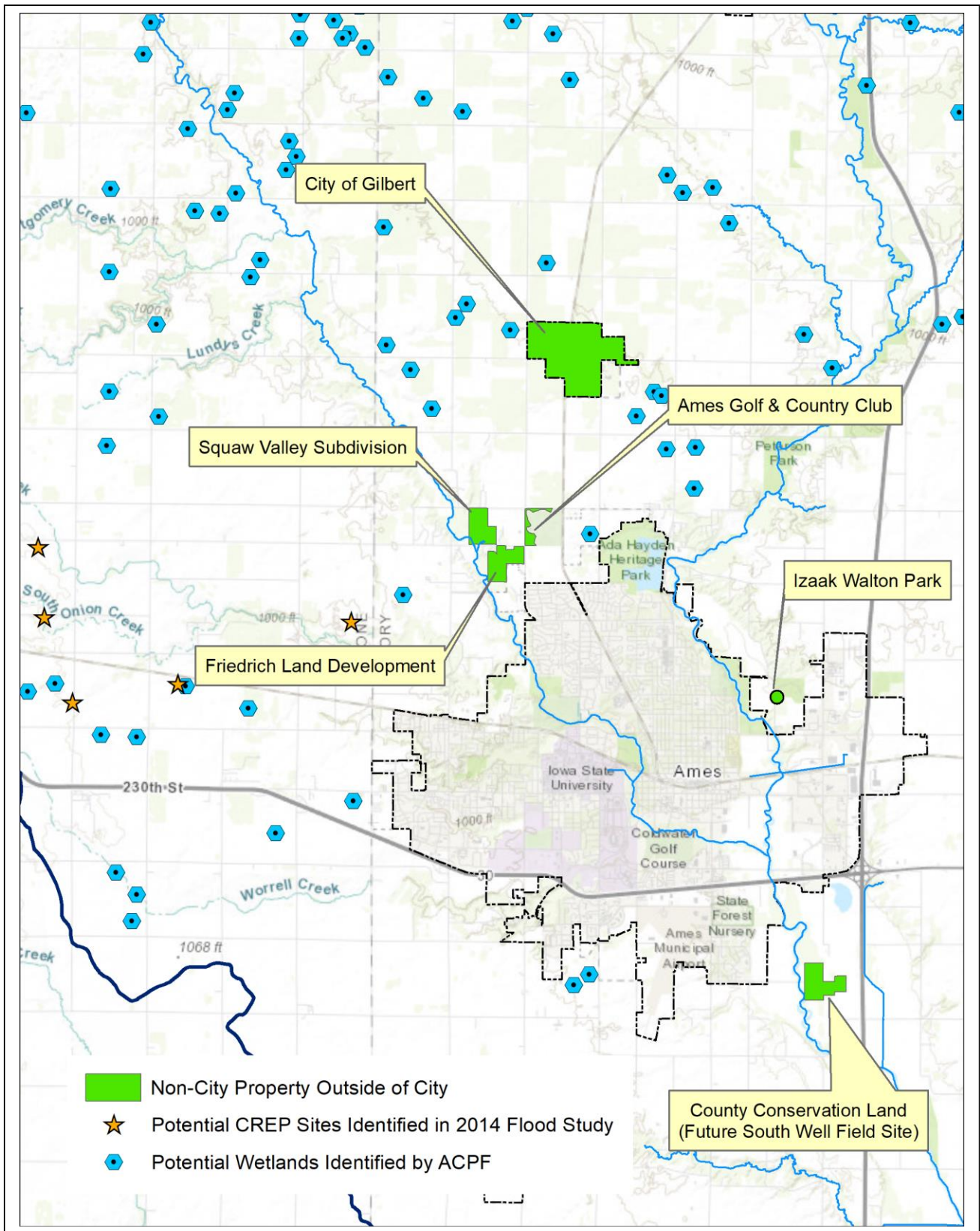


Figure 17: Off-site Nutrient Reduction Example Sites and Projects – Outside City

**Table 23: Off-site Nutrient Reduction Prioritization Criteria**

Category	Criteria
Location	City-owned land Within City limits Land in Upstream Watersheds
Ancillary Benefits	Flood mitigation Drinking Source Water Protection Increased Wildlife Habitat Improved Water Quality Increased Recreational Opportunities Increased hunting opportunities Other benefits
Nutrient Reduction Cost/Benefit	Lower \$/pound Removed than Ames WPCF Lowest \$/pound Removed Highest Pounds Removed
Life Cycle	Number of Years Provided Lowest Annual Maintenance Costs Lowest Life Cycle Cost

Table 24: Off-site Nutrient Reduction Example Sites and Projects

Location	Site	Potential BMPs/Project	Water Quality/Nutrient Reduction	Flood Mitigation	Erosion Control	Habitat Restoration	Water Source Protection	Recreational Opportunity
City Property	Biosolids Land Application Sites	Bioreactor, Constructed wetlands	X	X	X	X		
	Airport	Bioreactor	X					
	I-35 Well Field	CRP/Potential ISU Research	X		X	X	X	
	City Parks	Range of BMPs	X	X	X	X		X
City Property	South 5 <sup>th</sup> Street Property	Storm sewer interceptor/constructed wetland	X	X	X	X		
	Gunder Nutty Woods/Drain Ditch	Hydro modifications	X		X	X		
	Field North of City Ash Ponds	Regional stormwater detention	X	X	X	X		X
Within City of Ames	Riparian Corridor next to SE Well Field	Bike trail, wetlands, and riparian restoration	X		X	X	X	X
	Rose Prairie Development	Detention pond	X	X	X	X		X
Outside City of Ames	Ames Golf & Country Club	Reduced phosphorus application and applicable MS4 BMPs	X	X	X	X		X
	Friedrich Land Development	Friedrich Land Development	X	X	X	X		X
	Squaw Valley Subdivision	Sewer hook up	X					

Location	Site	Potential BMPs/Project	Water Quality/Nutrient Reduction	Flood Mitigation	Erosion Control	Habitat Restoration	Water Source Protection	Recreational Opportunity
	County Conservation Land (Future South Well Field)	CRP/HAP	X		X	X	X	X
	City of Gilbert	Interceptor/hook up with City sewer	X					
	Izaak Walton Park	Lake rehabilitation	X					
	CREP Wetland Sites	Constructed wetlands	X	X	X	X		X

## 6.2 Integrated Strategy and Implementation

The recommended nutrient reduction strategy and implementation plan for nutrient reduction for the City of Ames includes investment in both off-site watershed nutrient reductions and on-site Ames WPCF nutrient reductions. The integrated strategy, implementation plan, and impact on sewer rates are presented in the following.

## 6.3 Integrated Nutrient Reduction Strategy

Table 25 presents the integrated nutrient reduction strategy.

**Table 25: Integrated Nutrient Reduction Strategy**

Integrated Nutrient Reduction Strategy
Convert from trickling filters to alternative technology that provides additional capacity for growth and nutrient removal that achieves the goals of the 2013 Iowa Nutrient Reduction Strategy
Minimize Ames WPCF costs and associated customer rate impacts through phased implementation of alternative technology that continues to use existing trickling filter capacity as long as condition allows
Incorporate existing Ames WPCF optimization to the extent affordable and consistent with alternative Ames WPCF technology.
Demonstrate commitment through continued implementation of urban best management practices with added emphasis on associated watershed nutrient reductions
Identify, prioritize, and fund watershed nutrient reduction projects consistent with location, ancillary benefits, cost and benefit, and life-cycle cost criteria.
Register and bank watershed credits with the Nutrient Reduction Exchange to offset potentially more stringent future requirements
Support Iowa State University efforts to develop innovative and alternative watershed based nutrient reduction.

## 6.4 Implementation Plan

Implementation of the integrated nutrient reduction strategy entails parallel tracks to proceed with both off-site watershed nutrient reduction projects and on-site Ames WPCF improvements to achieve nutrient reduction. Both tracks are described in the following.

**Watershed Nutrient Reduction.** Watershed nutrient reduction includes both a continuation of historic practices to incorporate stormwater BMPs in City projects and an added commitment to additional watershed projects specifically targeted at nutrient reduction, but with other ancillary benefits. Example sites and projects were previously presented in Figure 15 through Figure 17 and summarized in Table 24.

Example sites are grouped by location on City Property, within the City of Ames, and upstream of the City of Ames. Example projects include several different practices, including: bioreactors, constructed wetlands, Conservation Reserve Program (CRP), research, hydraulic modifications, stormwater detention, and riparian buffer. Ancillary benefits in addition to nutrient reduction are identified for each example project, including flood mitigation, erosion control, habitat restoration, water quality, and recreation.

Table 23 presented location, ancillary benefit, nutrient reduction costs and benefits, and life-cycle cost criteria to prioritize and identify specific sites for off-site watershed nutrient reduction. The City's Fiscal Year 2020 *Capital Improvements Plan* includes \$200,000 per year committed for implementation to be used in conjunction with available grant funding for these types of projects. The City anticipates that this will be an ongoing element of the *Capital Improvements Plan*, but is not proposing or committing to it as part of its formal response to addressing nutrients in the Ames WPCF discharge.

**Ames WPCF Nutrient Reduction.** Figure 23 identifies the phased implementation plan for Ames WPCF improvements to provide 2013 Iowa Nutrient Reduction Strategy targeted reductions as well as capacity for forecast growth. The implementation plan generically refers to alternative technology rather than identify a specific technology for implementation because the three final alternatives identified in the following are similar in life-cycle costs and nonmonetary value.

- SNDN
- CAS
- GRAS

Given the similarities among the three alternatives, final selection of the specific technology can be deferred until 2022, when Phase 1 design and construction begins. Deferring final technology selection allows GRAS technology to continue to advance and provides the City an opportunity to incorporate site visits to operating facilities.

Figure 18 indicates that nutrient reduction would be achieved progressively. Limited, if any, reduction would be achieved in Phase 1, seasonal reduction would be achieved in Phase 2, and full biological nutrient reduction would be achieved in Phase 3. Two factors drive progressive reduction: 1) the need to take advantage of the remaining useful life to maximize prior investment in the existing trickling filters and 2) the existing Ames WPCF configuration, which intermingles wastewater on the front end and solids on the downstream end of existing Ames WPCF liquid treatment facilities preventing separate parallel operation of the existing trickling filters and new alternative technology.

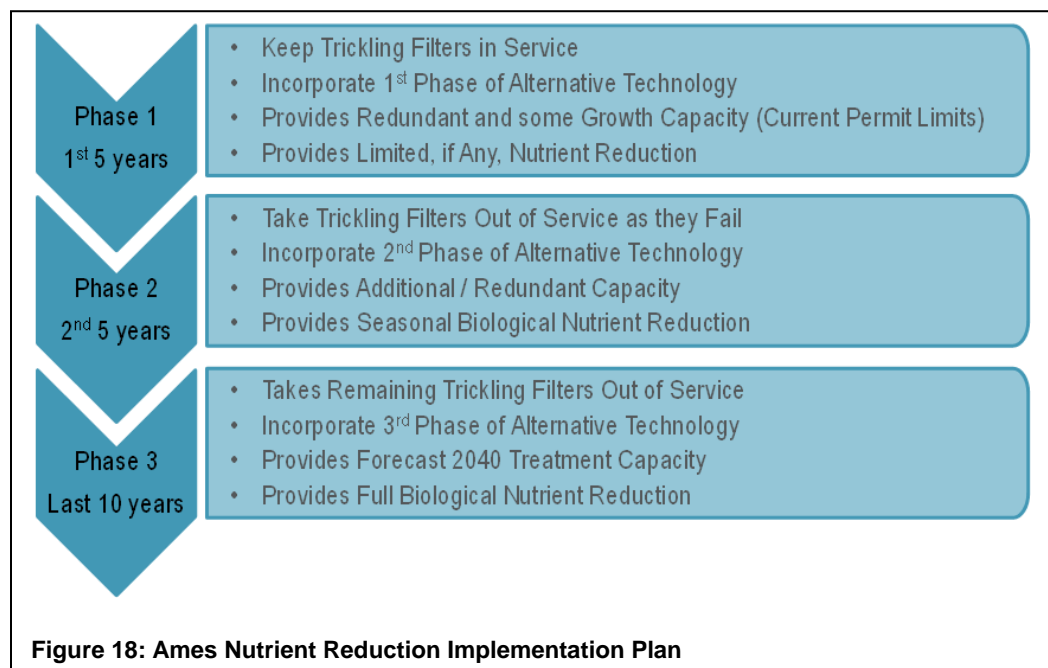


Figure 19 identifies the estimated capital cost, including both engineering and construction, for each phase in 2018 dollars. It is noteworthy that the estimate does not include any additional capital investment in the existing trickling filters to prolong their remaining useful life. Inflated to the actual construction periods, the estimated cumulative capital cost for all three phases is \$39.63 million.

#### 6.4.1 Sewer Rate Impacts

The City of Ames Sewer Rate Policy is stated in the following passages from Chapter 28, Division III of the Ames Municipal Code.

##### Sec. 28.301. SEWER RATE POLICY.

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City of Ames to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 4327, 11-28-17)

##### Sec. 28.303. USE OF RATE REVENUE.

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement, and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this ordinance.

That portion of the total user charge collected which is designated for operation and maintenance, including replacement, shall be deposited in a separate non-lapsing fund known as the WPC Operation, Maintenance and Replacement Fund.

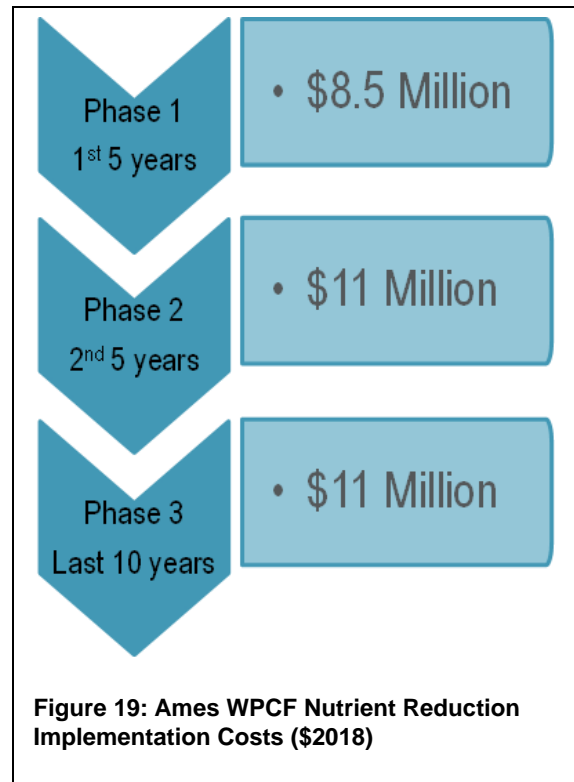
(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 4327, 11-28-17)

##### Sec. 28.304. SEWER RATES ESTABLISHED.

(1) Each user shall pay for the services provided by the City based on its use of the treatment works as determined by water meter readings or other appropriate methods acceptable to the City.

(Ord. 4199, 11-25-14)

(2) For all users, monthly user charges shall be based on actual water usage, except where a practical method of wastewater measurement is available. If a user has a consumptive use of water, or in some other manner uses water which is not discharged into the wastewater collection system, the user charge for that contributor may be based on readings of a wastewater meter(s)



or separate water meter(s) installed and maintained at the user's expense and in a manner acceptable to the City.

(7) The City will review the user charge system at least every three years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users.

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

(Ord. No. 3526, 6-22-99)

When setting user rates, the City uses three separate long-term planning documents.

- A City-wide 5-year Capital Improvements Plan that is formally adopted by the City Council each spring.
- A 10-year rate model that is developed for the sewer utility. This model is the basis for user rates proposed to the City Council annually. The City Council only approves the first year's rates.
- A 20-year capital projects planning document that is developed by the staff of the Water and Pollution Control Department. While not formally presented to or adopted by the City Council, this working list is used as a tool to ensure that a long-term approach is being used for planning purposes.

Because water and sewer are billed to customers on the same utility bill, the timing of rate adjustments are coordinated between water and sewer to avoid doubling up in a single year. Every year, the 10-year rate projection is shared with the City Council. While the City Council only approves rates 1 year at a time, having a long-term picture is important for the policy makers to see where utility rates are heading.

The 10-year plan for rate increases that will be presented to the City Council in spring 2019 is summarized in Table 26 and will show the following pattern of proposed rate increases.

**Table 26: Ten Year Plan for Proposed Ames Water and Sewer Rate Increases**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	19-20	20-21	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29
Water Fund	7%		9%		9%		9%		9%	
Sewer Fund		5%		5%		6%		6%		5%

The proposed sewer rate increases shown in Table 26 are based on incorporation of the recommendations from the Nutrient Reduction Feasibility Study. Note that the recommendation for achieving the goals of the 2013 Iowa Nutrient Reduction Strategy involves the integrated watershed and Ames WPCF integrated strategy presented herein, notably annual investment in watershed nutrient reductions and three-phase implementation of Ames WPCF nutrient reductions over the next 20 years.

It is assumed that each of the three Ames WPCF phases will be financed using separate loans from the Clean Water State Revolving Fund. Only the debt service for Phase 1 (debt service beginning in Year 6) shows in the rate model. The model assumes that construction for Phase 2 will occur in Year 10, with debt service beginning in Year 11 (outside the horizon of the model).



Phase 3 is likewise outside the planning horizon of the rate model. The rate model inflates the costs from this study, which are presented in 2018 dollars, forward at an assumed inflation factor of 3.5 percent per year.

To evaluate the impact of adopting the recommendations from the Ames Nutrient Reduction Feasibility Study, the rate model was ran twice; once with the debt service for the Phase 1 State Revolving Fund loan and \$200,000 per year of cash-funded watershed improvements included, and again with those costs excluded. Table 27 shows the results of the comparison.

**Table 27: Ames Sewer Rate Increases With and Without Nutrient Reduction Strategy**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	19-20	20-21	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29
Sewer Fund Rates Needed WITHOUT NRS		3%		3%		5%		6%		5%
Sewer Fund Rates Needed WITH NRS		5%		5%		6%		6%		5%

At the end of 10 years, the incremental cost of implementing Phase 1 is \$1.70 per month for a residential customer using 600 cubic feet of water per month (\$36.35 per month versus \$34.65 per month). Each of the second and third phases would likely have rate increases that are similar in magnitude to Phase 1, with the combined differential being on the order of 15 percent.

## Attachment A – Ames WPCF Optimization Options

Ames Water Pollution Control Facility (WPCF) optimization options focus on ways to integrate biological phosphorus removal by creating anaerobic conditions in the return activated sludge (RAS) reaeration tanks and providing a carbon source. To achieve anaerobic conditions, denitrification of the RAS is necessary, and, coincidentally, would achieve some nitrogen removal simultaneously with phosphorus removal. The carbon could be supplied either by diversion of some primary effluent around the trickling filters or by providing filtrate from primary sludge thickening.

Currently, waste activated sludge is co-thickened with primary sludge in the primary clarifiers and pumped directly to the anaerobic digesters. To operate biological phosphorus removal, waste activated sludge must be handled separate from primary sludge. Otherwise, co-thickening in the primary clarifier would most certainly result in stored phosphorus release to the liquid stream, because any extended contact between the WAS and raw influent results in stored phosphorus release to the degree that volatile fatty acids would be present. The phosphorus release is quick with only 15 to 30 minutes contact time required, during which the raw influent volatile fatty acids are consumed by non-beneficial phosphorus release and no longer available as a carbon source for biological phosphorus removal in the RAS tanks. Therefore, all optimization options need to have dedicated WAS thickening.

Six optimization options were identified for the Ames WPCF to target biological phosphorus removal and produce lower effluent phosphorus concentrations. All six options include various combinations of flow routing, repurposing of facilities, separate solids thickening, and modified operations to create an anaerobic zone with sufficient carbon source for phosphorus uptake. The six options, model predicted performance, and comparative construction costs are described in the following.

### Option 1: Biological Phosphorus Removal in RAS Anaerobic Zone and Primary Effluent Diversion

For option 1, the air is turned off in two-thirds of the RAS reaeration tanks. Submerged mechanical mixer would be added to keep the biomass in suspension. The mixers may be operated intermittently to achieve deep anaerobic conditions in the sludge when mixers are off. Figure A-1 shows the schematic for this option. Roughly 20 percent of the primary effluent would be diverted to the anaerobic RAS zone.

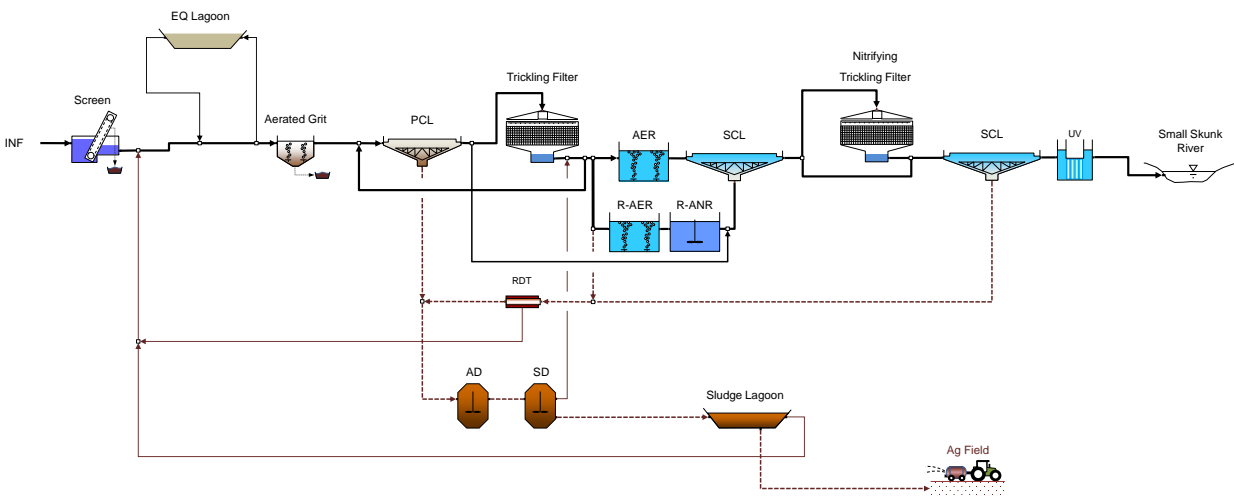


Figure A-1: Schematic for Option 1, RAS Anaerobic Zone and PE Diversion

## Option 2: Biological Phosphorus Removal in RAS Anaerobic Zone, Primary Effluent Diversion Dedicated Primary Sludge Thickening

Option 2 builds on Option 1 by adding dedicated primary sludge thickening. The schematic in Figure A-2 shows a rotating drum thickener, but a conventional gravity thickener or thickening centrifuge would work as well.

The purpose of the dedicated primary sludge thickening is to add an interface from which additional VFA can be diverted to the anaerobic RAS zone. Even without the added retention of thickening in the primary clarifier, primary sludge has high concentration of VFA and can range depending on the season and conditions in the collection system from 100 to 1,000 milligrams per liter (mg/L).

One added advantage of dedicated thickening is better thickening performance, which increases the digester capacity and reduces the need for decanting of the secondary digesters, thus cutting back on the recycle load.

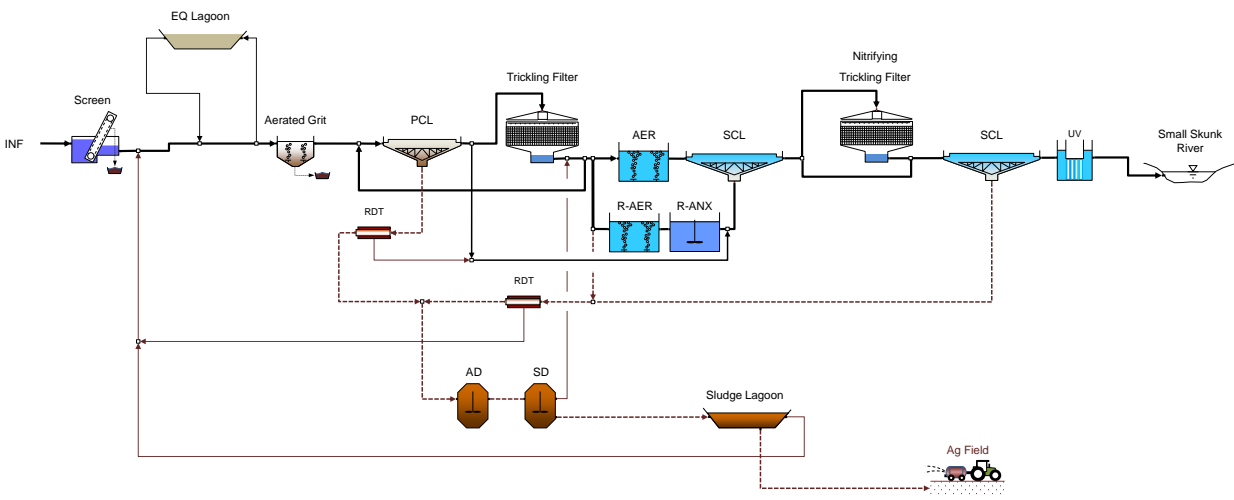


Figure A-2: Schematic for Option 2, RAS Anaerobic Zone and Sludge Thickening

### Option 3: Extended RAS Anaerobic Volume with Primary Effluent Diversion

Option 3 builds on Option 1, but uses all of the RAS reaeration tanks for the RAS anaerobic zone. This provides additional anaerobic retention time for both phosphorus release and RAS fermentation, but it reduces the aerobic retention time needed for phosphorus uptake.

Figure A-3 shows the schematic for this option.

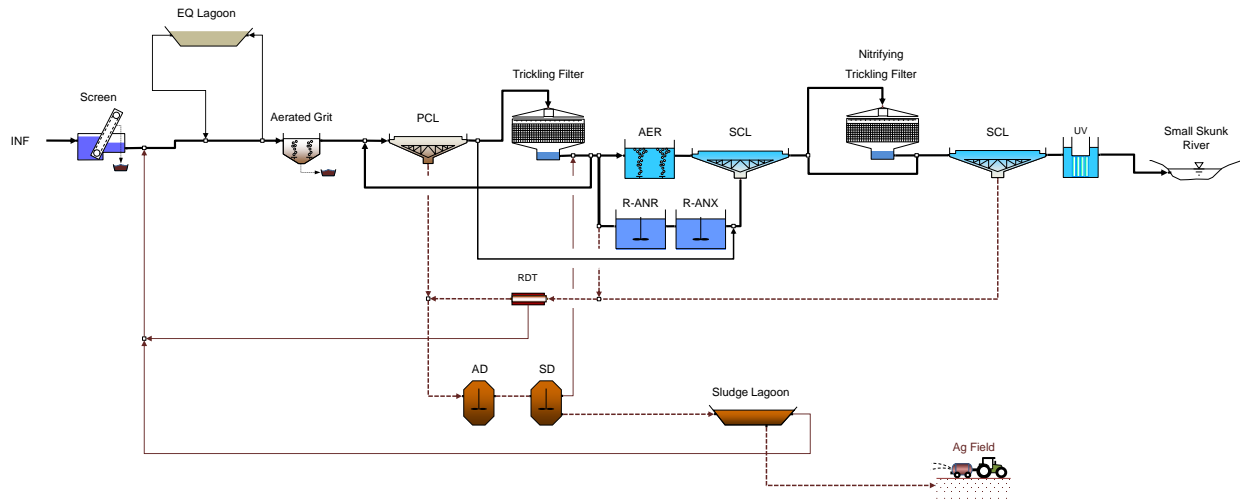


Figure A-3: Schematic for Option 3, Extended RAS Anaerobic Zone

### Option 4: Extended RAS Anaerobic Volume with Primary Effluent Diversion and Primary Sludge Thickening

Option 4 builds on Option 2. It features both the primary effluent diversion and dedicated primary sludge thickening to provide additional VFA. This option may be feasible without the primary effluent diversion due to the combination of extended anaerobic RAS retention time and VFA from primary sludge thickening. Eliminating the primary effluent diversion would increase the hydraulic retention time (HRT). This sub-option may be explored further if Option 4 is selected. Figure A-4 shows the schematic for this option.

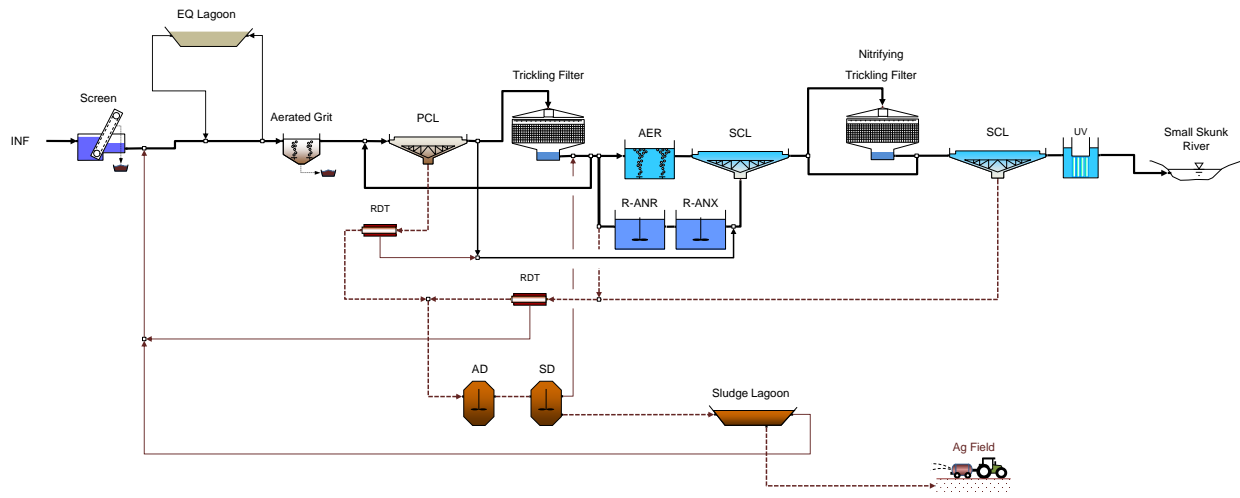


Figure A-4: Extended RAS Anaerobic Zone and Primary Sludge Thickening

## Option 5: Converting one Primary Clarifier to Anaerobic RAS Tank

The existing RAS reaeration volume is small and expected to limit the maximum biological phosphorus uptake. The Ames WPCF has more than sufficient primary clarifier capacity such that one could be repurposed to hold RAS. This would provide an additional 250,000 gallons of volume. Two-thirds of the RAS reaeration volume converted to anaerobic in Option 1 provide 640,000 gallons of volume for reference. Thus, the volume of one primary clarifier is not sufficient to eliminate converting some of the RAS reaeration tanks to anaerobic.

This option includes dedicated thickening for both waste activated sludge and primary sludge, as well as primary effluent diversion and VFA addition through primary sludge thickening return. If this option was selected, an additional sub-option can be explored to minimize the scope of the modifications. Figure A-5 shows the schematic for this option.

The conversions of one primary clarifier does not have to be permanent and it could be returned to its original purpose when needed in the future.

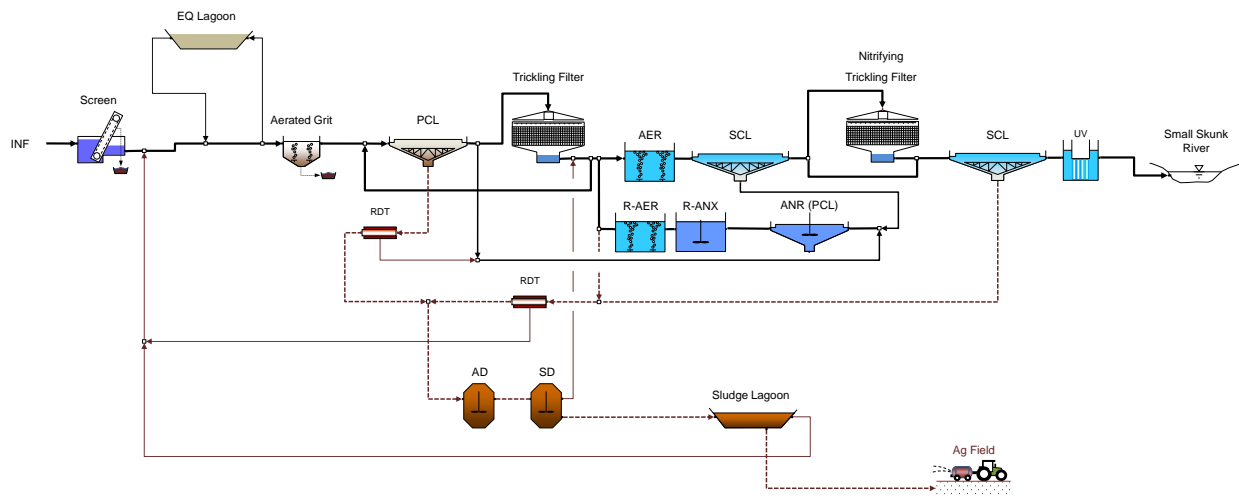


Figure A-5: Option 5: Converting One Primary Clarifier to Anaerobic RAS Tank

## Option 6: Converting One Secondary Clarifier to Anaerobic RAS Tank

Option 6 is identical to Option 5, except instead of a primary clarifier, one secondary clarifier is repurposed. The advantages of Option 6 over Option 5 is that there is more excess secondary clarifier capacity, the secondary clarifiers are adjacent to the RAS reaeration tanks, and they provide more volume (450,000 gallons). Figure A-6 shows the schematic for this option.

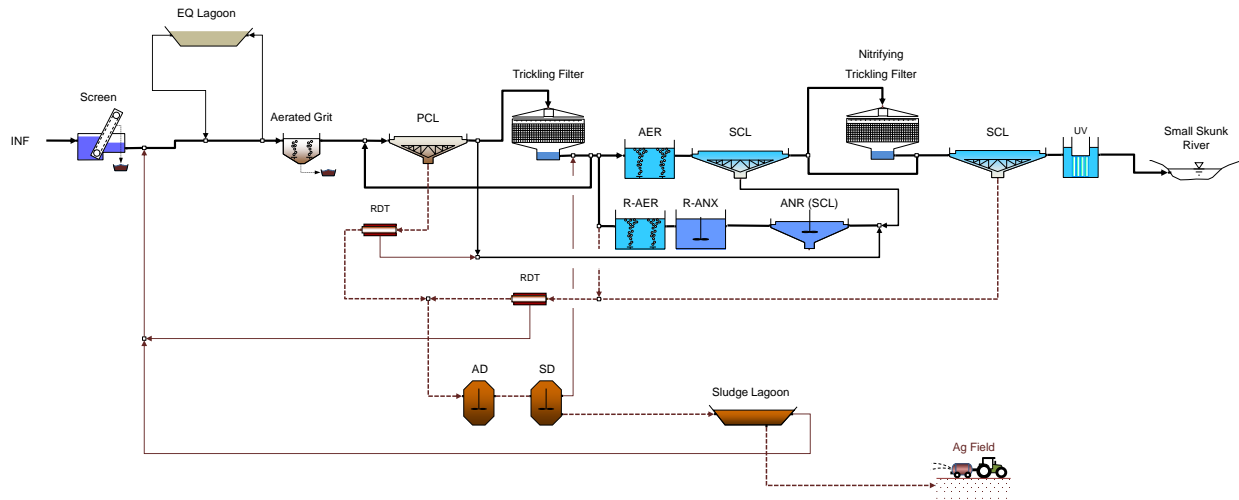


Figure A-6: Option 6: Converting One Secondary Clarifier to Anaerobic RAS Tank

## Comparison of Nutrient Reduction Option

Table A-1 identifies the GPS-X™ wastewater modeling software predicted effluent quality for each of the six options. Comparing the results, all options achieve some phosphorus and nitrogen reduction. The nitrogen reduction is a function of having to first remove the nitrate to establish anaerobic conditions. Option 2 shows the lowest effluent phosphorus and nitrogen and its implementation is relatively simple; however, it includes dedicated and separate thickening of primary and waste activated sludge.

Table A-1: Ames WPCF Optimization Model\* Predicted Effluent Summary

Option	Flow (MGD)	PO4-P	TP	NH4-N	TN	TSS
Existing	6.0	3.2	3.3	0.1	24.0	11
1	7.0	1.2	1.4	2.7	27.5	7
2	7.0	1.0	1.2	2.8	27.4	6
3	7.0	1.1	1.5	10.0	27.9	9
4	7.0	1.0	1.5	10.0	28.0	9
5	7.0	1.4	1.8	2.5	24.5	9
6	7.0	5.6	2.7	9.9	28.0	9

\*GPS-X™ Wastewater Modeling Software

Note. All values in milligrams per liter (other than flow in million gallons per day (MGD))

Table A-2 identifies the comparative construction cost, model predicted phosphorus reduction, and relative cost per pound of phosphorus removed for each of the six optimization options. Comparing the relative costs shows that some options more cost-effectively reduce phosphorus than other options. The identified construction costs are estimates for comparative purposes only and do not include engineering costs. The identified percent of total phosphorus reductions are annual averages beyond the percent total phosphorus reduction currently achieved at the Ames WPCF. The reported pounds of total phosphorus reduction reflects a 20-year period at an average flow rate of 7.0 MGD.

It is significant to note that the Ames WPCF is currently achieving an estimated annual average reduction of approximately 28 percent (from 4.6 to 3.3 mg/L). As such, options shown in Table A-2 with estimated phosphorus reductions of 45 percent or greater would provide the Nutrient Reduction Standard required 75 percent reduction even though the estimated effluent phosphorus concentration would still be above 1 mg/L.

Construction costs range from just under \$5 million to just over \$10 million. Options 1 and 3 show the lowest cost per pound of phosphorus reduction with Options 2 and 4 with the next lowest costs per pound. All four of these options would result in an estimated overall reduction of greater than 75 percent. However, as shown in Table A-1, none of the options provide much, if any, additional nitrogen reduction beyond the estimated annual average nitrogen reduction of 34 percent (from 36.3 to 24.0 mg/L) currently achieved at Ames WPCF. In fact, in optimizing for phosphorus reduction, all four of the lowest cost options actually result in a slight increase in effluent nitrogen concentration.

**Table A-2: Nutrient Reduction Option Comparative Costs**

Option	Construction Cost	Effluent TP	% TP Red.	TP Red	Relative Cost
		mg/L	%	lb	\$/lb TP
1	\$4,850,000	1.4	58%	809,800	\$6
2	\$8,325,000	1.2	64%	895,000	\$9
3	\$4,850,000	1.5	55%	767,200	\$6
4	\$8,325,000	1.5	55%	767,200	\$11
5	\$10,575,000	1.8	45%	639,300	\$17
6	\$9,325,000	2.7	18%	255,800	\$36
7	\$9,450,000	2.6	21%	298,400	\$32

Nitrogen removal performance will be similar to existing Ames WPCF nitrogen removal performance.

**COUNCIL ACTION FORM**

**SUBJECT: ZERO HUNGER RUN/WALK REQUESTS**

**BACKGROUND:**

The India Cultural Association (ICA) is proposing to host its second annual Zero Hunger Run/Walk 5K on Saturday, May 18 from 8:00 a.m. to 10:00 a.m. This fundraising event promotes awareness of world hunger and malnutrition. Funds raised from the event will be donated to the Food at First organization. Last year, ICA held this event at Ada Hayden Park.

In order to facilitate the movement of participants, organizers are requesting the closure of State Avenue between Arbor Street and Storm Street from 8:00 a.m. to approximately 10:00 a.m.

Runners will use the paved bike trail between State Avenue and Dotson Drive. Additionally, runners will use coned off portions of the following streets, which will remain open to traffic during the event:

- Mortensen Road from Dotson Drive to Hayward Avenue
- Hayward Avenue from Mortensen Road to Knapp Street
- Knapp Street from Hayward Avenue to Sheldon Avenue
- Sheldon Avenue from Knapp Street to Arbor Street
- Arbor Street from Sheldon Avenue to State Street

The streets will reopen after runners pass through each area. The route is configured to allow traffic through the south and east legs of the State/Mortensen intersection, which will reduce the length of detouring required compared to a full intersection closure.

The Public Works Traffic Division will provide barricades and traffic cones to facilitate the road closures, and volunteers will staff them. Public Works staff will place electronic message board signs along the major routes a day prior to the race and on race day. Additionally, event organizers will canvass the area in order to notify residents of the event. Event organizers have also obtained permission from the Ames Middle School to stage the event at its facility.

**ALTERNATIVES:**

1. Approve the road closures as requested by the India Cultural Association.
2. Deny the requests from the India Cultural Association and direct staff to work with organizers to find an alternate location for the event.



**CITY MANAGER'S RECOMMENDED ACTION:**

Zero Hunger Run/Walk was successfully held last year at Ada Hayden Heritage Park. Organizers have expressed a desire to expand the route to make the event more fun for racers. ICA presented several route options and the selected route reduces the number of residents affected by the race. City Council approval is necessary for this event to occur as planned.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the various road closures as requested by the India Cultural Association.



**India Cultural Association of Central Iowa**

P.O. Box 1183 Ames, IA 50014-1183

Email: [icalowa@gmail.com](mailto:icalowa@gmail.com)

Ph: +1 515 599 0422

Anand Balasubramanian  
Secretary  
India Cultural Association of Central Iowa

February 19, 2019

Subject: 2019 ICA Zero Hunger Run/Walk

Dear Members of Ames City Council,

I'm writing on behalf of "India Cultural Association of Central Iowa" to request permissions to use city streets to conduct the 2019 ICA Zero Hunger Run/Walk 5K on May 18, 2019.

The mission of "India Cultural Association of Central Iowa" is to bridge various cultures within the Ames community. We do so by conducting several fun and educational cultural events through the course of the year. So far in 2018-2019, we have conducted several fund raising events (examples: Chai Tunes concert, 2019 new year celebration) in Ames and have raised over ~\$4,000 to support organizations such as the local food bank and the American Red Cross.

One another such event that we would like to organize on Saturday, May 18, 2019 is a 5K run with the goal of raising money (estimated \$1,000) towards the local food bank. We conducted a similar run last year at Ada Hayden and had around 30 participants. This year, we aim to have around 100 participants in the race. It is our intention to make this event an annual event.

The 5K run we aim to organize will be on the same route as the Run for the Roses 5K Run. It would start and end at the Ames Middle School on Mortenson. We have procured permissions from the school to use their facilities for the event and we have also procured insurance to cover the event.

In the interest of the safety of runners, we would also like to request permissions to close State Avenue for an hour and half from 8:00 AM - 9:30 AM. We would place barricades at 1) Mortenson & State, and at 2) Letti & State. We also plan to have cones 5 feet from edge of road at Hayward, Knapp, and Arbor.

Please feel free to reach out to me with any questions or concerns. We look forward to the council's decision.

Thanks & Best Regards,

  
Anand Balasubramanian

ITEM # 11a  
DATE: 02/26/19

## **COUNCIL ACTION FORM**

**SUBJECT: POLAR BEAR PLUNGE REQUESTS**

### **BACKGROUND:**

The Greek Week Committee has submitted plans to host its Polar Bear Plunge beginning at 4:00 p.m. on Friday, April 5. During the event, members of the Iowa State Greek Community will plunge into an above-ground pool in support of the Special Olympics of Iowa. The Committee is proposing the Plunge take place north of the Greek Triangle along Sunset Drive. To facilitate the event, a portion of Sunset Drive and the eastern portion of Pearson Avenue along the Greek Triangle need to be closed and parking regulations suspended from 10:00 a.m. to 11:00 p.m. on April 5. A temporary obstruction permit is also requested for the closed area.

Organizers will arrange to rent a hydrant meter from the Water Department to minimize the time needed to fill the pool. At the conclusion of the event, the water will be drained into the adjacent storm sewer. Organizers have informed staff that certified lifeguards with first aid training will be present.

The organizers will notify the affected residents about the closures and their event by canvassing the area and by placing signs in the affected area prior to the event. No Parking signs will be placed in the affected area no later than 5:00 p.m. on Thursday, April 4.

### **ALTERNATIVES:**

1. Approve the requests as indicated above for Polar Bear plunge on Friday, April 5.
2. Deny the requests.

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

The Polar Bear Plunge is a student-run event at Iowa State that highlights the fraternities and sororities and their contributions to the community. Funds raised from the event will go towards Special Olympics Iowa.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the requests as indicated above for Polar Bear plunge on Friday, April 5.

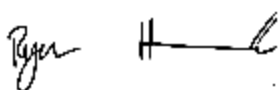
Greetings Ames City Council,

My name is Ryan Hunwardsen and I am the Greek Week Central 2019 Logistics Director. This letter is to request for street closures on Sunset Drive for our annual Greek Week Polar Bear Plunge. We will be holding our annual Greek Week Polar Bear Plunge in the South Campus residential community on Friday, April 5<sup>th</sup> from 4:00pm till 8:00pm and ask for your consideration in closing down the affected streets.

Friday, April 5<sup>th</sup> will be the annual Greek Week Polar Bear Plunge starting at 6:00 PM. We are seeking your permission to erect barricades to and close a section of Sunset Drive and Pearson Avenue starting Thursday, April 4<sup>th</sup> at 6:00 am and ending at 12:00 am of Saturday, April 6<sup>th</sup>. This will allow us enough time to set up our pool, host the event, and then tear down the pool. Additionally, we would like to request that parking regulations be suspended from 10:00 am to 11:00 pm on Friday, April 5. We will be erecting and getting our plunge pool certified on Thursday in time for Friday's activities. The affected portion of road is the section of Sunset Drive in front of the Greek Triangle City Park and the eastern section of Pearson surrounding Greek Triangle City Park. The affected sections can be seen on the included map on the back of this letter.

We ask that the council grant us permission for the above road closures in order for us to host our annual Polar Bear Plunge in the heart of our Sorority and Fraternity Community. If you have any questions, concerns, or issues, I would ask that you please contact myself or one of the Executive Directors for Greek Week; we have listed our information below. Thank you for your consideration!

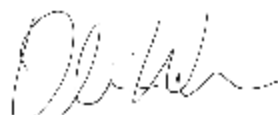
Best Regards,



Ryan Hunwardsen  
952.457.3024  
Logistics Director



Jessie Glanz  
563.608.4097  
Executive Director



Olivia Weaver  
515.230.2589  
Executive Director

ITEM # 11b  
DATE: 02-26-19

**COUNCIL ACTION FORM**

**SUBJECT: REQUESTS FOR GREEK WEEK OLYMPICS 2019**

**BACKGROUND:**

The Greek Week Committee has submitted plans to host its Greek Week Olympics on Saturday, April 6. To facilitate this event, organizers have requested closure of the following streets from 6:00 a.m. to 6:00 p.m. on April 6: Sunset Drive; Ash Avenue from Gable Lane to Knapp Street; Gray Avenue from Gable Lane to Greeley Street; Greeley Street; Pearson Avenue from Sunset to Greeley; and Lynn Avenue from Chamberlain to Knapp.

To clear these streets of parked vehicles prior to the commencement of activities, event organizers will post "No Parking" signs around 5 p.m. on Friday, April 5 until each street has re-opened after the activities. A blanket Temporary Obstruction Permit has also been requested.

Several single-family homes are located along the closed streets. The organizers will notify the affected residents about the closures by canvassing the area and distributing a notification letter. Insurance for this event is provided through the University.

**ALTERNATIVES:**

1. Approve the requests as indicated above for the Greek Week Olympics.
2. Deny the requests.

**MANAGER'S RECOMMENDED ACTION:**

Greek Week is an annual student-run event at Iowa State that highlights the fraternities and sororities and their contributions to student life. It is highly dependent upon City approval of street closures and parking prohibitions so it may occur in a safe and smooth manner.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the requests shown above for the Greek Week Olympics.

**gw** Iowa State University  
Greek Week 2019

0355 Memorial Union  
Ames, Iowa 50011  
(515) 294-1023

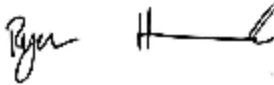
Greetings Ames City Council,

My name is Ryan Hunwardsen and I am the Greek Week Central 2019 Logistics Director. This letter is to request for street closures around the South Campus residential community for our annual Greek Olympics. We will be holding our annual Greek Week Olympics in the South Campus residential community on Saturday, April 6th from 10:00am till 5:00pm and ask for your consideration in closing down the affected streets.

Saturday, April 6th will be the annual Greek Week Olympics. Starting at 6:00 AM, Greek Week Central is seeking your permission to erect barricades to block traffic off in the neighborhood. These barricades are for the safety of our participating members. These streets include: Ash Ave, Lynn Ave, Sunset Drive, Gray Ave, Greeley Street and Pearson Ave. These can be seen on the included map on the back of this letter. We will have student volunteers monitoring the barricades at all times to ensure the safety of all participants.

We ask that the council grant us permission for the above road closures in order to help ensure the safety of all participants. If you have any questions, concerns, or issues, I would ask that you please contact myself or one of the Executive Directors for Greek Week; we have listed our information below. Thank you for your consideration!

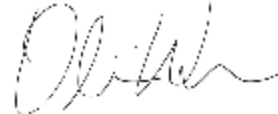
Best Regards,



Ryan Hunwardsen  
952.457.3024  
Logistics Director



Jessie Glanz  
563.608.4097  
Executive Director



Olivia Weaver  
515.230.2589  
Executive Director

**COUNCIL ACTION FORM**

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

**BACKGROUND:**

The Electric Utility's two natural gas-fired, high-pressure steam generation units in the City's Power Plant are referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of emergency service, as well as regularly scheduled planned repairs and services during scheduled outages. Services include a large variety of boiler and pressure vessel maintenance and repairs, structural steel, pump and piping work, and other miscellaneous mechanical Power Plant work.

Due to these operational conditions, numerous valves are used to operate the Power Plant. These include isolation, control, check, relief and safety valves which must be professionally repaired, tested, installed, replaced and maintained. Specially trained personnel perform this work.

On June 26, 2018, Council approved the contract renewal with Pioneer Industrial Corp, Hastings, NE, for the Valve Maintenance, Related Services and Supplies Contract for the one-year period from July 1, 2018, through June 30, 2019, in the amount not-to-exceed \$60,000.

**The action being requested is to approve Change Order No. 1 to the Valve Maintenance Services Contract.** This change order will add an additional \$16,000 to the current contract for FY2018/19. This will bring the total contract amount to \$76,000.

This Change Order is needed to increase the amount of funds in the current fiscal year primary contract. **The work on this contract was greater than staff originally anticipated. As a result, additional funds are needed to insure that enough money is available for the remaining part of this contract term.**

The approved FY2018/19 Power Plant operating budget includes \$60,000 for these services. The additional funding needed to cover this change order will come from the Building Maintenance account located in the FY2018/19 Power Plant operating budget.

Invoices will be based on contract rates for time and materials for services that are actually performed. Therefore, the additional funds authorized in this change order will not be spent unless needed.

**ALTERNATIVES:**

1. Approve contract Change Order No. 1 with Pioneer Industrial Corp, Hastings, NE, for the Valve Maintenance, Related Services and Supplies Contract in the not-to-exceed amount of \$16,000. This will bring the total FY2018/19 contract value to a not-to-exceed amount of \$76,000.
2. Do not approve the change order.

**CITY MANAGER'S RECOMMENDED ACTION:**

This change order is necessary to insure there is enough funding available for any work needed for the remaining part of the current contract term. 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 # 13  
 DATE: 02-26-19

**COUNCIL ACTION FORM**

**SUBJECT: 2016/17 CYRIDE ROUTE PAVEMENT IMPROVEMENTS (S. 3<sup>RD</sup> / 4<sup>TH</sup> STREET)**

**BACKGROUND:**

This annual program makes pavement improvements to streets that are or were bus routes but were not originally designed for heavy bus traffic. With these streets used as bus routes, accelerated deterioration of the street surface has occurred. Pavement improvements restore street sections to carry higher traffic volumes and reduce maintenance needs, prolonging their useful life. **The location for this project was South 3<sup>rd</sup> Street from Grand Avenue to South Duff Avenue and South 4<sup>th</sup> Street from Squaw Creek to Grand Avenue.**

On March 7, 2017, City Council awarded this project to Manatt's, Inc. of Ames, Iowa in the amount of \$2,495,582.55. Two change orders were approved throughout construction. The first change order was a reduction for minor quantity adjustments in the amount of \$1,800. The balancing change order, a reduction in the amount of \$304,187.22, was approved by City Council at its February 13, 2018 meeting. These change orders bring the final construction cost to \$2,189,595.33.

Final revenues and expenses for this program are shown below:

**Expenses**

Design (consultant)	\$ 164,350
Construction	2,189,595
Electric Relocation	8,817
Radar Detection Equipment	39,570
Engineering/Admin/Insp	273,569
<b>Total</b>	<b>\$2,675,901</b>

<b><u>Revenues</u></b>	<b><u>Funding</u></b>	<b><u>Allocated Costs</u></b>
G.O. Bonds	675,000	587,905
Project STP Funds	1,292,000	1,292,000
Project Road Use Tax	555,000	555,000
Electric Funds	50,000	8,817
2016/17 Accessibility Enhancement – L.O.S.T.	54,719	0
2016/17 Accessibility Enhancement – Road Use Tax	20,911	0
2016/17 Shared Use Path Maintenance – L.O.S.T.	75,000	0
Sanitary Sewer Utility Funds	140,000	98,450
Storm Sewer Utility Funds	185,000	133,729
<b>Total</b>	<b>3,047,630</b>	<b>2,675,901</b>

**ALTERNATIVES:**

1. Accept the 2016/17 CyRide Route Pavement Improvements (S. 3<sup>rd</sup> / 4<sup>th</sup> Street) project as completed by Manatt's, Inc. of Ames, IA in the amount of \$2,189,595.33.
2. Direct staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

The project has now been completed in accordance with the approved plans and specifications, making roadway pavement performance improvements while also providing new bicycle and bus facilities.

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

**COUNCIL ACTION FORM**

**SUBJECT: REQUESTS FOR AMES PRIDEFEST**

**BACKGROUND:**

Ames Pride, a non-profit organization dedicated to building community for LGBTQIA+ people in the City of Ames, is proposing to host its third annual Ames Pridefest from 12:00 noon to 9:00 p.m. on Saturday, September 7. Ames Pridefest is an all-ages and family-friendly event featuring various vendors, entertainment, and food trucks. An estimated 2,000 people are anticipated to attend.

To facilitate this event, Ames Pride has requested the following for Saturday, September 7:

- Closure of Fifth Street from Kellogg to alley east of Adams Funeral Home and closure of the 400 and 500 Blocks of Douglas Avenue from 4:00 a.m. to 11:00 p.m.
- A blanket Temporary Obstruction Permit
- A blanket Vending License and waiver of the fee (\$50 loss to the City Clerk's Office)
- Closure of 613 metered parking spaces in the downtown district and a waiver of fees

**The Council should note that the waiver of metered parking fees for this event was confined to the event location last year. This year Ames Pride has requested a Free Parking Day for the entire Downtown. To staff's knowledge, the only times Council has granted free parking for all of Downtown was for area-wide events sponsored by the Ames Main Street. Should Council choose to waive the fees for all Downtown meters, this would be the first time Council had approved this request for a smaller, more limited event.**

The waiver of parking meter fees for all 613 meters Downtown is expected to result in a loss of \$1,379.25 to the Parking Fund (\$50/hour \* 50% estimated utilization \* 613 downtown \* 9 metered hours). In contrast, the waiver for only those meters along the closed streets would be \$168.75.

Ames Main Street has submitted a letter in support of the event. The organizers will notify affected businesses and residents about the event by canvassing the area and will place signs in the affected area prior to the event. Organizers will also obtain a noise permit from the Police Department for this event.

## **ALTERNATIVES:**

1. Approve the requests for Ames Pridefest on Saturday, September 7, but waived metered parking only in the event location. This would result in a loss of \$168.75 to the Parking Fund ( $\$.50/\text{hour} * 50\% \text{ estimated utilization} * 75 \text{ downtown} * 9 \text{ metered hours}$ ). This would also include a waiver of fees for vending and parking.
2. Approve the requests for Ames Pridefest on Saturday, September 7, as requested by Ames Pride, for all 613 meters Downtown. This request also includes a waiver of fees for vending and parking.
3. Approve one of the alternatives shown above, but require reimbursement for the vending license and parking meter fees.
4. Do not approve the requests.

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

Ames Pridefest encourages the community to come together to support LGBTQIA+ people and families. This event also furthers the City Council's goal of promoting a sense of one community by adding diversity to the downtown district. The organization held a successful event last fall. **This is the first special event except for those area-wide events held by Ames Main Street where Council is being asked to waive the fees for all meters in the Downtown. The approval of this request might set a precedent for other organizations, which could negatively affect the parking fund.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests for Ames Pridefest on Saturday, September 7, but with parking fees waived only for the 75 metered spaces along the closed streets. Under this alternative the vending fee would also be waived.



1501 Illinois Avenue  
Ames, IA 50014  
Facebook Twitter Instagram @prideames  
www.amespride.org  
chair@amespride.org

TO: Mayor Haila & Ames City Council  
FROM: Ames Pride & Ames Pridefest Planning Committee  
DATE: January 15, 2019  
SUBJECT: Ames Pridefest Street Closures and Fee Waiver Request

Mayor Haila and Ames City Council Members:

It is with great pleasure that we announce September 7, 2019 as the date for the 3rd Annual Ames Pridefest. Ames Pride, a non-profit organization, was established in 2017 and gained recognition as having 501(c)3 status by the IRS in early 2018. The purpose of Ames Pride is to build community, provide educational opportunities, and advocate for equity in our community and specifically for LGBTQIA+ people. Ames Pridefest is our signature event and serves to highlight visibility and community for LGBTQIA+ people and allies in Ames and our local area.

Our inaugural Pridefest, in October of 2017, was attended by 400+ people in Bandshell Park. It was a great success despite significant rain and thunderstorms. For Ames Pridefest 2018, City Council approved the closure of Douglas Avenue from Main Street to 6<sup>th</sup> Street, including the 5<sup>th</sup> Street and Douglas Avenue intersection. As we outgrew our festival grounds, Ames Pridefest 2019 is requesting to close Douglas Avenue from Main Street to 6<sup>th</sup> street as well as 5th Street between Kellogg and the alley east of Adams Funeral Home. This allows our festival to include more vendors (community groups, food, etc) and portable toilets to better serve our attendees. Public access to businesses, including the Ames Public Library, would continue to be unobstructed as normal via public sidewalks. Our festival will not be fenced off, except for the street closures, and the event will be free for the public.

Our organization would also request that the City Council approve a waiver of associated fees for the closure of metered parking spaces and the blanket vending license. Ames Pridefest 2019 would like to put as much of our sponsorship monies to education and entertainment as possible. We also request that the City Council approve a Free Parking Day for all of the public parking meters in Downtown Ames. Ames Pridefest 2019 would like to encourage as many people as possible to spend their entire day in Downtown Ames. We believe free parking at all meters will make this possible as it was requested/suggested by several attendees of Ames Pridefest 2018.

In addition, we would like to request the approval of 4-6 temporary accessible parking spaces in Lot Q, north of Ames Public Library. With our street closure, we take away several accessible spots in front of the library and had folks ask to add more for library patrons and festival attendees.

We are excited about the prospects for this year's festival! We hope to see many of you at our event and look forward to seeing how our organization can partner with the City of Ames in the future.

In Pride,

Tara Andrews & Mara Spooner  
Co Chairs | Ames Pridefest 2019



February 15, 2019

Mayor and City Council  
City of Ames  
515 Clark Ave  
Ames, IA 50010

Dear Mayor Hala and Members of the Ames City Council,  
Ames Main Street supports the closure of Douglas from Main Street - 6th Street and 5th Street from Kellogg to Duff for the 2019 Ames Pride Festival, which will be held September 7th, 2019. This is a unique event that celebrates diversity, accessibility and inclusiveness. By bringing residents to Downtown Ames for attractions such as this, Ames Main Street is able to fulfill its mission as a Main Street Iowa community and create an culturally and economically vibrant downtown with unique living, dining, and entertainment experiences.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristin M Roach', written over a light blue horizontal line.

Kristin M Roach  
2019 President, Ames Main Street Board

**COUNCIL ACTION FORM**

**SUBJECT:** TEXT AMENDMENT REQUEST TO ALLOW BEDROOMS IN PROGRESS TO COUNT TOWARD OCCUPANCY

**BACKGROUND:**

During the 'Disposition of Communications to Council' discussion at the Council meeting on January 8, 2019, the City Council discussed the January 2, 2019 letter from Mr. Al Warren regarding his ability to add bedrooms in a capped neighborhood. Council discussed changing code language and ultimately referred it back to staff in the following motion:

*Moved by Gartin, seconded by Corrieri, to refer this item to city staff to provide us with options and to place on a future agenda.*

*Vote on the Motion: 5-1. Martin voting nay.*

In memos to Council sent in May 2018 and January 2019, staff indicated that a text amendment would be the only way Mr. Warren could increase his maximum occupancy. The code currently reads as follows:

***Sec. 13.503(4) Limits based on Zoning District – Maximum Occupancy***

***(e) The maximum occupancy for a single-family or at two-family dwelling unit shall be based upon compliance with all standards of the Code, including but not limited to parking spaces, area requirements, habitable space requirements, and the following:***

- i) Three adult occupants for one, two and three bedroom dwelling units.***
- ii) One adult occupant per bedroom, with a maximum of five adult occupants, for dwelling units with four or more bedrooms.***

***(iii) For rental dwelling units located within the Near Campus Neighborhoods and that are registered as of January 1, 2018, the number of bedrooms for determining maximum occupancy shall be determined by the number of bedrooms listed in the records of the Ames City Assessor as of January 1, 2018, or by the number of bedrooms reflected in the inspection records of the City of Ames Inspections Division as of January 1, 2018, whichever number is higher.***

***(iv) For rental dwellings for which a registration is being sought after January 1, 2018, the number of bedrooms for determining maximum occupancy shall be determined by an inspection by the Inspections Division.***

Mr. Warren's property at 2334 Storm Street is located in the SCAN neighborhood which is listed as a Near Campus Neighborhood in Resolution 18-242 adopted on 4/24/18. The code language in bold above freezes the number of occupants to what was allowed on 1/1/18. It does not prohibit bedrooms from being added. Rather, it prohibits those additions from counting toward the allowed occupancy. Neighborhoods outside of the Near Campus Neighborhoods

have the same occupancy limitations, but are not prohibited from increasing their allowed occupants by adding legal bedrooms.

**In November of 2015, Mr. Warren demolished the existing home and constructed a new home on the property at 2334 Storm Street. The home was constructed with three finished bedrooms on the main floor. At the time of construction, the occupancy ordinance limited the number of unrelated occupants to three people so the layout was designed to accommodate three unrelated people.**

**Mr. Warren's building plan showed two egress windows in the basement (one more than what is required for new construction), but no formal bedrooms. A note on the approved permit states, "This permit includes (1) bathroom finished in the basement & no other basement finishes."**

Mr. Warren has stated that his intent was to add bedrooms in the basement if the occupancy regulations changed in a way that would allow him more than three occupants. Until that time, he felt it was better to not have bedrooms there because it could encourage over-occupancy. **At this time, there have been no additional permits submitted to construct the bedrooms in the basement.**

**Mr. Warren would like to be able to finish the bedrooms in the basement and have them count toward his maximum occupancy. This would change the allowed number of occupants to a total of five, two more than what he is currently allowed.** He proposed the following text amendment in his January 2, 2019 letter to Council:

*Anyone who was in the process of adding bedrooms, with the City of Ames Inspection Department, when the moratorium began, may finish these bedrooms and have them count towards occupancy.*

Staff is unaware of any other property owners in a similar situation as Mr. Warren. However, if Council is interested in a text amendment, they should consider the possibility of other owners requesting the same exception. If this language is used, the burden of proof will be on the property owner to show that they were "in the process" of adding bedrooms. Under the proposed language, it will be difficult for staff to verify the property owner's claim. **In fact, based on the materials on file for Mr. Warren's house, staff is unable to determine that he was "in process" because there are no records showing the intent to establish bedrooms in the future.**

If Council is considering a text amendment, it would be helpful for staff to have direction on what "in process" means when drafting the language. Options to determine if someone is "in process" could include the application of a building permit for additional bedrooms, dated plans with bedrooms on it, any written correspondence with City staff regarding the addition of bedrooms, a dated construction bid from a contractor, or other additional information as determined by Council.

In addition to determining if someone is "in process", staff recommends including language about when the applicant needed to be in process and establishing a timeframe for which applications would be accepted (E.g., one month from the effective date of this ordinance). January 1, 2018 would be an appropriate date for which someone would be required to show they were "in process," since this is the date that the bedroom counts were frozen. Additional dates include October 27, 2017 (when the moratorium went into effect) or April 24, 2018 (when



the occupancy standards were set placing the cap on properties in the Near Campus Neighborhoods.)

On February 20, 2019, Mr. Warren met with staff to propose an alternative solution that would allow the Building Official to approve a Code Modification Request. Sec. 13.103(1) of the Municipal Code addresses Modifications:

**13.103 Approvals.**

**(1) Modifications.** *Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Building Official shall have the authority to grant code modifications for individual cases, provided the Building Official shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, life and fire safety requirements. The details of action granting code modifications shall be recorded and entered in the Inspection Division records.*

Mr. Warren's opinion is that the short period of time in which Council decided to freeze occupants and tie the occupancy rate to the number of bedrooms created a practical difficulty. Had there been more time before the code changed, he would have had a chance to finish the bedrooms he had planned to create. He also feels that the new code language is intended to limit the number of occupants in an area and that allowing two additional occupants in his home does not have enough of an effect on the neighborhood that it would go against the intent of the code.

Staff has reviewed the code section in regards to this situation and does not feel that the intent of the code would be upheld if approved. The code change was intended to limit properties from being expanded to increase the number of allowed occupants. Approval of this modification would do the opposite of what was intended by increasing the allowed occupants to five at this property. The property is currently in compliance so staff is unable to determine that compliance is impractical.

**ALTERNATIVES:**

1. **Deny** the request for a text amendment, keeping the existing code in place. Under this alternative, Mr. Warren would not be able to add additional occupants.
2. Direct staff to draft a text amendment that would allow **only** Mr. Warren's property at 2334 Storm Street to increase occupants with the addition of two bedrooms.
3. Direct staff to draft a text amendment similar to Mr. Warren's request that would allow **anyone who was "in process"** of building additional bedrooms to qualify for the exemption. If this alternative is preferred, Staff would need Council to address the following questions to guide them in drafting the ordinance:
  - a. **What criteria** will be used to determine that someone is "in process"? Criteria may include the application of a building permit for additional bedrooms, dated plans with bedrooms on it, any correspondence with City staff regarding the addition of bedrooms, and a dated construction bid from a contractor.

- b. **When** did the applicant need to be “in process”? At the beginning of the moratorium? On January 1, 2018 when occupancy was frozen?
- c. What is the appropriate **window of time** for which these requests would be accepted?

Example: “Anyone that was in the process of adding bedrooms prior to the bedroom counts being frozen (January 1, 2018) may apply to the Inspection Division, within 30 days of the effective date of this ordinance, to have their bedrooms counted for occupancy purposes. In process means having an approved building permit dated prior to 1/1/18.”

(The underlined text above are examples and not necessarily recommendations.)

### **CITY MANAGER’S RECOMMENDED ACTION:**

The question before the City Council is whether or not to create an exception to allow additional bedrooms to be completed and used in determining occupancy after January 1, 2018 as requested by Mr. Warren. Staff is not aware of any other rental property owners who would request this same exemption.

Since it would be difficult for staff to determine that Mr. Warren was “in process” because there are no records showing the intent to establish bedrooms in the future, it is the recommendation of the City Manager that the City Council support Alternative #1, thereby denying the request to amend the rental code to allow bedrooms to be added in capped neighborhoods so as to count towards increased occupancy.

ITEM#: 17  
DATE: 02-26-19

## **COUNCIL ACTION FORM**

**SUBJECT: POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE**

### **BACKGROUND:**

City Council directed that amendments be made to the Post-Construction Stormwater Management Ordinance (Chapter 5B - Municipal Code) during the February 12, 2019 meeting. **The revisions include revising the timing of the financial security to be prior to Final Occupancy, clarifying the verbiage of the financial security section, revising the definition of redevelopment, and relaxing the impervious threshold for initiating the ordinance requirements for redevelopment activity to one acre (see attached revised ordinance).**

**Several development/re-development plans are said to be on hold until this amended ordinance is adopted, therefore a request to do all three readings in one City Council meeting has been included in the alternatives, shown below.**

### **ALTERNATIVES:**

- 1a. Approve first passage of the Post-Construction Stormwater Management Ordinance, as amended.
- b. Waive second and third passages and adopt the Post-Construction Stormwater Management Ordinance, as amended.
2. Approve first passage of the Post-Construction Stormwater Management Ordinance, as amended (holding second and third passage at future meetings).

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

Information regarding the City's Post-Construction Stormwater Management Ordinance (Chapter 5B) was presented at a number of City Council meetings and workshops. Stakeholder input was solicited by staff and also received by City Council through communications sent to Council and public input at the Council meetings. City Council then directed that these changes be made to the ordinance.

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

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTIONS 5B.1(8), 5B.2(1) (“Redevelopment”), AND 5B.5(1) AND ENACTING NEW SECTIONS 5B.1(8), 5B.2(1) (“Redevelopment”), AND 5B.5(1) THEREOF, FOR THE PURPOSE OF SUPPORTING ECONOMIC REDEVELOPMENT; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sections 5B.1(8)(a), 5B.2(1) (“Redevelopment”), and 5B.5(1)(a) and enacting new Sections 5B.1(8), 5B. 2 (“Redevelopment”), and 5B.5(1) as follows:

**“CHAPTER 5B  
POST CONSTRUCTION STORMWATER MANAGEMENT**

...

**Sec 5B.1. GENERAL PROVISIONS**

...

(8) This ordinance shall be applicable to all development and redevelopment applications meeting the minimum square foot applicability criteria of 5B.1(8)(a) and 5B.1(8)(b), unless eligible for an exemption or granted a waiver by City under Section 5B.4 of this ordinance. The ordinance also applies to land disturbance activities that are smaller than the minimum square foot applicability criteria specified in 5B.1(8)(a) and 5B.1(8)(b) if such activities are part of a larger common plan of development or redevelopment that meets the minimum square foot applicability criteria of 5B.1(8)(a) and 5B.1(8)(b), even though multiple separate and distinct land development activities may take place at different times on different schedules:

(a) City stormwater requirements must be met for a development application to be approved. City stormwater requirements apply to any new development disturbing one (1) acre or more of land or to any development disturbing less than said acreage of land if the amount of impervious cover created exceeds 10,000 square feet. New development includes any new residential, commercial, or industrial subdivision or individual site improvement requiring a site development plan. The following activities are exempt from this ordinance:

- (i) Any agricultural activity.
- (ii) Additions or modifications to an existing single family property.
- (iii) Storm Water Management Design standards do not apply to any area within a 1,000-foot distance from any City of Ames drinking water well located in the Southeast Well Field and Youth Sports Complex Well Field. In these specific areas, developments will need to meet requirements for storm water quality-based treatment or a combination of quantity- and quality-based treatment, as approved by both the Director of Public Works and the Director of Water and Pollution Control.

(b) City stormwater requirements must be met for a redevelopment application to be approved. City stormwater requirements apply to redevelopment creating one (1) acre or more of impervious cover.

...

**Sec 5B.2. Definitions**

...

“**Redevelopment**” means land disturbance activity in areas where existing land use is commercial, industrial, institutional, or residential.

...

**Sec 5B.5. FINANCIAL SECURITY AND PERFORMANCE BOND**

(1) City shall require the submittal of an installation financial security or bond prior to issuance of final Certificate of Occupancy in order to insure that the stormwater BMPs are installed as required by the approved stormwater management final plan:

(a) The amount of the installation financial security or bond shall be the remaining estimated construction cost of the stormwater BMPs approved in the stormwater management plan. The installation financial security or bond shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan.

(b) The installation financial security or bond shall be released in full only upon submission of "as built plans" of all stormwater BMPs specified in the stormwater management plan and written certification by a Licensed Professional Engineer or Professional Landscape Architect or person credentialed in a manner suitable to the city that the stormwater BMPs have been installed in accordance with the approved stormwater management final plan and other applicable provisions of this ordinance. City will make a final inspection of stormwater BMPs to ensure compliance with the approved stormwater management plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the installation financial security or bond based on the completion of various development stages can be made at the discretion of the Municipal Engineer.

... "

Section Two. Violation of the provisions of this ordinance shall be enforced under the penalties provided in Ames Municipal Code section 5B.8.

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

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

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

	<b>OLD CAF</b>
ITEM#:	<b>9-18</b>
DATE:	<b>01-22-19</b>
	<b>02-26-19</b>

## COUNCIL ACTION FORM

**SUBJECT: NORTH RIVERSIDE DRIVE PARKING ORDINANCE**

### **BACKGROUND:**

Over the past several months, staff have received a number of complaints about parking along N. Riverside Drive (Lincoln Way to N Russell Avenue). Staff's review of the existing parking ordinances in Sections 18.31 and 18.33 of the *Municipal Code* **found that no restrictions are currently in place for N. Riverside Drive**. According to current roadway and emergency standards, the existing 31' width of N Riverside Drive should only allow for parking on one side of the street. In order to create the most available room for parking, staff is **recommending prohibiting parking along the east side of N. Riverside Drive**. This allows parking along the west side of N Riverside Drive which has no driveways.

**A letter was sent to adjacent properties** along N. Riverside Drive on December 17, 2018, to receive feedback on this proposed ordinance. Out of 33 letters sent, no responses were received. The lack of responses is likely due to a high number of rental properties in the area. Another notice will be sent to the neighborhood when the first reading of the ordinance is scheduled for City Council consideration.

### **ALTERNATIVES:**

1. Direct the City Attorney to draft an ordinance that prohibits parking at all times on the east side of North Riverside Drive.
2. Do not make any ordinance changes at this time.

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

By directing legal staff to make an ordinance update, it will be possible to improve safety for our traffic system and the residents in this area. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ITEM#: OLD CAF  
10 18  
DATE: 01-22-19  
02-26-19

## COUNCIL ACTION FORM

**SUBJECT: HARRIS STREET PARKING ORDINANCE**

### **BACKGROUND:**

Over the past several months, staff have received multiple complaints about parking along Harris Street (Wellons Drive to Dotson Drive). Staff's review of the existing parking ordinances in Sections 18.31 and 18.33 of the *Municipal Code* has found that **no restrictions are currently in place for Harris Street**. According to current roadway and emergency standards, the existing 26' and 31' widths of Harris Street only allow for parking on one side of the street. To be consistent with the current ordinance standards and considering the location of existing fire hydrants on the north side, staff is **recommending prohibiting parking along the north side of Harris Street**.

**A letter was sent to adjacent property owners and residents** along Harris Street on December 10, 2018, to receive feedback on this proposed ordinance. Out of 70 letters sent, two responses were received; they both were in favor of the proposed ordinance. No responses were received opposed to the proposed ordinance. The lack of responses is likely due to a high number of rental properties in the area. Another notice will be sent to the neighborhood when the first reading of the ordinance is scheduled for City Council consideration.

### **ALTERNATIVES:**

1. Direct the City Attorney to draft an ordinance that prohibits parking at all times on the north side of Harris Street.
2. Do not make any ordinance changes at this time.

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

By directing legal staff to make the ordinance update, it will be possible to improve the safety for our traffic network and the residents in this area. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No.1, as noted above.

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 18.31(375) AND 18.31(376) THEREOF, FOR THE PURPOSE OF PARKING REGULATIONS ON NORTH RIVERSIDE DRIVE AND HARRIS STREET 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 new Sections 18.31(375) and 18.31 (376) as follows:

**“Sec. 18.31. REGULATIONS FOR SPECIFIC STREETS OR LOCATIONS.**

...

(375) **NORTH RIVERSIDE DRIVE.** Parking is prohibited at all times on the east side of North Riverside Drive.

(376) **HARRIS STREET.** Parking is prohibited at all times on the north side of Harris Street.”

...

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.

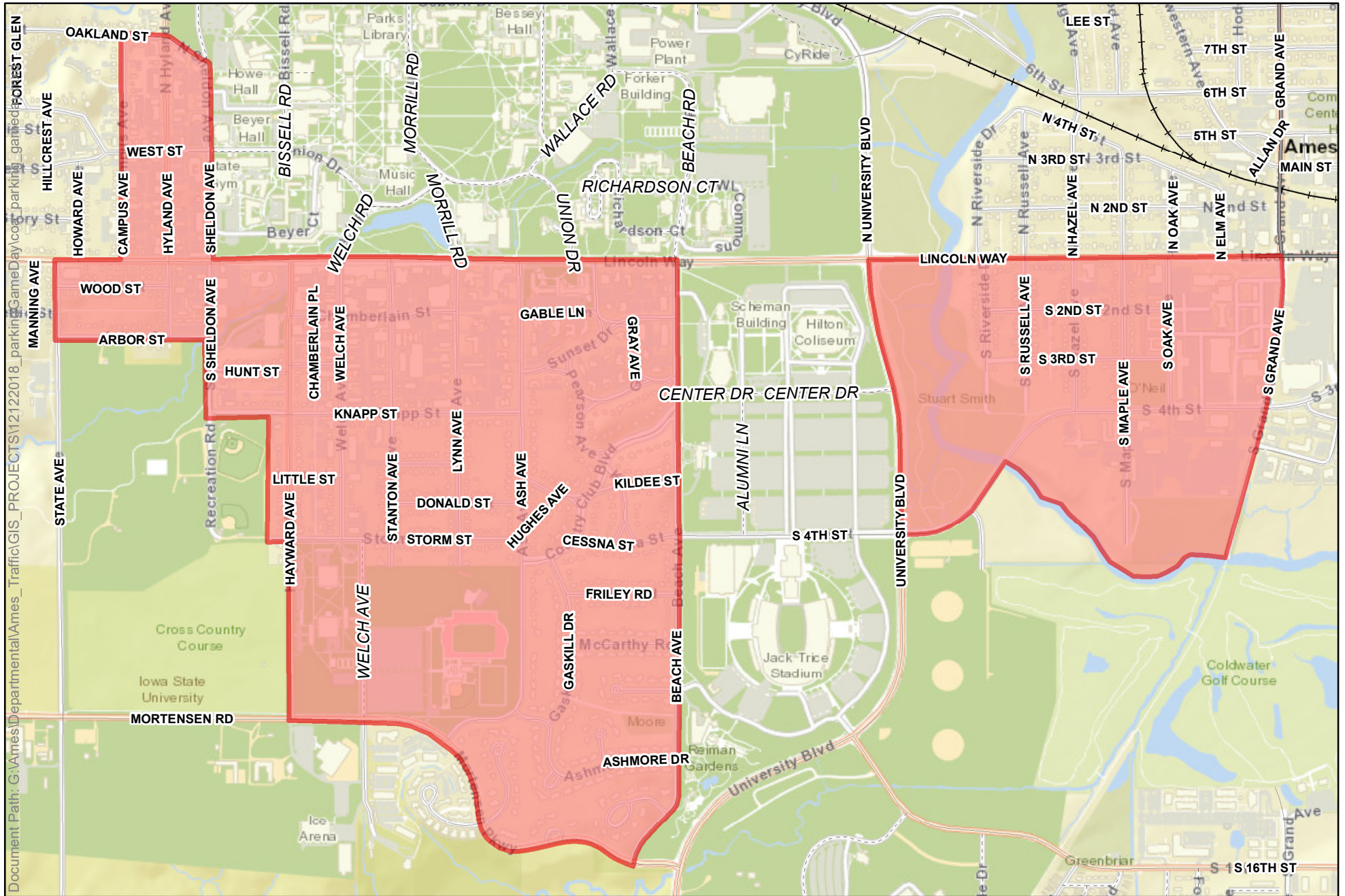
Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

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



# Game Day Parking Area Map



### Legend

Game Day Special Parking Penalty Zone

**COUNCIL ACTION FORM**

**SUBJECT: UPDATE ON PREPARATION OF ORDINANCE TO REGULATE SHORT-TERM RENTALS**

**BACKGROUND:**

On October 23, 2018, City Council first reviewed a conceptual regulatory framework for short term rentals regarding one and two-family homes. [The original report can be viewed at this link.](#) City Council requested additional information for review on November 13<sup>th</sup> regarding apartment dwellings and the hospital medical area of the City. On November 13, 2018, the City Council directed staff to proceed with drafting standards that would allow short-term rentals (STRs) within apartments dwellings and to proceed with the described licensing system of one and two-family homes. The proposed change to add apartments required review by the Planning and Zoning Commission as a substantive change to the proposed zoning ordinance text amendment before proceeding with finalizing an ordinance regulating STRs. **The City Council is now asked to review the Commission's recommendation and give direction on proceeding with finalizing the standards for a Short Term Rental Ordinance.**

The Ames Municipal Code changes necessary to address allowing short-term rentals are extensive, as these would be a new type of principal and accessory use within the Zoning Ordinance (Chapter 29), and would establish a new category of licensure, incorporated into a new Chapter of the *Ames Municipal Code* (Chapter 35). Clarifying text amendments for the new use are also included for the Rental Code.

As previously directed in prior reports, the new short-term rental types include: hosted home share; home share; bed & breakfast establishment; and vacation rental. In cases where the property owner is the primary resident, the short-term rental use may be considered as an accessory use to the use of a single-family dwelling as household living. The vacation rental is the exception as short term lodging, where it is considered a principal use because there is no primary resident requirement. A new definition for "primary residence" helps differentiate when a short-term rental would be considered as an accessory or principal use.

The current proposed STR regulations are summarized within Attachment A as a table. Proposed ordinance changes are included as Attachment B, and are summarized as follows:

- Short-term rental period is for 30 consecutive days or fewer.
- Occupancy limitations vary by unit type and are generally based on the number of guest bedrooms with a maximum number of adults allowed. Aligns with the Rental Code only for Vacation Rentals.
- The intent is for an administrative review and approval for Hosted Home Shares and Home Shares as accessory uses, and a Special Use Permit (approved by the Zoning Board of Adjustment) for Bed & Breakfast establishments and Vacation Rentals as a principal use.
- Annual licensing. An annual license is required. An annual license process would include an application fee for administration and inspection. In addition, vacation rentals

would have a one-time fee associated with obtaining a Special Use Permit and an annual fee for Rental Code registration. Licenses are granted to property owners.

- Fire Safety Requirements – Compliance with fire safety requirements of the Rental Code (means of egress and fire protection systems) is required of all short-term rental units. A checklist will be made available and applicants will be required to indicate compliance.
- Inspections – All applications would be subject to verification and inspection for compliance. Initial inspection would be limited to fire safety. Subsequent inspections would be at the discretion of the Enforcement Officer. Vacation rentals would at a minimum be subject to the Rental Code inspection frequency of 2-4 years of the Rental Code regardless of other licensing requirements.
- Renewal/Revocation Standards – The license to operate a short-term rental may be revoked if it is determined that the rental is operating inconsistent with the licensing standards or if there are verified complaints with notice of correction action regarding its operation. An appeal process to the Zoning Board of Adjustment is included the proposed changes.

The proposed regulations provide clear expectations with defined standards for the licensing and operating of a short-term rental, and if needed, enforcement or license revocation. The goal is to minimize possible negative impacts to surrounding residential properties and neighborhoods from the use of homes for transient guest stays.

### **Allowing STRs within Apartment Buildings**

The Zoning Ordinance classifies buildings that include three or more dwelling units, within the boundaries of one or more parcel (regardless of ownership pattern, including condominiums), as apartment buildings.

The originally proposed STR classification system did not include apartment units within the range of allowable types due to distinctions between household living and commercial lodging uses and concerns about occupancy levels with additional “guests.” Additionally, the potential complication of compliance monitoring of tenant relationships and guests is outside of the City’s normal scope of review for rental properties and is viewed as an obligation of the landlord. However, the City Council noted in its initiative to include apartments that they were already subject to Rental Code compliance and that allowing STRs would not necessarily require additional oversight by City staff as a permitted use.

Allowing for STR use within apartment dwellings would affect both residential and commercial districts that allow mixed-use developments with apartments. These are Community Commercial Residential (CCR), Downtown Service District (DSC), Campustown Service Center (CSC) and Downtown Gateway Commercial (DGC). Even though apartments are generally associated with higher density zoning districts, an inventory of January 2019 rental apartments in Ames indicates that even low density (RL) and medium density (RM & UCRM) districts include a number of existing rental apartments.

<u>Zone</u>	<u># of: Parcels</u>	<u>Units</u>	
RL-	32	152	(The majority of units are in 3-6 unit buildings [68%])
UCRM-	24	108	(The majority of units are in 3-6 unit buildings [75%])
RM / O-SFC-	36	207	(The majority of units are in 3-6 unit buildings [78%])
FS-RM & RM-	36	838	(The majority of units are in 12 unit or+ bldgs [98%])

Apartments are a non-conforming use within the RL zoning district. Apartments within the UCRM zoning district are permitted only as a pre-existing use and apartments within the RM zoning district are permitted, but restricted to 12 or less units per building. Within O-SFC, existing apartments are considered a conforming use, but construction of new apartments is restricted. Changes to the O-SFC are needed to recognize vacation rentals as an allowable principal use within an existing building.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Commission reviewed the proposed text amendment to allow STRs as an allowed use within all apartments at its January 16, 2019 meeting. The Commission reviewed the classification of STRs and licensing parameters from Council’s prior direction in November, information regarding the distribution of apartments, apartments as a nonconforming use, options for licensing and special use permits for apartments, and rental code applicability to apartments and landlords.

**The Commission made a unanimous recommendation of approval (5-0) for allowing apartment STRs with the following limitations:**

- Home Shares in rental apartments would be allowed as an accessory use in all zoning districts with no tenant or property owner license required. Oversight compliance would be the responsibility of the landlord with no license required.
- Vacation Rentals.
  - Prohibited within RL zoning district for nonconforming apartment building uses.
  - Allowed within all other zones by granting of one license to a property owner for the entire parcel or common development of apartment units.
  - Limit the number of units to the greater of one STR unit or up to 10% of the total number of units on a parcel or common development.
  - An exemption from a Special Use Permit to establish a Vacation Rental would be allowed in certain higher density zoning districts for rental apartments:
    - i. Exempt: RM, RH, FS-RM, NC, CCR, DSC, CSG, DGC.
    - ii. Non-exempt: A, RM / O-SFC, UCRM, RLP, F-VR, FS-RL, F-PRD, S-SMD.

**The Planning & Zoning Commission’s recommendations have been incorporated into the draft ordinance text attached. Attachment ‘A’ includes a “Summary of Relevant Standards for STRs” and Attachment ‘B’ the “Draft Text for the Ordinance.”**

**ALTERNATIVES:**

1. The City Council can direct staff to publish notice for a public hearing and finalize the attached draft text amendments as recommended by the Planning and Zoning Commission allowing short-term rentals as an accessory and principal use by dwelling type within the Ames Municipal Code Chapter 29 (Zoning), corresponding references within Municipal Code Chapter 13 (Rental Housing), and creating a new Municipal Code Chapter 35 (Short

Term Rentals), to include definitions, administration, licensing, standards, enforcement, and fees.

2. City Council can direct staff to modify the attached ordinances to allow STRs within apartments with different standards and publish notice for a public hearing and finalize the draft text amendments for allowing STRs as an accessory and principal use by dwelling type within the Ames Municipal Code Chapter 29 (Zoning), corresponding references within Municipal Code Chapter 13 (Rental Housing), and creating a new Municipal Code Chapter 35 (Short Term Rentals), to include definitions, administration, licensing, standards, enforcement, and fees.
3. The City Council can ask for alternative language for the proposed text amendments and direct staff to publish notice for a modified text amendment.
4. The City Council can request additional information and defer taking action.

**CITY MANAGER’S RECOMMENDED ACTION:**

It is important to consider how amendments to the current code will establish safeguards for both short-term providers and travelers, alleviate neighborhood concerns, and offer a framework that promotes compliance. The proposed change will potentially alter the character of zoning districts by introducing more options for transient guests than are currently allowed. In some cases, this could be detrimental to supporting neighborhoods and maintaining housing supply for household living, although the proposed allowances do create new opportunities for extra income for property owners as well as a variety of accommodations for visitors to Ames. Staff believes that the proposed text amendment provides both a balanced and reasonable method of accommodating short-term rentals.

Each of the four types of proposed short-term rentals has unique attributes related to occupancy, parking, and the approval process. However, objective standards are included in the proposal to enable review for compliance and approval. Additional scrutiny through the Special Use Permit process for Vacation Rentals and for Bed & Breakfast Establishments will help to ensure neighborhood compatibility. Staff notes that Vacation Rentals are subject to the Rental Concentration Cap where no new rental property registrations and letters of compliance are permitted. A property with a current property rental registration and letter of compliance may apply for a Vacation Rental.

Annual STR licensing allows for more frequent contact with operators of establishments compared to a one-time permit process. The licensing process allows for easier enforcement steps if there are problems with the operation of a STR. An annual licensing fee to cover administration and inspection consistent with current Rental Code letters of compliance is planned. City Council also requested additional information on software tools to monitor compliance. City Council will be asked to address the cost of receiving a license and potential costs of monitor compliance prior to adopting the new ordinances.

Upon adoption of new STR standards, the goal would be to allow for public education and seek registration by people currently operating STRs and new operators within a defined time period. Staff believes allowing for submittal of applications within a minimum of an initial four month period and allowing for a stepped in timing of review and approval of permits would be appropriate before commencing with enforcement and citation procedures under the new rules.

Language for the time period to receive applications will be included with the final ordinance proposed for approval by the City Council.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 to publish notice for a public hearing to amend the Zoning Ordinance (Chapter 29) of the Municipal Code for STR uses, amend the Rental Housing Code (Chapter 13) to include vacation rentals, and create Chapter 35 of the Municipal Code to address STR administration, licensing, standards, enforcement, and fees.**

**ATTACHMENT 'A'**  
**Summary of Relevant Standards for Types of Short-Term Rentals**

Type	Hosted Home Share*	Bed & Breakfast Establishment	Home Share*	Vacation Rental**
Description	Primary Residence	Primary Residence	Primary Residence	Business/Investment Property
	Owner Required to be Present	Owner Required to be Present	Owner Not Required to be Present	Owner Not Required to be Present
	Partial Dwelling	Partial Dwelling	Entire Dwelling	Entire Dwelling
Maximum # of Bedrooms	2	5	No Limit	No Limit
Maximum # of Guests***	2 adults	2 adults per bedroom	2 adults per bedroom; Not to exceed 5 adults	5 adults (Rental Code occupancy standards)
Number of STRs Concurrently	1 guest contract	1 guest contract per approved bedroom	1 guest contract	1 guest contract per dwelling unit. No more than 10% of apartment dwelling units on a parcel, minimum of 1.
Maximum # of Days / Year	No Maximum	No Maximum	90 days per annual renewal period	No Maximum
Maximum Stay	30 consecutive days	30 consecutive days	30 consecutive days	30 consecutive days
Parking	No additional required	1 reserved space per guest bedroom, plus 1 space for owner	1 space per guest bedroom with a maximum of 5	1 space per guest bedroom with a maximum of 5 <i>(zones with less parking required per apartment unit are exempt)</i>
License	Required; however, apartment tenants are exempt.	Required	Required; however, apartment tenants are exempt.	Required
Renewal	Annual	Annual	Annual	Annual
Rental Code Registration	Fire Safety Checklist & Inspection Only	Fire Safety Checklist & Inspection Only	Fire Safety Checklist & Inspection Only	Yes; Letter of Compliance Required
Approval Process	Administrative Approval as an Accessory Use	Special Use Permit followed by Administrative Approval	Administrative Approval as an Accessory Use	Special Use Permit followed by Admin. Approval. Apartment rentals may be exempt from the SUP process based on their Zoning
Districts Allowing	A, RL**, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC.	A, RL, RM, UCRM, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC.	A, RL**, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC.	A, RL**, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC.

\*Apartment tenants offering Home Shares or Hosted Home Shares may operate without a license in all districts allowing short-term rentals.

\*\*Short-term vacation rentals are not allowed in apartment rentals located within a RL zoning district.

## **[NEW] Chapter 35 SHORT-TERM RENTAL CODE**

### **Sec. 35.100. TITLE, PURPOSE AND SCOPE.**

These regulations shall be known as the Short-Term Rental Code of the City of Ames, hereinafter referred to as “this code.”

In the adoption of this code, the City finds that the short-term rental of dwelling units has the potential to be incompatible with surrounding residential uses. Therefore, special regulation for short-term occupancy is necessary to ensure that these uses will be compatible with surrounding residential uses and will not materially alter the character of neighborhoods in which they are located. This code provides reasonable and necessary regulations for the licensing and operation of short-term rental housing in order to:

- (1) Ensure the safety, welfare and convenience of renters, owners and neighboring property owners throughout Ames;
- (2) Help maintain the City’s needed housing supply for household living; and
- (3) Protect the character of the City's neighborhoods by limiting the operations, number, and concentration of short-term rentals in residential zones.

### **Sec. 35.200. DEFINITIONS.**

For the purposes of this code, the following words, terms and phrases shall have the meanings set forth. Where terms are not defined herein but are defined elsewhere, such as in *Ames Municipal Code Chapter 13, Rental Housing Code or Chapter 29, Zoning Ordinance*, such terms shall have the meanings ascribed therein.

**Apartment Rentals** means three or more residential dwelling units located on one parcel, under one ownership, and rented for household living purposes. The term includes what is commonly known as an apartment building, but does not include dwellings under separate ownership.

**Applicant** means a property owner or agent of a property owner who has filed an application for a short-term rental license.

**Bed & Breakfast Establishment** means the short-term rental of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner is present and provides lodging, and may provide breakfast for overnight guests.

**Enforcement Officer** means that person or persons designated by the City Manager who is responsible for the administration and enforcement of this code.

**Dwelling Unit** means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Guest Contract** means one or more persons who act as a single group and as a single reservation and payment for a short-term rental.

**Home Share** means the limited short-term rental of the entire dwelling unit that is the primary residence of the property owner, while the property owner is not present.

**Hosted Home Share** means the short-term rental of a portion of a dwelling unit that is the primary residence of the property owner, while the property owner is present. For the



purposes of this definition, “present” means the property owner is staying in the dwelling overnight during the short-term rental.

**Letter of Compliance** means a document issued by the Inspection Division, stating the premises have been inspected and found to be in compliance with *Ames Municipal Code Chapter 13, Rental Housing Code*, on the date of inspection.

**Owner** means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**Primary residence** means a residence that is the only place where a person has a true, fixed, and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. A person may have only one primary residence.

**Rent** means payment of money, goods, labor, service or otherwise for use of a dwelling unit.

**Short-Term Rental** means the advertising, offering, renting, or otherwise availability of use of a dwelling unit for overnight lodging by paying guests for a period of thirty consecutive days or less. A short-term rental does not include any hotel or motel facility.

**Short-Term Rental License** means the regulatory license required by this code.

**Vacation Rental** means the short-term rental of an entire dwelling unit, which is not required to be the owner’s primary residence and which is generally offered for investment purposes through an online marketplace as a form of short-term lodging. A Vacation Rental may be offered on an ongoing basis throughout the year as long as each guest contract is for 30 days or less.

### **Sec. 35.300. SHORT-TERM RENTAL LICENSING**

- (1) **License Required.** No person or entity may advertise, offer, operate, rent, or otherwise make available a short-term rental without a current short-term rental license issued by the City of Ames in accordance with the provisions of this code.
- (2) **Exemptions.** Apartment tenants offering Home Shares or Hosted Home Shares may operate without a license in all districts allowing short-term rentals.

### **35.400 SHORT-TERM RENTAL STANDARDS**

- (1) **Application.** Any property owner or entity intending to allow or carry on the business of offering a short-term rental on their property shall file with the Enforcement Officer, a written application, demonstrating that the proposed short-term rental meets the required standards of this code. To receive approval, an applicant must demonstrate that all applicable standards listed below have been met:
  - (a) **Applicant is the Property Owner.** A license shall be obtained and renewed annually by the property owner and will be issued in the property owner’s name. Single-family, two-family and condominiums are licensed individually by unit (one unit per license). Apartment rentals are licensed by parcel (one license for all units located within the parcel under one ownership).

- (i) **Primary Residence.** The dwelling unit is the primary residence of the property owner for Home Shares, Hosted Home Shares and Bed & Breakfast Establishments.
  - (ii) **Local Contact Information / Property Representative.** Home Shares and Vacation Rentals shall have a local property representative with access to the unit who is authorized to make decisions regarding the use or condition of the unit. For a Hosted Home Share or Bed & Breakfast Establishment, the local representative is the property owner.
- (b) **Housing Type.** There is no restriction on the type of housing in which a short-term rental may be licensed.
- (c) **Zoning.** The dwelling unit is located in a zoning district permitting their use as a short-term rental, as identified in the zoning use tables found in Chapter 29, Zoning Ordinance. Generally, short-term rentals are allowed in any of the following zoning districts: A, RL, RM, UCRM, RLP, RH, F-VR, FS-RL, FS-RM, F-PRD, S-SMD, NC, CCR, DSC, CSC, and DGC, with the exception that apartment rentals located within the RL zoning district may NOT be utilized as short-term vacation rentals.
- (d) **Occupancy.**
- (i) Hosted Home Shares are limited to a maximum of two bedrooms and two adults as guests per dwelling unit. The applicant must specify which portions of the dwelling unit will constitute the licensed premises available for use for the short-term rental.
  - (ii) Bed & Breakfast Establishments are permitted a maximum occupancy of two adults per bedroom. The Zoning Board of Adjustment may restrict the number of bedrooms specific to the dwelling unit, as part of the Special Use Permit.
  - (iii) Home Shares are limited to a maximum of two adults per approved bedroom, not to exceed a total of five adults per dwelling unit.
  - (iv) Vacation Rentals shall align with the occupancy limitations of the Ames Municipal Code Section 13.503. No Vacation Rental shall exceed a total of five adults per dwelling unit.
  - (v) Any dwelling unit subject to a Letter of Compliance is bound by the Rental Code Occupancy Limitations, even if the Letter of Compliance is not required herein.
- (e) **Off-Street Parking.** Parking is provided according to the requirements of the *Zoning Ordinance Section 29.406* and the following:
- (i) Hosted Home Shares- No additional parking required.
  - (ii) Bed & Breakfast Establishments- 1 reserved space per guest bedroom, plus 1 space for the owner
  - (iii) Home Shares- 1 space per bedroom (maximum of 5 spaces).
  - (iv) Vacation Rentals- 1 space per bedroom (maximum of 5 spaces). May exceed

rental code requirements.

- (f) **Fire Safety Requirements.** All units must complete a checklist for fire safety (means of egress and fire protection systems) and ensure continued compliance with fire safety regulations included in *Ames Municipal Code Chapter 13, Division VIII*.
- (g) **Tax Compliance.** At time of renewal, documentation shall be provided indicating that required taxes for the previous year have been paid pursuant to *Ames Municipal Code Section 24.3*.
- (h) **Housing Rental Code Compliance (for Vacation Rentals).**
  - (i) It shall be unlawful for a short-term vacation rental to advertise or operate without a valid Letter of Compliance in effect.
  - (ii) Vacation Rentals must apply for a Letter of Compliance, prior to making application for a short-term rental license. See *Ames Municipal Code Chapter 13*.
  - (iii) Should an existing Letter of Compliance expire or be revoked during the licensing period, the short-term license will be considered as suspended.
  - (iv) Special Apartment Restrictions or Exemptions.
    - a. RL Zoning. Apartment rentals located within the RL zoning district may NOT be utilized as short-term vacation rentals.
    - b. Percentage of Apartment Rentals within One Parcel. The short-term rental use of apartment rentals as vacation rentals [by the property owner] within a single parcel or common development is restricted to the greater of one short-term rental unit or up to 10% of the total number of units located within a parcel or common development.
- (i) **Special Use Permit.**
  - (i) Bed & Breakfast Establishments and Vacation Rentals must obtain a Special Use Permit from the Zoning Board of Adjustment, prior to receiving a short-term rental license.
  - (ii) Exemptions. Apartment rental units located in certain zoning districts are exempt from the special use permit requirement. These zoning districts include: RM, RH, FS-RM, NC, CCR, DSC, CSC, AND DGC.
- (j) **Inspection.** Upon application for a license all short-term rentals shall be made available for City verification and inspection for compliance. Refusal by the applicant to allow such inspection shall be grounds for denial of a license. Subsequent inspections may be conducted as part of a regular periodic inspection program or as required to verify correction of deficiencies, or as necessitated by complaints.
- (k) **Additional Operational Requirements.**
  - (i) **Concurrent Guest Contracts Not Allowed Within a Dwelling Unit.** Accommodations shall be offered as one guest contract only. Bed & Breakfast Establishments are exempt from this limitation and may offer one guest contract per approved bedroom.

- (ii) **Maximum Number of Days per Annual Renewal Period (for Home Shares only).** Unlike a Vacation Rental, which may be offered on an ongoing basis throughout the year, Home Shares are limited to a total of 90 days per annual renewal period, with each guest contract including a period of 30 days or less.
- (iii) **Mandatory Postings of License.** A copy of the short-term rental license issued by the City shall be displayed in a prominent location within the interior of the dwelling near the front door. Apartments may post in common area.
- (iv) **Registry of Guests.** Each owner shall keep a registry of short-term rental guests accommodated during the licensing period.
- (v) **Responsiveness to Complaints.** The owner or representative shall respond to complaints in a reasonably timely manner and shall maintain a record of the actions taken in response.
- (vi) **Ongoing Compliance.** The short-term rental standards shall operate as continuing code compliance obligations of the applicant.

**Sec. 35.500. ADMINISTRATIVE PROCEDURES.**

- (1) **Administrative Rules.** The Enforcement Officer shall have the authority to establish administrative rules and regulations consistent with this code, for the purpose of interpreting, carrying out, and enforcing it.
- (2) **Application Review and Issuance of License including Renewal.**
  - (i) **Application Form.** Application for a short-term rental license or license renewal shall be on forms provided by the City.
  - (ii) **License Fee.** The application fee for a short-term rental license or license renewal shall be as established by resolution of the City Council. These fees are in addition to any other permit or registration fees that may be required.
  - (iii) **Application Submittal and Review.** Complete and accurate information shall be provided to the City.
    - a. **Staff review.** The application will be reviewed by staff within five working days for completeness.
    - b. **Incomplete Application.** Any application that does not include all required information will be considered incomplete. In such cases, the City will notify the applicant in writing, explaining the information required. If the applicant does not provide the required information within 30 days of the notice, the application will be deemed withdrawn/denied for lack of responsiveness with no return of application fees.
    - c. **Inspection.** All premises being considered for licensure as a short-term rental shall be subject to inspection by the City for the purpose of investigating and determining compliance with the requirements of this code. Should the premises not be made available for inspection when requested, the application will be considered incomplete.

- d. **Approval.** A complete application in compliance with this code will be approved and granted a one-year license.
- e. **Conditional Approval.** When circumstances do not warrant a full one-year license, a conditional approval may be granted. A conditional approval allows an applicant to operate while coming into full compliance or while correcting a violation. A conditional approval is time limited for no more than three months and is not renewable.
- f. **Denial including Non-Renewal.** Any violation of the provisions of this code may be considered during the application review and may result in denial or non-renewal. Verified complaints with notice of corrective action involving violations of the zoning code, building code, and/or applicable laws or regulations may be a basis for denying a license. A property owner may not reapply for a period of 12 months if denied a short-term rental license based upon this section.
- g. **Notification.** Within 30 days of determining the receipt of a complete application, the applicant will be notified of approval, denial, or additional information needed to approve the request.

(3) **Term.**

- (i) All licenses shall terminate after one year. Annual renewal applications must be submitted by the property owner of record, prior to expiration.
- (ii) If a short-term rental license expires, the dwelling unit may not be used or occupied as a short-term rental until such time as a subsequent license has been granted for that unit or in the case of apartment rentals, no dwelling unit may be used as a short-term rental until such time as a subsequent license has been granted for that parcel.

(4) **Transferability.** The license shall be issued in the name of the property owner and is not transferable to a subsequent owner or to another property.

(5) **Revocation.**

- (i) The Enforcement Officer may immediately revoke or temporarily suspend a short-term rental license based upon any of the following, if it is found that:
  - a. A required Letter of Compliance has either expired or been revoked;
  - b. The licensee, designated operator, or guest has violated or failed to meet any of the provisions of this code or conditions of the license;
  - c. The applicant has made a false statement of material fact on an application for a short-term rental license;
  - d. The licensee, designated operator, or guest has violated any federal, state, or city law or regulation pertaining to the use of the property as a short-term rental; or
  - e. The Chief of Police or Fire Chief and/or their designees have

determined that the short-term rental would pose a serious threat to public health, safety, or welfare.

- (ii) The Enforcement Officer shall send or deliver written notice to the property owner stating the basis for the decision of revocation or suspension, the effective date of the revocation or suspension, the right to appeal the decision, and the procedure for filing an appeal. Any notice of suspension shall include information about possible corrective action and time for compliance, as applicable.
  - (iii) Upon revocation of a license, the dwelling unit or parcel described in the license is ineligible to receive another license pursuant to this code for one year from the date of revocation.
- (6) **Violations and Penalties.** In addition to the aforementioned actions of revocation, suspension, denial or non-renewal of a license, any violation of any provision of this code may also be enforced as a municipal infraction by the Enforcement Officer. The penalty for a first violation shall be \$500. The penalty for each repeat violation shall be \$750.

**Sec. 35.600. APPEALS.**

Any party aggrieved by the Enforcement Officer's decision to deny, suspend, revoke, or issue a license may appeal the determination to the Zoning Board of Adjustment within 30 days, under the procedures set forth in the *Zoning Ordinance Section 29.1403(8)*.

**APPENDIX D REGISTRATION, LICENSE AND PERMIT FEES**

**REGISTRATION/LICENSE FEES**

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Short-Term Rental License & Renewal ..... \$ 95.00

**APPENDIX N MUNICIPAL INFRACTIONS SCHEDULE OF PENALTIES**

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**CHAPTER 35, SHORT-TERM RENTAL CODE**

A violation of any provision of Chapter 35, Short-Term Rental Code, shall be a municipal infraction punishable by a penalty of \$500 for a person first violation thereof, and a penalty of \$750 for each repeat violation.

\*\*\*

## Proposed Text Amendments to Chapter 13, Rental Housing Code

### **Sec. 13.100 GENERAL**

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#### **(5) Exceptions.**

The following residential structures are exempt from these rules:

- (a) owner-occupied single family dwellings (see definition of “Owner-Occupied Dwelling Unit” in Section 13.201);
- (b) the use of a dwelling unit, wholly or partially, as a Bed & Breakfast Establishment, Home Share, or Hosted Home Share licensed under Chapter 35; Vacation Rentals as defined in Chapter 29 are not exempt.
- (c) hotels, motels;
- (d) University housing;
- (e) state-licensed health and custodial facilities;
- (f) other residential occupancies specifically regulated by state or federal authority;
- (g) fraternity and sorority houses

\*\*\*

## Proposed Text Amendments to Chapter 29, Zoning Ordinance

### **Sec. 29.201 DEFINITIONS.**

**Apartment Rentals** means three or more residential dwelling units located on one parcel, under one ownership, and rented for household living purposes. The term includes what is commonly known as an apartment building, but does not include dwellings under separate ownership.

**Bed & Breakfast Establishment** means the short-term rental of a portion of a dwelling unit that is the primary residence of the property owner, where the property owner provides lodging and may provide breakfast for overnight guests. A Bed & Breakfast Establishment is a short term lodging use and is a category of short-term rental licensed under Chapter 35.

**Home Share** means the limited short-term rental of the entire dwelling unit that is the primary residence of the property owner, while the property owner is not present. A Home Share is an accessory use to household living and is a category of short-term rental licensed under Chapter 35.

**Hosted Home Share** means the short-term rental of a portion of a dwelling unit that is the primary residence of the property owner, while the property owner is present. For the purposes of this Title, “present” means the property owner is staying in the dwelling overnight. A Hosted Home Share is an accessory use to household living and is a category of short-term rental licensed under Chapter 35.

**Letter of Compliance** means a document issued by the Inspection Division, stating the premises have been inspected and found to be in compliance with *Ames Municipal Code Chapter 13, Rental Housing Code*, on the date of inspection.

**Owner** means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**Primary Residence** means a residence that is the only place where a person has a true, fixed, and permanent home, and to where, whenever the person is briefly and temporarily absent, the person intends to return. A person may have only one primary residence.



**Rent** means payment of money, goods, labor, service or otherwise for use of a dwelling unit.

**Short-Term Rental** means the advertising, offering, renting, or otherwise availability of use of a dwelling unit for the overnight lodging for thirty consecutive days or less of paying guest(s). A short-term rental does not include any hotel or motel facility.

**Short-Term Rental License** means the regulatory license required by Chapter 35.

**Vacation Rental** means the short-term rental of an entire dwelling unit with a single guest contract, which is not required to be the owner’s primary residence. A Vacation Rental is a short-term lodging use and a category of short-term rental licensed under Chapter 35.

**Table 29.406(2)  
Minimum Off-Street Parking Requirements**

<b>PRINCIPAL LAND USE</b>	<b>ALL ZONES EXCEPT DOWNTOWN AND CAMPUSTOWN SERVICE CENTER ZONES</b>	<b>DOWNTOWN AND CAMPUSTOWN SERVICE CENTER ZONES</b>
<b>RESIDENTIAL DWELLINGS</b>		
<u><b>Short-Term Lodging</b></u>		
<u>Vacation Rentals</u>	<u>one space per bedroom, maximum of five spaces required</u>	<u>Per household living requirement</u>
Bed and Breakfast	<u>one space per guest bedroom, plus on space for the owner</u>	<u>NA</u>

**Sec. 29.501. CLASSIFICATION OF USES.**

(3) **Accessory Uses.** Unless otherwise stated in this Ordinance or otherwise indicated in the Use Tables for each zone:

\*\*\*

(e) ~~Accessory Uses; are incidental and customary to and commonly associated with the operation of the Principal Use;~~

- i. ~~Are Is~~ clearly incidental and customary to and commonly associated with the operation of the Principal Use;
- ii. ~~Are Is~~ operated and maintained under the same ownership or by lessees or concessionaires of the owner, and on the same zone lot as the Principal Use;
- iii. ~~Do Does~~ not include structures or structural features inconsistent with the Principal Use;
- iv. ~~May include the short-term rental of all or a portion of a Household Living dwelling unit that is the primary residence of the property owner, such as Hosted Home Shares, Home Shares and Bed & Breakfast Establishments;~~
- v. ~~Does not include residential occupancy in conjunction with uses other than other than hotels, motels, tourist homes and similar uses offering transient housing accommodations, which is also not permitted except by owners and employees employed on the premises and of the immediate families of such owners and employees; and~~
- vi. ~~Have~~ a gross floor area that, in combination with all other uses accessory to Principal Uses located in the same structure or on the same lot, does not exceed 25% of the gross floor area utilized by all Principal Uses. ~~The This~~ 25% floor area limitation, ~~however, shall~~ does not apply to off-street parking. Hosted Home Shares, Home Shares, and Bed & Breakfast Establishments are exempt from the 25% floor area limitation.

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**Table 29.501(4)-1  
RESIDENTIAL USE CATEGORIES**

\*\*\*

**Accessory Uses**

Home Share

Hosted Home Share

\*\*\*

**Short-Term Lodging**

**Definition.** Facilities offering ~~transient~~ lodging accommodations to the general public, where the ~~average~~ length of stay is ~~less than 60~~ 30 days or less. Short term lodging is subject to State of Iowa definitions, permits, and rules, including remittance of hotel

**Uses Included**

~~Boarding, rooming or lodging houses and single room occupancy (SRO) hotels, where the average length of stay is less than 60 days.~~

~~Bed and breakfasts~~

~~Hotels~~

~~Motels~~

~~Recreational vehicle parks~~

Vacation Rental

Bed & Breakfast Establishment

**Accessory Uses**

Coffee shops and dining areas primarily for use by guests or residents of the facility

**Table 29.600(2)  
Agricultural (A) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
Group Living	N		
<u>Household Living</u>			
***			
Household Living Accessory Uses			
***		-	-
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<u>N</u>		
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L = Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.701(2)  
Residential Low Density (RL) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
Group Living	N		
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<del>N, except Bed and Breakfast permitted as a Home Occupation.</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.702(2)  
Residential Medium Density (RM) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
Group Living	N		
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<del>N, except Bed and Breakfast permitted as a Home Occupation.</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.703(2)**

**Urban Core Residential Medium Density (UCRM) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<del>N, except Bed and Breakfast permitted as a Home Occupation</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.704(2)  
Residential High Density (RH) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Short-Term Rental</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<del>N, except Bed and Breakfast permitted as a Home Occupation</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Short-Term Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.705(4)  
Residential Low Density Park (RLP) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
<u>Household Living Accessory Uses</u>	-	-	-
<u>Bed &amp; Breakfast Establishment</u>	<u>N</u>		
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short term Lodgings</del> <u>Short-Term Lodging</u>	<u>N</u>	-	
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.801(2)  
Neighborhood Commercial (NC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
<u>Household Living Accessory Uses</u>	-	-	-
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short term Lodgings</del> <u>Short-Term Lodging</u>	<u>N</u>	-	
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			-

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.802(2)  
Community Commercial Node (CCN) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living	N		

<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<u>Y, except Vacation Rental</u>	SDP Minor	Staff
***			

\*\*\*

**Table 29.804(2)  
Highway-Oriented Commercial (HOC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<u>Y, except Vacation Rental</u>	SDP Minor	Staff
***			

\*\*\*

**Table 29.805(2)  
Planned Regional Commercial (PRC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	<u>Y, except Vacation Rental</u>	SDP Minor	Staff
***			

\*\*\*

**Table 29.806(2)  
Community Commercial/Residential Node (CCR) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living*	N, except in combination with permitted non-residential use or uses, in which case Household Living shall be located above the first floor.	SDP Minor	Staff
<del>Short-term Lodgings</del> <u>Short-Term Lodging</u>	Y	SDP Minor	Staff
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.808(2)  
Downtown Service Center (DSC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living*	N, except in combination with permitted non-residential use or uses, in which case 75% Household Living shall be located above the first story, and at least the front 50% of the first story must be maintained for non-residential use.	SDP Minor	Staff
<del>Short-term Lodgings</del> <u>Short-Term Lodging*</u>	Y	SDP Minor	Staff
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.809(2)  
Campustown Service Center (CSC) Zone Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living, Mixed Use Above First Floor*	Y, on all lots, if located above the first floor and in combination with permitted non-residential or short-term lodging use.		
***			
<del>Short-term Lodgings</del> <u>Short-Term Lodging*</u>	Y	SDP Minor	Staff
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L= Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.903(2)  
RI Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
<del>Short term Lodgings</del> <u>Short-Term Lodging</u>	<u>Y, except Vacation Rental</u>	SDP Minor	Staff
***			

\*\*\*

**Table 29.1003(2)  
South Lincoln Sub Area (S-SMD) Mixed-Use District**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<del>Short term Lodgings</del> <u>Short-Term Lodging</u>	<del>N, except Bed and Breakfast permitted as a Home Occupation</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L = Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.1004(2)  
Downtown Gateway Commercial Uses**

USE CATEGORY	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living, Mixed Use Development	Y, on sites greater than one acre in combination with non-residential use. Dwelling units shall be configured as studio, one, or two bedroom dwelling units for a minimum of 75% of the total dwelling units within a building. No more than 10% of the total units may be four bedroom units. No dwelling unit	SDP Minor	Staff



	shall consist of five bedrooms or more within any building.		
***			
<del>Short term Lodgings</del> <u>Short-Term Lodging*</u>	Y	SDP Minor	Staff
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L = Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.1201(5)  
Village Residential (F-VR) Floating Zone Uses**

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
<b>RESIDENTIAL*</b>			
***			

\*Household Living Short-Term Rental Accessory Uses are subject to the requirements of Chapter 35.

\*\*\*

**Table 29.1202(4)-1  
Suburban Residential Floating Zoning  
Residential Low Density (FS-RL) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
***			
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
Clubhouse	N		
<del>Short term Lodgings</del> <u>Short-Term Lodging</u>	<u>N, except Bed and Breakfast permitted as a Home Occupation</u>	<u>HO</u>	<u>ZBA/Staff</u>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L = Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*\*\*

**Table 29.1202(4)-2  
Suburban Residential Floating Zoning  
Residential Medium Density (FS-RM) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
<b>RESIDENTIAL USES</b>			
***			
Household Living Accessory Uses			
<u>Bed &amp; Breakfast Establishment</u>	<u>Y</u>	<u>SP, L</u>	<u>ZBA/Staff</u>
<del>Home Office Occupation</del>	<del>Y</del>	<del>HO</del>	<del>ZBA/Staff</del>
<del>Home Business</del>	<del>Y</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
<u>Hosted Home Share</u>	<u>Y</u>	<u>L</u>	<u>Staff</u>
Clubhouse	N		
<del>Short term Lodgings Short-Term Lodging</del>	<del>N, except Bed and Breakfast permitted as a Home Occupation</del>	<del>HO</del>	<del>ZBA/Staff</del>
<u>Vacation Rental</u>	<u>Y</u>	<u>SP*, LOC, L</u>	<u>ZBA/Staff</u>
***			

\*\*\*

L = Short-Term Rental License (see Chapter 35)

LOC = Letter of Compliance (issued by the Inspections Division)

\*Apartment rentals in zoning districts RM, RH, FS-RM, NC, CCR, DSC, CSC, and DGC are exempt from the Special Use Permit requirement; however, apartment rentals in zoning district RM / O-SFC are not exempt.

\*\*\*

**Table 29.1203(4)  
Planned Residence District (F-PRD) Floating Zone Uses**

Permitted Principle Uses	Permitted Accessory Uses
***	<p>Accessory uses of the Household Living category provided for in <u>Table 29.501(4)-1 Section 29.500</u> of this ordinance.</p> <p><u>Short-Term Rentals are subject to the standards of Chapter 35.</u></p> <p>Garages</p> <p>Open space uses</p> <p>Home occupations subject to standards of Section 29.1304 of this ordinance</p> <p>Home Day Care subject to the standards of Section 29.1304</p> <p>Office and Trade use where the property owner can demonstrate through a written Market Study that the Office and Trade use can be supported by the residents of the Planned Residence District Project</p> <p>Rental services offices not to exceed 5,000 square feet</p> <p>Assisted Living, for the residents of the PRD</p>

**Sec. 29.1302. RESERVED.**

**~~BED & BREAKFAST ESTABLISHMENTS.~~**

~~To obtain a Special Use Permit for a Bed & Breakfast Establishment, all criteria in "Home Occupations," set forth in Section 29.1304, must be met, in addition to the following:~~

- ~~(1) **Guest Rooms.** A maximum of 5 per structure in the RM and RH Zones and a maximum of 2 per~~

structure in the RL Zone. The Zoning Board of Adjustment may restrict the number of guest rooms to a lesser number.

- (2) ~~Breakfast shall be the only meal served.~~ This service must occur before 11:00 a.m. Only guests residing in the structure or persons living in the premises may be served. The structure shall not be remodeled into a commercial kitchen unless required by Environmental Health rules and regulations established pursuant to Municipal Code Chapter 11.
- (3) ~~Off-Street Parking Requirements.~~ One space per guest room, plus one space for the owner. The parking spaces shall meet standards established by Section 29.406 of this Ordinance.
- (4) ~~Guests shall register~~ upon arrival, stating their names, current residence address and the license plate number of the vehicle that is being used by the guest. The registration form shall be kept by the owner for a period of 3 years and shall be made available for examination by a representative of the City upon one day's notice.
- (5) ~~Guest stays shall be limited to 2 weeks.~~
- (6) ~~The Special Use Permit~~ is not transferable to a subsequent owner or to another property.
- (7) ~~The establishment must comply~~ with local and state regulations regarding all applicable permits and licenses including, but not limited to fire, health, food service, hotel, liquor, revenue, building/zoning permits and licenses.

#### Sec. 29.1304. HOME OCCUPATIONS.

##### (1) Permitted, Special and Prohibited Home Occupations.

\*\*\*

- (viii) ~~Bed and breakfast operations;~~

**COUNCIL ACTION FORM**

**SUBJECT: 2019 URBAN REVITALIZATION TAX ABATEMENT REQUESTS**

**BACKGROUND:**

The City Council established Urban Revitalization Areas (URAs) which allow for the granting of tax exemption for the increased valuation of a property for projects that meet the criteria of each URA's Urban Revitalization Plan. In most cases, these criteria set certain standards for physical improvements that provide public benefits. When property within one of these URAs is developed, redeveloped, rehabilitated, or remodeled, the property owner is eligible for abatement of property taxes on the incremental increase in property value after the improvements are completed. This abatement can extend for three, five, or ten years, depending on the Urban Revitalization Plan for each URA.

Every year, owners who have made improvements to property within the City's URAs during the previous year may apply for tax exemption on the incremental added value of their properties. The City must determine if the completed improvements meet the criteria in the Urban Revitalization Plan for the URA in which the property is located. **If the City Council finds that the criteria are met, this approval is forwarded to the City Assessor, who then reviews each request and determines the amount of the exemption based on the increase in incremental valuation.**

Property owners for two projects submitted requests for property tax exemptions on the increase in valuations based on the 2019 assessments. **These projects include the Union along the 2700 Block of Lincoln Way and the Aspen Heights Apartment/mixed use project.** A table showing project addresses, Urban Revitalization Areas, project costs and requested tax abatement schedules is included in Attachment 1. Attachments 2 through 5 contain the specific eligibility criteria for the designated Areas, a brief description of the individual projects in those areas, and staff's determination of eligibility. Attachment 6 contains the submitted application forms.

Notably, the Aspen Heights request was submitted last year and found to not comply with the URA criteria due to no enrollment in the Crime Free Housing program. The Police Department has verified enrollment in the program as of February 2019. The Union is subject to a development agreement that includes additional provisions regarding the use of the property and ensuring its consistency with the URA criteria. In regards to the Union, Police and Planning staff completed a site visit to verify compliance with public safety requirements and report no inconsistencies with the development agreement.

The property owners have reported construction values totaling \$56,588,610 for these two projects. The applicant estimates are self-reported construction and soft cost values and may not be the same as the added property value. The actual increase in valuation

from the improvements will be determined by the City Assessor and that valuation will be the basis of the partial property tax exemptions.

**ALTERNATIVES:**

1. The City Council can approve the two requests for tax exemptions as outlined in Attachment 1 by finding that they meet the criteria of their respective Urban Revitalization Areas and forward the findings to the City Assessor.
2. The City Council can deny either or both of these requests for approval of the tax exemptions if the Council finds the improvements do not comply with the respective Urban Revitalization Area criteria.

**CITY MANAGER'S RECOMMENDED ACTION:**

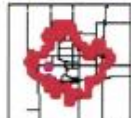
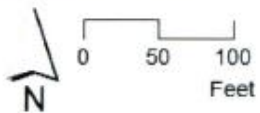
Staff has examined the applications submitted as of February 1, 2019, and finds that the two requests for the completed projects substantially conform to criteria of their respective Urban Revitalization Plans approved by the City Council.

**Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1**, thereby approving both of the requests for tax exemption as meeting the criteria for their respective Urban Revitalization Areas. This action will allow the qualifying requests for tax exemption to be processed by the City Assessor, who will determine the actual value of the respective tax exemptions.

**ATTACHMENT 1: 2018 URBAN REVITALIZATION APPLICATIONS**

<b>ADDRESS</b>	<b>URA</b>	<b>COSTS</b>	<b>YEARS</b>
2700 Lincoln Way ( The Union)	2700 Lincoln Way	37,388,610	10
205 S. Wilmoth Avenue (Breckenridge)	South Wilmoth URA	\$19,200,000	10

**ATTACHMENT 2: SOUTH WILMOTH URA CRITERIA AND APPLICATION SUMMARY**



### ATTACHMENT 3: ADDITIONAL QUALIFYING CRITERIA

1. All buildings shall use clay brick as the principal building material for 80 percent of the street facing facades, excluding openings. The remaining facades shall incorporate clay brick or cut stone into 50 percent of the façade materials. In the event that a building is behind another building and is set back at least 200 feet from Wilmoth Avenue or Lincoln Way, such building requires 80 percent brick on only one façade and 50 percent on all other facades.
2. Buildings used solely for residential and accessory uses shall utilize hipped or gabled roofs. Mixed-use buildings are exempt from this standard.
3. The project shall provide additional commercial parking in excess of the retail/office parking rate of 3.3 spaces per 1,000 square feet of gross commercial floor area. A minimum of 20 percent of the commercial floor area shall provide parking at a rate of 9 spaces per 1,000 square feet of gross commercial floor area for the first 30,000 square feet of gross floor area.
4. A clubhouse, as defined in the Zoning Ordinance, shall not be permitted on the ground floor of a commercial mixed use building.
5. Ground floor commercial uses of mixed use buildings must be a permitted use of the HOC base zone for Office Uses; Retail Sales and Services Uses; Entertainment, Restaurant, and Recreation; and miscellaneous use of childcare.
6. Typical commercial tenant footprint shall have a minimum depth of 40 feet.
7. Commercial areas shall have a floor to ceiling height of a minimum of 12 feet.
8. Primary entrances to residential buildings shall include covered entries with architectural enhancements increasing the buildings visual interest and identifying the entrance.
9. The residential project shall receive and maintain certification for the Iowa Crime Free Multi-Housing Program administered by the Ames Police Department.
10. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code. If a commercial ground sign is constructed, it is restricted to a single monument sign along Lincoln Way and shall include a decorative base compatible with the commercial buildings finishes and have an opaque sign face background. The Sign Program must be approved by the Planning Director.
11. The project shall provide landscape buffering with the L3 and F2 standards in a minimum of a 10-foot-wide planter along the perimeter property lines of the site.



12. The project shall provide street trees, per City specifications, along Wilmoth Avenue.

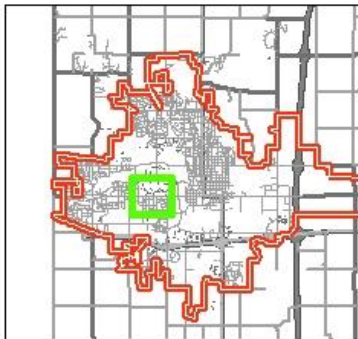
13. There shall be no balconies facing the south, west or east on the perimeter of the project or adjacent to Lincoln Way.

**205 S. Wilmoth Avenue**

The major site development plan for this project was approved on April 26, 2016. It comprises four residential buildings with a total of 122 apartments with 422 bedrooms. There is a mixed-use building comprising 15,000 square feet of commercial space with 20 apartments with 64 bedrooms above it. A 7,000 square foot clubhouse is located at the northeast corner of the site.

In 2018 Aspen Heights applied for tax exemption on the incremental value of improvements for the 2018 assessment year. At that time approval was not given because Aspen Heights had not completed enrollment in the Crime Free Multi-Housing Program. Aspen Heights is now applying for exemption for the 2019 assessment year. The owners are seeking a 10-year sliding scale exemption.

**ATTACHMENT 4: 2700 LINCOLN WAY URA CRITERIA AND APPLICATION SUMMARY**



**Location Map  
2700 Lincoln Way**

## ATTACHMENT 5: ADDITIONAL QUALIFYING CRITERIA

- A. The project shall be built in substantial compliance with the approved Concept Plan for site layout and architectural appearance and amenity deck as depicted in Attachment 4: Concept Plan.
- B. The project must be constructed and maintain enhanced public safety features as follows:
  - 1. Limit commercial space in the same building to the ground floor.
  - 2. Provide separate entrances for commercial and residential uses.
  - 3. Residential entrances are visible from the street and provide secure access.
  - 4. Prevent access from the exterior to the interior through doors that serve only as fire exits.
  - 5. Prohibit public access to structured parking, using overhead door and secure access control.
  - 6. Provide interior transparent glass windows into all stairwells.
  - 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas.
  - 8. Minimum widths of all exit routes: 48" for halls, 42" for doors, 60" between rails for stairs.
  - 9. No balconies are permitted.
  - 10. Provide for natural daylight requirements of applicable codes with exterior windows with an allowance for internal bedrooms to have a transom or approved equivalent to meet this requirement.
  - 11. On facades facing any street use only fixed windows, note modified tamper resistant windows do not comply. Facades above the amenity deck must also be fixed windows.
  - 12. All other windows must be designed to prevent passing of sphere larger than 4" diameter. The window must be manufactured to restrict opening of the window permanently; modified windows with restrictors or tamper proof screws do not comply.
  - 13. Prevent by physical means access to all roofs.
  - 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings.
  - 15. Provide exterior lighting along the commercial facades and residential entrances.
- C. The project must include the installation of necessary mechanical vent/exhaust equipment for at least one full kitchen restaurant use.
- D. The commercial area of the floor plan must have one tenant space that does not exceed 1,000 square feet and is available for general lease by a permitted commercial or retail use. Accessory functions or related businesses to the apartments or hotel do not qualify as meeting this requirement of available for

general lease.

- E. Provide a minimum of 13-feet of sidewalk clearance along Lincoln Way.
- F. The project shall utilize a Sign Program for commercial tenants that provide a cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code, with no commercial signage along the Hyland or rear façade of the building. The Sign Program must be approved by the Planning Director.

**2700 Lincoln Way “The Union”**

The Minor Site Development Plan was approved March 10<sup>th</sup> of 2017. The project is a seven story mixed use building containing a total of 157 apartments with 501 bedrooms. There are 20 hotel units along with 7,500 square feet of commercial retail space on the ground floor. The owners are seeking a 10-year sliding scale exemption. Note, that the conceptual plans included with the URA are not attached.

The building was designed with the intent of meeting the design criteria and the final inspection finds that it does. The final walk through with the Police Department verified consistency with the public safety requirements. **Staff finds that the improvements meet the eligibility criteria.**

## **Attachment 6- All Applications**

RECEIVED

URA-000577

Effective Date: March 25, 2013

JAN 07 2019

# Urban Revitalization Program

## Application Form

CITY OF AMES, IOWA  
DEPT. OF PLANNING & HOUSING

(This form must be filled out completely before your application will be accepted.)

1. **Property Address:** 205 S Wilmoth Avenue
2. **Property Identification Number (Geocode):** 09-08-225-015
3. **Legal Description** (attach, if lengthy): See attached

4. **Description of Improvements:**

**Established Urban Revitalization Areas**

- |   |  |
|---|--|
| <input type="checkbox"/> Downtown                 | <input type="checkbox"/> North Sheldon |
| <input type="checkbox"/> Campustown               | <input type="checkbox"/> South Lincoln |
| <input type="checkbox"/> East University Impacted |  |

**Urban Revitalization Policy Areas**

- |  |                                     |
|--|-------------------------------------|
| <input type="checkbox"/> Southeast 16 <sup>th</sup> Street | Address _____                       |
| <input type="checkbox"/> Other Commercial Area             | Address _____                       |
| <input type="checkbox"/> University Impacted Area – West   | Address _____                       |
| <input checked="" type="checkbox"/> South Wilmoth URA      | Address <u>205 S Wilmoth Avenue</u> |

**Improvement costs:** \$19,200,000  
**Beginning construction date:** 07/05/2016  
**Estimated or actual completion date:** 08/08/2017  
**Assessment year for which exemption is being claimed:** 2019  
**Exemption Schedule (3, 5, or 10 years):** 10 years

5. **Property Owner:** Breckenridge Group Ames Iowa LLC

Business: Aspen Ames

Address: 1301 S Capital of Texas Hwy (Street)	Austin (City)	TX (State)	78746 (Zip)
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Telephone: N/A (Home)	512-369-3030 (Business)	512-369-3454 (Fax)
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Effective Date: March 25, 2013

***I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.***

Signed by:  Date: 1-3-2019  
Property Owner(s)

Greg Henry  
Print Name

***(Note: No other signature may be substituted for the Property Owner's Signature.)***



## South Wilmoth Avenue Urban Revitalization Plan 2015

Amended and Approved by the Ames City Council on November 24, ~~2014~~  
In accordance with Chapter 404, Code of Iowa

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

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



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

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

**Owners and Addresses**

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

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

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

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

**Proposed Expansion of Services**

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

**Applicability**

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

URA-000598

Effective Date: March 25, 2013

RECEIVED

Urban Revitalization Program
Application Form

FEB 01 2019

(This form must be filled out completely before your application will be accepted.)

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

- 1. Property Address: 2700 and 2702 Lincoln Way, Ames
2. Property Identification Number (Geocode): 09-09-102-500 and 09-09-102-505
3. Legal Description (attach, if lengthy): See legal descriptions on attached copy of Ordinance to Designate the Urban Revitalization Area.

4. Description of Improvements:

Established Urban Revitalization Areas

- Checkboxes for Downtown, Campustown, East University Impacted, North Sheldon, South Lincoln.

Urban Revitalization Policy Areas

- Checkboxes for Southeast 16th Street, Other Commercial Area, University Impacted Area - West with corresponding address lines.

Improvement costs: \$ 37,388,610
Beginning construction date: March 1, 2017
Estimated or actual completion date: July 15, 2018
Assessment year for which exemption is being claimed: 2019
Exemption Schedule (3, 5, or 10 years): 10 years

- 5. Property Owner: Student Housing Owner Iowa LLC
Business: Greystar Student Housing Growth and Income Trust
Address: 999 Shady Grove Rd., Suite 600, Memphis, TN 38120
Telephone: 901-259-2500 (Business), 844-587-9566 (Fax)

Effective Date: March 25, 2013

***I (We) certify that I (we) have submitted all the required information to apply for approval of the Urban Revitalization Program and that the information is factual.***

Signed by:  \_\_\_\_\_ Date: 1/31/2019  
Property Owner(s)

Edwin B. Brewer, Jr  
Print Name

***(Note: No other signature may be substituted for the Property Owner's Signature.)***

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO DESIGNATE THE URBAN REVITALIZATION AREA  
FOR 2700, 2702, 2718, AND 2728 LINCOLN WAY; 112 AND 114 SOUTH HYLAND  
AVENUE; AND 115 SOUTH SHELDON AVENUE**

Section 1: The land described as:

**PARCEL 1: 2718 Lincoln Way:**

LOT ONE (1) IN LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

**PARCEL 2: 2702 Lincoln Way:**

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE NORTH 128 FEET, THENCE WEST TO THE PLACE OF BEGINNING.

**PARCEL 3: 2700 Lincoln Way:**

BEGINNING AT A POINT 28 FEET EAST OF THE WEST LINE OF THE EAST 2/5 OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION NINE (9), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND AT THE INTERSECTION OF THE SOUTH LINE OF LINCOLN WAY IN THE CITY OF AMES, IOWA RUNNING THENCE SOUTH 128 FEET, THENCE EAST 75 FEET, THENCE NORTH 128 FEET, THENCE WEST 75 FEET TO THE PLACE OF BEGINNING.

**PARCEL 4: 2728 Lincoln Way:**

LOTS TWO (2) AND THREE (3) AND THE NORTH 13 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET (EXCEPT THE NORTH 33 FEET THEREOF) OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA.

**PARCEL 5: 112 S. Hyland Avenue:**

THE SOUTH 47 FEET OF LOT FOUR (4) OF LEE'S SUBDIVISION OF THE NORTH 213 FEET, EXCEPT THE NORTH 33 FEET THEREOF, OF THE W3/5 OF THE E1/2 OF THE NE1/4 OF THE

NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., AMES, STORY COUNTY, IOWA.

**PARCEL 6: 115 S. Sheldon Avenue:**

OFFICE AND CONDOMINIUM UNITS 101, 102 AND 103 IN TPM CONDOMINIUMS, A CONDOMINIUM IN THE CITY OF AMES, STORY COUNTY, IOWA, TOGETHER WITH ALL APPURTENANCES THERETO INCLUDING AN UNDIVIDED FRACTIONAL INTEREST IN THE COMMON ELEMENTS, AREAS AND FACILITIES AS DETERMINED FOR SAID UNIT BY THE PROVISIONS OF, AND IN ACCORDANCE WITH, THE DECLARATION OF SUBMISSION TO HORIZONTAL PROPERTY REGIME FOR TPM CONDOMINIUMS FILED IN THE OFFICE OF THE RECORDER OF STORY COUNTY, IOWA, ON DECEMBER 30, 2005 AS INST. NO. 05-16146 (AND ANY SUPPLEMENTS AND AMENDMENTS THERETO). TPM CONDOMINIUMS, AS PRESENTLY CONSTITUTED, IS LOCATED ON A PART OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M., IN THE CITY OF AMES, STORY COUNTY, IOWA; DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE EAST LINE OF HYLAND AVENUE, IN THE CITY OF AMES, WHICH IS 257.5 FEET SOUTH OF THE SE CORNER OF THE INTERSECTION OF LINCOLN WAY AND HYLAND AVENUE; THENCE S89°31'30"E, 199.3 FEET ALONG THE NORTH LINE OF THE SOUTH 370 FEET OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SEC. 9-T83N-R24W OF THE 5TH P.M. IN THE CITY OF AMES, STORY COUNTY, IOWA, THENCE NORTH 129.6 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SAID SEC 9, THENCE S89°29'40"E, 87 FEET ALONG A LINE WHICH IS 128 FEET SOUTH OF A PARALLEL TO THE SOUTH LINE OF LINCOLN WAY, THENCE SOUTH, 136.6 FEET, THENCE N89°29'40"W, 87 FEET, THENCE NORTH, 7 FEET ALONG THE WEST LINE OF THE E2/5 OF THE E1/2 OF THE NE1/4 OF THE NW1/4 OF THE NW1/4 OF SE. 9 TO THE POINT OF BEGINNING. PARCEL CONTAINS 11,878 SQUARE FEET, OR 0.273 ACRE.

**PARCEL 7: 114 S. Hyland Avenue:**

SOUTH 77.5 FEET OF NORTH 290.5 FEET OF WEST 3/5THS OF EAST HALF (E1/2) NORTHEAST QUARTER (NE1/4) NORTHWEST QUARTER (NW1/4) NORTHWEST QUARTER (NW1/4) OF SECTION 9, TOWNSHIP 83 NORTH, RANGE 24 WEST OF THE 5TH P.M., AMES, STORY COUNTY, IOWA

is hereby designated, pursuant to Chapter 404, Code of Iowa, as the 2700, 2702, 2718, AND 2728 Lincoln Way; 112 and 114 South Hyland Avenue; and 115 South Sheldon Avenue Urban Revitalization Area.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This Ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

---

Diane R. Voss, City Clerk

---

Ann H. Campbell, Mayor

# Urban Revitalization Program

## *Tax Exemption Schedule*

All qualified real estate located in the designated revitalization area is eligible to receive a partial exemption from taxation on the Actual Value added by the improvements as specified by the schedules below. Any qualified real estate may elect one of the three schedules.

**The exemption period for ten (10) years.** The amount of the partial exemption is equal to a percent of the Actual Value added by the improvements, determined as follows:

For the first year,	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

**The exemption period for five (5) years.**

For the first year,	100%
second	80%
third	60%
fourth	40%
fifth	20%

**The exemption period for three (3) years.** All qualified real estate is eligible to receive a 100% exemption on the Actual Value added by the improvements for each of the three years.

**Carefully examine the exemption schedules before making a selection. Once the selection of the schedule is made and the exemption is granted the owner is not permitted to change the method of exemption.**

# **Tax Abatement Urban Revitalization Program**

## *Application Packet*

This application packet is for applying for Tax Abatement for improvements made to properties within an Urban Revitalization Area established by the City Council.

The City of Ames Planning and Housing Department is available to assist you in completing your application. Please call (515)239-5400 and someone can help you to start the process and answer questions.

Before completing this application, the Ames City Council must designate the proposed improvement project site as an Urban Revitalization Area. There is a separate application and process for that designation.

The "Application Packet" for the *Tax Abatement* includes the following:

- Application Form; and
- Tax Exemption Schedule.

### **1. Eligibility Criteria.**

- *Improvements must be made to the property that conform to the approved Urban Revitalization Plan for that area and increase the actual value by 5% or more.*
- *Improvements must be made consistent with the criteria of an approved Urban Revitalization Plan (see attached criteria)*

### **2. Application Process.**

- *Contact the Ames Planning and Housing Department to schedule a pre-application meeting to ensure that the requirements for a successful application are satisfied.*
- *Fill out all sections completely and return to the Department of Planning & Housing.*
- *The application must be received and construction begun prior to February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed.*
- *Once the application is reviewed, and is satisfactory, it will be forwarded to the City Council for formal action at the first meeting in February.*
- *If approved by the City Council, the City Clerk will forward the application to the City Assessor, who will review the application once the improvement is completed to determine the Actual Value of the improvement for property tax purposes.*



Effective Date: March 25, 2013

Submit the completed *Tax Abatement* Application Packet to the:

Department of Planning and Housing  
Room 214, City Hall  
515 Clark Avenue  
Ames, Iowa 50010  
Phone: 515-239-5400  
FAX: 515-239-5404  
E-mail: [planning@city.ames.ia.us](mailto:planning@city.ames.ia.us)

February 1, 2019

VIA HAND-DELIVERY

Mr. Justin Moore  
Department of Planning and Housing  
Room 214, City Hall  
515 Clark Avenue  
Ames, IA 50010

RE: Urban Revitalization Program Property Tax Abatement Application

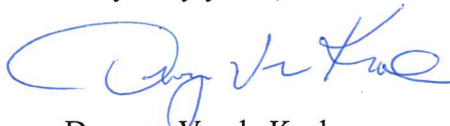
Dear Mr. Moore:

On behalf of my client, Greystar Student Housing Growth and Income Trust (“Greystar”), I have enclosed the following documents related to Greystar’s property at 2700 and 2702 Lincoln Way:

- City of Ames Urban Revitalization Program Application Form; and
- A copy of an Urban Revitalization Area Compliance Memo prepared by The Opus Group, confirming compliance with the terms of the Development Agreement.

Please contact me at (515) 283-8195 or [dvandekrol@nyemaster.com](mailto:dvandekrol@nyemaster.com) if you have any questions or need additional information. Thank you.

Very truly yours,



Dwayne Vande Krol

DVK/mks

Enc.

Cc: Agnes Webb, Greystar Student Housing Growth and Income Trust

# Urban Revitalization Area Compliance Memo

Union on Lincoln Way – 2700 Lincoln Way Ames, Iowa  
3 August 2018



At the request of City staff the project development team is providing to help expedite the review of the project stated above for final Certificate of Occupancy approval. This memo is one of two, one responds to the Development Agreement and one response to the Urban Revitalization Area Agreement.

## Urban Revitalization Area Agreement - Qualifying Criteria

- A. The project shall be built in substantial compliance with the approved Concept Plan for site layout and architectural appearance and amenity deck as depicted in Attachment 4: Concept Plan.**  
*Confirmed, submitted and building with substantial compliance.*
- B. The project must be constructed and maintain enhanced public safety features as follows:**
- 1. Limit commercial space in the same building to the ground floor.**  
*Confirmed, commercial space only provided on ground floor.*
  - 2. Provide separate entrances for commercial and residential uses.**  
*Confirmed, separate entrances have been provide for each tenant and use.*
  - 3. Residential entrances are visible from the street and provide secure access.**  
*Confirmed, entrances are secure and visible from street.*
  - 4. Prevent access from the exterior to the interior through doors that serve only as fire exits.**  
*Confirmed, Controlled access is in place to prevent access at fire exits.*
  - 5. Prohibit public access to structure parking, using overhead door and secure access control.**  
*Confirmed, Overhead doors have been provided within parking structure and secure access controls are in place at surface parking lot.*
  - 6. Provide interior transparent glass windows into all stairwells.**  
*Confirmed, provided.*
  - 7. Provide camera monitoring of all pedestrian and vehicle entrances and areas.**  
*Confirmed, refer to installation and submitted and approved security plans.*
  - 8. Minimum widths of all exit routes: 48" for halls, 42" for doors and 60" between rails for stairs.**  
*Confirmed, clearances have been provided.*
  - 9. No balconies are permitted.**  
*Confirmed, no balconies have been provided.*
  - 10. Provide natural daylight requirements of applicable cores with exterior windows with an allowance for internal bedrooms to have a transom or approved equivalent to meet this requirement.**  
*Confirmed, Natural daylight is provided per code with approved allowance for internal bedrooms receiving shared light per code.*
  - 11. On facades facing any street use only fixed windows, not modified tamper resistant windows does not comply. Facades above the amenity desk must also be fixed windows.**  
*Confirmed, no operable windows provided.*
  - 12. All other windows must be designed to prevent passing of sphere larger than 4" diameter. The window must be manufactured to restrict opening of the window permanently; modified windows with restrictors or tamper proof screws do not comply.**  
*Confirmed, no operable windows provided.*
  - 13. Prevent by physical means access to all roofs**  
*Confirmed, all roof access areas are physically secured and locked preventing access by residents and public.*
  - 14. Where access is not required, provide security fencing controlling access to all areas between new or existing buildings.**  
*Confirmed, security fencing provided along southern perimeter.*

# Urban Revitalization Area Compliance Memo

**15. Provide exterior lighting along the commercial facades and residential entrances.**

*Confirmed, exterior lighting provided in compliance with requirements. Refer to lighting plan submission and installed conditions.*

**C. The project must include the installation of necessary mechanical vent/exhaust equipment for at least one full kitchen restaurant use.**

*Confirmed, Refer to retail tenant space #1 with Grease Shaft installation provided.*

**D. The commercial area of the floor plan must have one tenant space that does not exceed 1,000 SF and is available for general lease by a permitted commercial or retail use. Accessory functions or related businesses to the apartments or hotel do not qualify as meeting this requirement of available for general lease.**

*Confirmed, Refer to retail tenant space #2 and shared bike valet tenant space.*

**E. Provide a minimum of 13 feet of sidewalk clearance along Lincoln Way.**

*Confirmed, refer to submitted and approved Civil plans and right-of-way improvements.*

**F. The project shall utilize a Sign Program for commercial tenants that provide cohesive design and lighting style to the site. Sign Program will allow for wall signage per the Sign Code, with no commercial signage along the Hyland or rear façade of the building. The Sign Program must be approved by the Planning Director.**

*Confirmed, signage plan submitted and approved. Commercial Tenants will submit signage plans accordingly upon leasing.*

# Certificate of Occupancy

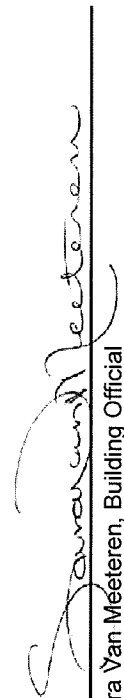
515 Clark Avenue, P.O. Box 811, Ames, IA 50010 - www.CityOfAmes.org - 515-239-5153

## City of Ames, Iowa

Permit No.: BLDC-000819-2017  
Address: 2700 LINCOLN WAY  
Ames, IA 50014  
Owner: AMES CADDIS LLC  
Contractor: OPUS DESIGN BUILD  
Issued Date: April 12, 2017  
Expiration Date: April 12, 2018  
Zoning: CSC - Campustown Service Center

### Additional Information:

Project Description: New 6 story hotel, apartment and retail building  
Construction Type: T-IA/IIIB  
Occupancy Type: R1, R2, B and S2  
Sprinkler System: yes  
Number of Stories: 6  
Examiner Notes:  
Certificate of Occupancy Issue Date: Nov 21 2018 12:00AM

  
Sara Van Meeteren, Building Official

**COUNCIL ACTION FORM**

**SUBJECT: NEW WATER TREATMENT PLANT – CONTRACT 2: SETTLEMENT AGREEMENT, FINAL CHANGE ORDER AND FINAL COMPLETION**

**BACKGROUND:**

On October 14, 2014, City Council awarded a construction contract to Knutson Construction of Minneapolis, Minnesota for the City's new water treatment plant. The contract called for the work to achieve "substantial completion" by May 17, 2017, and "final completion" by August 17, 2017. The City and the contractor disagreed on whether those contractual milestone dates were achieved, and also on how other contract terms should be applied in order to close-out the contract.

Staff has engaged in more than a year of protracted negotiations with Knutson, including a failed mediation session in July 2018. Most recently City staff met with senior management from Knutson Construction (along with legal counsel for both parties) on February 4, 2019. At that meeting the parties came to an agreement on the terms of a settlement agreement and the steps that would be performed to close out the contract.

- 1) **Punch List.** The punch list prepared by FOX Engineering (the lead engineer on the project) on February 1, 2019 contained six items. Here is the negotiated status of each of those items.
  - a) #46 & #47 – Cracks in the polished concrete floor slab on the ground floor in the administrative area. The City agreed to accept the condition of the cracks "as is." These two items were removed from the punch list.
  - b) #195 – Relocated unit heater near Filter #1. The unit heater has been relocated, and the missing insulation was installed on February 8. This item is considered "complete."
  - c) #541 – Lighting controls. For over a year, the lighting controls have not worked as intended (occupancy sensors not responding, timers leaving lights on continuously, exterior lights turning on during the day and shutting off at night, etc.). After replacing some equipment and having a new technician assigned to the project, the lighting controls have now properly functioned continuously for one month, a condition imposed by the City before accepting them as complete. The City is now willing to accept this item as complete.

Under this punch list item, Knutson is also required to provide IP addresses, subnet numbers, and a color-coded floor plan for the lighting control system. Knutson agreed to make a good faith effort to get the electrical subcontractor to provide the

item, but admitted that as long as they are in a separate payment dispute with the subcontractor, they may not be able to force the subcontractor to respond in a timely manner. Knutson was able to provide the IP addresses. It was agreed that Knutson would make a concerted, good-faith effort to obtain the remainder of the required information. In exchange, the City would move this item from the punch list to the warranty list.

- d) #636 – LEED Enhanced Commissioning checklist. There are 31 items still open on the HVAC and electrical “issue tracking spreadsheet” used by the third-party commissioning agent, most of which are related to the building automation system (BAS). The original BAS sub-subcontractor has closed their local office and walked away from the project. As a result, the mechanical subcontractor had to secure the services of a different BAS contractor. The new BAS contractor has consistently been on site for several weeks and is making progress in addressing the numerous outstanding BAS issues. Because of the progress being made and the increased responsiveness of the on-site BAS technician, the City and Knutson have agreed to move this item from the punch list to the warranty list.

This item #636 initially included a number of documentation requirements that Knutson was required to provide in order for the City to file for its LEED certification. An initial submittal was made to the US Green Building Council (US GBC) in November 2018, seeking 48 points. Forty points is the threshold that must be achieved to become “certified.” Achieving a “certified” status is critically important, as the City will receive roughly \$6.6 million in loan forgiveness from the Iowa DNR once the facility is LEED certified. Knutson worked with the consultants to compile additional documentation for five of the points that were initially not approved. After the City’s LEED consultant confirmed that the additional documentation was complete and likely to achieve the necessary points, the City agreed to remove the LEED documentation from the punch list. A resubmittal of those five LEED points was made on February 7, 2019, with a response expected from the US GBC by March 7<sup>th</sup>. A statement is included in the settlement agreement whereby Knutson agrees to cooperate should additional resubmittals be required.

- e) #647 – Missing Operations and Maintenance manuals. Knutson has secured all of the missing documents and provided them to the consultants to be incorporated into the electronic O&M manual for the facility.

**With that, all items on the punch list were complete as of February 15, 2019.**

- 2) **Progress on the warranty list.** Starting in late December, Knutson has shown an increased commitment to being responsive in addressing the items on the warranty list. Over the past month, items have been removed from the warranty list at a faster pace than new items are being added, and the list has shrunk considerably. The most recent warranty list will be attached to the settlement agreement, with a commitment by Knutson to be timely and responsive in addressing those items for which they are responsible. They are not agreeing that they have responsibility for every item on the

list, and there will be ongoing discussions between the contractor, the design team, and the City on some items.

- 3) **Final Payment to Knutson.** The settlement agreement calls for a final payment of \$547,550 to be made to Knutson by March 1st. The City will retain \$547,550 of the currently unpaid balance. The parties agree that there were no liquidated damages assessed, and that the City will not make a claim against Knutson's performance bond. **This amount fully covers the City's out of pocket expenses incurred as a result of the delay in obtaining final completion, and provides compensation towards expenses that are more difficult to quantify, such as lost productivity.**
- 4) **Substantial Completion.** The City resisted Knutson's continued requests to have the dates of the various Partial Substantial Completion certificates changed to a date that differs from what was actually certified by the consulting engineers. In particular, Knutson wanted the Full Substantial Completion certificate date changed from May 23, 2018 to July 27, 2017 in order to trigger an earlier start date to the project's warranty. With the resolution of the warranty period (described below), this issue went away and the previously issued certificates can remain unaltered.
- 5) **Final Completion.** The parties agreed that the Final Completion date for the project will be March 1, 2019. The consultants have submitted a signed Certificate of Final Completion that reflects that date.
- 6) **Warranty Period.** It proved to be easier to simply agree on a warranty end date rather than argue over when substantial completion was achieved and the warranty started. That way, there was no pressing reason for Knutson to want the substantial completion certificates to be revised. As a part of the negotiated settlement, the parties agreed that the end date of the two-year warranty will be on December 31, 2019.
- 7) **Electrical Subcontractor's Claim for Nonpayment.** Schammel Electric, the electrical subcontractor on the project, has filed notice with the City and with Knutson that they have an unpaid claim in the amount of \$674,541.60 for work on the project. Under Iowa Code Section 573, the City is required to withhold 200% of the amount of the claim by the subcontractor from the final release of retainage to the general contractor. Alternatively, the general contractor can provide a discharge bond equal to 200% of the amount of the claim to protect both the City and the subcontractor. Knutson has provided a discharge bond in the amount of 200% of Schammel's claim for unpaid work: \$1,349,083.20.
- 8) **Final Change Order.** A final change order has been prepared by the consultant and signed by Knutson that certifies the final dollar amount of the contract, the date of final completion, and the conclusion of the warranty date. A copy of the change order is included in the attached Settlement Agreement as Exhibit B.



Staff believes it is now appropriate for Council to: approve the Settlement Agreement; approve Change Order #26 that adjusts the final dollar amount and the start of the warranty period; and, accept the project as complete.

**ALTERNATIVES:**

1. Take the following three actions on the Water Treatment Plant – Contract 2.
  - a. Approve the Settlement Agreement signed by Knutson Construction
  - b. Approve Change Order #26, (Exhibit B in the Settlement Agreement), thereby deducting \$547,550 from the contract amount and adjusting the warranty end date to December 31, 2019
  - c. Accept the project as complete
2. Direct staff to attempt to negotiate alternative terms or conditions.
3. Take no action at this time.

**CITY MANAGER’S RECOMMENDED ACTION:**

Staff has negotiated with the general contractor on the project for over a year, going so far as to retain outside counsel with specific experience in construction contract law. Earlier this month staff was able to reach a settlement agreement with Knutson Construction that resolved the outstanding issues to both parties’ satisfaction. **The settlement fully covers the City’s direct out-of-pocket expenses, and provides compensation for a measure of intangible damages such as lost productivity of staff. The settlement preserves a reasonable warranty period, and fulfills the City’s obligations to a subcontractor who has filed a claim for non-payment.**

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

Attachment A – Settlement Agreement and Release, with Exhibits  
Attachment B – Engineer’s Statement of Completion

SETTLEMENT AGREEMENT  
AND RELEASE

THIS SETTLEMENT AGREEMENT AND RELEASE (this "Settlement Agreement") is made to be effective on February 13, 2019 and is entered into by and between the City of Ames, Iowa ("Ames"), and Knutson Construction Services, Inc. ("Knutson") (collectively "the Parties").

Recitals

The recitals, below, are true and correct and are material terms of this Settlement Agreement, and the Recitals are incorporated into and are part of the Settlement Agreement.

WHEREAS, on October 14, 2014, Ames, as owner, and Knutson, as contractor, entered into a construction contract ("the Contract") for the Water Treatment Plant - Contract 2, Treatment Facilities ("the Project").

WHEREAS, disputes arose between Ames and Knutson during and after the Project's construction, resulting in Knutson having a \$1,095,100.00 Contract Balance, Ames withholding that payment from Knutson, and both Parties asserting claims against each other.

WHEREAS, the Parties conducted face-to-face negotiations throughout the fall of 2017 and through May 2018 to try to resolve their differences, and the Parties completed a mediation in Ames, Iowa, at City Hall on July 2, 2018 with the next Contract dispute resolution procedure to be for the Parties to commence suit.

WHEREAS, a final settlement meeting occurred in Ames, Iowa, at the Project on Monday, February 4, 2019, and in order to avoid the uncertainties, costs, distractions, and delays of litigation, the Parties have reached an agreement and compromise to fully settle and release all claims made by and between them in order to close out the Ames/Knutson Contract and avoid a protracted lawsuit, and the Parties wish to reduce the terms of their agreement and compromise to writing herein.

**NOW, THEREFORE,** for mutual consideration as described herein, the Parties hereto agree as follows:

1. **Settlement Closing.** The Parties agree that time is of the essence. The Parties agree that they will complete the following actions under this Settlement Agreement on or before March 1, 2019: executing and delivering all Settlement Documents, including the Settlement Agreement, the Contract Revision, the Discharge Bond, and the Ames Letter described below on Ames' letterhead. The Parties agree that Ames will deliver the Settlement Payment to Knutson pursuant to Paragraph 3 of this Settlement Agreement. The Parties further agree to take all supplementary actions, including signing and delivering additional documents, to effectuate the intent of this Settlement Agreement, even if those actions occur after March 1, 2019.

2. **Mutual Release.** Except for the obligations and exceptions specifically stated in this Settlement Agreement, each Party (for itself and its respective officers, directors, owners, officials, councils, boards, departments, shareholders, employees, agents, insurers, sureties, successors, and assigns) hereby releases, acquits, and forever discharges the other Party (and its respective officers, directors, owners, officials, councils, boards, departments, shareholders, employees, agents, insurers, sureties, successors, and assigns) from any and all manner of actions, suits, claims, counterclaims, demands, causes of action, debts, promises, damages, costs, and liquidated damages related to or arising out of the Project and/or the Ames/Knutson Contract, which are known or reasonably should have been known by the releasing Party as of the date of this Settlement Agreement, except:

a. Ames specifically retains all rights against Knutson under all warranties set forth in the Ames/Knutson Contract, including the correction period set forth in Paragraph 15.08 of the Ames/Knutson Contract. The Parties agree that the two-year correction period

under Paragraph 15.08 of the Ames/Knutson Contract began on December 31, 2017, and concludes on December 31, 2019.

b. Knutson specifically retains its rights to pursue the assigned claims, as set forth in Section 10 of this Settlement Agreement. The Parties agree that the two-year correction period under Paragraph 15.08 of the Ames/Knutson Contract began on December 31, 2017, and concludes on December 31, 2019.

3. **Payment.** Ames agrees to pay \$547,550.00 (Five Hundred Forty-Seven Thousand Five Hundred Fifty Dollars and Zero Cents) ("the Settlement Payment") of the \$1,095,100.00 balance under the Contract to Knutson on or before March 1, 2019.

4. **Punch List and Warranty List.** Knutson agrees to address the remaining work items described on a Punch List and Warranty List prepared by Fox Engineering dated February 1, 2019. Knutson shall make a good faith effort to complete items 195, 541, 636, and 647 on the Punch List. The City withdraws items 46 and 47 from the Punch List. Knutson has completed items on the Punch List and Warranty List dated February 1, 2019 but those lists have not been updated as of the date Knutson signed this Settlement Agreement. The Parties agree that all items on the Punch List are moved to the Warranty List. The Parties agree that Knutson reserves all rights related to each item on the Warranty List and Knutson does not agree that it has responsibility to address any item by virtue of the fact that it is listed by the City on the Warranty List. The most recent Punch List and Warranty List are dated February 1, 2019, and are attached hereto as **Exhibit A**.

5. **Contract Revision.** The Parties agree to sign a Contract Revision to deduct \$547,550.00 from Knutson's \$1,095,100.00 Contract Balance. The Contract Revision will state:

"The City of Ames and Knutson Construction negotiated this Contract Revision to amicably close out the Parties' Contract. The City and Knutson have agreed to close out the Parties' Contract for the Project for a final payment by Ames to Knutson of \$547,550.00 pursuant to the terms of the Settlement Agreement and Release. The Parties have resolved all claims, known and reasonably should have known, by and against each other and all complaints and claims related to delays in construction or incomplete work caused by any contractor, subcontractor or sub-subcontractor on the project, as specified in the Settlement Agreement and Release. The Parties have agreed to a \$547,550.00 deductive Contract Revision to resolve all of Ames' claims, offsets, and damages, except as set forth in the Settlement Agreement and Release. The City of Ames and Knutson agree that no liquidated damages have been assessed nor shall be assessed in connection with the Project. Warranty/correction period begins December 31, 2017 and will conclude on December 31, 2019." The Contract Revision will be signed by the Parties on or before March 1, 2019, and will be in the form attached hereto as **Exhibit B**.

6. **Certificate of Substantial Completion**. The Parties agree that the entire Project (all phases) was substantially completed by Knutson on May 23, 2018. However, the Parties agree that the two-year correction period set forth in Paragraph 15.08 of the Knutson/City Contract started on December 31, 2017. The Parties agree that this Settlement Agreement supersedes any reference to warranty start or end dates contained in previously issued Substantial Completion Certificates and this Settlement Agreement is intended to close out the Ames/Knutson Contract.

7. **Knutson's Performance Bond**. Ames agrees that no claims will be made on Knutson's performance bond for the Project, which bond is hereby released and discharged.

8. **Letter from Ames**. Ames will deliver to Knutson a letter on Ames' letterhead

signed by John Dunn, P.E. addressed to Dave Bastyr of Knutson, in the form attached as **Exhibit C.**

9. **Cooperation.** With respect to any future dispute resolution process, arbitration, or litigation between Knutson and Knutson's electrical subcontractor or between Knutson and any other subcontractor or supplier of any tier on the Project, Ames agrees, subject to availability of Ames Staff and in view of the priority of providing services and fulfilling obligations to the City of Ames, to provide in good faith and with reasonable efforts:

a. Producing documents, including Electronically Stored Information ("ESI"), without requiring a subpoena. Knutson agrees to make payment to Ames in the amount of Ames' out of pocket cost for producing such documents. Ames shall provide up to four hours of engineering time at no charge for purposes of producing documents or meeting with counsel of Knutson's choice about providing testimony, but once the total of four hours of engineering time is used, than any additional time shall be charged at normal hourly rates of \$65.00 to \$100.00 for engineer's time depending on the person involved in providing service related to litigation or other requests from Knutson.

10. **Assignment.** Ames assigns its claims for delays and actual damages to Knutson and consents to Knutson pursuing all such claims against third parties, including subcontractors and suppliers of any tier, in any manner that Knutson determines is in its best interest. Knutson shall prosecute any assigned claims in its own name, as the assignee of Ames' claims and not in Ames' name. For purposes of this Settlement Agreement, the assignment of Ames' claims and damages to Knutson occurred first, and after the assignment occurred, then Ames released its remaining claims against Knutson thereafter. For the avoidance of doubt, this Settlement Agreement is not intended to have any effect, preclusive or otherwise, on Knutson's ability to

prosecute the assigned claims.

11. **Warranties.** This Settlement Agreement does not affect Knutson's two year Contract warranty or manufacturer warranties for building materials or equipment supplied by Knutson or its subcontractors/suppliers which are incorporated into the Project, or any other warranties set forth in the Ames/Knutson Contract, including the correction period set forth in Paragraph 15.08 of the Ames/Knutson Contract. The warranties stand on their own terms. Knutson's two year Contract warranty started on December 31, 2017 and concludes on December 31, 2019. Warranty claims shall be made pursuant to the terms of the Ames/Knutson Contract. This Settlement Agreement does not affect the warranty items that are currently on the Warranty List dated February 1, 2019, which list is attached to this agreement as **Exhibit A**.

12. **Change Order Requests.** The parties agree that no additional or pending change orders or change proposal requests will be recognized, processed, or approved, and that no additional credits or deductions will be recognized or credited to either party.

13. **LEED Cooperation.** Knutson agrees to promptly and fully cooperate with Ames to provide necessary documentation that may be required by the US Green Building Council or any other entity for LEED certification.

14. **Chapter 573 Claims.** Knutson agrees to sign and deliver to the Ames a Discharge Bond in the form attached hereto as **Exhibit D** on or before March 1, 2019. Knutson shall file with the City of Ames a surety bond for \$1,349,083.20, which is double the amount of the claim of Schammel Electric as stated in the letter of Schammel Electric Inc. dated November 13, 2018, conditioned to pay any final judgment rendered for the claim so filed, as a condition of this agreement and the payment of funds pursuant to this Settlement Agreement.

15. **Non-Admissions.** The Parties wish to avoid the distractions, expenses, and delays

of litigation and wish to buy their peace. Nothing in this Settlement Agreement or the Settlement Documents shall be construed as an admission by either party. This Settlement Agreement is a product of good faith negotiations by both Parties and is entered into to close out the Ames/Knutson Contract. This Settlement Agreement, the delivery of the Settlement Payment, and any Settlement Documents shall not be construed as an admission of wrongdoing or liability. The Parties expressly deny liability to each other for all issues, claims, and damages related to the Contract and the Project.

16. **Consent and Advice of Counsel.** The Parties each represent that they have been represented by independent legal counsel, or that they have had the opportunity to retain independent legal counsel, that they have read the terms of this Settlement Agreement and that the terms of this Settlement Agreement have been completely read and explained to them by their attorney, or if they did not have an attorney, that those terms are fully understood, and voluntarily accepted by them. The Parties further affirmatively represent that they have voluntarily entered into this Settlement Agreement and that there are no representations made by any party or their attorneys, agents or other representatives which are not expressly set forth in this Settlement Agreement.

17. **Miscellaneous Provisions.**

a. **Amendments and Alterations.** Amendments and alterations to this Settlement Agreement shall be in writing and signed by both Knutson and Ames.

b. **Entire Agreement.** The foregoing constitutes the entire agreement between the Parties. All prior settlement discussions are superseded. No modification of any of the terms or conditions contained herein may be made except by subsequent written documents signed by both of the Parties.



c. Severability. If one provision of this Settlement Agreement is held invalid, then the Parties agree that the remaining portions of the Settlement Agreement are valid and enforceable and the invalidity or unenforceability of one provision shall not affect any other provision of this Settlement Agreement.

d. Binding Effect. Assignment. This Settlement Agreement is binding upon and inures to the benefit of the Parties, and their successors and assigns.

e. Waiver. No waiver of any term or provision of this Settlement Agreement shall be effective unless set forth in any written documents signed by the party charged thereby and the waiver shall be limited to the circumstances or events specifically referred to in the written waiver or document. It shall not be deemed a waiver of any other term or provision of this Settlement Agreement of the same circumstance or event upon any recurrence thereof.

f. Governing Law. This Settlement Agreement, and other documents taken hereunder, shall be governed by and construed in accordance with the laws of the State of Iowa. Any actions regarding any dispute or any other matter regarding or arising out of this Settlement Agreement shall be venued in Iowa. In the event of any dispute arising out of this Settlement Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees and costs.

g. Authority. The persons signing this Settlement Agreement have the authority to bind Ames and Knutson, and this representation survives execution of this Settlement Agreement. Ames represents that all government approvals were obtained before signing the Settlement Agreement.

h. No Single Drafter. The Parties agree that there is no single drafter of this

Settlement Agreement and the Settlement Documents. The Parties agree that they both participated in the drafting of the Settlement Agreement and Settlement Documents and they retained legal counsel to draft, review, and approve the Settlement Agreement and Settlement Documents. The Settlement Agreement and Settlement Documents shall be construed according to their plain language and shall not be interpreted for or against either party.

i. Headings. The headings in this Settlement Agreement are for convenience purposes only and do constitute substantive terms of this Settlement Agreement.

**IN WITNESS WHEREOF**, this Settlement Agreement is entered into as of the date set forth above.

**CITY OF AMES, IOWA**

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

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**KNUTSON CONSTRUCTION  
SERVICES, INC.**

By: David J. Bastin

Its: EVP

Dated: 2/18/2019

EXHIBIT A  
Punch List as of 2019-02-01

#	Discipline	Location	Description	Created By	Responsible Party	Due Date	Item Status	Comments
46		6C-06-132	Crack in floor slab in front of ground level elevator entrance	Brian Hoagland	Mitch Elliott		Fix Not Accepted	Provide Floor Mats in accordance with Field Order 101.
47		6C-06-132	Crack in floor slab in front of ground level transition to area 5	Brian Hoagland	Mitch Elliott		Fix Not Accepted	Provide Floor Mats in accordance with Field Order 101.
195	M	2A/2B	Relocate unit heaters so as not to conflict with filter cell lights, complete insulation of new hot water piping.	Lance Worth	Mitch Elliott	06/23/2017	Fix Not Accepted	
541	E	All	Need lighting training - want Seimens to walk around with us and show us how each area works, need areas programmed differently, need to be shown how to program lights, some of the occupancy sensors don't work, most of the override switches (silver button	John Washington	Kevin Schammel	10/06/2017	Fix Not Accepted	Map, IP addresses, and written instructions on how to modify are still needed
636	General	General	Address all items on KFI list of outstanding items.	John Washington	Mitch Elliott		New	Documentation for LEED appears to be sufficient as of 2/1/2019 for re-submission to the USBGC.
647	General	General	Submit last of electronic O&M manuals (a few resubmittals outstanding and Section 15112-Slide and Weir Gates. Provide paper copies of O&M manuals.	Lance Aldrich	Mitch Elliott		New	Correction, filter is "Submittals Needed".

EXHIBIT A  
Warranty List as of 2019-02-01

#	Location	Description	Created By	Responsible Party	Due Date	Item Status	Comments
01	2A 2B	System Pressure Gauges on Sample Pumps are Broken	John Washington	Mitch Elliott		New	
15	6C	East facility wall leaks when rain and wind from the east, investigate and repair	John Washington	Kurt Tjelmeland		New	
16	3B 5A	Opening to stairs from 3B process level to stairway still leaks when raining, investigate and repair	John Washington	Kurt Tjelmeland		New	
23	4B Ammonium Sulfate	Internal toggle switch still intermittent	John Washington	Kevin Schammel		New	
25		Replace the defective control relay in the lighting control cabinet. The spare was used and needs to be replaced.	John Washington	Kevin Schammel		New	
26	1A	Crack and coating failure at aeration basin, see attached photo	John Washington	Mitch Elliott		New	
27	2B	Tank leak at SCU1 (easternmost) at wall pipe, see photo	John Washington	Mitch Elliott		New	
28	2A	Tank leak at SCU3 (westernmost) near grating, see photo	John Washington	Mitch Elliott		New	
31	Site	Reased areas of poor germination, fix fills and washes throughout the project.	John Washington	Rick Fox		New	
33	1C	Card reader at HSPS does not always work correctly. This is interior door to the new HSPS from area 2, seems to be a programming issue	John Washington	Mitch Elliott		New	
35	General	Security System Training, need to be able to see who is inside the building. Pending City installation of firewall	John Washington	Kevin Schammel		New	From Punchlist, Item 624
36	Area 1B and 1C	Server Room door and HS Pump room door keypad light turns green when keypad is presented but door does not unlock	John Washington	Mitch Elliott		New	
37	6B	Lights outside of upstairs offices have stopped turning off	John Washington	Mitch Elliott		New	
40	Area 1B	Two of the SCU rake disconnect/breakers are labeled 'rack'	John Washington	Mitch Elliott		New	
41	Area 4B	Cracked chlorine dampener	John Washington	Mitch Elliott		New	
42	Area 4A	Solenoid still leaks air on north slater discharge valve	John Washington	Mitch Elliott		New	
45	Various	Historian fix (version of Excel not compatible with wonderware?)	John Washington	Mitch Elliott		New	
49	6C Room 06-158	AC Unit Leak, or possible roof leak, see attached photo	John Washington	Mitch Elliott		New	
50	30 Line Sludge Building	Mechanical Unit on roof is leaking, interior unit insulation is saturated, see photos	John Washington	Mitch Elliott		New	
53	1C	Water is seeping/leaking in the new HSPS along north wall of this room, see attached images	John Washington	Mitch Elliott		New	
54	6A basement	Water is leaking/seeping into the northwest corner of the maintenance storage room in the basement.	John Washington	Mitch Elliott		New	
55	6A basement	Paint is coming off the fire service line in the maintenance storage room in the basement.	John Washington	Chad Terry		New	
56	2A 2B	Concrete SCU walls in pipe gallery are flaking where they had been patched previously, see attached photos	John Washington	Mitch Elliott		New	
57	6B	Large drywall cracks are appearing near the main stairs, see attached photos	John Washington	Mitch Elliott		New	
58	4B	Sodium Hypo Bulk Tanks are leaking, see attached photo	John Washington	Mitch Elliott		New	
59	3	The displays on all 3 SCU pinch valves have become cracked and difficult to read, see attached photo.	John Washington	Mitch Elliott		New	
61	4B	Ammonia day tank bung is leaking	John Washington	Doug McCoy		New	
63	1C	Light switch at east end of high service pump room near exterior door does not work	John Washington	Kevin Schammel		New	

Date of Issuance: February 13, 2019	Effective Date: February 13, 2019
Owner: City of Ames	Owner's Contract No.: 2014-120
Contractor: Knutson Construction	Contractor's Project No.: 5320
Engineer: FOX Engineering	Engineer's Project No.: 3338-12A
Project: Ames Water Treatment Plant - Contract 2	Contract Name: Contract 2

The Contract is modified as follows upon execution of this Change Order:

Description:

Final Contract Revision per City of Ames and Knutson Construction Settlement Agreement dated February 13, 2009

Deduct \$547,550.00

The City of Ames and Knutson Construction negotiated this Contract Revision to amicably close out the Parties' contract. Ames and Knutson have agreed to close out the Parties' Contract for the Project for a final payment by Ames to Knutson of \$547,550.00, pursuant to the terms of the Settlement Agreement and Release. The Parties have resolved all claims, known and reasonably should have known, by and against each other and all complaints and claims related to delays in construction or incomplete work caused by any contractor, subcontractor or sub-subcontractor on the Project, as specified in the Settlement Agreement and Release. The Parties have agreed to a \$547,550.00 deductive Contract Revision to resolve all of Ames' claims, offsets, and damages, except as set forth in the Settlement Agreement and Release. The City of Ames and Knutson Construction agree that no liquidated damages have been assessed nor shall be assessed in connection with the Project. Warranty / Correction Period begins December 31, 2017, and will conclude on December 31, 2019.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>52,497,000.00</u>	Original Contract Times: Substantial Completion: <u>May 17, 2017</u> Ready for Final Payment: <u>August 17, 2017</u> days or dates
[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>01</u> to No. <u>25</u> :  \$ <u>1,214,111.00</u>	[Increase] [ <del>Decrease</del> ] from previously approved Change Orders No. <u>01</u> to No. <u>25</u> : Substantial Completion: <u>0 days</u> Ready for Final Payment: <u>0 days</u> days
Contract Price prior to this Change Order:  \$ <u>53,711,111.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>May 17, 2017</u> Ready for Final Payment: <u>August 17, 2017</u> days or dates
[ <del>Increase</del> ] [ <del>Decrease</del> ] of this Change Order:  \$ <u>547,550.00</u>	[Increase] [ <del>Decrease</del> ] of this Change Order: Substantial Completion: _____ Ready for Final Payment: <u>March 1, 2019</u> days or dates
Contract Price incorporating this Change Order:  \$ <u>53,163,561.00</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: <u>March 1, 2019</u> days or dates

<b>RECOMMENDED:</b>		<b>ACCEPTED:</b>		<b>ACCEPTED:</b>	
By: <u><i>[Signature]</i></u>	By: _____	By: <u><i>[Signature]</i></u>	By: _____	By: <u><i>[Signature]</i></u>	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: <u><i>Project Manager</i></u>	Title _____	Title <u><i>EVP</i></u>	Title _____	Title _____	Title _____
Date: <u><i>2/21/19</i></u>	Date _____	Date <u><i>2/20/2019</i></u>	Date _____	Date _____	Date _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_



EXHIBIT C

February 26, 2019

Dave Bastyr, Executive Vice President  
Knutson Construction  
7515 Wayzata Boulevard  
Minneapolis, MN 55426

**RE: AMES WATER TREATMENT PLANT CONTRACT 2 CLOSE-OUT**

This letter is written confirmation that the above referenced contract has been closed.

The facility began producing water on or about July 27, 2017. Substantial and Final Completion were thereafter achieved. The project was accepted as complete by the Ames City Council at its February 26, 2019 meeting

Knutson's two-year contractual warranty started on December 31, 2017 and will conclude on December 31, 2019.

Final payment to be made by Ames to Knutson will be \$547,550 on or before March 1, 2019, subject to the terms and conditions of the Settlement Agreement and Release, made effective on February 26, 2019.

A handwritten signature in blue ink that reads "John R. Dunn".

John R. Dunn, PE, MBA

Director

Ames Water and Pollution Control

BOND NUMBER: 107001584

KNOW ALL MEN BY THESE PRESENTS, That we, Knutson Construction Services, Inc., as Principal and Travelers Casualty and Surety Company of America as Surety, are held and firmly bound unto The City of Ames, State of Iowa, as Obligee in the sum of One Million Three Hundred Forty Nine Thousand Eighty Three and 20/100 Dollars (\$1,349,083.20), lawful money of the United States to be paid to said Obligee his heirs, legal representatives or assigns, for which payment well and truly to be made we jointly and severally bind ourselves and each of our heirs, legal representatives and assigns firmly by these presents.

WHEREAS, Schammel Electric, Inc. filed a claim for the sum of Six Hundred Seventy Four Thousand Five Hundred Forty One and 60/100 Dollars (\$674,541.60), against the Principal for work performed for the Ames Water Treatment Plant – Contract 2, Treatment Facilities, and

WHEREAS, said claim purports to have been made as prescribed in accordance with Iowa Code Section 573.16, against the above described public property for labor and/or materials furnished to said Principal for the construction of the aforementioned property, and

WHEREAS, in accordance with Iowa Code 573.16 this surety bond is provided in double the amount of the claim.

NOW, THEREFORE, the condition of this obligation is such that, if the above bounden Principal shall well and truly pay any and all judgments which may be rendered for the claims so filed in favor of the aforesaid claimant, his successors or assigns, in any action or proceeding to enforce said claim, then this obligation shall be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals this 19th day of February, 2019.

Knutson Construction Services, Inc.

By: 

Travelers Casualty and Surety Company of America

By:   
Kelly Nicole Bruggeman, Attorney-in-Fact

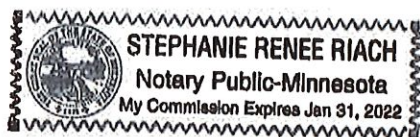


# Corporate Acknowledgment

STATE OF Minnesota )  
 ) ss  
COUNTY OF Hennepin )

On this 1st day of February, 2019, before me personally appeared Dave Buster To me known, who being by me duly sworn, did say that he is the Executive Vice President of the Knutson Construction Services, Inc.

corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal is affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his/her name thereto by like order.



(Notary Seal)

Stephanie Riach  
Notary Public Signature

# Acknowledgment of Corporate Surety

STATE OF Minnesota )  
 ) ss  
COUNTY OF Hennepin )

On this 1st day of February, 2019, before me appeared Michelle Halter, to be known, who being by me duly sworn did say that (s)he is the aforesaid Attorney-in-Fact of the Travelers Casualty and Surety Company of America

a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by the aforesaid officer, by authority of its Board of Directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.



(Notary Seal)

Kelly Nicole Bruggeman  
Notary Public Signature



**Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company**

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Michelle Halter** of **Minneapolis, Minnesota**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **3rd** day of **February**, 2017.



State of Connecticut

City of Hartford ss.

By: *Robert L. Raney*  
Robert L. Raney, Senior Vice President

On this the **3rd** day of **February**, 2017, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

**In Witness Whereof**, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2021



*Marie C. Tetreault*  
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **1st** day of **February**, 2019



*Kevin E. Hughes*  
Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.**

# Engineer's Statement of Completion

Project: <b>Ames Water Treatment Plant – Contract 2</b>	Date of Award: <b>October 28, 2014</b>
Owner: <b>City of Ames</b>	Owner's Contract No.: <b>2014-120</b>
Engineer: <b>FOX Engineering</b>	Engineer's Project No.: <b>3338-12A</b>
Contractor: <b>Knutson Construction</b>	

I hereby state that the construction of the **Ames Water Treatment Plant – Contract 2, Ames, Iowa** project by a Contract dated **October 28, 2014** has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said Contract.

The work was completed on **February 15, 2019**. The Contract completion date is **March 1, 2019**.

I further state that the total amount due to the Contractor for the fulfillment of said Contract is **\$53,163,561.00** including Change Orders 1-26.

The Contractor has been paid \$52,616,011.00 as of Pay Application No. 37.

The remaining balance of the total amount due to the Contractor (work and remaining retainage of \$547,550.00 per Contractor's Application for Payment No. 38) shall then be paid on or before March 1, 2019 following formal acceptance of the construction by the City of Ames City Council in accordance with the settlement agreement.

**Signed:**

FOX Engineering Associates

By: 

Iowa Registration No.: 15259

Date: February 18, 2019

FOX PN: 3338-12A

**Accepted by:**

Owner: \_\_\_\_\_

Resolution: \_\_\_\_\_

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

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Distribution:

- Engineer
- Contractor
- Owner
- IDNR



**To:** Mayor and Council

**From:** Susan Gwiasda, Public Relations Officer

**Date:** February 26, 2019

**Subject:** Resident Satisfaction Survey 2019

The City of Ames is again working with Iowa State University's Institute for Design Research and Outreach to produce, distribute, and analyze the 2019 Resident Satisfaction Survey. This will be the 37th year of the survey, which includes mostly benchmarking questions.

Each year, a small amount of space is reserved for current issue/policy questions to be added. Most policy questions require some explanation before any question can be asked. Due to the space necessary to set up the question, typically only a few additional questions fit in the survey. The Council is welcome to suggest topics, but please note there is no obligation to add to the survey. **The questions added to the 2018 survey are attached. These questions were requested by Healthiest Ames as benchmarking community health questions. You could opt to include these questions again, replace them with other questions, or remove them.**

In the last few years, policy questions have examined incentives for waste reduction options, rating the attractiveness of entryways into the city, support of City-sponsored "hot spots," support for an indoor aquatics center, unmet human services needs in the community, support for solar energy, and interest in improving biking/walking trails.

Our goal with the annual survey is to use feedback from our citizens regarding their satisfaction with City of Ames programs and services, capital improvement projects, and future allocations of funding to guide decision making.

Please consider what issues or policies would be helpful to have public feedback. Remember, you do not need to craft the actual questions because our consultants at Iowa State University provide that expertise.

## PREVIOUS POLICY-RELATED QUESTIONS

Your health
-------------

A. Overall, how would you rate your health?

- |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <u>Poor</u>              | <u>Fair</u>              | <u>Good</u>              | <u>Very good</u>         | <u>Excellent</u>         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

B. During the PAST 7 DAYS, how many days were you engaged in physical activity of 20 minutes or more?

1. 0 day
2. 1 day
3. 2 - 3 days
4. 4 - 5 days
5. 6 or more days

C. What would support you in getting more daily physical activity?

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D. How interested are you in getting involved in community gardens in your neighborhood?

1. Not interested at all
2. Somewhat not interested
3. Uncertain
4. Somewhat interested
5. Very interested

E. During the last 7 days, how many times did you eat fruits? (Do not count fruit juices)

1. I did not eat fruit during the past 7 days
2. 1-3 times during the past 7 days
3. 4-6 times during the past 7 days
4. 1-2 times per day during the past 7 days
5. 3 or more time per day during the last 7 days

F. During the last 7 days, how many times did you eat other vegetables? (Do not count green salad)

1. I did not eat vegetables during the past 7 days
2. 1-3 times during the past 7 days
3. 4-6 times during the past 7 days
4. 1-2 times per day during the past 7 days
5. 3 or more time per day during the last 7 days



Staff Report

**2017/18 SANITARY SEWER REHABILITATION (MUNN WOODS)  
IOWA DNR STATE REVOLVING FUND (SRF) PUBLIC HEARING**

February 26, 2019

**Item #24**

**BACKGROUND:**

This is the City's annual program for rehabilitation/reconstruction of deficient sanitary sewers and deteriorated manholes at various locations throughout the city. The goal of this program is to identify and remove major sources of inflow/infiltration to regain pipe capacity and lower the wet weather flow at the treatment plant. The program typically includes rehabilitation work such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains.

The Capital Improvement Plan (CIP) shows 2017/18 funding of \$3,460,000 from the Iowa DNR (IDNR) State Revolving Fund (SRF) and \$250,000 from the Sewer Utility Fund. Repayment of the SRF loans will be from Sewer Fund revenues.

On August 23, 2016, City Council approved the engineering services agreement with WHKS & Company of Ames, Iowa to complete project design. **This project is in the Munn Woods and Emma McCarthy Lee Park area.** Work will utilize a variety of rehabilitation techniques, including sewer lining, sewer replacement, and manhole and structure rehabilitation/replacement. **The project will also involve construction of a new trail and maintenance access through the lower park area. This will serve as a greenbelt trail and will also infrequently be used by City maintenance crews to maintain the sanitary sewer in the future.**

WHKS and City staff held two project information meetings on July 26, 2018 and November 8, 2018 with area property owners, residents and concerned citizens. One-on-one discussions were also conducted with several of the property owners directly impacted by the project. The comments received from these meetings were addressed and incorporated into the project design.

**IDNR performed an environmental review and the project did not qualify for a categorical exclusion determination (meaning no further action would have been required for approval) because of the work being within a woodland park area. Therefore, a public hearing to allow concerned citizens to come forward with any issues about the potential environmental impact of the project is required.** Since it is a federally required hearing, the public notice was published in a local newspaper at least 30 days prior to this hearing.

**STAFF COMMENTS:**

**No action by City Council is required.** The purpose is to conduct a mandatory SRF Public Hearing to inform area residents and the community about this proposed project and to address citizens' concerns, if any, through the plan design.

**COUNCIL ACTION FORM**

**REQUEST: MAJOR SITE DEVELOPMENT PLAN AMENDMENT FOR 3331 & 3405  
AURORA AVENUE**

**BACKGROUND:**

On November 27, 2017, the City Council approved a Major Site Development Plan for two lots at 3331 (Lot 8) and 3405 (Lot 9) Aurora Avenue in the Village Park Subdivision. This development includes an 8-unit apartment building and an 8-stall garage on each lot. Both lots are zoned as FS-RM (Suburban Residential Medium Density) (See *Attachment A: Location & Zoning Map*).

**The property owner, Hunziker Development Company, LLC, is requesting approval of an amendment to the Major Site Development Plan for changes to the design and building material of the proposed residential buildings along with roof design and siding material on the 8-stall garages.** The general layout of the site and number of units are the same as previously reviewed. No changes are proposed to the storm water management features. Minor changes to the arrangement of shrubs and grasses in the landscape planting areas along the front side of the buildings are also proposed.

Although Section 29.1502(6) of the *Municipal Code* allows for “minor changes” to the approved Major Site Development Plan with staff approval, it has been determined by staff that the proposed changes are not minor in nature due to the overall change in building elevation design and the change in exterior building materials.

The applicant proposes to change the design from more modern/contemporary style to a traditional residential appearance. The proposed changes include use vinyl lap siding and vinyl board and batten siding as the primary exterior material on all sides of the proposed buildings, instead of the galvalume finish corrugated metal siding material that was originally approved. Stone veneer is proposed along the bottom portions of both buildings. The materials change is paired with changes to the architectural look of the building as well. The roof is being redesigned to have a hipped design with dormers and use of asphalt shingles, compared to the approved flat roof design. Painted steel columns are proposed on the street front and rear facing facades that help support. A wood frame covered entry with standing seam metal roof is being placed on the front and rear facades over the main entrances to the buildings. Façade relief is provided on all sides of each residential building. (*See Attachment C: Proposed Elevations*).

The general footprint of the redesigned buildings on each lot is increasing to 5,200 square feet (70' X 74' 6") from the 4,000 square foot original proposal. The garage size is increasing slightly from 2,160 to 2,202 square feet (91' 8" X 24'). This represents a 1,243 square foot impervious area increase on each lot. The parking and sidewalk areas at 7,196 square feet did not change in size. The impervious area totals 14,599 square feet



which covers 72% of each lot. The height of the buildings will be 25' on the residential buildings. (See Attachment B: Major Site Plan Amendment Layout)

The apartment buildings are oriented so that the front facades of the buildings face Aurora. The façade facing Aurora has the appearance of three front doors at the ground level, one to each unit and a door to a common corridor. The second floor of each building is accessed via main entrances on the east and west sides via a corridor and stairway. Access to the first floor apartment units are provided via dedicated individual entrances on the east and west sides of the building. The notable difference is that first floor units will receive direct outside access as opposed to the upper floor units which will be accessed via the two main single entrances by way of an internal corridor. The number of units in each building remains unchanged at 8 units. Exterior dedicated mechanical room access is located on the south side of 3331 Aurora Avenue and the north side of 3405 Aurora Avenue.

The eight stall garage structures are also proposed to be redesigned to include a gable roof with vinyl lap siding and stone veneer accents instead of galvalume corrugated metal siding. The design includes accent treatments wrapping corners. A concrete stem wall is proposed along the lower portion of the rear of each garage structure and the south façade of the garage at 3331 Aurora and north façade of 3405 Aurora. (See Attachment B: Proposed Elevations). The garage structures maintain a north/south orientation with the back side of the structures facing west. The back side of the garage structures face agricultural land located outside the corporate limits of Ames; however, once the land is annexed single-family detached homes are anticipated for this land.

Minor adjustments to the arrangement of landscaping along the front of the buildings were made. Quantities and general requirements are all otherwise unchanged and meet the landscape standards in the zoning ordinance. These minor adjustments could otherwise be approved by themselves via a minor amendment by staff.

No changes are proposed to the storm water management features, since the added impermeable space is still within the original assumptions of the regional detention facility design.

The City approved three sites within the Village Park subdivision with a similar modern design with a mix of brick and architectural metal siding. This site was the third one of those sites. The other sites are built or under construction north of this site. Use of vinyl siding is common within Ames for multi-family and single-family residential development. Vinyl is typically a compatible material with the surrounding area based on the other apartment buildings that are built in the area. In this case, both the principal building and garage include vinyl siding. Stone accents have also been used on multi-family buildings elsewhere in Ames. Providing a common material treatment on the garage structures corresponding to the treatment on the principal building enhances the aesthetic compatibility of the site. Hipped and gabled roofs are common across Ames on both principal and accessory residential structures on both single and multi-family residential

properties as are covered decks on numerous multi-family sites.

**Planning & Zoning Commission Recommendation:**

At the February 6<sup>th</sup> Planning & Zoning Commission meeting the Planning & Zoning Commission voted 5-0 to recommend that the City Council approve the Major Site Plan Amendment at 3331 and 3405 Aurora Avenue.

**ALTERNATIVES:**

1. The City Council can approve the request with the changes proposed by the applicant for the Major Site Development Plan Amendment for 3331 and 3405 Aurora Avenue.
2. The City Council can deny the proposed changes for 3331 and 3405 Aurora Avenue.
3. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

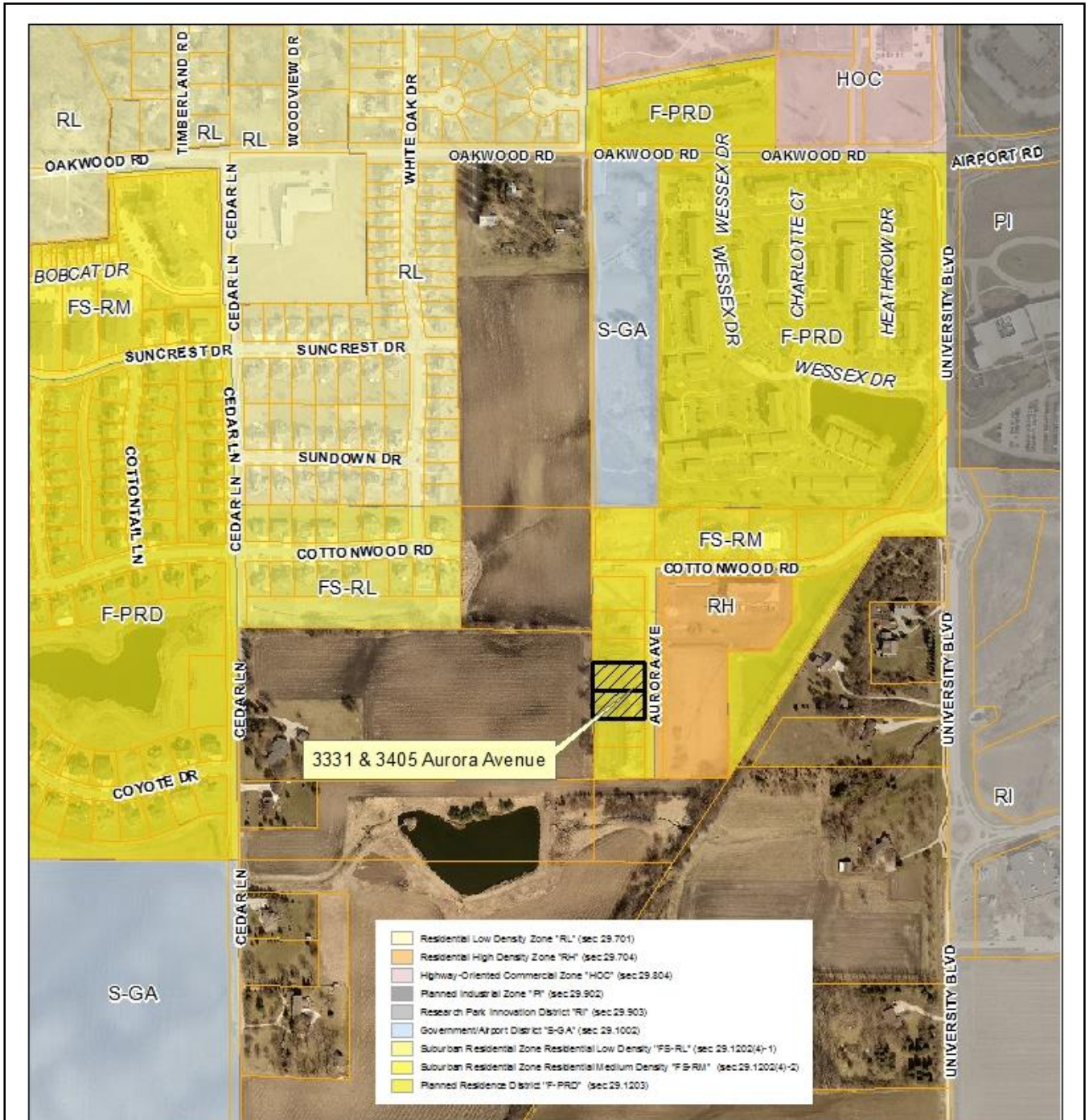
**CITY MANAGER’S RECOMMENDED ACTION:**

When City Council approved the Major Site Development Plan for development of the properties addressed as 3331 and 3405 Aurora Avenue, it determined that the Plan meets the minimum criteria and standards for approval listed in Ames *Municipal Code* Section 29.1502(4)(d). Staff believes that the overall consistency with the Major Site Development Plan criteria is maintained for the project with the proposed changes.

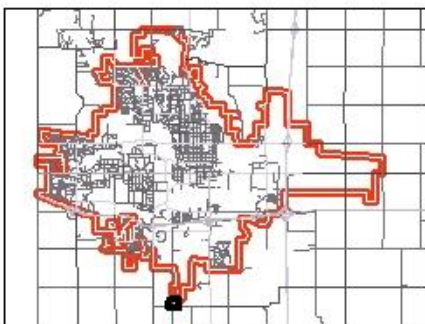
The requested Major Site Development Plan amendment affects the design of the principal buildings and garage structures located on each lot. The primary change of building design and materials is generally compatible with the surroundings.

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the request for the Major Site Development Plan Amendment for 3331 and 3405 Aurora Avenue.**

# Attachment A- Location & Zoning Map



- Residential Low Density Zone "RL" (sec 29.701)
- Residential High Density Zone "RH" (sec 29.704)
- Highway-Oriented Commercial Zone "HOC" (sec 29.804)
- Planned Industrial Zone "PI" (sec 29.902)
- Research Park Innovation District "RI" (sec 29.903)
- Government/Airport District "S-GA" (sec 29.1002)
- Suburban Residential Zone Residential Low Density "FS-RL" (sec 29.1202(4)-1)
- Suburban Residential Zone Residential Medium Density "FS-RM" (sec 29.1202(4)-2)
- Planned Residence District "F-PRD" (sec 29.1203)



## Location & Zoning Map 3331 & 3405 Aurora Avenue





# Attachment C – East & West Exterior Elevations



**HCS**  
 builders, inc.  
 Ames, IA 50014-8009  
 Phone: (515) 233-4450  
 Website: www.hcsbuilders.com

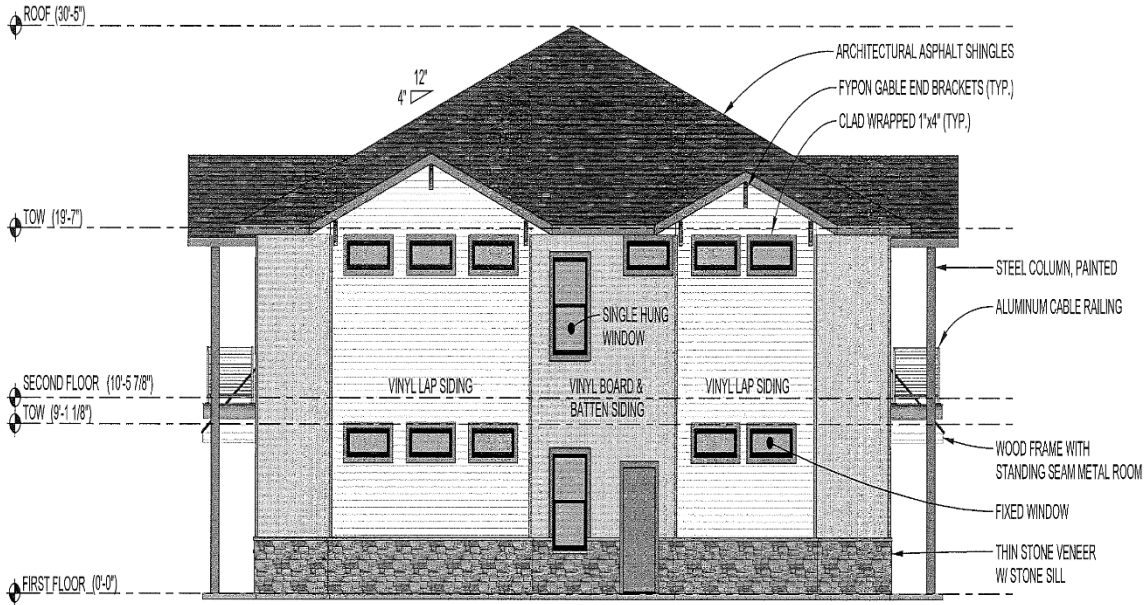
Project: **8 PLEX APARTMENT**  
 Drawing Title: **ELEVATIONS - E & W**

3405 AURORA AVE.  
 AMES, IA 50014  
 LOT #9  
 VILLAGE PARK

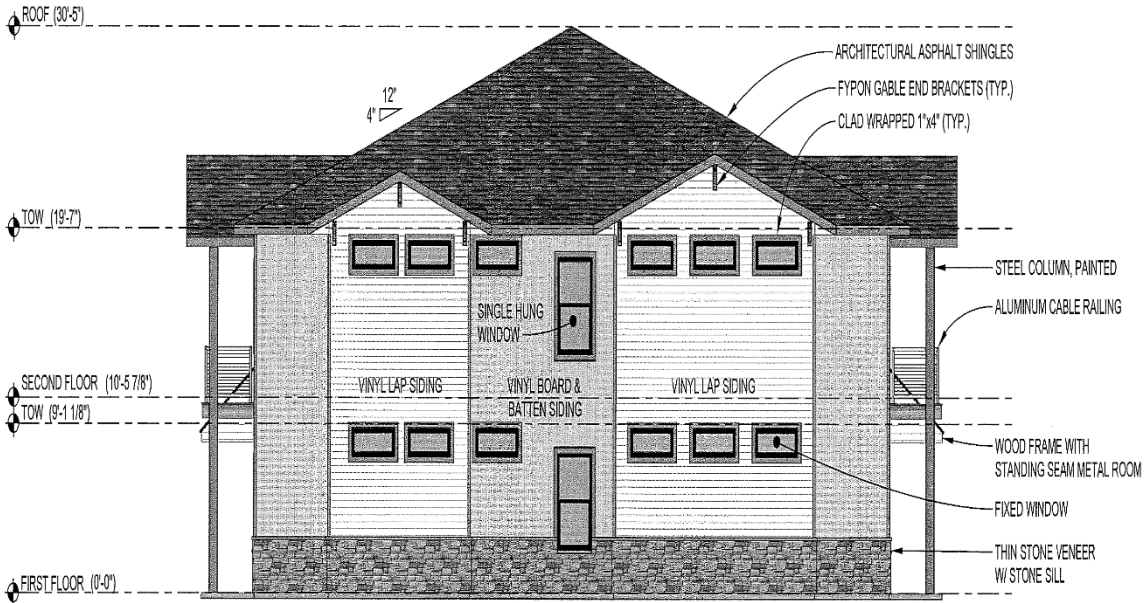
Scale: 1/8"=1'-0"  
 Date: 1/17/19  
 Drawn By: R.F.

**A4**  
 of 7

# Attachment C- North & South Exterior Elevations



1 NORTH EXTERIOR ELEVATION  
SCALE: 1/8"=1'-0"



2 SOUTH EXTERIOR ELEVATION  
SCALE: 1/8"=1'-0"

**HCS**  
builders, inc.  
Ames, IA 50010-8009  
Phone: (515) 233-4460  
Website: www.hcsbuilders.com

Project: 8 PLEX APARTMENT  
Drawing Title: ELEVATIONS - N & S

3405 AURORA AVE.  
AMES, IA 50014  
LOT #50  
VILLAGE PARK

Scale: 1/8"=1'-0"  
Date: 1/17/19  
Drawn By: R.F.

**A3**

of 7

# Attachment C- Garage Elevations

**HCS** builders, inc.  
 105 S 16th St  
 Ames, IA 50010 8009  
 Phone: (515) 232-4450  
 Website: www.hcsbuilders.com

**8 PLEX APARTMENT**  
 Project:

Drawing Title: **GARAGE EXT. ELEV.**  
 3405 AURORA AVE.  
 AMES, IA 50014  
 LOT #9  
 VILLAGE PARK  
 Scale: 1/8"=1'-0"  
 Date: 1/17/19  
 Drawn By: R.F.

**A7**  
of 7

