

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL*
JUNE 23, 2020

***DUE TO THE COVID-19 PANDEMIC, CITY HALL IS CLOSED TO THE PUBLIC UNTIL JULY 1, 2020. THEREFORE, THIS WILL BE AN ELECTRONIC MEETING. IF YOU WISH TO PROVIDE INPUT ON ANY ITEM, YOU MAY DO SO AS A VIDEO PARTICIPANT BY GOING TO:**

<https://zoom.us/j/826593023>

OR BY TELEPHONE BY DIALING: US:1-312-626-6799 or toll-free: 1-888-475-4499
Zoom Meeting ID: 826 593 023

YOU MAY VIEW THE MEETING ONLINE AT THE FOLLOWING SITES:

<https://www.youtube.com/ameschannel12>

<https://www.cityofames.org/channel12>

or watch the meeting live on Mediacom Channel 12

NOTICE TO THE PUBLIC: The Mayor and City Council welcome comments from the public during discussion. If you wish to speak, please see the instructions listed above. 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.

CALL TO ORDER: 6:00 p.m.

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

1. Motion approving claims
2. Motion approving Minutes of Regular Meeting held June 9, 2020
3. Motion approving Report of Change Orders for period June 1 - 15, 2020
4. Motion approving new 12-month Class B Liquor License with Catering Privilege, Class B Native Wine Permit, Class B Wine Permit, Outdoor Service, and Sunday Sales - Courtyard by Marriott Ames - 311 S. 17th Street, **pending Food Service Establishment License and final Inspection**
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licences:
 - a. Class C Liquor License with Sunday Sales - Red Lobster #0747, 1101 Buckeye Avenue
 - b. Class C Liquor License with Sunday Sales - Welch Ave Station, 207 Welch Avenue
 - c. Class C Beer Permit with Class B Native Wine Permit and Sunday Sales - Hampton Inn & Suites, Ames, 2100 SE 16th Street
 - d. Class C Liquor License with Outdoor Service -Class B Beer with Sunday Sales - Panchero's Mexican Grill, 1310 S. Duff Avenue

- e. Special Class C Liquor License with Outdoor Service and Sunday Sales - Botanero Latino, 604 East Lincoln Way, **Pending Dram Shop**
6. Resolution approving revised ASSET Policies and Procedures
7. Resolution approving and adopting Supplement No. 2020-3 Municipal
8. Resolution appointing Dan Culhane to serve as the appointed representative and Amy Howard to serve as the alternate appointed representative to the Story County Economic Development Group
9. Resolution approving Commission On The Arts (COTA) Special Project Grant Contract for Fall 2020
10. Resolution approving Second Amendment to the Municipal Joint Use Agreement regarding the Municipal Pool between the City and the Ames Community School District to extend the Agreement through February 28, 2022
11. Resolution approving amendment to Funding Agreement with Iowa Department of Agriculture and Land Stewardship regarding the South Grand Avenue Extension
12. Resolution approving amendment to Funding Agreement with Iowa Department of Agriculture and Land Stewardship regarding Campustown Public Improvements on Welch Avenue
13. Resolution approving renewal of Fiscal Agency Agreement between the Ames Foundation and the City of Ames to support projects in the Police Department
14. Resolution accepting quote for Excess Workers' Compensation Insurance from Holmes Murphy & Associates for coverage with Midwest Employers' Casualty Company for the same coverage types and limits as the expiring contract at a renewal premium of \$115,950
15. Resolution approving renewal of contract with EMC Risk Services, LLC, of Des Moines, Iowa, to provide third-party administration of the City's Workers' Compensation and Municipal Fire and Police "411 System" claims for August 1, 2020, through July 31, 2021, at a cost not to exceed \$55,000
16. Resolution approving temporary street closure at 111 Lynn Avenue for crane operation
17. Resolution approving preliminary plans and specifications for Emma McCarthy Lee Park Bridge Project; setting July 21, 2020, as bid due date and July 28, 2020, as date of public hearing
18. Resolution approving preliminary plans and specifications for 2020/21 US Hwy 69 Improvements (South Duff Avenue and US Highway 30 Eastbound Off-Ramp); setting July 22, 2020, as bid due date and July 28, 2020, as date of public hearing
19. Resolution approving preliminary plans and specifications for 2019/20 Clear Water Diversion; setting July 22, 2020, as bid due date and July 28, 2020, as date of public hearing
20. Resolution approving preliminary plans and specifications for Power Plant Unit 8 Turbine Generator Overhaul; setting July 29, 2020, as bid due date and August 11, 2020, as date of public hearing
21. Resolution approving preliminary plans and specifications for Unit 8 Precipitator Roof Replacement; setting August 12, 2020, as bid due date and August 25, 2020, as date of public hearing
22. Resolution waiving bidding requirements and awarding a contract to Arvos Ljunstrom, LLC of Wellsville, New York, for Unit 8 Air Heater Basket Replacement for the Power Plant in the amount of \$135,857.77 (inclusive of sales tax)
23. Resolution awarding a contract for the Ames/ISU Ice Arena Resurfacer (including laser ice system and trade-in value for current resurfacer) to CTM Services, Inc, of Lonsdale, Minnesota, in the amount of \$97,630
24. Resolution waiving bidding requirements and awarding a contract with Itron, Inc., of Liberty

Lake, Washington, to furnish radio units, meters and related parts and services in an amount not to exceed \$503,800

25. Non-Asbestos Insulation and Related Services:
 - a. Resolution approving renewal of contract with HTH Companies, Inc., of Union, Missouri, for Power Plant in an amount not to exceed \$150,000
 - b. Resolution approving Performance Bond
26. Underground Trenching Contract:
 - a. Resolution approving renewal of primary contract with Ames Trenching & Excavating, of Ames, Iowa for Electric Services in an amount not to exceed \$200,000
 - b. Resolution approving Performance Bond
 - c. Resolution approving renewal of secondary contract with Zoske Electrical Services, Inc., of Des Moines, Iowa for Electric Services in an amount not to exceed \$100,000
 - d. Resolution approving Performance Bond
27. Scaffolding and Related Services & Supply Contract
 - a. Resolution approving renewal of contract with HTH Companies, Inc., of Union, Missouri, for the Power Plant for hourly rates and unit prices bid, in an amount not to exceed \$53,000
 - b. Resolution approving Performance Bond
28. Boiler Maintenance Services Contract:
 - a. Resolution approving renewal of contract with Plibrico Company LLC., Omaha, Nebraska for Power Plant in an amount not to exceed \$215,000
 - b. Resolution approving Performance Bond
29. Resolution accepting completion of Wellhead Controls Improvements and Repainting Project (Baker Electric)
30. Resolution accepting completion of 2017/18 Shared Use Path Maintenance Contract 1 - Daley Park

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.

ADMINISTRATION:

31. Motion setting salaries for Council appointees
32. Resolution approving revised Contract with Iowa State University for Sustainability Advisory Services from July 1, 2020, through June 30, 2021, in an amount not to exceed \$34,000
33. Staff Report regarding Modifications to Outdoor Dining Related to COVID-19
34. Delinquent Utility Accounts Related to COVID-19

PLANNING & HOUSING:

35. Staff Report regarding Small Lots and Increasing the Diversity of Housing Types

HEARINGS:

36. Hearing on 2019/20 Shared Use Path System Expansion - Vet Med Trail (S. 16th Street to ISU Research Park):
 - a. Resolution approving 20-year Shared Use Path Easement with Iowa State University for a portion of path on the Vet Med property and authorize City staff to approve any de minimis changes required by the Attorney General and Board of Regents
 - b. Resolution approving final plans and specifications and awarding contract to Howrey Construction, Inc., of Rockwell City, Iowa, in the amount of \$282,715.05, subject to the City being granted an acceptable easement from the State of Iowa
37. Hearing on 2019/20 Arterial Street Pavement Improvements - 13th Street (Wilson Avenue to Duff Avenue):
 - a. Resolution approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$2,350,344.20
38. Hearing on CyRide 2020 Interior Improvement:
 - a. Motion approving Report of Bids and delaying award to allow for Transit Board approval
39. Hearing on proposed vacation of a portion of City right-of-way adjacent to the south edge of 2400 SE 16th Street:
 - a. First passage of ordinance

ORDINANCES:

40. First passage of ordinance revising the parking regulations on Westbrook Drive
41. Second passage of ordinance establishing parking restrictions on Duff Avenue (20th Street to Grand Avenue)
42. Third passage and adoption of ORDINANCE NO. 4415 updating name of Iowa State University Student Government in Ames *Municipal Code* Section 26A

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

CLOSED SESSION:

43. Motion to hold Closed Session as provided by Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation

ADJOURNMENT:

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 9, 2020

CALL TO ORDER: Mayor John Haila called the Regular Meeting of the Ames City Council, which was being held electronically, to order at 6:00 p.m. with the following Council members participating: Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and David Martin. *Ex officio* Member Nicole Whitlock was also present.

The Mayor noted that the Council was working off an Amended Agenda. The additional item added was "Public Forum" as it was inadvertently omitted from the Agenda.

Mayor Haila announced that it is impractical to hold an in-person Council meeting due to the Governor of Iowa declaring a public health emergency because of the COVID-19 pandemic. Therefore, limits have been placed on public gatherings, and this meeting is being held as an electronic meeting as allowed by Section 21.8 of the *Iowa Code*. The Mayor then provided how the public could participate in the meeting via internet or by phone.

Mayor Haila stated that before the Council starts with the meeting, he wanted to say a few words in light of everything that had happened since the last City Council meeting. Mayor Haila requested to read the following statement on behalf of the City Council:

"The senseless and horrible killing of George Floyd in Minneapolis, two weeks ago, was repulsive and extremely disturbing to the City Council, staff, and the Ames Police Department. They remain deeply grieved by what transpired. Our hearts and deepest condolences go out to his family and the entire black community. The City of Ames remains resolutely committed to maintaining and strengthening our inclusive and welcoming city. We are not a perfect community, but are actively engaged in trying to become a better one. For a number of years, the City has hosted the Ames Community Institute, appointed and empowered a diverse City of Ames Human Relations Commission, co-hosted the Annual Symposium for Building and Inclusive Work places, participated in NAACP sponsored events, and recently installed an inclusive cross walk in Downtown Ames. These are some of the tangible examples of our commitment and resolve to building and maintaining a welcoming Ames.

We will not stop trying to improve. For the past few weeks the Council had received a variety of communications requesting information, for pledges to be taken, and changes made to policing; all in response to George Floyd's killing and every one has been read. As they are received, they are being aggregated and early next month they will be organized and categorized. Staff will then be asked to review them and to submit a report to the Council by mid-August. By following this approach, they will be able to consider these in a comprehensive manner. Some of the emails received have requested that more funds be invested in mental health, community programs, and youth. It is very interesting tonight that Item 9 on tonight's Consent Agenda we are approving City annual contracts in the amount of \$1.525 million to 24 different service agencies through the ASSET process. This is an increase of 4% or \$58,000 over last year's City allocation. Mental health, child services, medical care, legal aid, food and housing assistance, and transportation are just some of the

important services being provided by these agencies via these Agreements. For over 35 years the City of Ames, Story County, United Way, and the Iowa State University Student Government have pooled their financial resources to help meet the needs of our community and county. This year, an aggregate, our four entities will be investing over \$4.5 million, which is 3.3% more than last year, in the coming 12 months in community human services.

Two nights from now the first of four zoom moderated community discussions will be held; hosted by the NAACP, and Co-Sponsored by the City of Ames. The purpose in part is to help us as a community better understand where we are at locally with respect to inequitable treatment experienced by people of color, in particular, African Americans in their interactions with law enforcement and the legal system. Discussions will be with local law enforcement agencies and community leaders. The first meeting is this Thursday night will include the City of Ames and the Iowa State University Police Chief as panelists. As Mayor, I will be a panelist in one of the later sessions. We encourage all residents to be actively participating in discussions like these, assessing what changes each of us need to make, and working together to strengthen the community to every person regardless of color, race, creed, sex, national origin, religion, ancestry, disability, sexual orientation or gender identity, or social economic status welcome and treated equally in Ames.”

PROCLAMATION FOR “JUNETEENTH”: June 19, 2020, was proclaimed as “Juneteenth” by Mayor Haila. He urged all citizens to recognize this day, participate in dialogue with one another about its significance, and support efforts to advance inclusivity and equality in the Ames Community. Housing Coordinator Vanessa Baker-Latimer spoke on behalf of the Ames branch of the NAACP and President Edna Clinton. Ms. Baker-Latimer commented that they are honored that the City would recognize by Proclamation this important event in their history. They look forward to continuing their partnership and bringing diverse community and conversation to the community. Ms. Baker-Latimer mentioned that they had an event for “Juneteenth” planned in conjunction with the University, but that was postponed due to COVID-19. They look forward to future partnerships with the City and celebrating the event. Mayor Haila commented that the partnership with the NAACP can’t be overstated in its importance and how valuable it is.

CONSENT AGENDA: Moved by Betcher, seconded by Corrieri, to approve the following items on the Consent Agenda.

1. Motion approving claims
2. Motion approving Minutes of Special Meeting held May 19, 2020 and Regular Meeting held May 26, 2020
3. Motion approving Report of Change Orders for period from May 16 - 31, 2020
4. Motion approving Class C Liquor Ownership Change for Texas Roadhouse, 519 South Duff Avenue
5. Motion approving transfer of Bar la Tosca Class C Liquor License from 400 Main Street to 303 Welch Avenue, Ste. 101, pending final inspection
6. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor License:
 - a. Class C Liquor License with Catering Privilege and Sunday Sales - Texas Roadhouse, 519 South Duff Avenue

- b. Class C Liquor License with Outdoor Service and Sunday Sales - Bar la Tosca, 400 Main Street
- c. Class C Liquor License with Catering Privilege and Sunday Sales - Jethro's BBQ, 1301 Buckeye Avenue, pending dram
- 7. RESOLUTION NO. 20-297 adopting New and Revised Fees for the City of Ames to be effective July 1, 2020
- 8. RESOLUTION NO. 20-298 approving 2020-21 Human Services Contracts
- 9. RESOLUTION NO. 20-299 approving 2020-2021 Pay Plan
- 10. RESOLUTION NO. 20-300 confirming appointment of Jacob Schrader and Jacob Ludwig to serve as Iowa State University Student Government representatives to Ames Transit Agency Board of Trustees
- 11. RESOLUTION NO. 20-301 setting date of public hearing for June 23, 2020, on vacation of right-of-way adjacent to 2400 and 2500 SE 16th Street
- 12. RESOLUTION NO. 20-302 setting date of public hearing for July 28, 2020, on conveyance of vacated right-of-way to the owners of 2400 and 2500 SE 16th Street (Van Wall Equipment Inc.) for \$28,410.06
- 13. Economic Development Administration Grant Application pertaining to the Prairie View Industrial Center Utility Extension Project (East Industrial Area utilities):
 - a. Motion authorizing staff to prepare and submit the Grant Application
 - b. RESOLUTION NO. 20-303 designating Municipal Engineer Tracy Warner as authorized representative to sign the Grant Application
- 14. RESOLUTION NO. 20-304 accepting extension of Property Brokerage Agreement with Willis of Greater Kansas, Inc., for the period beginning July 1, 2020, through June 30, 2021, in the amount of \$50,000
- 15. RESOLUTION NO. 20-305 approving renewal of property insurance program coverage with Willis of Greater Kansas, Inc., for FY 2020/21 at the combined quoted premium of \$728,137
- 16. RESOLUTION NO. 20-306 approving waiver of parking meter fees for three designated spots on Douglas Avenue from May 19, 2020, to July 1, 2020, from 9:30 AM to 3:00 PM, Tuesday - Saturday, to facilitate Curbside Service at the Ames Public Library
- 17. RESOLUTION NO. 20-307 approving contract and bond for Electric Distribution Parking Lot Reconstruction Project
- 18. Asbestos Remediation and Related Services and Supply Contract:
 - a. RESOLUTION NO. 20-308 approving renewal of Contract with Earth Services & Abatement, LLC, of Des Moines, Iowa, for the one-year period from July 1, 2020, through June 30, 2021 in an amount not to exceed \$200,000
 - b. RESOLUTION NO. 20-309 approving Performance Bond
- 19. Valve Maintenance, Related Services and Supplies Contract:
 - a. RESOLUTION NO. 20-310 approving renewal of Contract with Pioneer Industrial Corporation, of Hastings, Nebraska, for the one-year period from July 1, 2020, through June 30, 2021 in an amount not to exceed \$85,000
 - b. RESOLUTION NO. 20-311 approving Performance Bond
- 20. Line Clearance Program:
 - a. RESOLUTION NO. 20-312 approving renewal of Contract with Wright Tree

Services, Des Moines, Iowa, for hourly rates and unit prices bid, in an amount not to exceed \$337,260,

- b. RESOLUTION NO. 20-313 approving Performance Bond
21. RESOLUTION NO. 20-314 approving Plat of Survey for 2200, 2212 Oakwood Road, and 3210 Cedar Lane
 22. RESOLUTION NO. 20-315 approving partial completion of public improvements and reducing security for Crane Farm Subdivision, 4th Addition (aka Hillside, 4th Addition)
 23. RESOLUTION NO. 20-316 approving partial completion of public improvements and reducing security for Quarry Estates Subdivision, 3rd Addition
 24. RESOLUTION NO. 20-317 approving completion of public improvements and releasing security for Village Park Subdivision, 1st Addition

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

PUBLIC FORUM: Dustin DeMarest, 1306 Wisconsin Circle, Ames, explained he wanted to voice his support for the City and the Ames Police Department. He wanted to make sure, in light of all the chaotic events that are happening in the nation, that the Ames Police Department and the City of Ames know that there are many citizens that do support what law enforcement does and they do appreciate them.

Jeri Neal, 916 Ridgewood Avenue, Ames, stated she had an Ames Climate Action meeting last night. One of the things that came up was their interest in Ames PaleBLUEdot, and what is going to happen with the results of the report. Ms. Neal commented that people are also interested in when the City will be looking at Request for Proposals (RFP) for the Ames Climate Action Plan. She wanted to let the Council know there is still a group of people who would be really interested in working with the project and how to move forward.

Sehba Faheem, 1930 Long Road, Apt. 166C, Ames, stated, in light of everything that is happening, she would like to urge the Council to think long and hard about reforms that could be done in Ames; to think about reallocating funds away from the Police Department to proactive approaches. She gave examples of counseling, social services, and mental health. Ms. Faheem mentioned that Minneapolis has one of the most progressive Police Departments, but George Floyd still died. As they see cities working towards reform, she felt it would be very powerful for the City of Ames to have a system where they defund the police officers and then move those funds to alternatives. Ms. Faheem mentioned that the City of Ames is very fortunate to not have a lot of crime and it could speak volumes that even smaller cities could be making a change; it doesn't have to be just the big cities making a change.

AMES ECONOMIC DEVELOPMENT COMMISSION: President and CEO of the Ames Chamber of Commerce and Ames Economic Development Commission (AEDC) Dan Culhane stated that it has been a good, but interesting, year.

The efforts of the Ames Economic Development Commission are well documented. There are over

50 businesses that help underwrite and help leverage the investment the City of Ames makes to the AEDC.

Mr. Culhane highlighted the following projects that the AEDC has been working on:

- Prairie View Industrial Center - This is still a high priority for the AEDC, Alliant Energy, and for the City of Ames. There are 1300 acres with a little over 700 acres under option. Over the last few months they have pitched every parcel of property to perspective industries, even though there is not sewer or water service there yet.
- EDA Grant Opportunity for Prairie View Industrial Center - The AEDC is currently working with the City of Ames for an opportunity to partially fund the extension of municipal sewer and water. The AEDC is putting together supporting documentation to help with the grant process.

Mr. Culhane explained that the unemployment rate in Ames for 2020 was at 1.7% in February, now it is 8.4% as result of the COVID-19 pandemic. They are noticing that employers are starting to bring employees back and re-opening their businesses. He is optimistic that as businesses start to re-open, the unemployment rate will decrease.

He commented that he continues to be encouraged despite COVID-19. The economic activities in Ames are still very robust. They have an international company looking at 310 acres on the north side of Lincoln Way, a Minnesota company looking at 77 acres, and a food company looking at 79 acres. Mr. Culhane explained when looking at the Prairie View East map, there is only one parcel that they haven't pitched within the last 90 days.

Mr. Culhane mentioned that the Iowa Small Business Relief Fund was sponsored by the Iowa Economic Development Authority. There were 120 Story County business, with the majority of the businesses in Ames, that received money through the program. He noted that there is also the Paycheck Protection Program (PPE), and he has not heard of one company that had not received PPE funding.

Mr. Culhane noted that business retention is very important, and in the last year, the AEDC has talked to over 100 private sector industries about how to get them to grow and expand in Ames. As a result of COVID-19, they have talked with about 600 businesses in the last 90 days, to stay ahead of their membership, and to be as helpful as possible to their customers during the pandemic.

Mayor Haila stated that he knows that the AEDC has worked tirelessly to try to help all of Story County. He mentioned that about \$2.4 million in State Grants has been pulled down and a lot of PPE has been given.

Council Member Betcher stated that there is concern about inclusivity. She wanted to know if the AEDC has done anything as a Board to talk about promoting small businesses that might be owned by minorities, women, and members of the under-represented communities in Ames or Story County. Mr. Culhane commented that they have not talked as a Board, but they have talked as staff and do

see that as a priority going forward. He noted that the Chamber and AEDC enjoy a rich relationship with the NAACP. He explained that they will be looking into that concern and may have a better answer to the question in a few months.

Council Member Beatty-Hansen asked to propose to add an item to the AEDC contract that would specifically call out the City of Ames interest in having the AEDC and the co-funded position work to encourage businesses that are minority-owned or owned by black or indigenous people. She noted that with all the calls for social justice, the economic element is very important. Having big employers is great for the City, but felt that Ames is strengthened when there is a rich diversity of businesses.

Moved by Beatty-Hansen, seconded by Betcher, to add to the contract the criteria for encouraging and supporting minority-owned businesses.

Mr. Culhane mentioned that motion would be a great addition to the contract. He also stated that in many respects the AEDC is already doing that, but not as formal.

Council Member Beatty-Hansen commented that this is not part of the motion, but thought that the AEDC should start tracking the information. Mr. Culhane noted that the AEDC has not tracked that information before.

Mayor Haila stated that the Contract is worked out between Steve Schainker and Mr. Culhane, and they will work that out.

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

Council Member Beatty-Hansen stated that another question she had about the contract was in part 2(B) about the position the City of Ames has regarding the Business Development & Marketing position. She understood that there is already someone in that position, but felt there were some elements that have changed since the contract was first introduced. Ms. Beatty-Hansen noted that on Number 11, it states, "The position will be jointly supervised by the President and CEO of the Ames Economic Development Commission and the Ames City Manager. As such, they perform work as assigned by the City Manager related to the liaison activities and the President and CEO of the AEDC related to marketing activities." She mentioned that, from her understanding, the position had morphed into something different, and the wording needs to be changed to define the role as it is now.

Mr. Culhane stated he would categorize it as Mr. Schainker has his ear whenever he wants it and they stay in close communication with a wide variety of things. There is always input and feedback from the City Manager. Ms. Beatty-Hansen explained that is different than saying that Mr. Schainker is also that person's Supervisor. She understands there is cooperation on both sides, but Number 11 states that person is supervised by two people.

Mayor Haila explained there is no issue with the Contract going forward, but to clean up a few points that have aged out and seeing if Mr. Schainker and Mr. Culhane could work together and update the contract. Ms. Beatty-Hansen explained that was correct; it is just a technicality as she has no problem with the way the role is being fulfilled, but technically Mr. Culhane is more the Supervisor of the position than both Mr. Schainker and Mr. Culhane. City Manager Schainker stated that he and Mr. Culhane can get together and work on the wording. Originally, there was a separate person who filled that position and now that person has multiple assignments within the AEDC's it is hard to break it down like they used to. Mr. Schainker stated that they can bring the Contract up-to-date to reflect what is happening now. Ms. Beatty-Hansen mentioned that they just need to clarify the roles.

Council Member Martin stated that there may an advantage to keeping the language the way it already is, as it gives Mr. Schainker the ability to intervene for supervision, if necessary. Currently the supervision of the position is being largely delegated to the AEDC as long as it works.

Council Member Betcher commented that she is wondering if they even still need to have the position. If they are, in fact, contracting for the services that AEDC is providing that used to be an actual person who was split between the City and the AEDC. Mr. Schainker stated that it is molded into the organization more now than just one person. Mr. Betcher asked if the Council knew enough about how the position is currently run. She wondered if a motion should be made to have Mr. Schainker and Mr. Culhane review the Contract to see which of the clauses may not accurately reflect the way the position is working now and have them craft an updated version of the Contract.

Moved by Betcher, seconded by Beatty-Hansen, that the Council allow the City Manager and the AEDC President and CEO to review the Cotract and craft new language that actually reflects the way in which the services are currently working and give the City Manger the authority to revise the Contract to accurately reflect the position.

City Manager Schainker stated that the Contract will come back before the Council for approval with the requested modifications.

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

The Mayor asked if anyone wanted to provide input. No one requested to comment, and public input was closed.

FY 2019-20 SUSTAINABILITY COORDINATOR ACTIVITIES: Mayor Haila inquired if Ms. Rankin had heard Ms. Neal's question during Public Forum. Ms. Rankin explained that she had and will address the questions during her presentation. Merry Rankin, Sustainability Coordinator, highlighted a few items from the semi-annual Report.

Food Waste Diversion Project - This project was kicked off about a year ago on July 1, 2019, and she had reported mid-year that they had sold about 100 buckets and collected a ton of material. During the second half of the year, they sold 150 buckets and it was noted by Resource Recovery

staff that due to COVID-19 closures there wasn't the ability for the public to purchase the buckets. Ms. Rankin commented that they had collected over five tons of material. The program was piloted as a "fee for service" for the first nine months of the program, and the last three months, they piloted a "complimentary service" option. With the closure of facilities, they had a drop-off container for food waste available 24x7 for the community at no charge. She had received very nice compliments from the community, particularly regarding the accessibility. On July 1, 2020, they will be looking at the program further to see what to do moving forward.

Ms. Rankin noted that they had the opportunity to work with an ISU journalism class. The class had reached out to the Resource Recovery staff and were interested in assisting in public relations and communications. The students wanted to produce marketing informational awareness material to assist the Food Waste Diversion program. She mentioned that the class put together a few suggestions to help reach out to the student community about composting. The class had a lot of questions about what can be composted and created a flyer, a sticker, and some suggestions for "tweets". The sticker was suggested as a "give away" item. Ms. Rankin commented that while working with students and a number of engagement opportunities, stickers were found to be a popular item. The stickers are put on laptops and water bottles, and are a great "little moving mini billboard" to offer peer-to-peer discussion.

Small Business Challenge - Ms. Rankin mentioned that they had a great first semester; however, they did have smaller numbers than in the mid-year report. She noted that there were two businesses that closed and left the Challenge, one business decided that the challenge wasn't as relevant to them at the time, and they had a new business join. There were six new business certifications all within the last semester and many of them happened virtually due to COVID-19. Ms. Rankin noted that, in August 2019, the interns had put into place new requirements, processes and procedures for the Smart Business Challenge. This was to have a more vibrant and robust engagement with participants involved in the Challenge. Part of the new requirements was that within a year of starting the Challenge, they would require the businesses to be certified. Of the six new certifications, three of them were platinum and were honored at the third annual business recognition event. They were able to honor Barilla, 3M, and REG at the event. Ms. Rankin noted that they are excited for the next year; however, both of their interns had graduated and they are interviewing for new interns.

Community Engagement - Ms. Rankin mentioned that the community engagement was interesting during the last semester. There were some opportunities to have in-person engagement both through the monthly sustainability program that she does on KHOI and through Campus Sustainapalooza, which is held every February. They were able to offer some unique opportunities for increasing sustainability, information awareness engagement, and empowerment. Sustainapalooza had three different City departments that were at the event. She commented that they went virtual and this was a challenge for the EcoFair. They did a "Fresh Air (virtual) Ecofair" and an EcoFair (virtual) Scavenger Hunt. The Scavenger Hunt was well received, and they are looking at making this an annual event.

Rummage Rampage 2020 - This event has already been canceled, but they are working on ideas for

next year. They are already looking at the dates of July 23 through August 2, 2021. They have worked with Public Works, GIS, and the Resource Recovery Departments to create an online list of resources where citizens can find different areas in the City to get rid of household items.

Greenhouse Gas Inventory - Ms. Rankin explained that she had a call yesterday with staff to finalize some comments on the two secondary studies: the Citywide Renewable Energy Potential Study and the Climate Vulnerability Assessment. She noted that she also had a conversation yesterday with PaleBlueDot going over any final questions they had relating to multiple comments that had been provided by staff for the Community Greenhouse Gas Inventory Report. The consultants are finalizing the Community Greenhouse Gas Inventory Report and she is expecting a final version to be available in the new few weeks. Ms. Rankin mentioned that she expects the report to be presented to the Council some time this summer. She noted that earlier Ms. Neal had questioned the Climate Action Planning and the Request For Proposals (RFP) for that project. Ms. Rankin stated that they want to be sure that all the finalization of the studies are complete, but they are on track to have the Report out in the next fiscal year and moving forward.

Ms. Rankin pointed out that her 2020-2021 Action Items are:

- Food Waste Diversion
- Rummage Rampage
- Smart Trash
- Smart Business
- Climate Action Planning

Council Member Betcher had a question about advertising. She noted that on the ISU Campus she had seen some signs that are encouraging students to separate out their waste into different receptacles. Ms. Betcher commented that she is not sure if this is an official message, but one of the receptacles is mixing food waste with other paper waste. She mentioned that many students might get confused by seeing those signs and then having different messaging if living off-campus. Ms. Rankin stated she would be interested to see what those signs look like as she is not aware of them. The only signs she has put up are signs relating to clarification as to what goes into recycling bins and what does not. Ms. Betcher would like to see that the messages are clear and compatible, especially on Campus. Ms. Rankin explained that they do not have triple separation containers, specifically ones for food waste, and this is something that the ISU Recycling Coordinator is working on with their zero-waste plan. The majority of ISU's food waste does come from the dining facilities and that is getting separated out and composted.

Council Member Martin wanted to know, with the Food Waste Diversion Program, what kind of metrics are being used to allow the Council to understand the program as moving out of a pilot/prototype phase and into something that has a substantial impact on the community. He commented that the reason he asked that question was because the poundage of compostable refuse has been reported at 800 pounds a month and that would be less than 1/100th of a percent of the refuse that gets processed a month. He is not sure what the numbers should be and questioned if they should be tracking the methane diverted because the food is not going to a landfill. Ms. Rankin stated

that is a good question and is one of the finer points that the Resource Recovery Plant has been tracking. She believed that poundage is a part of it, but another component that came out when they did the waste sort was that food waste was going into the waste stream, and the acceptable and beneficial materials were contaminated that could have been used in the Resource Recovery Plant. Ms. Rankin explained that over half of the paper products that came into the Resource Recovery Plant were contaminated by food waste and were all land-filled. Mr. Martin stated that was a great example, but they need to find a way to quantify in order to measure the program.

Council Member Beatty-Hansen stated the Land Waste program is beneficial, but he wanted to know more about expanding this offering and what limitations there are. Ms. Rankin stated that capacity has not been a challenge, but the biggest challenge is the cost of having a third-party process the material. She noted that they have had some challenges selling the buckets due to City closures, but have also stated that citizens do not need to have a bucket to participate in the program. The sales of the buckets and the fee for dropping off materials does not offset the cost of contracting with the vendor.

Mayor Haila mentioned that the program may not be paying for itself with vendor costs, but what they can't determine is how much they save in landfill costs, and could argue the City is saving money due to reduced waste being transported to Boone County. Ms. Rankin stated that at the end of the first year of the Food Waste Diversion program, they are going to compare tonnage that has been tipped at the Boone County landfill. It will be very informative to be able to compare weigh tickets and those costs. Public Relations Officer Susan Gwiasda stated that they are promoting the food composting rebate. Some citizens may not even be dumping their food as they may be composting it in their backyard. The food avoided will never be weighed and will never have that metric to compare. The program has a lot of potential benefits beyond what they can measure.

Council Member Gartin asked to be reminded as to why restaurants are not participating in the Food Compost Diversion program. Ms. Rankin explained that they had been reaching out to restaurants and grocery stores. In the work that was done with the consultant, they had received feedback related to interest in the program. There is currently outreach being done and a few restaurants and grocery stores are working on diverting food waste. Ms. Rankin explained they were looking at the industrial customers and engaging residents within the community. While there was outreach with industrial companies by Resource Recovery, she had focused on informing residents how to take part in the program. She noted that industrial companies have the opportunity to work with vendors they can contract with while residents don't.

Mayor Haila opened public comment and closed it when no one spoke up.

Moved by Gartin, seconded by Betcher, to accept the progress report from the Sustainability Coordinator regarding FY 2019-20 Activities.

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

Moved by Beatty-Hansen, seconded by Junck, to adopt RESOLUTION NO. 20-319 approving the

Contract with Iowa State University for Sustainability Advisory Services from July 1, 2020, through June 30, 2021, in an amount not to exceed \$25,000.

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

STORY COUNTY REQUEST TO EXTEND THE AMES URBAN FRINGE PLAN 28E AGREEMENT: Planning and Housing Director Kelly Diekmann stated he had broken this request into two actions. The first action was to look at a one-year extension and the second action is a combined action with Story County to review the Ames Urban Fringe Plan with the extension in place.

Lauris Olson, Story County Supervisor, Ames, wanted to let the Council know that she was available on behalf of the Board of Supervisors to answer any questions.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 20-320 approving the extension of the Ames Urban Fringe Plan Agreement to July 11, 2022.

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

Moved by Betcher, seconded by Corriero, to adopt RESOLUTION NO. 20-321 directing staff to work with Story County and Gilbert on future amendments to the Ames Urban Fringe Plan.

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

MINOR AMENDMENT TO THE LAND USE POLICY PLAN FUTURE LAND USE MAP AT 802 DELAWARE AVENUE: Planner Justin Moore stated that the request is from the property owner at 802 Delaware Avenue to make a change to the underlying Land Use Map. The property is currently designated as Low Density and the request is to change the density to a Medium Density. The request is from Dick and Rena Hall and they are being represented by Justin Dodge, with Hunziker Companies. The proposal to change to Medium Density would be an anticipation of future rezoning and potentially a multiple-family development at this location. Mr. Moore explained that during preliminary discussions, the developer has described an interest in a townhome development concept that consists of six two-story townhomes. This would require a rezoning and then a subsequent Minor Site Development Plan, if approved. When looking at the request, staff looked at the goals of the current Land Use Policy Plan (LUPP), and the goals that pertained to this request were goals 2, 4, 5, and 6. Staff looked at the request and compared them to those goals. Staff looked at the neighborhood and the existing infrastructure. Ultimately, staff's conclusion was that the LUPP does encourage infill and diverse housing opportunities; however, intensification is site-specific. The current neighborhood does have a few single-family homes and there are two-family homes across the street and then single-family homes in the rest of the neighborhood. Mr. Moore explained that staff concluded that the issue of intensification is site-specific, and they were unable to find support in the LUPP for this request.

Mayor Haila asked for Mr. Moore to explain what happened during the Planning & Zoning Commission meeting. Mr. Moore explained that the Planning & Zoning Commission did discuss this project at length on May 20, 2020. The Commission deliberated through three separate motions on the matter based upon the alternatives presented by staff. The first motion made was to recommend that the City Council deny the requested amendment to the LUPP Future Land Use Map. The motion failed on a 2-4 vote. Further discussion followed about the benefits of delaying a decision until the Ames 2040 Plan had more definition or to deny the request and have the applicant reapply. Next, a motion was made to recommend the City Council defer the proposed amendment to the LUPP Future Land Use Map. The motion failed on a 3-3 vote. Ultimately, a motion was made to recommend that the City Council deny the amendment to the LUPP Future Land Use Map. That motion passed on a 5-1 vote. Mayor Haila wanted to verify if the decision to deny the amendment was due to wanting to wait on the Ames 2040 Plan. Planning and Housing Director Diekmann commented that the Planning and Zoning Commission had a diverse set of responses, and the minutes were not ready yet for the Council to read the minutes. He noted that the majority of the Commission felt that without policy guidance the current LUPP was not in a position to support the request, but the bulk of it was that without definition it was hard to move forward with predicting how this was a good land use decision in isolation from other areas. Mayor Haila questioned if it would have changed the Commission decision if the Ames 2040 Plan was in place. Director Diekmann stated he isn't sure, but could say that, based on the current LUPP, there was not a clear understanding of what to expect.

Council Member Gartin commented that he appreciated the fact that the Planning & Zoning Commission was respectful of the LUPP and the lack of policy. He noted that the City of Ames has a strong need for this type of housing, and it seemed like a great location for six two-story townhomes. He felt that it could be done very respectfully and consistently with the neighborhood. If there were no other concerns expressed by the Planning & Zoning Commission besides a lack of policy, that is good feedback for the Council. Mr. Diekmann mentioned that he hesitates to put words in the Commission's mouth for them, but they had to look at the surroundings and gage what is in the neighborhood. He pointed out that back in 2000 the zoning was changed, and the reason duplexes are there is because the former Zoning Board allowed it. In 2000, to implement the LUPP, the City removed duplexes, as an option, from this kind of development area.

Council Member Martin questioned if it was discussed with the Planning & Zoning Commission about the difference between denial versus deferral. Director Diekmann stated that they did and the Planning & Zoning Commission's role as an Advisory Committee. The Planning & Zoning Commission's alternatives on the report are sometimes different than the Council's. The two motions were both about not approving the request. The first was just to deny the request and the second was to table the discussion until there was more information. Mr. Diekmann stated ultimately the Commission choose to deny the request thinking that the Ames 2040 Plan would address the issue and the applicant would be free to re-apply in the future. Director Diekmann explained there was no prejudice applied in the LUPP Amendments, but the discussion was whether it was worth tabling the request to see if there is more information or denying the request.

Council Member Betcher asked if there was some concern about the amount of outreach to the

community that was done. Mr. Diekmann mentioned they did talk about notices a little bit. When staff started the process, a Minor Amendment was selected, and that process does not require a lot of outreach. They followed the standard 300-foot notification process with ten day's notice, posting a sign, and publishing it in the newspaper. The developer did have limits on being able to do their own outreach.

Public input was opened by Mayor Haila.

Justin Dodge, 1005 S. 16th Street, Ames, with Hunziker Company explained that this item is the same as the letter that was referred to staff in January. Mr. Dodge commented that it has taken five months to get to this step. A lot of the discussion that was had during the Ames 2040 Plan was infill, and Mr. Dodge had thought this was an opportunity to bring the project forward. He realized that the LUPP is the first step and several items still needed to be done and will come before the Council and the Planning & Zoning Commission again. Mr. Dodge thought this area would be a great test site for infill. Mr. Dodge stated that at the Planning & Zoning Commission meeting, outreach was brought up. He noted that he had found out a few weeks ago that his request was going to the Planning & Zoning Commission, and he should have written a letter to the neighbors, but failed to do so. It was noted that, after the Planning & Zoning Commission meeting, they did send out a letter to all the property owners on the list that was provided by the City. They did get two comments back and he forwarded those responses to the Mayor and Council. He understood the Planning & Zoning Commission's perspective that the current rules do not paint this project in the perfect light.

Council Member Gartin stated that he hears regularly that the City of Ames doesn't have enough townhomes and asked Mr. Dodge to speak about the merits of a project like the one he is suggesting. Mr. Dodge stated that when looking at the site, it does back up to a busier road with North Dakota Avenue and has some detached housing across the street. Multiple-family housing has occurred in the neighborhood, so it is not a brand-new idea. He noted that the likelihood of a single-family home being built on the lot is highly unlikely. They are trying to bring something unique to the marketplace.

Council Member Gartin asked for clarification from Director Diekmann, procedurally, if the Council was to approve the request, what would the process be going forward. Mr. Diekmann stated if the Council wanted to approve Alternative 2, which was to approve the request of the applicant, staff was clear that it could only move forward by putting the applicant on notice that it would be a contract rezoning. The expectation would be that at least a schematic Site Plan would be available for citizens to understand what the proposed product would be for the site. If approved, staff would work with the applicant to understand what the site constraints were, clearly what is buildable on the site, and through the Rezoning public hearing process, with a Master Plan that defines how access would happen on the site and orientation of the buildings.

Council Member Betcher asked, when the site was part of the R2 zone, if the townhomes have been allowed as being compatible with that zoning district. Mr. Diekmann mentioned that he was not sure, and that he only knew that duplexes were permitted. Ms. Betcher explained that she had some

concerns about setting policy regarding infill when they have deferred on other decisions while waiting on the Ames 2040 Plan and the discussion of the policy. Ms. Betcher commented that she was hesitant to approve the request; by approving the request, the Council is getting ahead of the Ames 2040 Plan process.

Council Member Gartin stated Council Member Betcher raised an interesting point, but the reason why he will be making a motion for Alternative 2, is because this project could go in many different directions, but if the Council is thinking this request is consistent with how the Ames 2040 Plan would go, he sees no reason why the Council shouldn't move forward with this project.

Council Member Martin mentioned that he believed caution is warranted in this case. He explained that the City has a professional Planning Staff and the Planning & Zoning Commission that the Council relies on to interpret the rules that the Council adopted. Mr. Martin noted that when the Council previously discussed this, he agreed that the Council wants to encourage intensification in infill locations throughout the City, but he felt that they put the staff and the Planning & Zoning Commission in an impossible position. He is reliant on staff, community input, and ultimate vote to decide what the infill intensification plan is going to be. Given that amount of uncertainty, Mr. Martin felt that making the decision right now would not help the process and would rather see the Council develop the policy to have more confidence in the decisions being made. Council Member Gartin stated that there will be other opportunities to look at this request going forward. He commented that he is not dismissive on what the Planning & Zoning Commission decided, but they made a decision based on the policy they had. The property is kind of a "no man's land," and they are only talking about six townhomes and doesn't seem that it would be a huge lift.

Council Member Beatty-Hansen explained that she agreed with a lot of the points that have been made and was supportive of investigating this request further. She still feels that way and hoped that this was something the Ames 2040 Plan would lead them to eventually. It was asked how much time it would take if the Council were to wait for the Ames 2040 Plan to give the Council some direction. Director Diekmann commented that he believed it would be six to seven months, but it will still be with the same zoning tools.

Council Member Corrieri stated she also agreed with a lot of what had been said, but this piece of property is very desirable. When looking at the surrounding character of the neighborhood, putting townhomes in the location is not outside the realm of possibilities. Ms. Corrieri noted that she has long talked about the need to build more diversified housing in the community and this is an opportunity to do so. She noted that it is premature in terms of the new Comprehensive Plan, but the size of the property is negligible in the Long-Range Plan, and it makes sense to move forward.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 20-38 to approve the proposed amendment to the Land Use Policy Plan Future Land Use Map to change the land use designation of approximately .75 acres of land located at 802 Delaware Avenue from Low Density Residential to Medium Density Residential, and is subject to a condition that a future rezoning including a Master Plan would be required.

Roll Call Vote: 4-2. Voting Aye: Corrieri, Beatty-Hansen, Gartin, Junck. Voting Nay: Martin, Betcher. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

POWER PLANT UNIT #8 CRANE RENOVATION: Electric Services Director Don Kom stated he was available to any questions.

The public hearing was opened by the Mayor. He closed the hearing after no one asked to speak.

Moved by Betcher, seconded by Junck, to adopt RESOLUTION NO. 20-322 approving the preliminary plans and specifications for the Power Plant Unit #8 Crane Renovation; setting July 15, 2020, as bid due date and July 28, 2020, as the date of public hearing.

Council Member Corrieri left the meeting at 7:52 p.m.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

PURCHASE OF LIQUID SODIUM HYPOCHLORITE FOR THE WATER PLANT AND POWER PLANT: The Mayor opened the public hearing and closed it after there was no one wishing to speak.

Moved by Junck, seconded by Betcher, to adopt RESOLUTION NO. 20-323 awarding a contract to DPC Industries, Inc., of Bellevue, Nebraska, for purchase of liquid sodium hypochlorite for the Water Plant and Power Plant in the amount of \$0.945/gallon for the period of July 1 through September 30, 2020, and then \$0.88/gallon for the remainder of the fiscal year.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON SECOND SUBSTANTIAL AMENDMENT TO CDBG 2019/20 ANNUAL ACTION PLAN: Housing Coordinator Vanessa Baker-Latimer stated that in April, the City received an allocation of CDBG COVID-19 funding. The U.S. Department of Housing and Urban Development (HUD) had set some minor guidelines for the program. They have not published any final guidelines, but have encouraged entitlement communities to move forward. Staff requested public feedback regarding how the funds should be utilized. The comments were brought to the Council on May 15, 2020, and staff was directed to begin writing a draft COVID-19 Program for a Renter's Relief Assistance Program (Rent, Utilities) and a Homeowner's Relief Assistance Program (Mortgage, Utilities). One of the requirements of the Plan is to update the current Plan and address the Duplication of Benefits (DOB) Policy. Ms. Baker-Latimer commented that she had written the DOB by looking at previous HUD guidelines, and a ten-page example of a DOB that she had received from a state agency. She is not sure if what she wrote is going to meet the requirements that HUD is going to publish about Duplication of Benefits. The purpose of the DOB is to have the CDBG funds to be used as a last resort. They could not replace any funding that has been given to

an organization or the state utilizing the same activity. The guidelines were written to cover what the Duplication of Benefits will mean and giving some examples of what DOB would look like. Ms. Baker-Latimer commented that what the Council is seeing for the Duplication of Benefits might change depending on what HUD publishes as the final guidelines.

Ms. Baker-Latimer explained that another item that she was required to do was to come up with minimal guidelines for the Rent/Utility Relief Assistance Program. She commented that she did use some of the previous guidelines that had been established for the previous Renter's Affordability program. She advised that she had set up the following:

Who is Eligible?

- Households experiencing loss of income directly related to COVID-19
- Households in good standing as of March 31, 2020
- Households which requested rental assistance from the landlord
- Households residing in assisted affordable housing projects and Tax Credit units
- Households with incomes at or below 80% of the Ames Area Median Income (AMI) [lower incomes prioritized if needed]
- Households which received utility disconnect notices

Who is Not Eligible?

- Households with a Section 8 Housing Choice Voucher
- Households residing in a Project Based Voucher project
- Households residing in Public Housing
- Households receiving other government-based rental assistance
- Households receiving assistance through other community services/charitable programs and/or organizations

Ms. Baker-Latimer mentioned that they would accept applications on a first-come first-served basis, which is based on the date and time the application was received. A caveat was added that preference would be given to applications submitted from property owners on behalf of their tenants that were impacted by COVID-19. During this entire time, she has encouraged tenants and landlords to communicate with each other to work out a payment agreement. She had explained this to landlords to help communicate that, now that the eviction moratorium is lifted, the programs are available to help them. Ms. Baker-Latimer mentioned that the applicant must have a Lease Agreement in their name and must be in good standing. She mentioned that, with these funds, they will not be able to help anyone who had rent past due before March 27, 2020.

Maximum Amount of Assistance Provided

- Up to 3 months of assistance per household for rent and utilities not to exceed \$3,000
- Payments will be made directly to property owners/managers and to utility companies on behalf of the household

Ms. Baker-Latimer stated that coordination would be done with Story County Legal Aid, Nonprofit

affordable housing owners, Area Utility Providers, Property Owners/Managers, Human Service Agencies, Charitable Organizations, and ASSET (Analysis of Social Services Evaluation Team). She noted that applicant(s) must be a United States citizen or a non-citizen who has Eligible Immigration Status as a Permanent Resident. Any applicant(s) (regardless of court decision) that have a drug-related criminal activity or a violent criminal activity within at least 36 months before the date of the City of Ames Housing Division provides service to the family of its determination to deny assistance.

Council Member Gartin asked if it was possible for someone to participate in the program and then be disqualified from participating in another program down the road. He explained that he did not want to jeopardize someone from getting help somewhere else. Ms. Baker-Latimer explained that is the part staff is not sure of as they will have to see what HUD determines is a Duplication of Benefit. Mr. Gartin stated the record-keeping for these requests would be mind boggling and appreciated everything that Ms. Baker-Latimer has done.

Council Member Betcher wanted to know if there is a mechanism that would let the City know if the applicant(s) have applied for help somewhere else. Ms. Baker-Latimer stated staff is looking at coordinating with agencies that may be helping people with obtaining assistance. She noted that on the application there will be a standard question “Have you received assistance for rent or utilities from any other source,” and hopefully the applicant will identify the source for staff to look into.

Council Member Betcher commented that Ms. Baker-Latimer has done a great job in trying to determine what HUD may set as the Duplication of Benefits. Ms. Betcher asked how is it defined when they say the impact is directly related to COVID-19. Ms. Baker-Latimer stated that most of the entitlements that she has been working with have stated that if someone had lost their job because the company they worked for had to close down due to the State order, that would be a direct impact of COVID-19. She mentioned that staff is concentrating specifically on rent and homeowners because the human service agencies that do programs for the homeless have a lot more money than what the City has gotten for CDBG.

Ms. Baker-Latimer stated that she wrote a similar guideline for the Mortgage/Utility Relief Assistance Program.

Who is Eligible?

- Households experience loss of income directly related to COVID-19
- Households in good standing as of March 31, 2020
- Households which requested a forbearance or subject to contract forfeiture
- Households with incomes at or below 80% of the Ames Area Median Income (AMI)
- Households which received utility disconnect notices

Who is Not Eligible?

- Households receiving other government-based mortgage assistance loans (e.g. Fannie Mae, Freddie Mac, FHA, VA, etc.)

Ms. Baker-Latimer commented that one thing she is concerned about is for those homeowners who received a forbearance. This would mean that the payments were just delayed, and they would owe the back payments.

She noted that the Citizen Participation Plan needed to be updated. This Plan outlines how staff does public hearings; all she did was add the caveat that they went from a 30-day comment period to a five-day comment period and the public hearings could be held virtually.

Mayor Haila questioned if there was something that Ms. Baker-Latimer drafted that wasn't approved would it come back to the Council. Ms. Baker-Latimer commented that she is not sure how that would work at this time, and she is hoping for some direction from HUD. She noted that usually when they submit something to HUD and changes are made, they do not require another public hearing.

Mayor Haila declared the public hearing open for the Second Substantial Amendment to the CDBG 2019/20 Annual Action Plan.

Terry Potter, 608 Douglas Avenue, Ames, explained that his comments were related to the document that was published on the City of Ames website on May 29, 2020, having to do with the Community Development Block Grant funding. He noted that the City of Ames will receive a special allocation of CDBG funds in the amount of \$354,515 to be used to prevent, prepare for, and respond to COVID-19. The document that was originally published goes on to recommend that the money be split evenly between those needing Rental Assistance and Homeowners needing assistance with Mortgage payments which, at a payout of \$3,000 over a three month period, would allow assistance to approximately 59 rental and 59 homeowner units at the 50/50 split. Mr. Potter mentioned he is speaking on behalf of A Mid-Iowa Organizing Strategy (AMOS) of Ames and the AMOS group of Central Iowa. For the record, AMOS is directionally supportive of the usage; however, on the same day, the Governor of Iowa announced what would appear to be a similar program to be funded as part of the \$1.25 billion CARES block grant to the State of Iowa. Ms. Debbie Durham of IFA is planning for 20,000 applications statewide per the press conference statements. One difference would appear to be that if a person were receiving the \$600/week CARES-related unemployment payments, they would be ineligible for financial assistance from the State program. Mr. Potter stated that AMOS asked that the Housing Department of Ames consider the following program modifications:

1. The final split of the money to renter and homeowners be carefully considered in comparison to the acute chances for the members of either of those groups to lose their residence due to eviction or foreclosure. In other words, the money should be prioritized where it will prevent the most immediate harm and benefit the greatest number of vulnerable individuals and families against the possibility of homelessness.
2. Any rules that are developed for these monies on a City basis should be carefully compared to the new State program to differentiate and expand, as allowable, the eligibility criteria. For example, that the CARES unemployment income supplement

not be considered as a factor, meaning that those who are ineligible for the State program may still be considered for the City program.

3. The Housing Department should consider setting aside a portion of the money, if allowable, for funding homeless relief and accommodations as may be necessary due to continued disruption of temporary housing options related to the COVID-19 pandemic. For example, this could allow additional time in temporary housing if necessary, because of the unavailability of Emergency Residence Project (ERP) communal housing or other funding as may be needed.

Ms. Baker-Latimer stated that, regarding the Governor's program, her guidelines are much more flexible because her CARES funding is not through the CDBG program. As far as what they consider as income has to be determined by HUD under the guidelines. She has heard a lot of scenarios; staff should not count stimulus money; whether to include unemployment monies as additional income and if that would include the additional \$600. She noted that she cannot say at this time what the guidelines would be, but unemployment money has typically been a source of income for people who apply for any of the CDBG programs. Regarding homelessness, they are trying to look at areas that do not have readily available money for funding. This is the first round of CDBG funding, and another round will be coming that will be distributed through the State of Iowa Department of Economic Development to both entitled and unentitled communities. Before they release on how much the City may qualify, they are waiting on the HUD guidelines. She understands some of the concerns of AMOS, but can't say if they will have any flexibility at that time.

Mayor Haila asked about the 50/50 split between Renters and Homeowners and if there was a need for more funds on the Homeowners side versus the Renters, could an amendment be done at a later time to move the funds to different programs. Ms. Baker-Latimer stated that they would be able to shift funds from one program to another to help.

Council Member Gartin stated that the discussion of choosing what type of people are going to receive assistance is a very complicated one and they will need help with the possible implications. He is not sure how to choose between an eviction versus a foreclosure.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 20-324 approving the Second Substantial Amendment to the CDBG 2019/20 Annual Action Plan.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE ESTABLISHING PARKING RESTRICTIONS ON DUFF AVENUE (20TH STREET TO GRAND AVENUE): Mayor Haila opened public comment and closed it when no one came forward.

Moved by Gartin, seconded by Betcher, to pass on first reading an ordinance establishing parking restrictions on Duff Avenue from 20th Street to Grand Avenue, and prohibiting parking at all times on the west and south side of Duff Avenue from Douglas Avenue to 22nd Street and from 120' west

of Briggs Circle intersection to Grand Avenue.
Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE UPDATING NAME OF IOWA STATE UNIVERSITY STUDENT GOVERNMENT IN AMES MUNICIPAL CODE SECTION 26A: Moved by Betcher, seconded by Junck, to pass on second reading an ordinance updating the name of the Iowa State University Student Government in Ames *Municipal Code* Section 26A.
Roll Call Vote: 5-0. Motion declared carried unanimously.

ORDINANCE RELATING TO TRASH AND RECYCLING COLLECTION AREAS IN COMMERCIAL ZONES: Moved by Betcher, seconded by Gartin, to pass on third reading and adopt ORDINANCE NO. 4413 relating to trash and recycling collection areas in commercial zones.
Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

ORDINANCE RELATING TO INDUSTRIAL USE PARKING REQUIREMENT: Moved by Gartin, seconded by Betcher, to pass on third reading and adopt ORDINANCE NO. 4414 relating to industrial use parking requirement.
Roll Call Vote: 5-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila mentioned that there were four items to be addressed. The first was a letter from Lojean Peterson, Ames Main Street Farmers' Market Manager, requesting the Council to reconsider allowing food and drink vendors at the Main Street Farmers' Market.

Council Member Martin stated that the Ames Farmers' Market has been open for a few weeks now with no complaints and the City Attorney Mark Lambert reminded the Council that the Governors' Proclamation expires on June 17, and he is not sure what will happen after that. He liked the request to allow the Farmers' Market to have food trucks and drinks on-site if it is marked "not for immediate consumption" as that is a constraint that they would have to work under. The Ames Farmers' Market seemed willing to follow the constraint.

Moved by Martin, seconded by Gartin, to approve the request of the Ames Farmers' Market and as much as it is consistent with the Governors Order and with the understanding that the City of Ames will still not send any enforcement personnel in and the City of Ames still reserves the right to remove the permit as well.

Council Member Gartin commented that the motion was very well-stated. The Council had talked about the idea of treating equal parties the same, and this request cries out for approval.

Council Member Betcher explained that she still doesn't support the motion and would prefer to wait until after June 17 to find out what the Governor's guidance would be. She noted that most people

who buy food at the Ames Farmers' Market are going to eat it immediately.

Vote on Motion: 4-1. Vote Aye: Martin, Gartin, Junck, Beatty-Hansen. Voting Nay: Betcher. Motion declared carried.

Mayor Haila stated that the second item is an informational memo from Planning and Housing Director Kelly Diekmann regarding Norm and Vicky Marty's request to amend the Ames Urban Fringe Plan Map Designation.

Council Member Betcher asked to clarify if the request was something that could be dealt with by the County. She clarified the issue, not the request. Mr. Diekmann stated the issue is a zoning issue and one path given to the property owner was to change the zoning to fit the use; that is where the Ames Urban Fringe Plan comes into play. Ms. Betcher asked if the request could be dealt with another way. Director Diekmann commented that it is an enforcement action by Story County on a Special Home Occupation Special Use Permit that they had issued. He noted that what remedies Story County has he can't say, but knows that the one before the Council was what was preferred by the property owner.

Mayor Haila wanted to know "what if" the Council went with Option 1 to retain the existing Urban Fringe Plan designation and communicate to the County and the property owner that the Council is not interested and does not want to see Highway-Oriented Commercial (HOC) in the area. Would it mean that the property owner would need to shut down or would the County find another way to approach the issue. Director Diekmann commented that it would be hard for him to speculate how the County would handle it. Mr. Diekmann explained there is a possibility that the property owner may no longer be able to operate as they have been.

City Manager Schainker asked if the issue was the definition of the number of employees on-site. Director Diekmann commented that was his understanding as they only allow a certain level of employment under the type of permit they have. The business may have to relocate, but he does not know what all the answers are. Mr. Schainker mentioned that the question before the City Council is the Land Use Policy issue. Mr. Diekmann stated that is correct and that is where it gets difficult as they are asking to initiate an Ames Urban Fringe Plan Amendment, that if the Council changes the zoning to commercial, the County can rezone it to commercial and treat the property as a commercial site instead of residential site.

Council Member Gartin asked if, from a procedural perspective the Council is being asked to decide on Option 1 or 2 or to put on a future Agenda. Mr. Diekmann stated if the Council has no interest, they would decline to take it up for any further consideration. If the Council wants to debate the request further, it would need to go on a future Agenda for discussion. Council Member Gartin inquired as to what the burden would be to staff for the Council to have further discussions on the request. Director Diekmann noted that they would reach back out to the Planning Director of Story County to make sure staff has the complete picture and nothing has changed.

Council Member Gartin inquired if there were any other examples of this type of request that has come before the Council in the past. Mr. Diekmann stated that, with commercial designation, there has not been any. Ms. Betcher commented that the Council has been asked to change the Ames Urban Fringe Plan and the Council had deferred those requests until after the Ames 2040 Plan.

Council Member Martin asked if the applicant ended up with what they were asking for, it would require a rezoning to HOC in Story County, and without understanding what HOC means in Story County, is there anything the Council should be thinking of as potentially ending up a commercial store. Mr. Diekmann explained that from a sizing perspective it would not be a big box type of facility, but could be used for a variety of commercial light industrial types of uses. Mr. Martin mentioned it was his understanding that it was not the applicant's current desire to do that, but changing the zoning is more about the current user of the property. It was confirmed that was correct.

Moved by Betcher, seconded by Martin, to not have the Council take this request any further.
Vote on Motion: 4-1. Voting Aye: Betcher, Junck, Beatty-Hansen, Martin. Voting Nay: Gartin.
Motion declared carried.

Mr. Diekmann stated that he will communicate to the Story County Planning Director and the property owner that the Council was not interested in taking up the issue of changing to commercial along 190th Street in the area at this time.

Mayor Haila noted that the third item was a letter from Mediacom about the change in channel selections; it was for information purposes only.

Item No. 4 was a memo from Damion Pregitzer, Traffic Engineer, responding to a request to remove the "No Parking" restriction on the south side of Westbrook Drive.

Moved by Beatty-Hansen, seconded by Gartin, to direct the City Attorney to draft an ordinance to remove the "No Parking" restriction on the south side of Westbrook Drive.
Vote on Motion: 5-0. Motion declared carried unanimously.

COUNCIL COMMENTS: Council Member Junck stated she wanted to express her condolences for the families of George Floyd, Breonna Taylor, Ahmaud Arbery, Tony McDade, and countless other black and brown people in the country who have lost their loved ones. Black Lives Matter and she believed that just because Ames has not experienced something similar to what happened to George Floyd, it shouldn't stop the City from taking a proactive approach and listening to the community members about what needs to change. Ms. Junck commented that one of their priorities as a Council is a commitment to an inclusive Ames. At the Goal Setting meeting, the Council discussed more inclusive policy changes. Examples given were income protection and housing, ban the box, and closing the achievement gaps in the schools and she hopes the Council will continue to work on these concerns in the coming months and see what can be done in the Police Department as well. She recognizes that every City is unique and will need its own plan in moving forward; this will take an incredible amount of community input. She thanked everyone who has been emailing

the Council with suggestions on this topic. The Council will take the time and diligence that is needed to fully investigate them while still maintaining a sense of urgency on the important issue. Mr. Junck noted that everyone on the Council is white and will continue to listen to the community, especially the black constituents when moving forward even though the conversations may be hard to have. She is looking forward to digging into all the concerns with the rest of the Council.

Council Member Martin stated he has a couple motions he would like to make. He reminded the Council that back in August 2019, MetroNet did a presentation and expressed a willingness to provide the City with mapping information. He noted this will be important for the Council in figuring out what gaps the City could hope to fill in the future. MetroNet is well into their construction and should have a good sense of the area by now.

Moved by Martin, seconded Betcher, to have staff ask MetroNet for identification of Ames properties that they are not serving and the reason they are not serving them, as soon as possible. Vote on Motion: 4-1. Voting Nay: Gartin. Motion declared carried.

Mr. Martin stated that he had sent an email to the Council about observing that Des Moines was debating an ordinance with the goal of encouraging more outside dining, specifically given the reality of COVID-19 and the relative hazard of indoor activity versus outdoor activity. The theory is that if people are going out less often then there is more parking available, and maybe they can reuse some of the parking space to increase outdoor dining. Maybe they could make it easier to apply for outdoor dining. He explained that at the same time he has not heard from any businesses in Ames that have said that they would want to do this, but what is stopping them is the City of Ames regulations. He has heard more general complaints that it would be better if the City could make it easier. Mr. Martin mentioned that as much as he would like to do something it would be wrong to start with the remedies and see if they appeal to anyone, but to reach out to business owners and see what could the Council do to help them improve the outdoor dining situation.

Moved by Martin, seconded by Betcher, to ask the Mayor to reach out to the Chamber of Commerce about taking a quick survey to see if there is any way in which Ames policies should be customized during the COVID-19 season to encourage more use of outdoor space for sidewalk cafes purposes including possibly alcohol service.

Council Member Betcher stated that she knows there are other college communities that are looking into this as well.

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

Council Member Betcher stated that the NAACP forum is going to occur on June 11, and she believed the City has put out information on the Government Facebook page for anyone who wants to sit it on the Zoom meeting. One of the things she has learned while being on the Council with the training she has been doing on diversity, equity, and inclusion is that you have to keep working. It is a continuing journey, and she hoped the residents stay engaged. The Council does read their emails

and if there are any concerns or questions please email a Council Member. Ms. Betcher commented that the Council has been taking about the Ames Urban Fringe Plan, and she was reminded earlier today that one of the City's long-term employees, Jeff Benson, (who passed away five years ago) had invested a lot of time in community building within Ames, working as the neighborhood liaison. Mr. Benson was also one of the people who was instrumental in getting the 28E Agreement crafted in the first place. She noted it is important to work on those relationships outside of the City of Ames as well as within Ames.

Council Member Beatty-Hansen commented that Council Member Junck did a great job stating everyone's concerns and it is important for the Council to note that Black Lives Matter. She knows people want to see action soon, but she wants to have time to collect input from people who are not as tuned into City politics. It is important for the Council to keep reaching out and get feedback from a diverse population about what changes they would like the Council to make and to commit to improving and changing policies. She noted that there is a lot of work to be done.

Council Member Gartin stated he participated in an event on Saturday night at Bandshell Park and watched the protest a week ago. He has been involved in the NAACP for the past five years. Mr. Gartin commented that when he was first elected to the Council, he contacted the Story County Public Defender's Office and asked them about the concerns they had with the Ames Police Department, and was pleased to hear there wasn't any problems. He noted that the Ames Police Department is grieving over what happened in Minneapolis. There is a sense that police departments that have functioned very well are being lumped into departments that are not functioning well. Mr. Gartin explained he could not be any prouder of Chief Cychosz and the work he has done with community policing. He noted that at the events that he attended he has asked the citizens how they felt about the Ames Police officers, and it was almost unanimously that the citizens loved the City of Ames Police. He stated they are always doing continuous improvement and always looking at best practices. They will look very hard at the comments that are given. Mr. Gartin wanted to remind everyone that they have an outstanding Ames Police Department and phenomenal leadership. In the five years he has worked with the NAACP, he has never heard a complaint about the Ames Police Department. His heart is broken over what happened to George Floyd and what is happening nationally, but wants to make sure they take a measured approach as it is hard for police officers and their families to be lumped in unjustly with a broken system in other parts of the country.

Ex Officio Member Whitlock wanted to echo what Council Member Junck said and to emphasize that the entire Council is white, and when looking over the comments, they need to get other opinions and look through the lens of other races and not just their own.

Mayor Haila stated that if anyone is interested in joining the public forum on Thursday, June 11, 2020, they are welcome. He gave directions on how to attend the Zoom meeting. The next meetings will be on June 29, July 9, and July 23 from 6:00 P.M. to 7:00 P.M. with a different panelist each meeting. The NAACP will be hosting the meetings. Mayor Haila commented that it is not just because of the George Floyd situation that they are all starting to have concerns, but they have been concerned the entire time since being sworn in. He noted that the City of Ames is not a perfect

community, but he is proud of the Police Department and how the community responded. The protests in Ames have been civil.

ADJOURNMENT: Moved by Gartin to adjourn the meeting at 8:52 p.m.

Amy L. Colwell, Deputy City Clerk

John A. Haila, Mayor

Diane R. Voss, City Clerk



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – End of Month
Month & Year:	June 2020	
For City Council Date:	June 23, 2020	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	2017/18 Right of Way Restoration	1	\$117,370.00	Green Tech of Iowa	\$0.00	\$13,405.95	T. Warner	MA
Electric Services	Non-Asbestos Insulation and Related Services & Supply Contract	4	\$80,000.00	HTH Companies, Inc.	\$182,000.00	\$17,496.00	D. Kom	JN
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

Applicant License Application ()

Name of Applicant: <u>G&G Hospitality Ames, LLC</u>		
Name of Business (DBA): <u>Courtyard by Marriott Ames</u>		
Address of Premises: <u>311 S. 17th Street</u>		
City <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>
Business <u>(515) 620-5910</u>		
Mailing <u>400 W. Captiol Ave</u>		
City <u>Little Rock</u>	State <u>AR</u>	Zip: <u>72201</u>

Contact Person

Name <u>Manish Patel</u>	
Phone: <u>(501) 230-2455</u>	Email <u>manish@gghgroup.net</u>

Classification Class B Liquor License (LB) (Hotel/Motel)

Term: 12 months

Effective Date: 04/27/2020

Expiration Date: 01/01/1900

Privileges:

Catering Privilege

Class B Liquor License (LB) (Hotel/Motel)

Class B Wine Permit

Outdoor Service

Sunday Sales

Status of Business

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

Ownership

Manish Patel

First Name: Manish **Last Name:** Patel
City: Little Rock **State:** Arkansas **Zip:** 72201
Position: Member
% of Ownership: 25.00% **U.S. Citizen:** Yes

Naresh Patel

First Name: Naresh **Last Name:** Patel
City: Little Rock **State:** Arkansas **Zip:** 72201
Position: Member
% of Ownership: 25.00% **U.S. Citizen:** Yes

Hiren Jetha

First Name: Hiren **Last Name:** Jetha
City: Little Rock **State:** Arkansas **Zip:** 72201
Position: Member
% of Ownership: 25.00% **U.S. Citizen:** **Yes**

Pankesh Jariwala

First Name: Pankesh **Last Name:** Jariwala
City: Little Rock **State:** Arkansas **Zip:** 72201
Position: Member
% of Ownership: 25.00% **U.S. Citizen:** **Yes**

Insurance Company Information

Insurance Company: <u>MOUNT VERNON FIRE INS CO</u>	
Policy Effective Date: <u>04/27/2020</u>	Policy Expiration <u>04/27/2021</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective Date:	Temp Transfer Expiration Date:



MEMO

Item No. 5

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Tom Shelton, Ames Police Department
Date: May 30, 2020
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for June 23, 2020 includes beer permits and liquor license renewals for:

- A. Class C Liquor License with Sunday Sales – Reb Lobster #0747, 1100 Buckeye Avenue
- B. Class C Liquor License with Sunday Sales – Welch Avenue Station, 207 Welch Avenue
- C. Class C Beer Permit with Class B Native Wine Permit and Sunday Sales – Hampton Inn & Suites Ames, 2100 SE 16th Street
- D. Class B Beer with Sunday Sales – Panchero’s Mexican Grill, 1310 S. Duff Avenue
- E. Special Class C Liquor License with Outdoor Service and Sunday Sales - Botanero Latino, 604 East Lincoln Way

A review of police records for the past 12 months found no liquor law violations for any of the above locations. The Ames Police Department recommends renewal of licenses for all the above businesses.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF ASSET POLICIES AND PROCEDURES

BACKGROUND:

Each year the ASSET Administrative Team and volunteers review the ASSET Policies and Procedures. Changes to the Policies and Procedures are adopted once a majority of the Funders approves the revisions. **This year, revisions are recommended to address the changes in the ASSET Funder structure, the number of volunteers for each Funder, and the addition of a termination clause to the 28E Agreement for Administrative Services.**

As previously communicated to Council, Central Iowa Community Services (CICS) has notified ASSET of its withdrawal from the process effective July 1, 2020. The remaining four Funders are Iowa State University Student Government, Story County, United Way of Story County, and City of Ames. As a result of CICS's departure, each funder will need to increase their volunteer appointments from 5 to 6 in order to adequately perform the volunteer duties associated with the process. Lastly, a termination clause in the 28E Agreement for Administrative Services has been added after review by both the City Attorney's Office and the Story County Attorney's Office. This clause sets forth guidelines for a Funder to follow when withdrawing from participating in the ASSET process.

ALTERNATIVES:

1. Approve the recommended changes to the ASSET Policies and Procedures.
2. Do not approve the recommended changes to the ASSET Policies and Procedures

CITY MANAGER'S RECOMMENDED ACTIONS:

The annual review of the ASSET Policies and Procedures is an important step to ensure policies are kept up to date and address any changes in the process. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 approval of the recommended changes to the ASSET Policies and Procedures, as described above.

ASSET

POLICIES & PROCEDURES

July 2020

www.storycountyasset.org

Sponsoring Organizations:

**City of Ames
Story County
United Way of Story County
ISU Student Government**

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POLICIES AND PROCEDURES FOR ASSET

By agreement among sponsoring organizations (Funders), a team shall be authorized by all sponsors but separate from any sponsor. The name of this process is "Analysis of Social Services Evaluation Team" or "ASSET."

I. PURPOSE

- A. To promote coordination of human services planning and funding among the sponsoring organizations.
- B. To assess the human services needs in Story County and evaluate the capabilities of agencies to provide the programs that meet those needs.
- C. To provide funding recommendations to the governing bodies of the sponsoring organizations.

II. SPONSORING ORGANIZATIONS

- A. Ames City Council (City)
- B. Story County Board of Supervisors (County)
- C. United Way of Story County (UWSC)
- D. ISU Student Government

III. TEAM STRUCTURE

- A. The City, County, UWSC, and ISU Student Government shall each appoint six (6) volunteers as voting members of the team (Volunteers).
- B. The City, County, UWSC, and ISU Student Government shall each appoint one staff person. The staff appointees shall be non-voting board members for the purpose of ASSET business (Staff).
- C. The Administrative Assistant shall be a contract position paid jointly by the Funders through a 28E Agreement and shall be a non-voting participant.

IV. TERMINATION

A Sponsoring Organization may withdraw its participation in the Intergovernmental/ Agency Agreement to Fund Administrative Services for the ASSET Process on written notice to the other Sponsoring Organizations. Written notice shall be given no later than July 1 of any given year and termination will be effective June 30 of the following year. A shorter notice period may be granted upon agreement of the other Sponsoring Organizations though date of termination shall remain June 30 of the given fiscal year. Each Sponsoring Organizations shall remain liable for its pro rata share of expenses until withdrawal takes effect.

Upon withdrawal of a Sponsoring Organization, the remaining Sponsoring Organizations

shall be responsible for equally contributing to the contract to fund the yearly expense for administrative services. A new or amended intergovernmental/agency funding agreement shall be filed with the Iowa Secretary of State as soon as is practicable upon the withdrawal of any Sponsoring Organization.

V. TENURE OF MEMBERS

- A. The terms of Volunteers shall be three (3) years. ASSET recognizes that ISU Student Government appointees may not be able to serve three-year terms.
- B. The terms of Staff shall be continuous until terminated by the appointing Funder.
- C. An un-expired term of a Volunteer shall be filled by the Funder that appointed that Volunteer.
- D. No Volunteer may serve more than two (2) consecutive full terms, except the Past Chair, Chair or Chair Elect may serve longer in order to fulfill the duties of their offices.
- E. If a Volunteer is appointed to fill the remainder of an unexpired term, the newly appointed Volunteer is eligible to serve a maximum of seven consecutive years unless conditions delineated in paragraph D above apply.
- F. If a Volunteer accumulates three consecutive unexcused absences in any one ASSET year (April through March), or otherwise fails to fulfill their responsibilities, the Volunteers may, by a simple majority vote of quorum, request that a Funder appoint a replacement Volunteer. An unexcused absence is defined as when a Volunteer does not notify an Administrative Team member, or the Administrative Assistant about being absent. Notifying the Administrative Assistant is the preferred method.

VI. OFFICERS

- A. Officers shall be Chair, Chair-Elect, Past Chair, and Treasurer, each of whom shall be elected for a one-year term by a quorum of the Volunteers.
- B. Staff members are ineligible to hold an office.
- C. A Chair may not hold that office for more than two consecutive one-year terms.
- D. A vacancy in any office shall be filled by a majority vote of a quorum of the Volunteers for the unexpired portion of the term, except for the position of past chair, which would remain vacant should that volunteer leave the ASSET process.
- E. The ASSET Chair is authorized to sign contracts and agreements on behalf of ASSET with respect to operations of the ASSET board. The Chair-Elect may sign if the Chair is unavailable.

VII. ASSET OPERATIONS

- A. Regular meetings of ASSET shall be held in accordance with Iowa's Open

Meetings law. If circumstances warrant it, a meeting of ASSET may be cancelled by the Administrative Team. An announcement of meeting cancellation will be posted and notice sent to members and participating agencies as soon as possible under the circumstances.

- B. Unless otherwise specified, meetings shall be conducted according to Robert's Rules of Order. However, technical or non-substantive departures from these rules shall not invalidate any action taken at a meeting.
- C. Agendas will be posted at Ames City Hall, the ASSET website (<http://www.storycountyasset.org>) and at other public locations, at least three days prior to the meeting, and notification mailed electronically to each ASSET member and participating Agency.
- D. A quorum shall consist of one-half plus one of the currently appointed volunteers. A majority vote of the quorum present shall constitute a decision of ASSET. In the event a quorum is not present, ASSET business may be conducted by a simple majority vote of those present, if at least one voting member from each funder is represented. Exceptions to this include decisions for funding recommendations or changes to the Policies and Procedures, or anything that requires Funder approval.
- E. The Chair may vote on all business that comes before ASSET and shall be included as part of the quorum.
- F. Special meetings may be called by the Chair or by petition of one-fourth of the Volunteers with not less than five days written notice to the Volunteers and Staff by email or regular mail.
- G. Minutes of ASSET meetings shall be recorded and distributed to Staff, Volunteers, and Agencies, by posting on the ASSET website (<http://www.storycountyasset.org>). Minutes shall be made public in accordance with the Iowa Open Records law.

VIII. ADMINISTRATIVE TEAM OPERATIONS

- A. Staff members, the Chair, the immediate past Chair, the Chair-Elect, and the Treasurer, shall serve as an Administrative Team.
- B. The Administrative Team will meet prior to regular ASSET meetings. If there are no significant pending actions, an Administrative Team meeting may be cancelled by the Chair or Chair Elect.
- C. All members of the Administrative Team shall be voting members on Administrative Team business, including staff members.
- D. A quorum shall consist of more than half of the existing Administrative Team members. A quorum shall include at least one Volunteer. A majority vote of the quorum present shall constitute a decision of the Administrative Team.
- E. Minutes of the Administrative Team and ASSET shall be recorded and distributed to all Staff, Volunteers, and Agencies, by posting on the ASSET website

(<http://www.storycountyasset.org>). Minutes shall be made public in accordance with the Iowa Open Records law.

IX. COMMITTEES

- A. Staff and committees shall have substantial responsibility for the operation of ASSET and for assisting the Volunteers. Committees may be established as follows:
 - 1. The Administrative Team may form committees to identify issues, perform studies, and bring recommendations to ASSET.
 - 2. ASSET may request committees to identify issues, perform studies, and bring recommendations to ASSET. Committee members may be appointed by the ASSET Chair.
 - 3. A Funder may request formation of a committee and make recommendations to ASSET with respect to membership on such committee. The ASSET Chair may appoint the committee members.

X. DUTIES AND RESPONSIBILITIES OF ASSET

- A. To make annual allocation recommendations to the Funders for services provided by participating agencies. The recommendations shall be consistent with instructions and priorities received from the Funders;
- B. To set a timetable each year for the funding recommendation process;
- C. To organize hearings for agency presentations regarding their proposed budgets and program plans;
- D. To review services and code definitions as assigned to agencies for use in the budget and billing process;
- E. To meet with the Funders at least twice yearly. At these meetings each Funder has one vote. A majority of Funders constitutes quorum;
- F. To give timely reports on funding recommendation decisions to the Funders and to the agencies;
- G. To develop and maintain an index of services offered in Story County; (This index will be located in the ASSET Reference Manual for Volunteers and Agencies.)
- H. To perform any specific task that the Funders might request of ASSET.

XI. AGENCY PARTICIPATION

- A. **ELIGIBILITY.** Agencies seeking funding eligibility must be serving clients within the geographic area of Story County and shall meet the criteria outlined in the Application for ASSET Agency Participation.

- B. Agencies and services will be reviewed annually by ASSET, through the agency visit and budget process.
- C. Agencies shall annually provide financial reports in accordance with Generally Accepted Accounting Practices (GAAP). These reports shall be submitted within six months after the close of the Agency's fiscal year. Reports will meet the following guidelines:
 - 1. Agencies with an annual budget below \$100,000 must, at least, submit an electronic copy of IRS Form 990 and a balance sheet prepared externally and independently to the ASSET Administrative Assistant.
 - 2. Agencies with an annual budget of \$100,000 or more must submit an electronic copy of their full comparative audit and an electronic copy of their IRS Form 990 to the ASSET Administrative Assistant.
- D. Agencies seeking eligibility to apply for funding through the ASSET process should fill out the application form called "Application for ASSET Agency Participation", shown as Appendix B to this document, and present verification of the stated criteria and all required attachments. All application documents shall be submitted to the Administrative Assistant to distribute to the ASSET Administrative Team.
- E. Agencies that have been in the ASSET process within the last three years are not required to submit a new application for participation, rather a New/ Expanded Service form can be submitted along with comparative financial audits for the years not in the ASSET process.
- F. The ASSET Administrative Team shall insure that the forms are complete and make recommendations to the Volunteers. The Volunteers will then approve or disapprove the recommendation.
- G. A written notification shall be sent to the Agency, stating its acceptance or the reason why it was not accepted.
- H. Approval of an applicant Agency does not guarantee a subsequent dollar allocation.
- I. Any Agency may request to be placed on the ASSET or Administrative Team agenda by contacting the Administrative Assistant.

XII. FUNDING PROCESS

- A. Each Agency requesting funding shall be assigned to one or more of the three focus areas (Education, Financial Stability, or Health).
- B. Each Volunteer shall be assigned to only one focus area and shall review the services within that area.
- C. The Administrative Team shall prepare the appropriate budget and reporting forms for the agencies to complete and make the forms available via the ASSET

website.

- D. Agencies must submit completed budget and reporting forms for all approved services to ASSET by the date stated in the yearly ASSET calendar.
- E. Agencies must submit Board of Directors meeting minutes as requested by the Administrative Team or Administrative Assistant.
- F. The Administrative Team shall conduct an Agency training session on the date stated in the yearly ASSET calendar.
- G. Volunteers shall conduct Liaison visits to individual agencies as scheduled on the ASSET calendar.
- H. Hearings for agencies shall be conducted each year as scheduled on the ASSET calendar.
- I. Recommendations for allocations shall be made by ASSET to the Funders after the hearings and work sessions are completed and approved by the ASSET board.
- J. Information regarding the funding shall be provided to the agencies and their governing bodies after Funders' approval.
- K. If any Agency does not provide the required information, or provides information that is inadequate, incorrect, or not timely, ASSET shall make a report to the Funders that procedures were not followed and may recommend that funding be reduced, sequestered, or not allocated.
- L. ASSET agencies will collaborate and partner to provide services. The ASSET Administrative Team shall make a report to Funders if an agency does not make adequate efforts to coordinate services or respond to requests for information.

XIII. PLANNING PROCESS

ASSET shall provide a community forum to work constructively and cooperatively in addressing human services concerns. This may be achieved by, but is not limited to:

- A. Participating in studies and developing strategies that enhance the delivery of human services within the county;
- B. Collecting and evaluating facts that provide valid data for decisions on program needs, and effectiveness of current delivery;
- C. Evaluate the need for new or modified services and/or duplication of services.
- D. Promote and encourage collaboration among agencies for efficiencies.
- E. Review agency updates and reports on services as documented through Clear Impact Scorecard and other reporting documents.

XIV. CHANGES IN SERVICES

- A. Any ASSET Agency, providing services to Story County clients, that wishes to add new or expanded services, must report the changes to the ASSET Administrative Team. Changes that should be reported include increases in service beyond the normal expected growth, new or different services that have an impact on staffing, or services that result in new clientele.
- B. Agencies will report new and expanded services to the ASSET Administrative Team on the "Notification of New or Expanded Service" form, shown as Appendix C to this document. The need for new or expanded services shall be identified and aligned with the Funder's priorities and the priority areas from the most recent Story County community assessment. The Administrative Team will review the information and determine if the service(s) meets criteria to be included in the ASSET funding process. The Administrative Team will inform the ASSET Board. This review and informing of ASSET is not a commitment of funding. If ASSET asks for additional information, a committee of Volunteers may be appointed to gather more information and report its findings to ASSET for further review.
- C. If an Agency is reducing or dropping a service, a letter should be submitted to the ASSET Administrative Team within thirty days of the Agency board's vote to drop or reduce a service.
- D. Service changes may occur any time during the funding year. If funding through ASSET is being considered, the ASSET Administrative Team should be notified of a new or expanded service by the date stated in the ASSET calendar.

XV. FUNDING APPEAL PROCESS

An Agency wishing to make an appeal may do so by following the individual Funders appeal process.

XVI. AMENDMENTS TO POLICIES AND PROCEDURES

- A. These Policies and Procedures shall be reviewed annually prior to the May ASSET Board meeting.
- B. Amendments to the Policies and Procedures may be proposed by a Volunteer, a Staff member, or a Funder.
- C. A proposed amendment shall require a majority vote of quorum of the ASSET Board to recommend such amendment to the Funders.

APPENDIX A – APPLICATION FOR ASSET AGENCY PARTICIPATION

ASSET (Analysis for Social Service Evaluation Team)

CRITERIA FOR FUNDING ELIGIBILITY

Financial support through ASSET can be applied for by **human service agencies** that are serving clients within the geographic area of Story County and who meet the basic eligibility criteria. **Approval of an applicant agency does not guarantee a subsequent dollar allocation.** The allocation recommendation will be made on a service-by-service basis during the annual allocation process. To be considered for financial support, agencies must comply with the following requirements and provide supporting documents to demonstrate compliance:

- A. The agency must be a non-profit corporation or chartered as a local unit of a non-profit corporation that has an IRS section 501(c) (3) status or local, state, or federal government agency (i.e. formed by a 28E Agreement) that has a presence within and serves the people of the State of Iowa.
- B. The agency must have articles of incorporation, bylaws, or other documents, which clearly define its purposes and function.
- C. The agency must have an Equal Opportunity Policy that has been approved by its Board of Directors.
- D. The agency must have been incorporated and actively conducting business for at least one year at the time of the application.
- E. The agency must maintain in its budget and services a demarcation between any religious and other programs so that ASSET does not financially support religious purposes.
- F. The agency must demonstrate need and community support for the proposed service through letters of support, needs assessments, or other documentation.
- G. The agency shall be governed by a Board of Directors or Advisory Board who serve without compensation and who approve and oversee the implementation of the budget and policies of the agency.
- H. Agencies that offer the following services shall not be eligible for funding from ASSET Funders:
 - 1. Agencies that are primarily political in nature.
 - 2. Agencies that provide services limited to the members of a particular religious group.
 - 3. Agencies that exist solely for the presentation of cultural, artistic, or recreational programs.
 - 4. Basic educational program services considered the mandated responsibility of the public education system.

Agencies that have been in the ASSET process within the last three years, but have ceased requesting funding, are not required to submit a new application for participation, rather a New/ Expanded Service form can be submitted along with comparative financial audits for the years not in the ASSET process.

To apply as an ASSET Agency Participant, complete the Application for ASSET Agency Participation and send the request, including the documentation outlined in the application to: storycountyasset@gmail.com.

Application for ASSET Agency Participation

A. Agency General Information

1. Legal name of agency _____
Address _____

Telephone _____
2. Executive Director _____
3. Date of incorporation _____ State of incorporation _____
4. Tax Identification Number _____ Agency Fiscal Year _____
5. Is your agency affiliated with a national and/or state organization? _____ If so,
name of national and/or state organization _____

Explain nature of affiliation and describe national and/or state organization's control over local administration and activities

Explain benefits of affiliation _____

6. What is your agency mission statement? _____

7. Governing Arrangements

How are members and composition of the governing body selected? _____

What is the governance role of the Board of Directors? _____

How do you ensure Story County representation? _____

8. Membership

Does your agency have a membership program? _____

If so, list membership categories and dues

Membership benefits _____

B. Agency Service Information

1. Geographic area(s) served _____

2. Types of services provided

3. What population(s) do you serve?

Do you offer a sliding fee scale for your services? If yes, please include a copy.

4. Other agencies in Story County that provide similar services _____

5. Agencies in Story County with whom you collaborate _____

6. Agencies in Story County with whom you share referrals _____

C. Agency Accreditation and Licensing

Is your agency accredited? _____ If so, by whom? _____

For what length of time? _____

Describe agency and staff licensing and certification requirements: _____

D. Financial/Legal Information

If ASSET approves the application, your agency will be required to annually provide financial reports in accordance with Generally Accepted Accounting Practices (GAAP) as follows:

- Agencies with an annual budget below \$100,000 must submit an electronic copy of IRS Form 990 and a balance sheet prepared externally and independently, to the ASSET Administrative Assistant at storycountyasset@gmail.com within six months after the close of the agency's fiscal year.
- Agencies with an annual budget of \$100,000 or more must submit an electronic copy of their full comparative audit and an electronic copy of their IRS Form 990 to the ASSET Administrative Assistant at storycountyasset@gmail.com within six months after the close of the agency's fiscal year.

E. ASSET Information

1. Attach a complete description of the service(s) that your agency provides that you will be asking for funding from ASSET. _____

2. Using the enclosed Service Code List and Definitions, tell us which service code(s) your service(s) fits into. _____

Checklist for supporting documentation:

- Letter of tax-exempt status from IRS
- Articles of Incorporation, bylaws, or other documents which clearly define agency's purpose and function
- Vision and Mission Statements
- Equal Opportunity Policy that has been approved by Board of Directors
- If applicable, a statement describing how agency maintains a demarcation between any religious programs and other programs (ASSET does not fund programs designed for religious purposes)
- Documentation of community support (letters of recommendation, needs assessments, etc.)
- List of Board of Directors member names, professional affiliation, addresses, places of business
- A copy of the current budget and the budget for the upcoming fiscal year, including all sources of income.
- Statement of assets and liabilities and statement of income and expenses including all sources of funds for this budget
- Agency Program Outline Form (one for each service your agency is requesting funding for)

APPENDIX B – SERVICE CODES

(Complete descriptions of each service code are in the ASSET Reference Manual)
 Services are categorized into three panels: Education, Financial Stability, and Health.

Service Code #	Service Code Name	Unit of Service	Panel
1.01	Supported Employment for Mental Health or Developmentally Disabled	1 Staff Hour	Education
1.02	Advocacy for Social Development	1 Staff Hour	Education
1.03	Resource Development	1 Staff Hour	Education
1.04	Informal Education for Self-Improvement and Self-Enrichment	1 Client Contact	Education
1.05	Enclave Services	15 minutes	Education
1.06	Preschool	1 Day	Education
1.07	Youth Development and Social Adjustment	1 Client Contact / Day	Education
1.08	Employment Assistance for Youth	1 Staff Hour	Education
1.09	Out of School Program	1 Partial Day	Education
1.10	Family Development / Education	1 Client Hour	Education
1.11	Volunteer Management	1 Volunteer Hour	Education
1.12	Public Education and Awareness	1 Staff Hour	Education
2.01	Emergency Assistance for Basic Material Needs	1 Client Contact	Financial Stability
2.02	Day Care - Infant	1 Full Day	Financial Stability
2.03	Day Care - Children	1 Full Day	Financial Stability
2.04	Day Care - School Age	1 Partial Day	Financial Stability
2.05	Childcare for Mildly Ill Children	1 Partial Day	Financial Stability
2.06	Separated Families	1 Client Contact	Financial Stability
2.07	Transitional Living Services	1 day	Financial Stability
2.08	Emergency Shelter	1 24 Hour Period of Shelter and Food	Financial Stability

Service Code #	Service Code Name	Unit of Service	Panel
2.09	Correctional Services	1 Client Hour	Financial Stability
2.10	Legal Aid - Civil	1 Staff Hour	Financial Stability
2.11	Clothing, Furnishing and Other Assistance	1 Client Contact	Financial Stability
2.12	Disaster Services	1 Staff Hour	Financial Stability
2.13	Transportation	One Way Trip	Financial Stability
2.14	Budget / Credit Counseling	1 Client Contact	Financial Stability
3.01	Community Clinics	1 Clinic Hour	Health
3.02	Day Care - Adults	1 client Day	Health
3.03	In-Home Health Monitoring	1 person monitored per month	Health
3.04	Homemaker / Home Health Assistance	1 Hour	Health
3.05	Home Delivered Meals	1 Meal	Health
3.06	Congregate Meals	1 Meal	Health
3.07	Domestic Abuse Crisis and Support	1 Staff Hour	Health
3.08	Sexual Abuse Crisis and Support	1 Staff Hour	Health
3.09	Crisis Intervention	1 Contact	Health
3.10	Court Watch	1 Staff Hour	Health
3.11	Respite Care	1 Client Hour of Service	Health
3.12	In Home Nursing	1 Visit	Health
3.13	Service Coordination	1 Client Hour	Health
3.14	Activity and Resource Center	1 Client Hour	Health
3.15	In Home Hospice	1 day (24 hour)	Health
3.16	Substance Abuse or Co-occurring Disorder Treatment (Out Patient)	1 Client Hour	Health
3.17	Outpatient Treatment and Health Maintenance	1 Client Hour	Health

Service Code #	Service Code Name	Unit of Service	Panel
3.18	Supported Community Living Services	15 minutes or up to 1 24 Hour Day	Health
3.19	Special Recreation	1 participant per hour	Health
3.20	Day Habilitation Services	15 minutes or 1 Day	Health
3.21	Peer Support Services	1 Client Contact	Health

APPENDIX C – NOTIFICATION OF NEW OR EXPANDED SERVICE

ASSET

NOTIFICATION OF NEW OR EXPANDED SERVICE

****Please note that submission of this Notification does not automatically result in a commitment of funding from ASSET****

DATE: _____ AGENCY: _____

PROGRAM/SERVICE: _____

Provide a brief description of the new or expanded service and population to be served.

Describe how the need for this service was identified. Cite resources such as local needs assessment, surveys, etc.

Describe which funder(s) priority(ies) this service will meet. (May be more than one funder and/or more than one priority).

Is there new clientele to be served? If yes, how many?

What other agency provides this or any similar services in the community? How has the need for this service been identified in addition to the existing service(s)? Describe any partnership efforts with these agencies.

What outcomes will be measured? Describe methodology(ies) used to measure outcomes.

How would ASSET funds be used to support the service (scholarships/staff/direct service, etc)?

Describe what other funding sources are used to support the service.

What is the total budget for this service?

What percentage of the total service budget would requested ASSET funds support?

If this service is funded through a grant what is the amount and the duration of the grant?

Does the grant require a local cash match? _____ If yes, how much? _____

If there isn't funding through ASSET, what are the plans to provide and/or sustain the service?

Please check the ASSET Calendar for the deadline for new/expanded service requests.

Please submit this form by email to the ASSET Administrative Assistant at:
storycountyasset@gmail.com

APPENDIX D – CONFLICT OF INTEREST

Organization: Story County Analysis of Social Services Evaluation Team (ASSET)

Policy: Conflict of Interest Policy

Date Adopted: 4/10/03

Date Revised:

Story County ASSET and its voting members/staff persons, hereinafter referred to as “board” and “board members(s)”, agree to the following conflict of interest policy hereinafter referred to as “policy”, as adopted and revised as indicated above:

1. The policy will be adopted yearly at the first regularly scheduled board meeting following the start of the fiscal year. Each board member is to review and sign the policy at the first board meeting prior to voting on any matters before the board (if applicable).
2. A new voting board member/staff person will be required to review and sign the policy prior to voting as a board member (if applicable) at the beginning of their term and/or the first meeting of the fiscal year.
3. It is the duty of a voting board member/staff person to disclose a conflict of interest to the full board when a conflict arises. Disclosure may be made at any time to the ASSET Administrative Team; hereinafter referred to as “the Team”, who shall then notify the full Board. A record of the conflict of interest shall be made at the first regularly scheduled board meeting following disclosure.
4. A conflict of interest is defined in chapter 68B, Iowa Code. The Iowa Code defines conflict of interest as that which evidences an advantage or pecuniary benefit for the member and/or their immediate family not available to others similarly situated. A violation for a conflict of interest is punishable by both civil and criminal penalties in the State of Iowa.
5. A “potential” conflict of interest is defined herein. A potential conflict of interest is when a voting board member/staff person has reason to believe there may be a conflict of interest. This potential conflict shall be disclosed in the same manner as a conflict. If, in the opinion of the Team, the circumstances meet the definition of a conflict of interest the matter shall then be disclosed to the full board and a record shall be made at the next regular meeting.
6. A voting board member/staff person with a conflict of interest shall not vote or use their personal influence with any board member on the matter in conflict.

I agree by my signature below that I have read the above Story County ASSET Conflict of Interest Policy and understand it and will abide by the terms and conditions as stated herein.

Date: _____

Signature: _____

RESOLUTION NO. _____

**RESOLUTION APPROVING AND ADOPTING
SUPPLEMENT NO. 2020-3 TO THE AMES MUNICIPAL CODE**

BE IT RESOLVED, by the City Council for the City of Ames, Iowa, that in accordance with the provisions of Section 380.8 Code of Iowa, a compilation of ordinances and amendments enacted subsequent to the adoption of the Ames Municipal Code shall be and the same is hereby approved and adopted, under date of July 1, 2020, as Supplement No. 2020-3 to the Ames Municipal Code.

Adopted this _____ day of _____, 2020.

John A. Haila, Mayor

Attest:

Diane R. Voss, City Clerk

Diane Voss

From: drew kamp <drew@ameschamber.com>
Sent: Friday, June 19, 2020 11:49 AM
To: Diane Voss
Cc: Steve Schainker
Subject: SCEDG Appointed Representative Form
Attachments: Ames FY2021 SCEDG Appointed Representatives Form.pdf

This form is submitted annually prior to the start of the new FY and simply states who can represent the City of Ames/AEDC at the SCEDG meetings. For FY2021, it will be Dan Culhane and Amy Howard. They will need to attend 3 of the 4 meetings of the group throughout the year to ensure the AEDC receives the per capita allocation from the Story County Board of Supervisors for FY2021 (always do and have always received the funds). This group has been around for 25-years, and Ames has always had representation and met the eligibility parameters to receive economic development funds from the County, and submitting the form as submitted will ensure we continue to do so in FY2021. Thanks!

Drew Kamp
Vice President
He | Him | His



515.232.2310 *main*
402.415.7207 *mobile*

www.AmesChamber.com
www.AmesEDC.com



STORY COUNTY

ECONOMIC DEVELOPMENT GROUP

900 6th Street
Nevada, Iowa 50201
www.storycountyiowa.gov

FISCAL YEAR _____ APPOINTED REPRESENTATIVE FORM

(DUE ANNUALLY ON OR BEFORE JULY 1ST)

Submit to:
County Outreach and Special Projects Manager
Story County Board of Supervisors
900 6th Street
Nevada, Iowa 50201

COMMUNITY NAME:

APPOINTED REPRESENTATIVE

NAME

TITLE

ADDRESS

EMAIL

PHONE NUMBER

ALTERNATE APPOINTED REPRESENTATIVE

NAME

TITLE

ADDRESS

EMAIL

PHONE NUMBER

FUNDS DISPERSED TO

NAME

ADDRESS

SIGNATURE—MAYOR

Date Received:

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF COMMISSION ON THE ARTS (COTA) SPECIAL PROJECT GRANTS FOR FALL 2020

BACKGROUND:

On June 1, the Commission on the Arts (COTA) met to finalize recommendations for Fall 2020 Special Project Grants. Four grant requests were received, totaling \$3,570 in requests. There is \$5,404 available in the FY 2020/21 budget for both Fall and Spring Special Project Grants.

Based on the merits of the applications and the criteria established for Special Project Grants, COTA recommended the following allocations:

COTA FALL 2020 SPECIAL PROJECT GRANT REQUESTS

Organization	Project	Request	Award
Octagon Center for the Arts	Chalk the Block at Octagon Arts Festival	\$750	\$738
Story Theater Company	You're a Good Man, Charlie Brown	\$1,000	\$700
Story Theater Company	Frozen, Jr.	\$1,000	\$725
Town and Gown Chamber Music Association	Mertz Trio Elementary/Middle School Outreach	\$820	\$788
TOTALS		\$3,570	\$2,951

Contracts were prepared and sent to the organizations. These have been signed and returned for three of the grants. **On June 15, the Octagon Center for the Arts announced it would not be holding the Octagon Arts Festival in 2020, due to the COVID-19 pandemic. Therefore, this grant contract will not be approved. The total amount to be awarded in contracts is therefore \$2,213.** Funds allocated to this project will remain available for spring 2021 special project grants. Octagon representatives expressed interest in seeking COTA support for next year's Octagon Arts Festival.

ALTERNATIVES:

1. Approve the COTA Special Project Grant contracts as recommended by the Commission on the Arts, with the exception of the contract with the Octagon Center for the Arts.
2. Refer these contracts back to COTA for further information

CITY MANAGER'S RECOMMENDED ACTION:

The Commission on the Arts receives special project grant applications each year. The applications have been reviewed to ensure they meet the criteria outlined in the application instructions. The Commission has recommended that the contracts be approved to accomplish the Commission's goal to further the performing arts in the Ames community.

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

COUNCIL ACTION FORM

SUBJECT: **EXTENSION OF MUNICIPAL POOL JOINT USE
AGREEMENT WITH THE AMES COMMUNITY SCHOOL
DISTRICT**

BACKGROUND:

In May 2015, the City and Ames Community School District (ACSD) extended the existing agreement to manage and finance the Municipal Pool, which is a city-owned building situated on Ames School District property. This unique intergovernmental partnership has served the citizens of Ames and the students of the school district for over 50 years.

Since the agreement is set to expire on June 30, 2020, it will need to be extended. The ACSD is currently building a new high school which includes a new pool. In order to complete the final stages of construction in 2022, the Municipal Pool will need to be demolished in March 2022. Therefore, the agreement extension is through February 28, 2022. Please note that the Ames community will be without an indoor pool for several months until the high school pool is opened.

On June 15, 2020, the ACSD Board approved the second amendment to the existing agreement as proposed by City staff with no changes to the existing agreement except the expiration date.

ALTERNATIVES:

1. The City Council can decide to approve the attached Second Amendment to the Municipal Pool Joint Use Agreement with the Ames Community School District which extends the existing terms and conditions until February 28, 2022.
2. The City Council can decide to not approve the attached Second Amendment to the Municipal Pool Joint Use Agreement with the Ames Community School District and thereby not extend the existing agreement.

Support of this alternative would raise the question regarding how to proceed until the current pool is demolished. Lacking permission to enter onto school property to occupy the Municipal Pool, the City could close the facility or turn the facility over to the ACSD. Either option would require more in-depth legal analysis before any final action is taken.

CITY MANAGER’S RECOMMENDED ACTION:

The partnership with the Ames School District regarding the operation of the City’s indoor pool which is situated on school district property is one of many cooperative intergovernmental ventures that benefit the citizens of Ames. Since the City and the ACSD don’t have a viable alternative for the near term, it would seem preferable to maintain the status quo. Therefore, it is the recommendation of the City Manager that the City Council approve the attached Second Amendment and extend the existing Municipal Pool agreement with the Ames Community School District until February 28, 2022.

SECOND AMENDMENT TO THE MUNICIPAL POOL JOINT USE AGREEMENT

On May 1, 2015, the City of Ames and Ames Community School District entered into a Joint Use Agreement regarding the Municipal Pool. On July 25, 2017, the City of Ames and the Ames Community School District approved an amendment to the Joint Use Agreement regarding Municipal Pool. The amendment states the Agreement shall remain in full force and effect until June 30, 2020.

Realizing that this facility has reached the end of its useful life, the Ames Community School District is including a pool in the new high school currently under construction, while the City is still exploring options to replace this structure. In order for the Ames Community School District to complete construction of the new high school, the Municipal Pool will need to be demolished in March 2022. Therefore, the parties agree to amend the original Agreement as follows:

1. Strike in the first paragraph of Section 9 (as amended by the first Amendment), under the heading "Duration," the following sentence: "This agreement shall be in full force and effect until June 30, 2020" and replace with "This agreement shall be in full force and effect until February 28, 2022."
2. Except as specifically modified by this Amendment, the remaining provisions of the Agreement shall remain in full force and effect.

Dated this _____ day of _____, 2020.

AMES COMMUNITY SCHOOL DISTRICT

CITY OF AMES

Board President

Mayor

ATTEST:

City Clerk

COUNCIL ACTION FORM

SUBJECT: GRAND AVENUE EXTENSION FUNDING AGREEMENT AMENDMENT WITH IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

BACKGROUND:

The City of Ames has been awarded a grant in the amount of \$100,000 through a competitive application process administered by the Iowa Department of Agriculture and Land Stewardship (IDALS). This agreement is through the Water Quality Initiative Program, which was established in order to assess and reduce nutrients in the state's watersheds. **This grant applies to the extension of S. Grand Avenue from its terminus across Squaw Creek to S 16th St and was originally approved by City Council on June 27, 2018. An extension amendment to the contract was authorized by City Council on May 28, 2019.** The project is currently under construction with anticipated completion in 2021.

The City of Ames plans to incorporate stormwater quality BMPs to capture much of the runoff draining to and from the site, staying committed to support of, and leadership in, improving and protecting water quality. The current storm sewer system discharges directly to Squaw Creek with little to no detention and/or treatment. The proposed stormwater wetland will provide significantly more treatment and detention than required for the extension project. This wetland will greatly improve conditions from the existing condition, even with the extension project factored in.

This project has been awarded to Peterson Contractors, Inc. (PCI) of Reinbeck, Iowa in the amount of \$9,368,716.27. The project was bid through Iowa DOT with a late start of April 6, 2020 and 240 working days. **This project now is anticipated to be completed by June 30, 2021.**

The summary of the revenues and expenses for this project are shown below:

Activity	Expenses	Revenue
Engineering (overall total w/amendments)	\$2,625,350.00	
South 5 th Street Project (Awarded)	\$3,159,304.15	
S Grand Extension (Awarded)	\$9,368,716.27	
S 16 th St/S Duff project (Estimated)	\$3,000,000.00	
GO Bonds		\$11,580,000
MPO/STP Funds (\$4,300,000 in CIP)		\$5,500,000
Federal/State Grants (\$4,273,000 in CIP)		\$2,791,485
TOTAL	\$18,153,370.42	\$19,871,485

ALTERNATIVES:

1. Approve the Iowa Department of Agriculture and Land Stewardship funding Agreement Amendment for the Grand Avenue Extension revising the completion date to June 30, 2021.
2. Reject the Agreement.

MANAGER'S RECOMMENDED ACTION:

Approval of this amendment agreement with the IDALS must happen in order for contractor to continue the construction of the stormwater wetland on this project. Delay or rejection of this agreement could require additional local funding.

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

WATER QUALITY INITIATIVE
Urban Conservation Demonstration Projects

CONTRACT NUMBER:	URBAN18WQI-002
Project Name:	Grand Avenue Extension Urban Water Quality Project

COST-SHARE GRANT CONTRACT AMENDMENT #2

BETWEEN IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
(IDALS)

AND CITY OF AMES

This amendment is entered into by the Iowa Department of Agriculture and Land Stewardship; hereinafter referred to as IDALS, and the City of Ames; hereinafter referred to as the Grantee.

I. Relative to the Grand Avenue Extension Urban Water Quality Project

II. Purpose of the Amendment

A. In response to the Grantee's request to extend the Project Completion Date in general accordance with Section 2 of the Cost-Share Grant Contract.

The Project Completion Date will be amended from June 30, 2020 to June 30, 2021.

B. This Amendment does not change any other provisions of the agreement.

III. Effective Date of this Amendment

This amendment takes effect upon signature by all parties below.

CITY OF AMES:

Authorized Representative, Title

_____/_____/_____
Date

FOR IDALS:

Julie Kenney, Deputy Secretary of Agriculture

_____/_____/_____
Date

COUNCIL ACTION FORM

**SUBJECT: **CAMPUSTOWN PUBLIC IMPROVEMENTS (WELCH AVENUE)
 WATER QUALITY INITIATIVE FUNDING AGREEMENT WITH IOWA
 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP****

BACKGROUND:

The City has been awarded a grant in the amount of \$100,000 through a competitive application process administered by the Iowa Department of Agriculture and Land Stewardship (IDALS). This agreement is through the Water Quality Initiative Urban Conservation Demonstration Project Program, which was established to assess and reduce nutrients in the state’s watersheds. This grant applies to the Campustown Public Improvements Project (Welch Avenue), which City Council originally approved on April 9, 2019 with a June 30, 2020 completion date. **This request is for a completion extension to June 30, 2021, as the project is now under construction but not able to be completed by the completion date identified in the grant.**

The City plans to incorporate stormwater quality Best Management Practices (Bioretention Cells/Tree Trenches w/ permeable pavers) to capture runoff draining to and from the sidewalks. As part of the outreach efforts for Welch Avenue improvements, the public interest survey results showed that the majority of respondents prefer in-ground plantings that provide water quality benefit.

This project has been awarded to Con-Struct Inc. of Ames, Iowa in the amount of \$2,081,067 as the base bid and \$69,000 as Alternate 2 (installation of all 9 tree trenches shown in plans). This project is anticipated to be completed by November 13, 2020. Revenues and expenses associated with the project are estimated as follows:

	Available Revenue	Estimated Expenses
GO Bonds	\$ 1,000,000	
Water Utility Funds	\$ 425,000	
Sewer Utility Funds	\$ 125,000	
Electric Utility Funds	\$ 100,000	
Road Use Tax	\$ 100,000	
IDALS (Grant)	\$ 100,000	
Sanitary Sewer Rehabilitation (Sewer Utility Funds)	\$ 156,000	
Storm Water Improvements (Storm Sewer Funds)	\$ 70,000	
2019/20 Concrete Pavement Improvements (GO Bonds)	\$ 600,000	
Campustown Public Improvements (Base Bid)		\$ 2,081,067.00
Campustown Public Improvements (Alternate 2)		\$ 69,000.00
2019 Lincoln Way Water Service Transfer (completed)		\$ 169,969.96
Engineering/Administration (Est.)		\$ 250,000.00
	\$ 2,676,000	\$ 2,570,036.96

ALTERNATIVES:

1. Approve the Iowa Department of Agriculture and Land Stewardship Funding Agreement Amendment for the Campustown Public Improvement (Welch Ave) revising the completion date to June 30, 2021.
2. Reject the Agreement.

CITY MANAGER'S RECOMMENDED ACTION:

Approval of this agreement amendment with IDALS must occur for the contractor to continue with the construction of the stormwater quality on this project. Delay or rejection of this agreement could result in the need to secure additional funding to complete the project.

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

WATER QUALITY INITIATIVE
Urban Conservation Demonstration Projects

CONTRACT NUMBER:	URBAN19WQI-001
Project Name:	Campustown Public Improvement Project: Welch Avenue

COST-SHARE GRANT CONTRACT AMENDMENT #1

BETWEEN IOWA DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
(IDALS)

AND CITY OF AMES

This amendment is entered into by the Iowa Department of Agriculture and Land Stewardship; hereinafter referred to as IDALS, and the City of Ames; hereinafter referred to as the Grantee.

I. Relative to the Grand Avenue Extension Urban Water Quality Project

II. Purpose of the Amendment

A. In response to the Grantee's request to extend the Project Completion Date in general accordance with Section 2 of the Cost-Share Grant Contract.

The Project Completion Date will be amended from June 30, 2020 to June 30, 2021.

B. This Amendment does not change any other provisions of the agreement.

III. Effective Date of this Amendment

This amendment takes effect upon signature by all parties below.

CITY OF AMES:

Authorized Representative, Title

_____/_____/_____
Date

FOR IDALS:

Julie Kenney, Deputy Secretary of Agriculture

_____/_____/_____
Date

SUBJECT: RENEWAL OF FISCAL AGENCY AGREEMENT BETWEEN THE AMES FOUNDATION AND THE CITY OF AMES

BACKGROUND:

On April 11, 2017, Council approved the Police Department's request for an agreement between the City and the Ames Foundation to support projects in the Police Department. Those projects can include the purchase of equipment, police outreach programs, officer safety projects, and training enhancements. The funds in this account were donated to enhance officer safety. While some of these funds have been used, a balance of approximately \$26,743.83 remains with the Foundation and **continuation of the agreement** will be necessary for continued access to these donations.

Purchases that fall within the scope of the support offered by these donations are typically developed during the budget process with reimbursement sought from the Foundation after an expenditure has occurred. The Police Department has used these funds for community outreach and equipment consistent with the goal of enhancing officer safety.

Pursuant to the agreement with the Ames Foundation, the Police Department proposes that expenses for these projects would be reimbursed from funds currently held by the Foundation.

ALTERNATIVES:

1. Approve the continuation of the agreement for another four years and authorize the Police Department to seek reimbursement from the Ames Foundation for expenses related to the projects.
2. Do not approve continuation of the agreement with the Ames Foundation.

CITY MANAGER'S RECOMMENDED ACTION:

The Ames Foundation agreement, and the donations made to the Foundation on the Police Department's behalf, were established to promote officer safety, community outreach, and training enhancements. These are important activities and the donated funds allow for projects that go beyond the capabilities of the General Fund resources.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving continuation of the agreement with the Ames Foundation.

**AMENDMENT EXTENDING THE FISCAL AGENT AGREEMENT BETWEEN THE
CITY OF AMES AND THE AMES FOUNDATION**

On April 11, 2017, the City of Ames and Ames Foundation entered into a “Memorandum of Agreement Between the Ames Foundation and the City of Ames for Acting as the Fiscal Agent for the Ames Police Department Community Outreach/Officer Safety and Training Enhancements.”

The agreement was for the Ames Foundation to serve as fiscal agent only for donations received in a community-wide effort to assist the Ames Police Department in enhancing its community outreach/officer safety and training efforts.

The agreement was effective through December 31, 2019. The parties mutually desire to extend this agreement.

Therefore, the parties agree to amend the original Agreement as follows:

1. The original Agreement is extended for an additional term, effective January 1, 2020 and expiring on December 31, 2023.

2. Except as specifically modified by this Amendment, the remaining provisions of the original Agreement shall remain in full force and effect.

Dated this _____ day of _____, 2020.

AMES FOUNDATION

CITY OF AMES

Board President

John A. Haila, Mayor

ATTEST:

Diane Voss, City Clerk

COUNCIL ACTION FORM

SUBJECT: **EXCESS WORKER’S COMPENSATION INSURANCE RENEWAL**

BACKGROUND:

The City began purchasing Excess Workers' Compensation Insurance coverage brokered by Holmes Murphy on July 1, 2010, to reduce the financial risk of catastrophic self-insured worker's compensation claims. This coverage limits the City's financial exposure for self-insured worker's compensation claims (including police and firefighter Chapter 411 injury disability claims) to a maximum dollar amount per individual claim. Beginning with the FY 2014/15 coverage, this also includes an added layer of aggregate protection for multiple large claims exceeding a specified amount.

This coverage, which is provided by Midwest Employers Casualty Company (MWECC), will expire on June 30, 2020. MWECC provided a renewal quotation through Holmes Murphy for the same level of coverages, as well as options for the City to increase the per claim self-insured threshold from \$500,000 per claim to \$550,000 or 600,000.

Increasing this threshold would increase the City's potential exposure; however, the premium quotes are lower, since the underwriter takes on less risk. In the time the City has had a relationship with its current broker (10 years), the City has never had a single claim reach the \$500,000 mark. However, a catastrophic incident could conceivably generate one or more individual claims approaching this amount.

Quotes for the three different options were received as follows:

	FY 2019/20 Expiring	FY 2020/21 QUOTES		
		\$500,000 Retention	\$550,000 Retention	\$600,000 Retention
Plan Feature	Self-insured and insured amounts	Self-insured and insured amounts	Self-insured and insured amounts	Self-insured and insured amounts
Per claim self-insured threshold	\$500,000	\$500,000	\$550,000	\$600,000
Aggregate Layer	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
PREMIUM COST	\$104,765	\$115,950	\$111,128	\$105,102

The cost is based on the City's estimated FY 2020/21 payroll. Excess Workers Compensation rates are typically affected by past claims experience and national trends of overall claims experience and medical cost inflation. Increased payroll is responsible for the increase in premium. **In analyzing the options, staff believes the reduced premium costs for taking on a higher self-insured threshold are not sufficient to outweigh the increased risk.**

ALTERNATIVES:

1. Accept the quote from Holmes Murphy & Associates, for coverage with Midwest Employers Casualty Company (MWECC), with the same coverage types and limits as expiring at a renewal premium of \$115,950.
2. Select the quote from MWECC with the \$550,000 retention at the premium of \$111,128.
3. Select the quote with the \$600,000 retention through MWECC at the premium of \$105,102.
4. Reject the quotes and direct staff to search for other alternatives.
5. Decline to purchase Excess Workers Compensation Insurance and self-insure 100% of all employee injury claims that are incurred.

CITY MANAGER'S RECOMMENDED ACTION:

The City has significant financial exposure for medical and long-term disability expenses from statutory 411 police and firefighter claims, as well as from other job classifications such as power plant workers and electric distribution employees. The individual claim and aggregate layer coverages will protect the City against unlimited financial exposure for large individual claims and for events that could cause multiple injuries.

Midwest Employers Casualty Company continues to provide acceptable excess workers compensation insurance that limit catastrophic injury claims costs for the City of Ames.

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

COUNCIL ACTION FORM

SUBJECT: RENEWAL OF CONTRACT WITH EMC FOR WORKERS' COMPENSATION AND MUNICIPAL FIRE AND POLICE SYSTEM MEDICAL CLAIMS ADMINISTRATION

BACKGROUND:

The City contracts with EMC Risk Services, LLC, of Des Moines, Iowa, to provide third party administration of workers' compensation and Municipal Fire and Police "411 System" injury medical claims. The City's current contract with EMC for these services is set at an amount not to exceed \$55,000, and it will expire July 31, 2020. EMC has provided a renewal contract for the same services for the period from August 1, 2020 to July 31, 2021, in an amount not to exceed \$55,000.

Services provided by EMC in this contract include workers' compensation claims administration for all City employees, medical bill review, self-insured loss fund management, and pharmacy and medical expense consultation. EMC also performs regulatory filings and maintains an online claims database accessible to City staff. Fees are based on a combination of annual administrative fees, per-claim setup fees and 30% reimbursement to EMC based on medical review invoice reductions. The fees, along with actual claims expenses, are charged to individual departments.

The table below compares the FY 2019/20 fees to the proposed FY 2020/21 fees. Expecting similar claim volume in FY 2020/21, staff expects similar results. Additionally, the fees are contractually capped at \$55,000.

Fee Component	Fee Components FY 2019/20	Fee Components FY 2020/21	Change	FY 2019/20 Contract	FY 2020/21 Contract
Claim Set Up, Incident Only	\$35 per claim	\$35 per claim	0%	Included	Included
Claim Set Up, Medical Only	\$170 per claim	\$185 per claim	9%	Included	Included
Claim Set Up, Lost Time	\$995 per claim	\$1048 per claim	5%	Included	Included
Medical Bill Review Fees & Reimbursement	\$9.50/claim 30% of Savings \$10,000/claim cap	\$9.50/claim 30% of Savings \$10,000/claim cap	0% 0% 0%	Not to exceed \$55,000	Not to exceed \$55,000

ALTERNATIVES:

1. Approve the renewal contract with EMC Risk Services, LLC, of Des Moines Iowa, to provide third party administration of the City's worker's compensation and municipal fire and police "411 System" claims for August 1, 2020 through July 31, 2021, at a cost not to exceed \$55,000.
2. Reject the EMC renewal option and direct City staff to seek other claims administration alternatives.

CITY MANAGER'S RECOMMENDED ACTION:

EMC Risk Services, LLC, has been an effective provider of professionally administered workers' compensation claims and associated services. Its staff has been responsive and sensitive to the needs of City employees in managing their injury and disability claims. The online claims system makes cost and other data accessible to City staff and provides a frequently utilized tool for analyzing injury types and safety program effectiveness.

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

COUNCIL ACTION FORM

SUBJECT: TEMPORARY STREET CLOSURE FOR THE USE OF A CRANE AT 111 LYNN AVENUE

BACKGROUND:

Staff has been contacted by Barnhart Crane and Rigging Co. for a temporary street closure request at 111 Lynn Avenue for the use of a crane. The crane will be used to install upgraded cellular components onto the roof of 111 Lynn Avenue. This work will require the closure of both lanes of Lynn Avenue between Lincoln Way and Chamberlain Street for one day to safely accommodate the use of the crane. A location map has been provided (attached).

The Municipal Code requires that City Council approve temporary closures of streets that are classified as arterials or are active CyRide routes, which is the case with Lynn Avenue (Brown Route #6).

Pending weather conditions, Barnhart Crane has proposed to complete the work on Monday, June 29th and will notify impacted residents and businesses. Vehicular and pedestrian access to area residences and businesses will be maintained at all times.

CyRide has been notified and will re-route bus service during the street closure. The detoured route has not yet been determined by Cyride.

ALTERNATIVES:

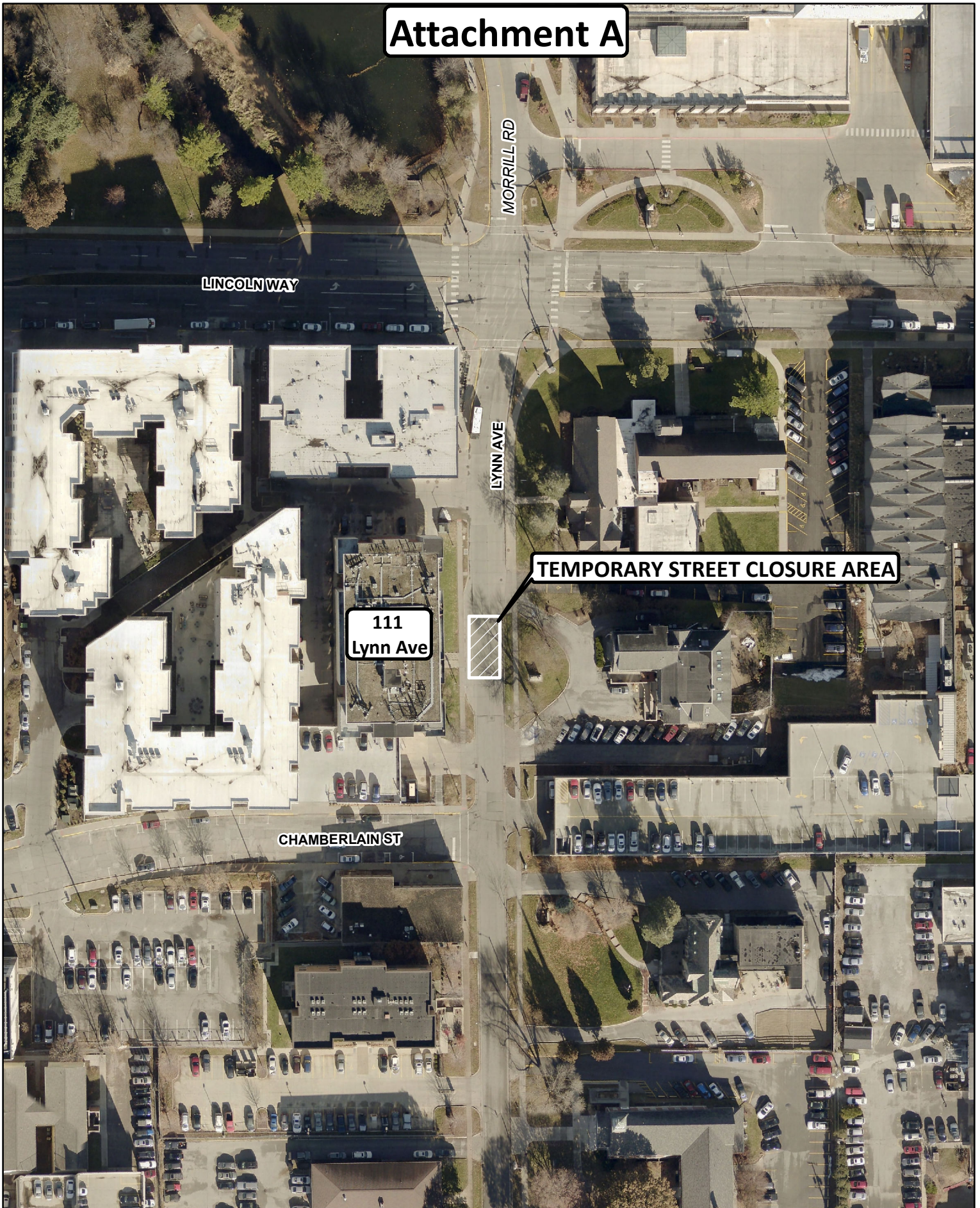
1. Approve the closure of Lynn Avenue, as noted on the attached map, to facilitate the use of a crane at 111 Lynn Ave.
2. Direct staff to work with the contractor to determine alternate dates to conduct the work.

MANAGER'S RECOMMENDED ACTION:

By granting this closure of Lynn Avenue, City Council would be facilitating installation of upgraded cellular components at this property.

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

Attachment A



Temporary Street Closure
111 Lynn Ave for use of a crane
(Cyride Brown Route #6)



1 inch = 100 feet
Date: 6/16/2020

COUNCIL ACTION FORM

SUBJECT: EMMA MCCARTHY LEE PARK PEDESTRIAN BRIDGE PLANS AND SPECIFICATIONS

BACKGROUND:

This project is to construct a new pedestrian bridge across Clear Creek in Emma McCarthy Lee Park, 3400 Ross Rd. As you recall, the former pedestrian bridge was destroyed in June of 2018 after Clear Creek went over its banks after a substantial rain event. They FY 2019/20 Capital Improvements Plan (CIP) included \$260,000 to design and construct a new pedestrian bridge. Also, the bridge qualified for a disaster assistance grant through the Federal Emergency Management Administration (FEMA) and Iowa Department of Homeland Security in the amount of \$32,000.

Plans and specifications call for the bridge to be a steel framed bridge with wood plank decking, similar to other bridges in the park system. The bridge will be double the length and width of the former bridge at 70 feet long and 10 feet wide. Part of the project includes grading a path connection from the parking lot to the bridge approach. Once the bridge is completed, staff will install the asphalt path connection. The project has been reviewed by the Iowa Department of Natural Resources (Iowa DNR) and the U.S Army Corps of Engineers, as well as the City of Ames Planning and Housing Department and all necessary permits have been issued.

WHKS, Inc., was hired to file permitting requests, develop plans and specifications, prepare a cost estimate, and provide construction management. The engineer's cost estimate is below:

<u>Engineer's Estimate For Bid Project:</u>	<u>Amount</u>
Structures (steel truss bridge, concrete, etc.)	\$129,647
Earthwork (clearing and grubbing, embankment work)	\$ 28,650
Safety Control (fencing)	\$ 5,020
Site Work and Landscaping	\$ 9,800
Demolition (existing footing removal)	\$ 3,000
Misc. (Mobilization and Construction Survey)	\$ 27,500
Bid Project Estimate	\$203,617

<u>Total Project Estimate:</u>	<u>Amount</u>
Bridge Project Bid	\$203,617
Tree Removal (Contracted by staff)	\$ 10,000
Asphalt Path	\$ 5,000
Engineering & Design	\$ 51,900
Total Project Estimate	\$270,517

Total available funding for the entire project is \$292,000 which leaves \$21,483 for contingency.

ALTERNATIVES:

1. Approve Plans and Specifications for the Emma McCarthy Lee Park Pedestrian Bridge and set the bid due date for July 21, 2020 and July 28, 2020, as the date of hearing and award of contract. The elements included in this bid are estimated to cost \$203,617.
2. Do not approve the plans and specifications at this time, delaying the Emma McCarthy Lee Park Pedestrian Bridge Project.
3. Refer back to staff.

CITY MANAGER'S RECOMMENDED ACTION:

The Ames community takes pride in the quality of its shared use paths and trail network. This bridge will reestablish the trail connection that was lost in 2018 to Iowa State campus from the northwest area of the City. The bridge specified will be constructed approximately four feet above the former bridge deck that was destroyed. Also, the bridge is engineered to withstand the force of water if it ever becomes inundated. **Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as stated above.**

COUNCIL ACTION FORM

SUBJECT: 2020/21 US HIGHWAY 69 IMPROVEMENTS (SOUTH DUFF AVENUE AND US HIGHWAY 30 EASTBOUND OFF-RAMP)

BACKGROUND:

This program provides for intersection and corridor improvement projects along US Highway 69 to alleviate congestion and reduce accidents. This project includes intersection improvements and traffic signal installation at S. Duff Avenue and US HWY 30 EB Off-Ramp.

WHKS & Co. of Ames, Iowa, developed plans and specifications with an estimated budget as shown below:

Revenues		Expenses	
G.O. Bonds	\$230,000	Engineering & Admin.	\$200,000
Road Use Tax	\$300,000	Construction (est.)	\$1,041,842
Grant Funding	\$800,000		
Total	\$1,330,000	Total	\$1,241,842

Staff has had conversations with affected properties regarding this project and will continue to coordinate the upcoming construction of the project.

ALTERNATIVES:

1. Approve the plans and specifications for the 2020/21 US Highway 69 Improvements (South Duff Avenue and US Highway 30 Eastbound Off-ramp) project and establish July 22, 2020, as the date of letting with July 28, 2020, as the date for report of bids.
2. Do not approve this project.

MANAGER'S RECOMMENDED ACTION:

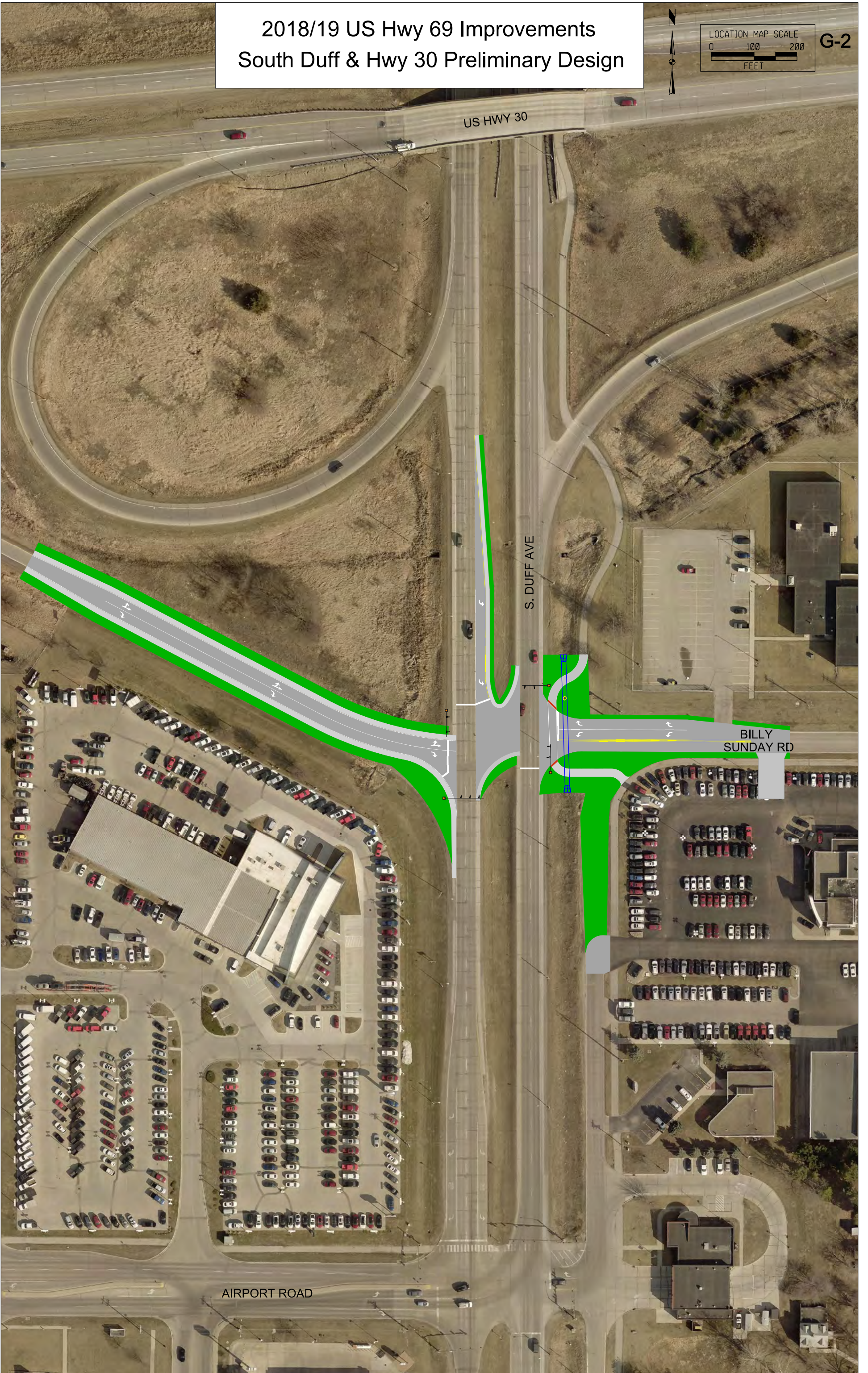
By approving these plans and specifications, it will be possible to significantly improve a major intersection for motorists in the area. Construction could start as early as late summer 2020 and must be substantially complete by August 2021.

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

2018/19 US Hwy 69 Improvements
South Duff & Hwy 30 Preliminary Design

LOCATION MAP SCALE
0 100 200
FEET

G-2



ITEM #: 19
DATE: 06-23-20

COUNCIL ACTION FORM

SUBJECT: 2019/20 CLEAR WATER DIVERSION

BACKGROUND:

Clear water from footing drains causes overloading and backups in the sanitary sewer as well as increases in the volume of clean water that is treated at the sewage treatment facility. The Clear Water Diversion program involves diverting footing drain discharge from sanitary sewers to storm sewers. This diversion results in lower volumes of clean water needing treatment at the sewage treatment facility, thereby decreasing operating and maintenance costs of that facility. In addition, the program addresses locations where sump pump water discharges directly over the back of curb since no storm sewer exists in the area. In winter conditions, these sump pump discharges can cause ice build-up in the curb and gutter.

The locations for the 2019/20 Clear Water Diversion Program include: Grand Ave (1004 and 1010), 11th St (622 11th St. to Wilson Ave), Burnett Ave (14th St to 15th St), Kellogg Ave (12th St to 13th St), and Johnson St (1132 to 1126).

City staff has completed plans and specifications for this project with an estimated construction cost of \$145,000. Engineering and construction administration are estimated in an amount of \$21,750, bringing total estimated project costs to the amount of \$166,750. Accumulated funding through the Capital Improvement Plan provides total funding of \$174,000 from the Sewer Utility Fund.

Funding Source	Available Revenue	Estimated Expenses
2018/19 Clear Water Diversion program	\$ 24,000.00	
2019/20 Clear Water Diversion Program	\$100,000.00	
2020/21 Clear Water Diversion Program	\$ 50,000.00	
Engineer's Estimate of Construction		\$145,000.00
Engineering and Administration		\$ 21,750.00
	<hr/>	<hr/>
	\$174,000.00	\$166,750.00

ALTERNATIVES:

1. Approve the 2019/20 Clear Water Diversion Program by establishing July 22, 2020 as the date of bid letting and July 28, 2020 as the date for report of bids.
2. Reject the project.

CITY MANAGER'S RECOMMENDED ACTION:

By approving the plans and specifications and establishing July 22, 2020 as the date of bid letting and July 28, 2020 as the date for report of bids, it will be possible for construction to commence during 2020 and help to reduce icing at these clean water discharge locations.

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

COUNCIL ACTION FORM

SUBJECT: POWER PLANT UNIT 8 TURBINE GENERATOR OVERHAUL

BACKGROUND:

The Unit 8 Turbine Generator is scheduled to be disassembled, inspected, and repaired at the same time as the Unit 8 Boiler Repair Project. This work is required to replace worn parts and inspect the turbine and generator for repairs that may be needed to prevent unplanned turbine/generator outages, prevent costly turbine/generator damage, and increase turbine/generator reliability. Repairs and replacement of worn parts will be completed as the inspection progresses. Experience has shown that certain parts require replacement every major overhaul and some parts become unusable during the disassembly process. This overhaul and parts replacement are required and recommended by the original equipment manufacturer and boiler and machinery insurance carriers and follows accepted industry standards.

The Engineer's estimate of the cost of this project is \$2,488,000.

The approved Capital Improvements Plan includes the following funding for the Unit 8 Turbine Generator Overhaul.

2019/20 Materials/Parts	\$1,000,000
2019/20 Construction	\$1,650,000
2019/20 GE Tech Support	<u>\$350,000</u>
TOTAL	\$3,000,000

ALTERNATIVES:

1. Approve the preliminary plans and specifications for the Unit 8 Turbine Generator Overhaul and set July 29, 2020, as the bid due date and August 11, 2020, as the date of hearing and award of contract.
2. Do not approve which would delay this critical repair.

MANAGER'S RECOMMENDED ACTION:

The Unit 8 Turbine-Generator is scheduled for a major overhaul during the outage for the Unit 8 Boiler Tube Repair Project, tentatively scheduled for winter of 2020. Turbine-generator overhauls are typically performed in the industry about every 5-7 years to restore unit efficiency and to maintain good unit life and reliability. Without this overhaul, the Power Plant's performance and reliability would degrade considerably over time.

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

COUNCIL ACTION FORM

SUBJECT: **UNIT 8 PRECIPITATOR ROOF REPLACEMENT**

BACKGROUND:

This contract is for the replacement of Unit 8 Precipitator Roof. Degradation to the current roof has resulted in water leakage throughout the Power Plant during seasonal rainfalls and snowmelts. The precipitator roof protects the Unit 8 precipitator controls and electrical gear, which could be severely damaged during water leakage events. Additionally, the water leakage could pose hazardous conditions to plant staff that are accessing the controls or electrical equipment during seasonal storms.

Damage to the roof has been caused by age degradation, poor water drainage, and wear & tear while servicing equipment located on the roof. This project will replace the worn components including the decking and insulation. It will also improve the roof drainage by changing the roof slope and relocate existing plant drains. Finally, the plans will call for the reinforcement of areas of high traffic due to plant maintenance operations that uses the roof as access to other parts of the plant.

This contract was originally bid out in February 2020, and no bids were received. Staff learned from potential bidders that the work would likely require the involvement of a General Contractor to oversee the majority of the work, due to the complexity of the roof replacement activities and the limited access to the plant. Based on that information, the technical specifications were reviewed and revised, and the project is now ready to be rebid.

The engineer's estimate for the demolition, removal, proper disposal and replacement of the existing roof, steel roof deck, and wall panels is \$250,000. The approved FY 2019/20 budget has \$208,000 allocated for this project. The remaining \$42,000 will be transferred from the unused balance in the Unit 7 Turbine Generator overhaul project. This turbine generator project is complete and has \$650,000 in remaining funding available.

ALTERNATIVES:

1. Approve preliminary plans and specifications for the Unit 8 Precipitator Roof Replacement project, set August 12, 2020 as the due date for bids, and establish August 25, 2020 as the date of public hearing and award of contract.
2. Delay the Unit 8 Precipitator Roof Replacement project.

CITY MANAGER'S RECOMMENDED ACTION:

This work is necessary for the replacement of the existing roof, steel roof deck, and wall panels. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

COUNCIL ACTION FORM

SUBJECT: UNIT 8 AIR HEATER BASKET REPLACEMENT FOR POWER PLANT

BACKGROUND:

The Unit 8 Boiler utilizes an air preheater to capture the heat in the exhaust gas and transfer the energy to the incoming combustion air to warm it to the temperature needed for efficient combustion of the fuel. The rotary air heater is made of multiple baskets filled with their sandwiched layers of steel that rotate between the exhaust and inlet air ducts and in doing so cools the exhaust and warms the air.

The Unit 8 cold-end baskets were last replaced in 2012. Over time the basket material corrodes, deteriorates, and loses thermal efficiency. The cold-end baskets have deteriorated extensively since they were last replaced. Corrosion of the cold-end baskets is likely accelerated due to the combustion of natural gas and RDF (chloride gases), combined with the temperature of the gases at the cold end.

Black & Veatch was hired to prepare the specifications for the replacement of the air heater baskets. It was their recommendation to negotiate directly with the Air Preheater Original Equipment Manufacturer (OEM).

Arvos Ljunstrom, LLC (OEM) has recommended using an epoxy coating on the cold-end baskets, which would inhibit the corrosion resulting from the natural gas and RDF combustion. Installation will be completed prior to the start-up of Unit 8 after the boiler superheater replacement project. The baskets will be installed by using the Power Plant Maintenance Services Contract.

Arvos Ljunstrom, LLC is the most practical and cost-effective provider for the needed replacement baskets. This requires a single source purchasing arrangement with Arvos Ljunstrom, LLC, which is why a waiver of the City's purchasing policy requirement for formal bidding procedures is also needed. Based on the expertise of Arvos Ljunstrom, LLC with this type of repair, the technicality of the work, and the unique modification being made to the baskets, both Black & Veatch and staff believe the quoted price of \$135,857.77 (inclusive of sales tax) to be reasonable.

Funding for these repairs is available from the approved FY 2020/21 operating budget under Unit 8 Auxiliary Equipment repairs. This currently contains \$145,000 to cover this contract.

ALTERNATIVES:

1. Waive the City's purchasing policy requirement for formal bidding procedures for Unit 8 Air Heater Basket Replacement for Power Plant and award a contract to Arvos Ljunstrom, LLC, Wellsville, New York, in the amount of \$135,857.77 (inclusive of sales tax).
2. Do not approve and direct staff to solicit bids for these repairs.

CITY MANAGER'S RECOMMENDED ACTION:

The replacement of the heater baskets is imperative for the thermal performance of the Power Plant. By not replacing the baskets, the Power Plant's efficiency to produce electricity is inhibited. Additionally, the currently corroded baskets create a maintenance burden by requiring periodic cleaning and unplugging to maintain flue gas exhaust flows to maintain plant performance and continuous operation.

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

ITEM: 23

DATE: 6-23-20

COUNCIL ACTION FORM

SUBJECT: AWARD OF CONTRACT FOR REPLACEMENT OF ICE RESURFACING MACHINE FOR THE AMES/ISU ICE ARENA

BACKGROUND:

The Ames/ISU Ice Arena is open throughout the year for multiple activities such as public skating, hockey, and figure skating. The Ice Resurfer is an essential piece of equipment that keeps the ice surface in excellent shape. The current resurfer was purchased in 2010 with a replacement schedule of eight to ten years. The current unit will be starting its eleventh season this fall. This will be the third time the resurfer has been replaced since the arena opened in its current location in 2001.

Parks and Recreation and Fleet Department staff developed specifications for the new unit including a propane fuel source, which is what the current unit is. Staff investigated the benefits of a propane resurfer versus an electric resurfer but found no evidence that one was better for the environment than the other. Thus, staff specified a propane resurfer because it is approximately \$50,000 cheaper.

An alternate bid for a Laser Ice Leveling System which automatically keeps the ice at a consistent depth was listed. A benefit of the laser system is the ice is kept at a consistent depth which helps keep utility costs lower and reduces ice maintenance. The system does not have to be adjusted during ice cuts which makes operating the unit easier for all staff, temporary and full time.

Only one bid was received and is as follows:

Bidder	Unit Price – Olympia Ice Resurfer	Trade-In with Current Laser Ice Leveling System	Alternate #1 – Laser Ice Leveling System	Total Cost
CTM Services, Inc., Lonsdale, Minnesota	\$105,330	(\$25,500)	\$17,800	\$97,630

Funding for this purchase comes from the Ice Arena Capital Fund which is funded by an annual \$20,000 contribution from the City and ISU. The FY 2018/19 Capital Improvement Plan (CIP) included \$80,000 to replace the 2010 Olympia Ice Resurfer. Additionally, there is \$23,982 in savings from the Ice Arena Parking Lot Renovation Project which was completed this spring. If this is used, total funding available is \$103, 982.

If the resurfer replacement is approved, the City will not receive the unit until July of 2021.

ALTERNATIVES:

1. Award a contract for the replacement of the Ice Resurfacing Machine and Alternate #1 for the Ames/ISU Ice Arena to CTM Services, Inc., Lonsdale, Minnesota in the amount of \$97,630.

Under this alternative savings from the Ice Arena Parking Lot Renovation project will be utilized to help pay for the purchase of the resurfacer and ice leveling system.

2. Accept the report of bids but do not award a contract at this time.
3. Reject all bids.

MANAGER'S RECOMMENDED ACTION:

The Ice Resurfacer is the main piece of equipment that ensures the ice is safe and excellent for the users of the Ames/ISU Ice Arena. In following the replacement schedule of every eight to ten years, it is time to purchase a new one. Replacing the Laser Ice Leveling System is a tool that has shown to be necessary to keep the ice surface safe, but also reduces ice maintenance and utility costs. By utilizing savings from the Ice Arena parking lot renovation project, there are sufficient funds to approve the base bid plus Alternate #1.

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

COUNCIL ACTION FORM

SUBJECT: **CONTRACT AWARD FOR WATER METERS
AND RELATED ACCESSORIES**

BACKGROUND:

On February 10, 2015, Itron, Inc. was awarded a contract for the procurement of an Automatic Meter Reading (AMR) System which included hardware, software, meters, and maintenance services. That contract also included up to four 12-month renewals. The final renewal period expires on June 30, 2020.

Maintaining standardized equipment is an important consideration. Not only does it simplify and streamline repair parts inventories, it also greatly simplifies the meter reading process (by only requiring a single handheld meter reading device) and the billing process (by only needing to integrate a single data collection system into the City's billing software). **Even though the original contract has expired, staff contacted Itron to see if they would be willing to extend the agreement for another year on reasonable terms. Itron provided firm unit pricing for FY 2020/21. The actual amount of the cost increases varies slightly between meter types and sizes, but ranges between a 1 to 1.5% increase from the FY 2019/20 contract renewal that was approved June 25, 2019. So long as Itron continues to provide pricing with only nominal price increases from year to year, staff would propose to continue in this fashion with a single source procurement through the completion of the Automatic Meter Reading project (approximately another three-and-one-half years).**

Based on anticipated quantities to be purchased during the upcoming fiscal year, the contract will be in an amount not to exceed \$503,800. Funding sources for FY 2020/21 contract include \$292,800 (1,600 meters @ \$183 average cost per meter) from the operating budget and an additional \$211,000 from the Capital Improvement Plan funds designated for the AMR project. The adopted FY 2020/21 budget for this project is as follows.

FY 2020/21 Operating Budget	\$292,800
<u>FY 2020/21 CIP Budget</u>	<u>\$211,000</u>
Total Available Budget	\$503,800

ALTERNATIVES:

1. Waive the competitive bidding requirements and award a contract to Itron, Inc. of Liberty Lake, WA, to furnish radio units, meters and related parts and services for the period of July 1, 2020, through June 30, 2021, at the stated renewal unit costs dated May 1, 2020, in an amount not to exceed \$503,800.

If this alternative is approved, it would indicate that the City Council supports this “single source” procurement that is consistent with the City’s Purchasing Policies.

2. Do not award a contract with Itron at this time, and attempt to procure meters from another source. This would negatively impact the water meter replacement program and installation of meters for new construction.

CITY MANAGER’S RECOMMENDED ACTION:

The City has entered into a project to install an AMR system for the City using meter reading equipment and meters provided by Itron, Inc. Staff has reviewed the pricing from Itron, Inc. for FY 2020/21 and has concluded that the pricing still provides the best value for our customers. Waiving the competitive bidding requirements is allowable under the City’s Purchasing Policies and Procedures. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

COUNCIL ACTION FORM

SUBJECT: **CONTRACT RENEWAL FOR NON-ASBESTOS INSULATION AND RELATED SERVICES AND SUPPLY CONTRACT FOR POWER PLANT**

BACKGROUND:

This contract involves the removal, repair, and reinstallation of non-asbestos insulation of all types used at the City's Power Plant.

On July 23, 2019, City Council awarded a contract to HTH Companies, Inc., Union, Missouri, for the Non-Asbestos Insulation and Related Services and Supplies Contract Power Plant to be furnished as requested from award date through June 30, 2020. The contract was in an amount not-to-exceed \$80,000.

The contract has the option for the City to renew in one-year increments for up to four additional years. Staff recommends renewing the agreement for FY 2020/21. The contract's rate provision increases rates at fixed percentages above the previous fiscal year's contracted rates at time of renewal. The annual rate increase is 2% for both Labor and Travel & Subsistence. **This is the first renewal out of four maximum.**

Staff recommends that these services continue to be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The approved FY20/21 Power Plant operating budget includes \$150,000 for these services. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Approve the contract renewal with HTH Companies, Inc., Union, Missouri, for the Non-Asbestos Insulation and Related Services and Supplies Contract for the one-

year period from July 1, 2020, through June 30, 2021, and approve contract and bond. Total work in FY 2020/21 shall be an amount not-to-exceed \$150,000.

2. Do not renew the agreement and instruct staff to seek new competitive bids.

MANAGER'S RECOMMENDED ACTION:

This contract is needed to carry out emergency and routine non-asbestos insulation services at the Power Plant. The contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service. 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 No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: RENEWAL OF ELECTRIC SERVICES UNDERGROUND TRENCHING CONTRACT

BACKGROUND:

This contract consists of a contractor furnishing all equipment, tools, labor, and materials not supplied by Electric Services for excavating, trenching, directional boring, and backfilling for installation of conduits, ground sleeves, box pads, vaults, handholes, and other appurtenances. This consists of emergency service, as well as regularly planned repairs and services.

On June 25, 2019, City Council awarded the **primary contract** to Ames Trenching & Excavating, Ames, IA, in an amount not-to-exceed \$200,000, and the **secondary contract** to Zoske Electrical Services, Inc., Des Moines, IA, in an amount not-to-exceed \$100,000.

Each contract has the option for the City to renew in one-year increments for up to four additional years. This option includes a rate provision which increases rates at fixed percentages above the previous fiscal year contracted rates at time of renewal. For the **primary contract** with Ames Trenching & Excavating, the fixed rates for FY 2020/21 include labor increase of 5% and no increases for equipment and tools. For the **secondary contract** with Zoske Electrical Services, Inc., the fixed rates for FY 2020/21 include labor increase of 3% and no increases for equipment and tools. All increases are in accordance with the contract terms initially established. **This is the first renewal out of four maximums.**

Staff recommends that these services continue to be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The total amount to be renewed for this contract will be a time and materials cost not to exceed \$300,000.

The approved FY 2020/21 operating budget for Underground System Improvements contains \$300,000. Trenching and excavation services are included in this amount. The trenching and excavation services covered by this contract would also be used for the relocation of Electric Services facilities to clear sites for Public Works roadway improvement projects. Funds have been designated in various CIP projects for those relocation activities.

ALTERNATIVES:

1. a. Approve the **primary contract** renewal with Ames Trenching & Excavating, Ames, IA, for the Underground Trenching Contract for Electric Services for the one-year period from July 1, 2020, through June 30, 2021, and approve contract and bond. Total work in FY 2020/21 shall be in an amount not-to-exceed \$200,000.

b. Approve the **secondary contract** renewal with Zoske Electrical Services, Inc., Des Moines, IA, for the Underground Trenching Contract for Electric Services for the one-year period from July 1, 2020, through June 30, 2021, and approve contract and bond. Total work in FY 2020/21 shall be in an amount not-to-exceed \$100,000.
2. Cancel the renewal of the primary and/or secondary contract(s) and instruct staff to rebid these services.
3. Cancel the renewal of the primary and/or secondary contract(s) and purchase underground trenching services on an as-needed basis.

MANAGER'S RECOMMENDED ACTION:

These services are necessary to provide trenching and excavation for new construction, maintenance, and emergency repair activities for Electric Services. These contracts will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service and helping to control costs.

Having two contractors under contract allows the City to assign work to the secondary contractor if the primary contractor is busy and is unable to meet required project deadlines. This should reduce delays to project schedules.

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

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Ames Trenching & Excavating, Inc. Ames, Iowa		
					Rates FY 2019-20		
	Unit	Description	UOM	Est # of Units	Labor	Materials	Labor & Materials
A	TR-N	Trenching - Normal Depth	FT	2000			\$ 12.16
B	TR-X	Trenching - Extra Depth	FT	400			\$ 15.80
C	TR-SH	Trenching -Shallow Depth	FT	250			\$ 8.51
D	DUCT-1	Install 1" Flex Duct in Trench	FT	250			\$ 1.22
E	DUCT-2	Install 2" PVC Duct in Trench	FT	2000			\$ 1.82
F	DUCT-4	Install 4" PVC Duct in Trench	FT	1000			\$ 2.43
G	DUCT-6	Install 6" PVC Duct in Trench	FT	400			\$ 3.65
H	CONC. ENC.	Concrete Encasement of Duct	CU YD	500			\$ 54.31
I	BORE-2	Directional Bore 2" Flex Duct	FT	1000			\$ 13.37
J	BORE-4	Directional Bore 4" Flex Duct	FT	1000			\$ 24.31
K	BORE-6	Directional Bore 6" Flex Duct	FT	1000			\$ 42.54
L	HAND EX.	Excavation By Hand	HR	100			\$ 54.31
M	MACH. EX.	Excavation By Machine	HR	25			\$ 121.28
N	HAND TAMP	Mechanical Tamping By Hand	HR	100			\$ 60.78
O	MACH. TAMP	Mech. Tamping by Machine	HR	25			\$ 133.71
P	ENC- SM	Install Small Enclosure	EA	20			\$ 243.10
Q	ENC-MD	Install Medium Enclosure	EA	8			\$ 303.88
R	ENC-LG	Install Large Enclosure	EA	4			\$ 364.65
S	ENC-AG	Install Enclosure w/ Above Grade Lid	EA	20			\$ 243.10
T	ENC-SW	Install Enclosure in Sidewalk	EA	12			\$ 364.65
U	ENC-SWGR	Install Switchgear Boxpad	EA	6			\$ 850.85

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Ames Trenching & Excavating, Inc. Ames, Iowa		
					Rates FY 2019-20		
	Unit	Description	UOM	Est # of Units	Labor	Materials	Labor & Materials
V	JB-1PH	Install 1-ph Primary Enclosure	EA	6			\$ 425.43
W	JB-3PH	Install 3-ph Primary Enclosure	EA	12			\$ 425.43
X	XFMR-1PH	Install 1-ph FG Transformer Pad	EA	20			\$ 486.20
Y	XFMR-3PH6	Install 3-ph Conc Pad (6'x6')	EA	6			\$ 4,375.82
Z	XFMR-3PH9	Install 3-ph Conc Pad (9'x9')	EA	2			\$ 5,712.88
AA	PCC-REM	Concrete Removal	CU YD	25			\$ 60.75
BB	PCC	Concrete Installation	CU YD	25			\$ 303.88
CC	BOLLARD	Bollard Installation	EA	8			\$ 364.65
DD	SEEDING	Grass Seed & 1 Watering	SQ YD	200			\$ 243.10
EE	CORE-PVMNT	Pothole for Buried Utilities in Pavement	HR	100			\$ 200.17
FF	CORE-GRASS	Pothole for Buried Utilities in Grass	HR	50			\$ 170.17
TOTAL ESTIMATED BASE COST							
All materials not supplied by City of Ames.					Cost + 15%		
Equipment and Tools (to provide list)					List provided		
Subsistence					\$ -		
Travel					\$ -		
Mileage					\$ -		
Price increases for renewal periods:							
Labor rates					5% per year		
Other:							
							_____ % per
							_____ % per
							_____ % per
Office location					1509 E Lincoln Way Ames		
warehouse location					same		
method to insure response time					guaranteed 4 hours		

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Rates for FY 2020-21
	Unit	Description	UOM	Est # of Units	Labor and Mateials
A	TR-N	Trenching - Normal Depth	FT	2000	\$ 12.77
B	TR-X	Trenching - Extra Depth	FT	400	\$ 16.59
C	TR-SH	Trenching -Shallow Depth	FT	250	\$ 8.94
D	DUCT-1	Install 1" Flex Duct in Trench	FT	250	\$ 1.28
E	DUCT-2	Install 2" PVC Duct in Trench	FT	2000	\$ 1.91
F	DUCT-4	Install 4" PVC Duct in Trench	FT	1000	\$ 2.55
G	DUCT-6	Install 6" PVC Duct in Trench	FT	400	\$ 3.83
H	CONC. ENC.	Concrete Encasement of Duct	CU YD	500	\$ 57.03
I	BORE-2	Directional Bore 2" Flex Duct	FT	1000	\$ 14.04
J	BORE-4	Directional Bore 4" Flex Duct	FT	1000	\$ 25.53
K	BORE-6	Directional Bore 6" Flex Duct	FT	1000	\$ 44.67
L	HAND EX.	Excavation By Hand	HR	100	\$ 57.03
M	MACH. EX.	Excavation By Machine	HR	25	\$ 127.34
N	HAND TAMP	Mechanical Tamping By Hand	HR	100	\$ 63.82
O	MACH. TAMP	Mech. Tamping by Machine	HR	25	\$ 140.40
P	ENC- SM	Install Small Enclosure	EA	20	\$ 255.26
Q	ENC-MD	Install Medium Enclosure	EA	8	\$ 319.07
R	ENC-LG	Install Large Enclosure	EA	4	\$ 382.88
S	ENC-AG	Install Enclosure w/ Above Grade Lid	EA	20	\$ 255.26
T	ENC-SW	Install Enclosure in Sidewalk	EA	12	\$ 382.88
U	ENC-SWGR	Install Switchgear Boxpad	EA	6	\$ 893.39

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Rates for FY 2020-21
	Unit	Description	UOM	Est # of Units	Labor and Mateials
V	JB-1PH	Install 1-ph Primary Enclosure	EA	6	\$ 446.70
W	JB-3PH	Install 3-ph Primary Enclosure	EA	12	\$ 446.70
X	XFMR-1PH	Install 1-ph FG Transformer Pad	EA	20	\$ 510.51
Y	XFMR-3PH6	Install 3-ph Conc Pad (6'x6')	EA	6	\$ 4,594.61
Z	XFMR-3PH9	Install 3-ph Conc Pad (9'x9')	EA	2	\$ 5,998.52
AA	PCC-REM	Concrete Removal	CU YD	25	\$ 63.79
BB	PCC	Concrete Installation	CU YD	25	\$ 319.07
CC	BOLLARD	Bollard Installation	EA	8	\$ 382.88
DD	SEEDING	Grass Seed & 1 Watering	SQ YD	200	\$ 255.26
EE	CORE-PVMNT	Pothole for Buried Utilities in Pavement	HR	100	\$ 210.18
FF	CORE-GRASS	Pothole for Buried Utilities in Grass	HR	50	\$ 178.68
TOTAL ESTIMATED BASE COST					
All materials not supplied by City of Ames.					Cost plus 15%
Equipment and Tools (to provide list)					
Subsistence					
Travel					
Mileage					
Price increases for renewal periods:					
Labor rates					
Other:					
Office location					
warehouse location					
method to insure response time					

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Zoske Electrical Service, Inc.			
					Iowa Falls, Iowa			
					Rates FY 2019-20			
	Unit	Description	UOM	Est # of Units	Labor	Materials	Labor & Materials	Labor
A	TR-N	Trenching - Normal Depth	FT	2000	\$ 2.75	\$ -	\$ 2.75	\$ 2.83
B	TR-X	Trenching - Extra Depth	FT	400	\$ 3.00	\$ -	\$ 3.00	\$ 3.09
C	TR-SH	Trenching -Shallow Depth	FT	250	\$ 2.75	\$ -	\$ 2.75	\$ 2.83
D	DUCT-1	Install 1" Flex Duct in Trench	FT	250	\$ 1.92	\$ 0.87	\$ 2.79	\$ 1.98
E	DUCT-2	Install 2" PVC Duct in Trench	FT	2000	\$ 4.59	\$ 1.22	\$ 5.81	\$ 4.73
F	DUCT-4	Install 4" PVC Duct in Trench	FT	1000	\$ 1.67	\$ 2.88	\$ 4.55	\$ 1.72
G	DUCT-6	Install 6" PVC Duct in Trench	FT	400	\$ 7.08	\$ 4.16	\$ 11.24	\$ 7.30
H	CONC. ENC.	Concrete Encasement of Duct	CU YD	500	\$ 35.00	\$ 162.50	\$ 197.50	\$ 36.05
I	BORE-2	Directional Bore 2" Flex Duct	FT	1000	\$ 15.00	\$ 1.34	\$ 16.34	\$ 15.45
J	BORE-4	Directional Bore 4" Flex Duct	FT	1000	\$ 15.00	\$ 4.12	\$ 19.12	\$ 15.45
K	BORE-6	Directional Bore 6" Flex Duct	FT	1000	\$ 23.00	\$ 6.88	\$ 29.88	\$ 23.69
L	HAND EX.	Excavation By Hand	HR	100	\$ 58.00	\$ -	\$ 58.00	\$ 59.74
M	MACH. EX.	Excavation By Machine	HR	25	\$ 85.00	\$ -	\$ 85.00	\$ 87.55
N	HAND TAMP	Mechanical Tamping By Hand	HR	100	\$ 58.00	\$ -	\$ 58.00	\$ 59.74
O	MACH. TAMP	Mech. Tamping by Machine	HR	25	\$ 58.00	\$ 14.00	\$ 72.00	\$ 59.74
P	ENC- SM	Install Small Enclosure	EA	20	\$ 185.00	\$ 463.00	\$ 648.00	\$ 190.55
Q	ENC-MD	Install Medium Enclosure	EA	8	\$ 339.50	\$ 826.00	\$ 1,165.50	\$ 349.69
R	ENC-LG	Install Large Enclosure	EA	4	\$ 650.00	\$ 970.00	\$ 1,620.00	\$ 669.50
S	ENC-AG	Install Enclosure w/ Above Grade Lid	EA	20	\$ 275.00	\$ 412.00	\$ 687.00	\$ 283.25
T	ENC-SW	Install Enclosure in Sidewalk	EA	12	\$ 650.00	\$ 412.00	\$ 1,062.00	\$ 669.50
U	ENC-SWGR	Install Switchgear Boxpad	EA	6	\$ 375.00	\$ 387.00	\$ 762.00	\$ 386.25

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Zoske Electrical Service, Inc.			
					Iowa Falls, Iowa			
					Rates FY 2019-20			
	Unit	Description	UOM	Est # of Units	Labor	Materials	Labor & Materials	Labor
V	JB-1PH	Install 1-ph Primary Enclosure	EA	6	\$ 375.00	\$ 418.00	\$ 793.00	\$ 386.25
W	JB-3PH	Install 3-ph Primary Enclosure	EA	12	\$ 375.00	\$ 653.00	\$ 1,028.00	\$ 386.25
X	XFMR-1PH	Install 1-ph FG Transformer Pad	EA	20	\$ 375.00	\$ 361.00	\$ 736.00	\$ 386.25
Y	XFMR-3PH6	Install 3-ph Conc Pad (6'x6')	EA	6	\$ 250.00	\$ 1,320.00	\$ 1,570.00	\$ 257.50
Z	XFMR-3PH9	Install 3-ph Conc Pad (9'x9')	EA	2	\$ 455.00	\$ 1,320.00	\$ 1,775.00	\$ 468.65
AA	PCC-REM	Concrete Removal	CU YD	25	\$ 120.00	\$ 30.00	\$ 150.00	\$ 123.60
BB	PCC	Concrete Installation	CU YD	25	\$ 38.40	\$ 140.00	\$ 178.40	\$ 39.55
CC	BOLLARD	Bollard Installation	EA	8	\$ 165.00	\$ 285.00	\$ 450.00	\$ 169.95
DD	SEEDING	Grass Seed & 1 Watering	SQ YD	200	\$ -	\$ 4.68	\$ 4.68	\$ -
EE	CORE-PVMNT	Pothole for Buried Utilities in Pavement	HR	100	\$ 150.00	\$ -	\$ 150.00	\$ 154.50
FF	CORE-GRASS	Pothole for Buried Utilities in Grass	HR	50	\$ 125.00	\$ -	\$ 125.00	\$ 128.75
TOTAL ESTIMATED BASE COST								
All materials not supplied by City of Ames.					Cost + 30 %			
Equipment and Tools (to provide list)					List provided			
Subsistence					\$135 per day per employee when needed			
Travel					\$65 per hour per truck			
Mileage					from Iowa Falls			
Price increases for renewal periods:								
Labor rates					3% per year			
Other:								
							_____ % per	
							_____ % per	
							_____ % per	
Office location					833 Brooks Road Iowa Falls			
warehouse location					same			
method to insure response time					on site 2 hours for emergency services			

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Rates FY 2020-21	
	Unit	Description	UOM	Est # of Units	Materials	Labor & Materials
A	TR-N	Trenching - Normal Depth	FT	2000	\$ -	\$ 2.83
B	TR-X	Trenching - Extra Depth	FT	400	\$ -	\$ 3.09
C	TR-SH	Trenching -Shallow Depth	FT	250	\$ -	\$ 2.83
D	DUCT-1	Install 1" Flex Duct in Trench	FT	250	\$ 0.87	\$ 2.85
E	DUCT-2	Install 2" PVC Duct in Trench	FT	2000	\$ 1.22	\$ 5.95
F	DUCT-4	Install 4" PVC Duct in Trench	FT	1000	\$ 2.88	\$ 4.60
G	DUCT-6	Install 6" PVC Duct in Trench	FT	400	\$ 4.16	\$ 11.46
H	CONC. ENC.	Concrete Encasement of Duct	CU YD	500	\$ 162.50	\$ 198.55
I	BORE-2	Directional Bore 2" Flex Duct	FT	1000	\$ 1.34	\$ 16.79
J	BORE-4	Directional Bore 4" Flex Duct	FT	1000	\$ 4.12	\$ 19.57
K	BORE-6	Directional Bore 6" Flex Duct	FT	1000	\$ 6.88	\$ 30.57
L	HAND EX.	Excavation By Hand	HR	100	\$ -	\$ 59.74
M	MACH. EX.	Excavation By Machine	HR	25	\$ -	\$ 87.55
N	HAND TAMP	Mechanical Tamping By Hand	HR	100	\$ -	\$ 59.74
O	MACH. TAMP	Mech. Tamping by Machine	HR	25	\$ 14.00	\$ 73.74
P	ENC- SM	Install Small Enclosure	EA	20	\$ 463.00	\$ 653.55
Q	ENC-MD	Install Medium Enclosure	EA	8	\$ 826.00	\$ 1,175.69
R	ENC-LG	Install Large Enclosure	EA	4	\$ 970.00	\$ 1,639.50
S	ENC-AG	Install Enclosure w/ Above Grade Lid	EA	20	\$ 412.00	\$ 695.25
T	ENC-SW	Install Enclosure in Sidewalk	EA	12	\$ 412.00	\$ 1,081.50
U	ENC-SWGR	Install Switchgear Boxpad	EA	6	\$ 387.00	\$ 773.25

INVITATION TO BID NO. 2019-134
UNDERGROUND TRENCHING CONTRACT

					Rates FY 2020-21	
	Unit	Description	UOM	Est # of Units	Materials	Labor & Materials
V	JB-1PH	Install 1-ph Primary Enclosure	EA	6	\$ 418.00	\$ 804.25
W	JB-3PH	Install 3-ph Primary Enclosure	EA	12	\$ 653.00	\$ 1,039.25
X	XFMR-1PH	Install 1-ph FG Transformer Pad	EA	20	\$ 361.00	\$ 747.25
Y	XFMR-3PH6	Install 3-ph Conc Pad (6'x6')	EA	6	\$ 1,320.00	\$ 1,577.50
Z	XFMR-3PH9	Install 3-ph Conc Pad (9'x9')	EA	2	\$ 1,320.00	\$ 1,788.65
AA	PCC-REM	Concrete Removal	CU YD	25	\$ 30.00	\$ 153.60
BB	PCC	Concrete Installation	CU YD	25	\$ 140.00	\$ 179.55
CC	BOLLARD	Bollard Installation	EA	8	\$ 285.00	\$ 454.95
DD	SEEDING	Grass Seed & 1 Watering	SQ YD	200	\$ 4.68	\$ 4.68
EE	CORE-PVMNT	Pothole for Buried Utilities in Pavement	HR	100	\$ -	\$ 154.50
FF	CORE-GRASS	Pothole for Buried Utilities in Grass	HR	50	\$ -	\$ 128.75
TOTAL ESTIMATED BASE COST						
All materials not supplied by City of Ames.						
Equipment and Tools (to provide list)						
Subsistence						
Travel						
Mileage						
Price increases for renewal periods:						
Labor rates						
Other:						
Office location						
warehouse location						
method to insure response time						

COUNCIL ACTION FORM

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

BACKGROUND:

This is a renewal of a contract to provide and install scaffolding, bracing, and fall protection when needed at the City's Power Plant. The renewal period is July 1, 2020 through June 30, 2021.

The bid from HTH Companies, Inc. included increases of 2% per year for labor, travel and subsistence, and for equipment and tools. The increases were considered during the original evaluation of bids. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms. **This would be the first out of the four maximum renewals.** The rates for FY 2020/21 are shown on Attachment 1.

The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime
- 4) City staff time saving in obtaining quotes, evaluating bids, and preparing specifications and other procurement documentation.

The approved FY 2020/21 Power Plant operating budget includes \$53,000 for these services. Invoices will be based on contract rates for time and materials for services that are actually received.

ALTERNATIVES:

1. Approve renewal of the contract for FY 2020/21 with HTH Companies, Inc, Union, MO for the Scaffolding and Related Services and Supplies Contract, for hourly rates and unit prices bid, in an amount not-to-exceed \$53,000 and approve contract and bond
2. Reject the renewal option and purchase scaffolding services on an as-needed basis.

CITY MANAGER'S RECOMMENDED ACTION:

This contract is needed to carry out emergency and routine scaffolding services at the Power Plant. The contract will establish rates for service and provide for guaranteed availability, thereby setting in place known rates for service.

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



**INVITATION TO BID 2019-067
SCAFFOLDING AND RELATED
SERVICES AND SUPPLY CONTRACT
FOR POWER PLANT**

CONTRACTOR:

**HTH Companies
Union, MO**

Attachment A

FY 2020/21 RATES

DESCRIPTION	Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
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Labor Rates:

Supervisor:	\$48.71	\$69.36	\$69.36
Foreman:	\$48.71	\$69.36	\$69.36
Journeyman:	\$44.12	\$62.22	\$62.22
Laborer	\$39.27	\$55.08	\$55.08
Subsistence per day if job requires overnight stay:		\$86.70	
Mobilization per job		\$510.00	
Demobilization per job		\$510.00	

**Proposed Price Increase for
Renewal Periods:**

Labor Rates, per year	2%
Travel & Subsistence, per year	2%
Mobilization/demobilization, per year	2%

COUNCIL ACTION FORM

SUBJECT: **POWER PLANT BOILER MAINTENANCE
SERVICES CONTRACT RENEWAL**

BACKGROUND:

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

On June 11, 2019, Council awarded a contract to Plibrico Company LLC., Omaha, NE, for the Boiler Maintenance Services Contract for Power Plant. These services were to be furnished as requested from award date through June 30, 2020, in an amount not-to-exceed \$250,000. This contract included the option for the City to renew in one-year increments for up to four additional years. Staff is recommending the renewal of the agreement for FY 2020/21.

Council should note that some of the rates charged by Plibrico Company LLC, will be increasing for the upcoming contract period. The average rate increase is 3.3% which applies to Boilermakers, Millwrights and Steamfitters labor classifications. Staff reviewed these increases and concluded that they are acceptable. This is the first renewal out of four maximums.

Staff recommends that these services continue to be outsourced on an annual renewable contract basis. The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) Saved City staff time obtaining quotes, evaluating bids and preparing specifications and other procurement documentation.

The approved FY 2020/21 Power Plant operating budget for Electric Production includes \$215,000 for this contract. Invoices will be based on contract rates for time and materials for services actually received.

ALTERNATIVES:

1. Approve the contract renewal with Plibrico Company LLC., Omaha, NE, for the Boiler Maintenance Services Contract for Power Plant for the one-year period from July 1, 2020, through June 30, 2021, and approve the contract and bond. Total work in FY 2020/21 shall be an amount not to exceed \$215,000.
2. Do not renew the agreement and direct staff to seek new competitive bids.

CITY MANAGER'S RECOMMENDED ACTION:

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for boiler repair and maintenance and will also control costs by having established billing rates. 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.

**CONTRACT PRICING 2019-123
BOILER MAINTENANCE SERVICES CONTRACT FY 2019-2020**

Contractor: Plibrico Company, LLC, Omaha, Nebraska				
LABOR: BOILERMAKER		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	\$ 89.94	\$ 134.06	\$ 191.90
	Foreman	\$ 94.28	\$ 140.43	\$ 200.30
	General Foreman	\$ 97.15	\$ 144.65	\$ 205.87
	Superintendent	\$ 104.41	\$ 155.29	\$ 219.89
Night Shift	Journeyman	\$ 90.30	\$ 134.44	\$ 192.30
	Foreman	\$ 94.64	\$ 140.81	\$ 200.70
	General Foreman	\$ 97.54	\$ 145.05	\$ 206.30
	Superintendent	\$ 104.77	\$ 155.67	\$ 220.30
LABOR: LABORER		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	See breakout of laborers below		
	Foreman			
	General Foreman			
	Superintendent			
Night Shift	Journeyman			
	Foreman			
	General Foreman			
	Superintendent			
LABOR: MILLWRIGHT		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	\$ 65.57	\$ 86.05	\$ 106.52
	Foreman	\$ 67.05	\$ 88.20	\$ 109.35
	General Foreman	\$ 70.01	\$ 92.51	\$ 115.01
	Superintendent	n/a	n/a	n/a
Night Shift	Journeyman	\$ 65.57	\$ 86.05	\$ 106.52
	Foreman	\$ 67.05	\$ 88.20	\$ 109.35
	General Foreman	\$ 70.01	\$ 92.51	\$ 115.01
	Superintendent	n/a	n/a	n/a
LABOR: STEAMFITTER		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)
Day Shift	Journeyman	\$ 76.95	\$ 109.41	\$ 141.83
	Foreman	\$ 85.22	\$ 121.49	\$ 157.74
	General Foreman	\$ 87.98	\$ 125.52	\$ 163.04
	Superintendent	n/a	n/a	n/a
Night Shift	Journeyman	\$ 85.21	\$ 121.47	\$ 157.71
	Foreman	\$ 94.73	\$ 135.38	\$ 176.01
	General Foreman	\$ 97.91	\$ 140.03	\$ 182.14
	Superintendent	n/a	n/a	n/a
<u>Labor in Addition to Items on Bid Form:</u>				
Labor Bricklayers/Refractory Masons		Hourly Rate (ST)	Hourly Rate (OT)	Hourly Rate (DT)

**CONTRACT PRICING 2019-123
BOILER MAINTENANCE SERVICES CONTRACT FY 2019-2020**

Day/ Night Shift	Journeyman	\$ 64.07	\$ 83.97	\$ 103.87
	Foreman + 2 men	\$ 68.56	\$ 90.49	\$ 112.42
	Foreman + 3 men	\$ 69.31	\$ 91.58	\$ 113.85
	General Foreman	\$ 84.29	\$ 113.32	\$ 142.36
Labor: Laborers		Hourly Rate (ST) Hourly Rate (OT) Hourly Rate (DT)		
Day/ Night Shift	Journeyman	\$ 44.51	\$ 59.11	\$ 73.71
	Foreman	\$ 45.96	\$ 61.22	\$ 76.47
	General Foreman	\$ 46.69	\$ 62.27	\$ 77.85
TRAVEL & SUBSISTENCE				
Description		Rate		
Subsistence:				
Supervisors		\$125 per day		
Craft		\$75 per day		
Description		Rate		
Travel & Mileage:				
Supervisor travel		per Journeyman straight time rate		
Supervisor mileage		\$.75 per mile		
Craft travel		only if applicable at craft; journeyman rate		
Craft mileage		Boilermakers do not receive travel or mileage unless they are hauling tools or equipment to be used for maintenance contract services. All other crafts, if local (within 50 miles) do not receive travel or mileage. No craft receives mileage unless requested to haul tools or equipment in their person vehicle to be used for maintenance contract services.		
Description		Rate		
Deliveries:				
Travel		Laborer journeyman rate		
Mileage		\$1.00 per mile		
Description		Rate		
MISC.				
Safety supplies & equipment		Equipment rented Cost plus 10%		
Miscellaneous materials & consumables		Cost plus 10%; materials in stock at warehouse prices		
Equipment & Tools		Tools and equipment lists submitted including tools & equipment list no charge to COA		
Safety Equipment		Bid Form shows safety equipment		
OTHER				

CONTRACT PRICING 2019-123
BOILER MAINTENANCE SERVICES CONTRACT FY 2019-2020

Location & response time	Office in Omaha. NDE subcontractor if required. Emergency response 2-3 hours. Non-emergency response time is 4-6 hours
Proposed Subcontractors & scope of work	DBI, Inc. NDE subcontractor if required; Crane Rental and Rigging if required; cornerstone Insulation and Lagging if required; Hartford Steam Boiler, Authorized Inspector if required

COUNCIL ACTION FORM

SUBJECT: WELLHEAD CONTROLS IMPROVEMENTS AND REPAINTING PROJECT COMPLETION

BACKGROUND:

On August 13, 2019, City Council awarded a contract to Baker Electric, Inc of Des Moines, Iowa, in the amount of \$287,000 for the Wellhead Controls Improvements and Repainting Project at the Water Treatment Plant (WTP).

All work under this contract was completed in accordance with the plans and specifications. There were no change orders for this project. A copy of the Engineer's Certificate of Completion is attached.

The project expenses are as follows.

Wellhead Controls & Repainting (<i>this CAF</i>)	
Base Bid (5 wells)	\$205,000
Optional Item (2 wells)	82,000
Radio Telemetry Upgrade (<i>awarded separately</i>)	
Contract amount	53,200
Total Project Cost	\$340,200

The authorized project budget is as follows.

FY 18/19 CIP – Wellhead Controls Project	\$370,000
FY 19/20 CIP – Well Antenna Project	50,000
Total Project Cost	\$420,000

ALTERNATIVES:

1. Accept final completion of the WTP Wellhead Controls Improvements and Repainting Project and authorize final payment, in accordance with the contract, to Baker Electric, Inc.
2. Do not accept completion of the WTP Wellhead Controls Improvements and Repainting Project at this time.

CITY MANAGER'S RECOMMENDED ACTION:

Work for the project has been completed in accordance with plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ITEM#: 30
DATE: 06-23-20

COUNCIL ACTION FORM

SUBJECT: 2017-18 SHARED USE PATH MAINTENANCE PROGRAM #1 – DALEY PARK

BACKGROUND:

This program provides for maintenance activities along shared use paths as patching, joint repairs, micro surfacing, and complete replacement. Locations are determined using a condition inventory, visual inspection of paths, and input from users. Improvement to the paths will enhance the safety and usability of the path/trail system and improve the aesthetics within the right-of-way. **This project location was in Daley Park on the west side of Ames.**

On April 9, 2019 City Council awarded the project to Manatt's, Inc. of Ames, IA in the amount of \$95,025.50. Change Order No. 1 was the balancing change order for the project and was a deduction in the amount of \$3,886.10. This change order was administratively approved by staff in accordance with purchasing policy. Work was completed in the amount of \$91,139.40. Engineering and construction administration expenses were \$2,526 bringing **overall project costs to \$93,665.40**

There is \$125,000 of Local Option Sales Tax allocated for this program annually in the Capital Improvement Plan. These funds have been accumulated and carried over into the current budget. **A number of smaller joint sealing and patching contracts have been funded through this program, leaving \$425,612 of accumulated available revenue to fund the two projects shown below.**

<u>Project:</u>	<u>Expenses</u>	<u>Revenue</u>
2017-18 SUP Maintenance #1 – Daley Park (this action)	\$93,665.40	
2017-18 SUP Maintenance #2 – Stange Road (complete - accepted by council)	\$83,932.90	
2019-20 CIP Budget	\$177,598.30	\$425,612.00
		\$425,612.00

Remaining revenue will be used for other shared use path maintenance priorities.

ALTERNATIVES:

1. Accept the FY 2017/18 Shared Use Path Maintenance Program #1 – Daley Park as completed by Manatt’s Inc of Ames, IA in the amount of \$91,139.40
2. Direct Staff to make changes to this project.

CITY MANAGER’S RECOMMENDED ACTION:

This project is now complete within the approved budget. These maintenance activities have restored the condition of the path for all users and improved the safety and reliability of this shared used path system.

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

COUNCIL ACTION FORM

**SUBJECT: REQUEST TO INCREASE PAYMENT FOR SUSTAINABILITY
ADVISORY SERVICES**

BACKGROUND:

The City of Ames and Iowa State University entered into a Contract for Sustainability Advisory Services in July 2010, which has been extended annually for the 10 years since. In reviewing the contract for FY 2020/21, ISU representatives noted that the contract payment has not been updated to reflect the true cost of one-quarter of ISU Director of Sustainability Merry Rankin’s time. **Therefore, ISU is now requesting as part of the agreement with the City that the reimbursement amount from the City be increased from \$25,000 to \$34,000 to reflect 25% of Merry’s current salary and benefits.**

The Sustainability Advisory Services are financed by utility funds. The increase would result in a new contribution model:

Utility	Current Contribution	Revised Contribution
Water	\$6,250	\$8,500
Sewer	\$6,250	\$8,500
Electric	\$6,250	\$8,500
Resource Recovery	\$6,250	\$8,500
TOTAL	\$25,000	\$34,000

ALTERNATIVES:

1. Approve the \$34,000 request to fund the Sustainability Advisory Services contract.
2. Request that Iowa State University consider a different amount.
3. Do not approve the request and do not renew the Sustainable Advisory Services contract.

CITY MANAGER'S RECOMMENDED ACTION:

Both the City of Ames and ISU remain committed to the concept of sustainability and both organizations are seeking to reduce carbon emissions. Sharing a Sustainability Coordinator to promote sustainability efforts and look for opportunities to collaborate has worked well for the past 10 years. The City Council has several goals that focus on sustainability and carbon reduction.

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

**CONTRACT
FOR
SUSTAINABILITY ADVISORY SERVICES**

This Agreement, made and entered into the 1st day of July 2020, by and between the CITY OF AMES, IOWA, hereafter called the “City” and IOWA STATE UNIVERSITY, hereafter called “ISU.”

WITNESSTH THAT:

WHEREAS, the City and ISU had previously entered into a Contract for Sustainability Advisory Services dated July 1, 2010, which was, by mutual consent, extended to December 31, 2011, and to June 12, 2012, and to June 30, 2013 and to June 30, 2014; and to June 30, 2015, and to June 30, 2016, and to June 30, 2017, and to June 30, 2018, and to June 30, 2019, and to June 30, 2020,

WHEREAS, the City and ISU remain committed to the concept of sustainability and are desirous of reducing carbon emissions; and

WHEREAS, ISU currently employs a Director of Sustainability to coordinate their sustainability efforts; and

WHEREAS, the sharing of the services of ISU’s Director of Sustainability is a more efficient method for both the City and ISU to provide this service.

NOW, THEREFORE, the parties hereto, pursuant to and in accordance with the provisions of Chapter 28E Code of Iowa for joint exercise of governmental powers, agree as follows:

**I
PURPOSE**

The purpose of this agreement is to secure for the City and its citizens leadership, coordination, and support services for sustainability efforts directed at carbon emission reduction and promoting sustainable community practices.

**II
SCOPE OF SERVICES**

ISU, through its Director of Sustainability, shall assist City staff in the implementation of conservation efforts and other sustainable practices by planning, implementing, and carrying out the following programs or initiatives:

- 1) Continue to work with Public Works Department and Water and Pollution Control Department on reuse and diversion programs related to the waste stream, including – but not limited to – the implementation and monitoring of a composting and food waste program.
- 2) Continue to support and strengthen the Smart Business Challenge through outreach and recruitment of participants, oversight of Challenge interns, and marketing of outcomes and accomplishments of Challenge participants.

- 3) Continue to represent the City at events that educate residents about ongoing City sustainability efforts, rebates, and waste reduction opportunities including – but not limited to – the EcoFair and WelcomeFest.
- 4) Coordinate Rummage RAMPage at the Ames Intermodal Facility in partnership with the Resource Recovery Plant, Public Relations, CyRide, and Iowa State University, to address concerns that usable housewares and furniture are being needlessly discarded and hard-to-process materials are being sent to the Resource Recovery Plant.
- 5) Serve as a City contact with consultants to complete a Greenhouse Gas (GHG) Inventory and assist in the completion and presentation of the GHG inventory to the City Council. Play a key role in selecting consultants for a Climate Action Plan. Help lead the committee of City employees in collaboration with the selected consultant to complete and present the Climate Action Plan to the City Council.

III METHOD OF PAYMENT

Although this is a lump sum contract for consulting services, ISU anticipates devoting a maximum of 480 hours (25%) of the Director of Sustainability's time to complete the tasks identified in the Section II. Furthermore, ISU shall not charge for the use of ISU office space or office equipment (such as computing and communications) used on a day-to-day basis by the Director of Sustainability for conducting the work.

The City will disburse payments to ISU each month in the amount of \$2,833.33. The maximum total amount payable by the City under this agreement is \$34,000 for work detailed in the SCOPE OF SERVICES (Section II of this Contract) and no greater amount shall be paid.

IV SUPERVISION OF CONTRACTED SERVICES

The work of ISU's Director of Sustainability under this agreement shall be supervised and directed by the Ames City Manager or his designee. Each month, the Director of Sustainability shall provide a report to the City Manager or the City Manager's designee highlighting the progress being made to accomplish the tasks required in Section II. Also, biannual progress reports will be provided to Council will be provided in December and June of each contract year. Clerical assistance needed to perform the work identified in the SCOPE OF SERVICES (Section II) will be provided by the City Manager's Office.

V DURATION AND EARLY TERMINATION

This agreement shall be in full force and effect from and after July 1, 2020, until June 30, 2021. This agreement may be terminated without cause by either party upon the giving of notice 90 days advance written notice. On or before April 1, 2020, the parties will discuss renewal of this agreement.

VI

DISCRIMINATION PROHIBITED

In accordance with Chapter 14 of the *Municipal Code*, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

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

CITY OF AMES, IOWA

ATTEST:

BY _____
John A. Haila, Mayor

Diane R. Voss, City Clerk

IOWA STATE UNIVERSITY

BY _____
Pamela Cain, Senior Vice President for University Services
Iowa State University

Staff Report

MODIFICATIONS TO OUTDOOR DINING RELATED TO COVID-19

June 23, 2020

BACKGROUND:

At its meeting on June 9, 2020, the City Council asked the Mayor to reach out to Chamber to survey if there are ways Ames policies could be customized during COVID-19 to encourage more use of outdoor space for sidewalk café purposes, including possibly alcohol service.

Responses received from the Chamber's outreach were forwarded to City staff, and are as follows:

1. Allow parking spaces to be used for temporary outdoor seating, without affecting minimum parking requirements, storm water requirements, or other development standards.
2. Use the City right-of-way for patio space.
3. Allow signage to be placed in the City right-of-way to advertise the business.

Although the first issue identified above is not provided for in the existing Municipal Code, the use of City right-of-way for patio space is allowed under the existing Sidewalk Café Code. Additionally, the Sign Code contains provisions for temporary signage on sidewalks, but only in the Downtown Service Center and Campustown Service Center zones.

ZONING STANDARDS:

It is important to understand that there are two different sets of regulations that may apply to a business seeking to extend its dining area in Ames. The Sidewalk Café Code applies to the use of City sidewalks for outdoor dining. For the extension of dining on private property, the Zoning Ordinance and other site development standards apply.

Outdoor dining is not directly addressed within the Zoning Ordinance and is considered an allowed ancillary use associated with a restaurant. No additional parking is required with for a restaurant with outdoor dining. The temporary use of existing space with no new paving or structures would be permitted without the need for a Site Development Plan. If new paving or structures are proposed, those features would require a Site Development Plan; staff does not recommend waiving this requirement, since paving and structures are not considered "temporary." Outdoor dining would need to conform to minimum walkway and access clearance requirements.

Currently, the only potential conflicting zoning standard for temporary outdoor dining would be if someone decided to displace parking spaces for outdoor dining and they did not meet minimum parking requirements. If the establishment had extra parking spaces, there would be no conflict with the City's zoning standards. Stormwater regulations would not apply to outdoor dining in existing areas due to the one-acre threshold of review related to new paving and structures.

ALCOHOL SERVICE:

The Council's motion included a request to seek feedback about alcohol service. No feedback was provided to staff from the Chamber related to alcohol service. Under the existing Sidewalk Café Code, alcohol service is permitted with an alcoholic beverage control license and outdoor service privilege approved by the local authority and issued by the Iowa Alcoholic Beverages Division.

Establishments that conduct most of their sales (more than 50%) in food are permitted to seek alcohol service at a sidewalk café with staff approval. Establishments that conduct most of their sales (more than 50%) in alcohol may seek permission for a sidewalk café, but must meet additional Sidewalk Café Code standards, in an effort to avoid creating bar patio spaces on the public right-of-way.

OTHER MODIFICATIONS TO CONSIDER:

The Sidewalk Café program was overhauled approximately in 2017. Since that time, many new sidewalk cafes have been established. While the City Council's directive was to explore temporary changes to the Sidewalk Café Code during the COVID-19 emergency, City staff has identified two aspects of that program that should be considered for a permanent change:

Barriers:

Under the existing Sidewalk Café Code, barriers at least 42 inches in height are required to delineate the sidewalk café area. This was intended to ensure that tables and chairs do not encroach into the area of the sidewalk reserved for pedestrian travel. This requirement has been identified by proprietors as a hindrance in conversation with City staff.

It is staff's opinion that barriers are necessary if alcohol is to be served at a sidewalk café, due to state regulations requiring a delineated premise covered by the alcohol license. However, if alcohol is not served at the sidewalk café, staff believes that the requirement for barriers could be removed so long as proprietors are responsible for ensuring their tables and chairs do not encroach on the pedestrian portion of the sidewalk.

Extension of sidewalk café into frontage of adjacent business with permission:

The City's current Sidewalk Café Code requires sidewalk cafes to be limited to the frontage of the business they are attached to. In some instances, this area is not very wide, or is congested by street furniture.

City staff believes allowing sidewalk cafes to be extended into the frontage of an adjacent property, with permission of the adjacent property owner, would be beneficial to the sidewalk café program and the Downtown/Campustown atmosphere. It may make operating a sidewalk café a more economical venture for proprietors.

It should be noted that even with this extension, the Code requires that sidewalk cafes be contiguous. Therefore, a break in the café area for ingress/egress at the store entrances is not permitted, even if providing such a break would allow the café to extend further along the adjacent building's façade.

OPTIONS:

1. Direct staff to:
 - a. Temporarily waive enforcement of minimum parking requirements for standard parking stalls (not ADA parking stalls) for the temporary use of an existing parking lot for outdoor dining subject to conformance with sidewalk clearance and vehicle access standards of the Zoning Ordinance through October 31, 2020.
 - b. Temporarily waive the provisions of Section 21.134 through October 31, 2020, for the purpose of allowing temporary portable signs on public sidewalks in zones other than DSC and CSC.
 - c. Temporarily waive enforcement of Section 22.32(b)(4) through October 31, 2020, for the purpose of allowing sidewalk cafes to extend into the frontage of an adjacent business, provided permission has been obtained from the adjacent property owner.
 - d. Prepare an ordinance to permanently remove the requirement in the Sidewalk Café Code for barriers to be in place if alcohol service will not be provided.
 - e. Prepare an ordinance to permanently modify the Sidewalk Café Code to allow a sidewalk café to extend in front of an adjacent business, provided the extension is approved by the adjacent business owner and ingress/egress to the adjacent business is not blocked.
2. Direct staff to make other modifications to the sidewalk café or site development standards.

3. Do nothing.

STAFF COMMENTS:

Staff is supportive of the three temporary changes reflected in Option 1a, 1b, and 1c above, as long as it is understood that the signage placed on public sidewalks is adjacent to the sidewalk café. In addition, the staff believes the two recommended permanent changes shown in Option 1d and 1e are worthy of Council's support as well.

COUNCIL ACTION FORM

SUBJECT: DELINQUENT UTILITY ACCOUNTS RELATED TO COVID-19

BACKGROUND:

Governor Kim Reynolds signed a new proclamation on April 27, 2020 extending the public health emergency declaration to May 27, 2020. This proclamation included an order by the Iowa Utilities Board (IUB) **restricting the disconnection of utility service to any customer by all electric and natural gas utilities until the public health emergency is lifted by the Governor. Although not governed by IUB, city-operated water and sewer utilities were also strongly encouraged to cease disconnections. Therefore, the City has not issued any utility disconnect notices since mid-March. The IUB restrictions on utility disconnects have been lifted for public utilities and City Staff has developed a plan to resume utility collections including disconnects.**

The City currently has approximately over 2,700 customer accounts that are delinquent to the point that they will be receiving a First Notice of Delinquency. This calculates into about \$400,000, which is twice as much as we experience at this time of year. The number of delinquent accounts is not significantly different than the number of first notices that staff typically send out. As a regular course of business, around 2,500 First Notices of Delinquency are sent out and about half of the customers will pay in response to these warnings. Next, Second Notices of Delinquency go out and the majority of customers will pay leaving approximately 150 customers remaining for payment arrangements or utility service disconnect.

The primary difference now during the pandemic is that many of the customers receiving delinquency notices following the expiration of the COVID-19 utility disconnect moratorium will owe much more than a typical billing cycle since they are many more days past due. The City's Utility Customer Service reports seeing an upward trend for account balances being over 61 days old. These additional days coupled with losses or reductions in household incomes may make it difficult for customers to pay delinquent utility accounts.

Utility Customer Service has drafted the following plan to resume delinquency processing.

- Process approximately 25% of delinquencies each week over a four-week period corresponding with our regular billing cycles.

- Mail First Delinquent Notice approximately one week after the customer's most recent bill becomes past due.
 - This First Notice will give the customer 12 days to pay balance in full or make arrangements to pay delinquent balance for at least or a minimum of 12 months.
 - Referrals to MICA, the City's Renters and Homeowner's Relief Programs (new CDBG program), or other sources of assistance will be provided.
- If the customer does not respond to the first notice, Second Delinquent Notices will be delivered (door hangers) to every service location.
 - Second Notice will give the customer 24 hours in which to pay in full or make arrangements to pay delinquent balance as described above.
- If the customer does not respond to the Second Delinquent Notice, Customer Service will attempt to call the customer and inform them of the pending disconnection for nonpayment.
 - If the service address is a rental property, Customer Service will contact the property manager to determine if the customer still resides at the service address.
- If the customer does not respond to the Second Notice, a disconnection for nonpayment service order will be generated two days after the Second Notice was delivered.
- Customers who have broken the terms of a previous payment plan will be allowed to start a new plan.

With exception of accounts being more days overdue than usual and the allowance of establishing a new payment plan when the terms of a previous plan were broken, this is our standard method of processing delinquent accounts. It has been developed over time and is in compliance with utility account regulations.

FINANCIAL ASSISTANCE PROGRAMS:

There are several financial assistance programs available in the Ames community to help utility customers with delinquent accounts. Each program has eligibility criteria and parameters that guide the dollar amount of assistance available (i.e., maximum amounts of funds to assist with delinquent accounts). **Every program is set up to directly pay the vendor/utility service provider on behalf of the applicant.**

The following are two of the primary programs that customers can be referred to for assistance:

Low-Income Heating Assistance Program (LIHEAP): Low income customers needing financial assistance with their **home heating bills** can apply for the LIHEAP. This assistance will provide a one-time payment to the **heating utility**. Applications are available through MICA with a deadline of June 30, 2020. MICA reports that they have received additional funds through the CARES Act for utility assistance that allows for an additional benefit of up to \$1,000. Customer Service typically refers customers to the LIHEAP program, as needed.

City of Ames Renters and Homeowners Relief Programs: The City was notified by the U.S. Department of Housing and Urban Development (HUD) that it will receive a special Community Development Block Grant (CDBG) allocation in the amount of \$354,515 to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized through the CARES Act. These funds will be used in new programs directed at assisting renters and homeowners with rent, mortgages, and utilities. The funds can help cover up to three month's utility payments in order to prevent a utility disconnection. The City's Housing Division will directly administer the program and the Housing Coordinator has developed an application process using HUD income guidelines. .

Other programs that customers may apply for are available through Emergency Residence Project, Good Neighbor, MICA, Salvation Army, Story County Community Services and Veterans Affairs, and various churches throughout the community. Some of these non-profit organizations have also received of federal funds through the CARES Act, therefore, have additional dollars available to address delinquent utility accounts.

ALTERNATIVES:

1. Approve the resumption of utility collections including disconnects with the following changes to our regular policy:
 - a. Withhold sending notice until next regular billing cycle even though a customer is already delinquent to the point of a disconnect notice.
 - b. Allowance for a payment plan in those situations where such a plan had been in place, but terms were broken.
 - c. Offer additional options for financial assistance.
2. Approve the resumption of utility collections including disconnects with no changes to our regular policy.
3. Continue the policy of not disconnecting utilities for delinquent accounts.

CITY MANAGER'S RECOMMENDED ACTIONS:

The Governor's extension of the public health emergency prohibited the disconnection of utilities for nonpayment. The moratorium has since expired on May 28th prompting the City to determine the next steps with delinquent utility account notifications.

The delinquency process outlined earlier follows the basic standard process currently in place, but it is anticipated due to the COVID-19 pandemic that there will be City utility customers in need of financial assistance with their utility accounts. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No.1, approving the resumption of utility collections including disconnects with changes to the regular policy as described above.

Because we want to help customers keep their utilities in good standing, the City's Electric and Water and Sewer Departments purchased radio advertisements during the month of June encouraging customers who are behind on their utility bills to contact the City and make payment arrangements.

Staff Report

SMALL LOTS & INCREASING THE DIVERSITY OF HOUSING TYPES

June 23, 2020

BACKGROUND:

One of the City Council's Goals this year, is to "Increase the stock of diverse housing types for a variety of income levels through zoning, including:

- adjusting minimum lot area,
- multiple dwelling units on a lot, and
- accessory dwelling units."

The first task assigned for this goal is an evaluation of minimum lot size standards and multiple buildings on a lot within the City's Zoning Ordinance. This staff report also provides some preliminary data on what other Iowa communities are doing in this regard and a discussion of issues and approaches that could be used in relation to reduced minimum lot sizes. Limited background information regarding multiple buildings on a lot is included in the report. However, a more in-depth analysis of this topic will be included with the future task to evaluate accessory dwelling units.

Minimum lot sizes serve a variety of purposes within subdivision and zoning ordinances. As with most zoning standards, they first and foremost create predictability. Additionally, lot size relate to planning utility sizing in support of the intensity of intended development. The lot size often correlates to the allowed density within the zoning district, helps to create proportions for setbacks and lot coverage that define the look of a development, relates to garage size and design, and addresses the street design in regard to driveway spacing, utility placement, street trees, and on-street parking. As lots become more narrow in width, more so than overall square footage, there are trade-offs for all of these issues. Excessive minimum lot sizes have come under scrutiny as being restrictive and a potential detriment to affordable housing options.

The issue of housing costs and building type variety is a commonly discussed issue within planning and building related fields, including professional organizations such as National Association of Home Builders (NAHB), American Planning Association, and the Urban Land Institute. Numerous reports and studies have been done by these entities and others to identify best practices and options for smaller homes and smaller lots. The focus is commonly on how to increase the production of housing to address median income and lower cost housing opportunities. All of this discussion is within the context of market opportunities and buyer interests to generate more choices within the market. While lot area influences the overall cost of housing, it should not be misconstrued that smaller lots

necessarily lead to lower cost or “affordable” homes automatically. Variables on home size and finishes affect the overall cost of home at a much higher rate than lot size. Staff finds the issues of sales price and lot area do intersect, but it is more directly connected to creating housing variety than ensuring affordable housing.

CURRENT MINIMUM LOT REQUIREMENTS:

Minimum lot area in R-L and FS-RL zoning is based upon a combination of density requirements, minimum area by building types, frontage width, and lot width. All of these factors apply when subdividing land to create new lots. The City has different standards for creating single-family detached and single-family attached housing. Within existing developed areas of the City, lot size standards are not applicable to constructing a new home on an existing lot, meaning a legal nonconforming lot that is smaller or narrower than the current standard can still be built upon in compliance with other zoning standards related to setbacks, parking, and coverage.

The traditional low-density development pattern results in one principal structure situated upon an individual lot with a minimum amount of land area and frontage upon a public street. Two parking spaces are required for a home and are to be provided upon the same lot as the home. The City relies on creation of individual lots for a home to trigger subdivision requirements and improvements needed to support city development, e.g. street improvements, sidewalks, street trees, and utility services for each lot.

Ames’ residential zoning district minimum requirements are rather homogenous for detached single-family units. The City’s zoning standards can be viewed in their entirety online by visiting the [Planning Division website](#). In all of the Ames residential zoning districts (including RL RM, RH, UCRM, S-SMD, FS-RL, and FS-RM) the same standards apply:

- 6,000 SF min. lot size;
- 35’ street frontage and 50’ lot width at building line (S-SMD - 40’)
- 25’ front setback for detached single
- 6’ side setback (one story); 8’ side setback (two story);
- 20’ or 25’ rear setback
- 60% max. lot coverage (RL/FS-RL)
- 2 parking spaces per household unit

Notably, single-family attached housing is a “by-right” allowed use in FS-RL, FS-RM, RM, and RH where lot sizes are reduced. Minimum lot size for single-family attached is 3,500 square feet and it is reduced further for interior units to 1,800 square feet. Creating this option “by-right” in many zoning districts was an attempt by the City in 2000 to create additional development options for housing variety and to meet density goals in lieu of the Village zoning options, especially within the FS zoning districts.

Examples of low-density single-family development are numerous throughout the City. Recent subdivisions, such as Hayden’s Crossing, Scenic Valley, Quarry Estates, Suncrest, are all conventional developments with lot widths exceeding 65 feet and lot

areas well in excess of 8,000 square feet; with a more typical average lot widths exceeding 75 feet and lot area of 10,000+ square feet. Note that a 0.25 acre lot is 10,890 square feet.

In Ames, the only way to offer smaller single-family lots than described above is through F-VR (Village Residential) or F-PRD (Planned Residence District) zoning. F-VR requires a master planning approach with a minimum development area of 40 acres that includes multiple housing options, including a housing type known as “Village Cottages” where there is no minimum lot size defined:

- 24-48’ lot width;
- 0-15’ front build-to line;
- 5’ side setback;
- 8’ rear setback with alley; 24’ without alley; and
- 2 parking spaces.

Although currently available as a zoning option, no recent examples of a Village development have occurred since the development of Somerset. It also appears that no lots in Somerset were developed with the Cottage standard to offer as an example.

Although F-PRD allows for variable lot sizes and setbacks, it is not frequently applied in Ames. A F-PRD requires a minimum of two acres based upon its purpose of providing of significant open space along with clustering of homes or providing for innovative housing types. Within a F-PRD, the developer is allowed maximum flexibility in the design and development of the property. The base density is the controlling factor. With integrated design and 40% open space, along with site amenities and enhanced landscaping, the development exceeds typical base zone development standards. Because of the minimum acreage, F-PRDs are not readily available as an infill housing tool.

Two recent examples of a F-PRD development with smaller lot sizes is the 2019 Genesis Homes 130 Wilder Avenue “Smart Home” project in west Ames and the 2010s project for small lots on Brickman Avenue. There are older examples of Planned Unit Developments (PUDs) that occurred prior to 2000 with variable lot sizes, such as Stone Brook Subdivision with single-family homes along Woodhaven Circle developed in the 1980s.

OTHER CITIES:

City staff reviewed residential zoning options from a sampling of communities across the state. Staff considered minimum lot sizes that are allowed by right and what zoning tools may exist as options for developers. One observation is that most cities have more restrictive minimum lot sizes, meaning larger lot size, for their standard single-family zoning districts than Ames does for its R-L option. Ames has been a leader in supporting minimum densities and smaller average lot sizes since the adoption of the current zoning ordinance. Another observation is that many cities rely on PUDs to more directly influence development design than Ames and the cited zoning examples may or may not be frequently utilized on their own without adding a PUD designation. The addendum to this

report includes a more detailed summary of the related zoning standards beyond lot size for the described cities listed below.

Comparison of Smaller Single-Family Detached Lot Sizes

<i>City</i>	<i>Res. Zoning Type</i>	<i>Minimum Lot Size (sq. ft.)</i>	<i>Lot Widths (ft.)</i>
<i>Ames</i>	All Residential	6,000	50'
<i>Cedar Rapids</i>	Low/Medium	5,000 / 3,600	25'
<i>Iowa City</i>	Medium	5,000	45'
<i>West Des Moines</i>	Low	5,000	40'
<i>Ankeny</i>	Medium	8,000	65'
<i>Waukee</i>	Low	8,000	65'
<i>Des Moines</i>	Medium or Mixed	4,800	40'

Housing options and small lot options specifically have been a discussion topic for decades across the country. Some cities have directly addressed the need for supporting different smaller housing types and lot sizes with changes to zoning standards and or with design guidelines. Some states have even stepped into direct zoning changes at the local level, such as Oregon.

New Urbanism design principles often support smaller housing types through their design and layout approach. The City's Village zoning is one example of using New Urbanism principles borrowed from other development examples, such as the Kentlands. Other cities have addressed housing needs with zoning revisions to address individual lot issues rather than overall development principles, such as Portland and Los Angeles. They have used specific housing prototypes and design standards intended to facilitate more housing construction. Fremont, California relies upon a combination of low-density small lot design guidelines and medium density design guidelines to distinguish between more traditional homes and more innovative and urban style design options on very small lots. Denver is another example of a City creating additional zoning options for home variety, both within base zoning choices and sub-area or master planned areas.

Most of the cities that have taken up the issue of smaller lots or home options focus on the related design issues to ensure construction of a functional and desirable development for the long term. Functionally, narrow lots impact driveway spacing and proportions of a home. One issue that commonly crops up on narrow lots is the issue of the garage percentage of a facade compared to the living areas or having detached or rear loaded garage (from an alley) to maintain a traditional residential appearance. In staff's opinion, this is critically important when lot widths are reduced to 45 feet or less and lot areas are less than 5,000 square feet. The City has many existing lots where a lot is approximately 50 feet wide and the home has a detached garage or alley accessed garage.

Reducing lot standards results in a need to both reduce certain standards, e.g. setbacks, lot coverage, in recognition of having less overall space and to add some standards to address issues of private outdoor living/yard spaces, privacy, parking, house proportions/design, and house orientation. The approach on addressing design issues varies between options for zoning standards, design guidelines, PUDs, form-based standards, and house prototypes or pattern books.

MULTIPLE BUILDING ON A LOT:

Currently, the City does not allow multiple dwellings on an individual lot for one and two-family homes. Prior to 2013, the City did allow for more than one home on a lot when it was a site over one acre. This law was changed in response to development proposals seeking to avoid subdivision and zoning regulations for unanticipated rental housing types. Multiple buildings on a lot are permitted for medium density and high-density zoning districts when built as apartments (three or more attached units in a building).

OPTIONS RELATED TO LOT SIZE:

The focus of this report is on standards that are most relevant to new development that would typically occur within FS-RL zoning or a F-PRD. There are a variety of standards that could be adjusted based upon the City Council defining specific goals for changing standards. Staff supports adjustments to our zoning with consideration of the trade-offs needed to support different development types.

Option 1 - Modify Base Zoning Standards for Lot Area

Lot area and lot width are two related standards in regard to creating smaller home sites. A minor level of change would be reducing standard lot sizes to 5,000 square feet and maintaining the 50-foot lot width requirement. This would provide some additional flexibility without creating new development standards overall. This change would have minimal impact on the design and look of new development. Reducing lot size could allow for some smaller lot splits of larger oversized parcels within the City, but this would be speculative without knowing individual lot and building circumstances. If City Council considers a smaller lot size, staff would recommend considering additional changes related to setbacks, lot coverage, etc. to ensure the resulting standards are workable for the desired home type.

Option 2 - Create Optional Lot Size Variation Option

Another approach to add variation within a larger development is a variation in lot area for a certain percentage of lots in a subdivision. This choice allows for more variability in conventional developments, but likely does not create new housing developments of concentrated developments of small lots and building types. An example of this option would be to allow for up to 20% of the lots in new subdivision below the minimum lot size of 6,000 square feet, minimum development size of five lots. This approach likely would have no impact on existing subdivisions, even if allowed within all zoning districts.

Option 3 - Create Mandatory Lot Size Variation

This approach has an intentional component of trying to create diverse housing opportunities through mandatory standards rather than through optional or flexible standards. Conventional subdivisions typically create standard lot sizes well above 6,000 square feet and incorporate some attached single-family housing as a secondary option. An example of this approach would be to require 10% of lots to not exceed a specific lot size and to have them integrated into the overall subdivision layout. Taking a mandatory mix approach on its own would not allow for development seeking to create a different style or feel with a concentration of smaller lots.

Option 4 - Establish Planned Unit Development Tool

Creating a new Planned Unit Development tool could focus on smaller lot issues as a way to consider case-by-case design issues and provide a greater degree of flexibility than usually afforded by base zoning. This option would be more efficient than the current PRD that is focused on open space in combination with housing type flexibility. The PUD would need to address lot sizes, design expectations, common space, setbacks, and street or private street options. This type of tool would not be intended to increase density, it would only be to modify design standards through a defined plan review process requiring City Council approval.

Option 5 - Establish Housing Prototypes with Form-Based Zoning Standards

This option could be a stand-alone zoning approach or the basis of a design guideline tool related to other zoning changes. The goal is to define desired forms of housing and how they would relate to a street or common space rather than focus on creating lots to control the building types. One example of this is the way design guidelines are applied within the Old Town Historic District. This is a more in-depth approach than just adjusting zoning standards for flexibility, as it is intended to create variety within a defined set of expectations. However, it is not meant to define a singular architectural style as the acceptable housing type.

STAFF COMMENTS:

Staff is in support of creating additional options for detached homes. There is a wide variety of housing types built in the Des Moines Metro area and nationally that have not occurred in Ames. This is likely due to market familiarity as well as structure of our zoning standards that were meant to provide options and variety, but that has not kept up with housing trends. Our zoning standards reliance on Village zoning for larger developments has not created the desired housing variety envisioned within our Land Use Policy Plan.

City Council would need to provide direction to staff on their preferences for changes and the degrees of changes to define next steps. There is wide range of time and work between the Options described above. City Council also could choose to ask for more specific examples and an in-depth review before choosing to proceed.

PUBLIC INPUT

Staff sent an email to our developer contacts list in early June alerting them that City Council would receive a staff report on this issue in relation to their adopted Goals. No comments have been received as a result of that communication. A follow-up email was provided on June 19th reminding them that the issue was on the Council agenda for June 23rd.

ADDENDUM

ADDENDUM

IOWA EXAMPLES

Ankeny

The smallest lot size for single-family detached units is 8000 SF within the R-3 zoning district. However, both R-3A and PUD zoning options provide maximum flexibility and do not regulate minimum lot sizes.

The R-3A District is intended to provide for the orderly development or redevelopment of tracts of land on a unit basis in order to allow a greater flexibility of land use and building locations (than allowed in the conventional R-3 District). No minimum lot and yard requirements apply except that the minimum 30' front yard or suitable screening or buffering shall be provided around the boundaries of the development. The maximum number of dwelling units per acre shall not exceed the maximum allowed in the R-3 District (which is considered a medium density residential district). Density of 5-12 dwelling units per acre is described in the Comprehensive Plan.

Additionally, the planned unit development zone (PUD) allows "greater flexibility and diversity than is normally permitted by conventional single lot development in other zoning districts because of the substantial public advantages of planned development." The developer proposes development standards, including but not limited to, uses, density, floor area ratios, or bulk regulations including open space, lot areas and widths, setbacks, and exceptions or variances from general requirements of zoning and other ordinances. Ankeny allows a PUD "to deviate in certain respects from a literal interpretation of the comprehensive plan." A PUD requires a minimum of two acres.

Cedar Rapids:

Cedar Rapids Zoning Ordinance became effective March 16, 2020. Options for smaller lots exist within numerous zoning districts, including suburban, traditional, and urban residential districts:

The Suburban Residential Low Flex (S-RLF):

- 5000 SF min. lot size;
- 25' lot width at building line;
- 25' front setback;
- 5' side setback;
- 25' rear setback;
- 70% max. lot coverage; and
- 2 parking spaces.

The Suburban Residential Medium Flex (S-RMF), Traditional Residential Single Unit (T-R1), and Traditional Residential Flex (T-RF) districts:

- 3600 SF min. lot size;
- 25'/30' lot width at building line;

- 15' front setback;
- 3' side setback;
- 10' rear setback;
- 70% max. lot coverage; and
- parking subject to urban or general parking requirement.

Both the Urban Neighborhood Residential (U-NR) and Urban Village Residential (U-VR) districts are based upon a Form-Based Code and include a range of unit configurations with no minimum or maximum densities:

- No minimum lot size;
- 18' lot width at building line;
- 15' front build-to line;
- 0' side setback;
- 2' or 15' rear setback;
- No maximum lot coverage; and
- 1 parking space (1 bedroom); 1.25 parking space (2 bedroom); 1.25 +.25 for each bedroom over 2.

Des Moines:

With the City of Des Moines, the majority of zoning districts allow multiple dwellings on a lot (with the exception of larger suburban type dwellings known as House Type 'A' and 'B'.) Des Moines includes one zoning district that allows lot sizes smaller than 6000 sq. ft. (by right), known as the Neighborhood Mix District (NX1). This district includes a mix of single- and smaller-scaled multiple-household uses:

- 4800 SF min. lot size;
- 40' lot width at building line;
- 25' front setback;
- 7' side setback (15' total);
- 30' rear setback;
- 55% max. lot coverage; and
- 1 parking space per household unit.

Iowa City:

Options for smaller lots exist within numerous zoning districts. The Medium Density Single Family Residential Zone (RS-8), High Density Single Family Residential Zone (RS-12) and Neighborhood Stabilization Residential Zone (RNS-12):

- 5000 SF min. lot size;
- 45' lot width at building line;
- 15' front setback;
- 5' side setback;
- 20' rear setback;
- 45% max. lot coverage; and
- 1 parking space for 1 & 2 bedroom units; 2 parking space for units with 3 or more bedrooms, plus 1 additional parking space for each adult occupant beyond 3.

A RS-8 density bonus is available, in conjunction with the provision of certain design characteristics:

- 4000 SF min. lot size;
- 40' lot width at building line;
- 10' front setback; and
- alley access.

A RS-12 density bonus is available, in conjunction with the provision of certain design characteristics:

- 3000 SF min. lot size;
- 30' lot width at building line;
- 10' front setback; and
- alley access.

The planned development overlay zone (OPD) permits flexibility in the use and design of structures and land in situations where conventional development may be inappropriate. It provides flexibility in the design, placement and clustering of buildings; mixture of land uses; use of open space; traffic circulation and parking; and related site and design considerations. It is also a tool for providing an alternative method for redeveloping older residential areas and encouraging infill development. Planned Development Overlay Zone (OPD) is available for neo-traditional, mixed use, Infill or conservation developments. Although a 2-acre minimum is required, this minimum is reduced to one-acre for infill development.

A Form-Based Code (FBC) is utilized within nine zoning districts within Iowa City. These areas include mixed uses and higher density attached units. In a few cases, a detached single-family housing type "cottage homes," is included. The FBC does not stipulate a minimum lot size. FBCs were first adopted in Iowa City in 2016.

Additionally, Iowa City is currently working with Opticos Design Inc to potentially implement "missing middle housing," which includes housing types in between single-family homes and large apartment buildings like duplexes, townhomes and other housing forms that can be integrated into a neighborhood through form-based zoning regulations.

Waukee

The smallest minimum lot area for a single-family detached unit is 8000 sq. ft. within the R-2 zoning district. However, the Planned Development (PD-1) District (an overlay zone) encourages innovation in project design that incorporates open space and other amenities and to ensure compatibility of developments with the surrounding urban environment. The intent is to promote developments that will be advantageous to the City and its urban form by permitting project design that will surpass the quality of development resulting from application of the regulations of conventional zoning districts. A development agreement is required specifying the regulating details. PD-1 requires a minimum of 3 acres.

West Des Moines:

Option 1 – RS-5 zoning allows smaller single-family lots:

- Density range 1.1 to 6 du/acre
- 5000 SF min. lot size;
- 40' lot width at building line;
- 30' front setback;
- 7' side setback;
- 35' rear setback;
- No max. lot coverage; and
- 2 parking spaces.

Option 2 - Multi-family detached units:

2a – Each unit and “footprint lot” may be individually owned within common property (owned and maintained jointly or by an association). Individual footprint lots are not required to meet minimum standard lot area and width requirements.

2b – Multiple detached units are located on a lot that meets the applicable bulk regulations for the zoning district but none of the units are individually owned.

COUNCIL ACTION FORM

SUBJECT: 2019/20 SHARED USE PATH SYSTEM EXPANSION – VET MED TRAIL (S. 16TH STREET TO ISU RESEARCH PARK)

BACKGROUND:

This program provides for construction of shared use paths on street rights-of-way, adjacent to streets, and through greenbelts. The Long-Range Transportation Plan (LRTP) identifies those paths that separate bicycle traffic from higher-speed automobile traffic. **This project will pave the existing granular Vet Med Trail from S. 16th Street to ISU Research Park.**

On June 17, 2020, bids were received for this project as follows:

Bidder	Base Bid + Alternate 1	Base Bid + Alternate 2
<i>Engineer's Estimate</i>	\$491,140	\$555,400
Howrey Construction	\$282,715.05	\$391,421.55
All Star Concrete	\$323,537.53	\$455,463.31
Con-Struct, Inc.	\$326,180.80	\$447,203.80
Absolute Concrete	\$378,186.75	\$494,176.05
Caliber Concrete	\$418,847.38	\$559,469.68

Based on the received bid prices, staff recommends the selection of the Base Bid + Alternate 1, which includes a vinyl coated chain link fence (similar to the fence used on the Skunk River Trail). The Base Bid + Alternate 2 option included a steel panel fence in lieu of the chain link fence.

The revenues and expenses for this project are as follows:

Revenues		Expenses	
Road Use Tax	\$620,000	Engineering & Admin.	\$80,000.00
		Base Bid + Alt 1	\$282,715.05
Total	\$620,000	Total	\$362,715.05

The portion of the trail through the Iowa State University Veterinary Medicine campus will require an easement (attached), which has been approved by ISU legal counsel and authorized by the Board of Regents. However, staff has been informed that this easement still needs to be approved by the Iowa Attorney General's Office and Board of Regents staff.

ALTERNATIVES:

1.
 - a. Approve the 20-year Shared Use Path Easement with Iowa State University for the portion of path on the Vet Med property and authorize City staff to approve any de minimis changes required by the Attorney General and Board of Regents offices.
 - b. Accept the report of bids for the 2019/20 Shared Use Path System Expansion – Vet Med Trail (S. 16th Street to ISU Research Park) project.
 - c. Approve the final plans and specifications for this project.
 - d. Award the Base Bid and Bid Alternate 1 of the 2019/20 Shared Use Path System Expansion – Vet Med Trail (S. 16th Street to ISU Research Park) project to Howrey Construction, Inc. of Rockwell City, Iowa, in the amount of \$282,715.05, subject to the City being granted an acceptable easement from the State of Iowa.
2. Award the contract to one of the other bidders.
3. Do not proceed with this project until the easement has been finally approved by the Iowa Attorney General's Office and Board of Regents staff.

CITY MANAGER'S RECOMMENDED ACTION:

The portion of the trail through the Iowa State University Veterinary Medicine campus will require an easement (attached). The Board of Regents (BOR) approved the easement at their June meeting subject to approval by the Attorney General (AG) and BOR offices. ISU legal counsel has approved the easement and told the City Attorney's staff that the easement will be granted, however, very minor changes may be required by the AG and BOR offices.

Moving ahead with the approval of this multi-use trail construction project at this time will avoid a delay in its completion into the next construction season. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 thereby 1) approving the award of bid to Howrey Construction in the amount of \$282,715.05 (Base Bid + Alternate 1), subject to the City being granted an acceptable easement, and 2) authorizing City staff to approve any de minimis changes required by the Iowa Attorney General and Board of Regents offices.

Legal Description: See page 5

Return document to: 3550 Beardshear Hall, Iowa State University, 515 Morrill Road, Ames, Iowa 50011

Document prepared by: Office University Counsel, 3550 Beardshear Hall, Iowa State University, 515 Morrill Road, Ames, Iowa 50011

**IOWA STATE UNIVERSITY – CITY OF AMES
MULTI-USE TRAIL EASEMENT AGREEMENT
AT COLLEGE OF VETERINARY MEDICINE**

This Multi-Use Trail Easement Agreement (“**Agreement**”) is entered into June 23, 2020, by and between the Board of Regents, State of Iowa for the use and benefit of Iowa State University of Science and Technology (“**Grantor**”) and City of Ames, Iowa (“**Grantee**”).

- A. The State of Iowa holds title to the following real property located in Story County, Iowa for the use and benefit of Iowa State University of Science and Technology under the jurisdiction of the Board of Regents, State of Iowa:

The East half of the Northwest Quarter of Section 15, Township 83 North Range 24 West of the 5th P.M., Ames, Story County, Iowa (“**Property**”).

- B. Grantee desires to construct a multi-use trail across a portion of the Property and connect it to other trails in the vicinity, and Grantor supports the construction of the multi-use trail on the Property and is willing to grant Grantee an easement across the Property in accordance with the terms of this Agreement.

TERMS

1. **Location:** Pursuant to Code of Iowa § 262.9(8) and subject to the terms of this Agreement, Grantor grants Grantee an easement that shall be located upon and limited to the tract depicted in the Map of Easement, which is attached as Exhibit A and made part of this Agreement (“**Easement Area**”).
2. **Use:** Grantee shall use the Easement Area for the purpose of constructing, maintaining, and repairing a multi-use trail. The parties acknowledge that the multi-use trail will be open to use by members of the public, and Grantor and Grantee may use the multi-use trail as other members of the public may use it. In addition, either party may use the Easement Area as an alternative route for emergency vehicles when necessary to address health, safety, or law enforcement situations.

3. Access: Grantee's entrance upon Grantor's Property to access the Easement Area shall be over reasonable routes designated by Grantor.
4. Construction Requirements:
 - a. Construction Coordination: Grantor and Grantee shall coordinate prior to and during construction of the multi-use trail. Grantor and Grantee shall each designate at least one representative to serve as its liaison to the other party regarding the construction.
 - b. Construction Plans: Grantee shall submit to Grantor for Grantor's approval a copy of Grantee's plans for construction of the multi-use trail. Grantor's approval shall not be unreasonably withheld. Grantee shall ensure that the multi-use trail is constructed in accordance with the approved plans.
 - c. Construction Dates: Grantor and Grantee shall mutually agree on the dates during which the construction activities may occur in order to diminish any adverse impact on Grantor's activities on the Property.
 - d. Temporary Construction Easement: Grantor grants Grantee a temporary construction easement in an area immediately adjacent to the Easement Area as identified in the Map of Temporary Construction Easement, which is attached as Exhibit B, for a period of six months from the date of construction commencement solely for the purpose of constructing the multi-use trail. However, if Grantee has completed its use of the temporary construction easement prior to the end of the six-month period, the temporary construction easement shall immediately terminate. Grantee's obligations and liability with respect to the Easement Area shall also apply to the temporary construction easement.
 - e. Utilities Crossings; Permission from Easement Holder: All crossings of existing sewers, water lines, tile lines, electric lines, telecommunication lines, conduit or other existing facilities shall be made in cooperation with and subject to the specifications of the engineer or other official of Grantor in charge of such installations. If the Easement Area crosses an easement previously granted by Grantor to a utility provider or other entity, prior to engaging in any construction activities in the Easement Area Grantee shall obtain from the easement holder its written consent to the easement granted to Grantee pursuant to this Agreement and submit to Grantor a copy of the written consent. Grantee shall abide by any restrictions imposed by the easement holder as a condition of its consent.
 - f. Restoration: Grantee shall restore the Easement Area not utilized for the multi-use trail and the temporary construction easement area to their natural grade and previous condition, including reseeded. All ditches, trenches and other excavations shall be firmly filled and maintained in such manner as to present no hazard or obstacle to Grantor's use of the Property for other purposes. Grantee shall submit to Grantor for Grantor's approval a copy of Grantee's restoration plans. Grantor's approval shall not be unreasonably withheld. Grantee shall ensure that the restoration is in accordance with the approved plans.
 - g. Liens: Grantor's property shall not be subjected to liens of any nature by reason of Grantee's construction, maintenance or repair of the multi-use trail or by reason of any other act or omission of Grantee, including, but not limited to, mechanic's and

materialman's liens. Grantee has no power, right or authority to subject Grantor's property to any mechanic's or materialman's lien or claim of lien.

5. Liability.

- a. Damage to Grantor Property. Grantee shall promptly notify Grantor of any damage to the Easement Area, Property or other real or personal property of Grantor occurring while Grantee is constructing, maintaining or repairing the multi-use trail. At Grantor's request, Grantee shall either repair or replace the damaged property, reimburse Grantor for reasonable, documented expenses incurred by Grantor to repair or replace the damaged property or compensate Grantor for the loss of the property.
 - b. Maintenance and Repair. As between Grantor and Grantee, Grantee shall be solely responsible for maintaining and repairing the multi-use trail and the Easement Area, including but not limited to any mowing and landscaping. Grantee shall provide to Grantor contact information for the individual Grantor may contact if Grantor believes maintenance or repairs are needed and to whom Grantor may refer inquiries received from members of the public about the multi-use trail.
 - c. Third Party Claims. To the extent permitted by Chapter 670 of the Iowa Code and other applicable law, Grantee shall indemnify and hold harmless Iowa State University of Science and Technology, the Board of Regents – State of Iowa, the State of Iowa and their respective officers, employees and agents harmless from any claims, liabilities, damages, fines and expenses arising from the multi-use trail, use of the Easement Area by Grantee, or from any tort (as defined in Chapter 670 of the Iowa Code) arising from the acts or omissions of Grantee or its officers or employees.
 - d. Insurance. Grantee shall maintain appropriate insurance coverage or self-insure for liabilities that may arise from the activities set forth in this Agreement.
6. Rights Reserved: Grantor reserves to itself the right to use of Easement Area for any purpose that does not interfere with the multi-use trail or Grantee's rights granted in this Agreement.
7. Relocation: Grantor may request relocation of all or a portion of the multi-use trail and Easement Area. If requested, Grantor and Grantee shall identify a mutually acceptable location to be provided by the Grantor. If the relocation occurs in the first five years of this Agreement, Grantor shall pay the actual cost of relocation, not to exceed the depreciated value of the multi-use trail at the time of relocation and assuming a useful life of twenty-five years. After five years from the date of this Agreement, Grantor shall have no obligation to pay for the cost of relocation unless mutually agreed otherwise.
8. Consideration: The consideration for this easement, Grantee shall pay Grantor \$1.00 upon execution of this Agreement. The benefits the multi-use trail provides to Grantor, including providing an alternative walking/biking route for students, faculty, and staff, serve as additional consideration for this easement. No cost of the facilities to be constructed within this Easement Area shall be assessed or charged to the Grantor.
9. Duration: This easement is granted, and all rights hereunder shall endure, for a period of twenty years so long as the Grantee continues to use the Easement Area for a multi-use trail in accordance with this Agreement. Grantor and Grantee may mutually agree in writing to renew this Agreement. Upon expiration of the easement term or discontinuation of Grantee's use of the Easement Area for a multi-use trail in accordance with this Agreement: (i) all rights granted to Grantee shall terminate and revert to Grantor and (ii) Grantee shall remove the

multi-use trail and restore the Easement Area to pre-easement conditions at no expense to Grantor unless otherwise agreed by Grantor and Grantee.

- 10. Assignment Prohibited: The grant of this easement is to Grantee only and cannot be assigned in whole or part to any other party without written consent of Grantor.

Grantor and Grantee execute this Multi-Use Trail Easement Agreement by their lawfully designated officials as of the date first written above.

BOARD OF REGENTS, STATE OF IOWA

By _____
Mark Braun
Executive Director

STATE OF IOWA, COUNTY OF POLK, SS.:

This instrument was acknowledged before me on _____, 2020, by Mark Braun as Executive Director of the Board of Regents, State of Iowa.

Notary Public
My Commission expires: _____

CITY OF AMES, IOWA

Passed and approved on _____, 2020, by Resolution No. 20-_____, adopted by the City Council of Ames, Iowa.

Attest:

By:

Diane R. Voss, City Clerk

John A. Haila, Mayor

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on _____, 2020, by Diane R. Voss and John A. Haila, as City Clerk and Mayor, respectively, of the City of Ames, Iowa.

Notary Public
My commission expires: _____

MAP OF TEMPORARY CONSTRUCTION EASEMENT
E 1/2 OF THE NW 1/4 OF SECTION 15-83-24
CITY OF AMES

APRIL 2020

EXHIBIT 'B'

POINT OF COMMENCEMENT
N QUARTER CORNER
OF SECTION 15-83-24
FOUND NAIL

FOR RECORDER USE ONLY

INDEX LEGEND	
LOCATION	E 1/2 OF THE NW 1/4 OF SECTION 15, T-83-N, R-24-W STORY COUNTY, IOWA
REQUESTOR:	CITY OF AMES
PROPRIETOR:	STATE OF IOWA
SURVEYOR:	EUGENE DREYER, P.L.S. # 17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE DREYER, BOLTON & MENK, INC. 1519 BALTIMORE DRIVE, AMES, IA 50010 (515)-233-6100

LEGEND:

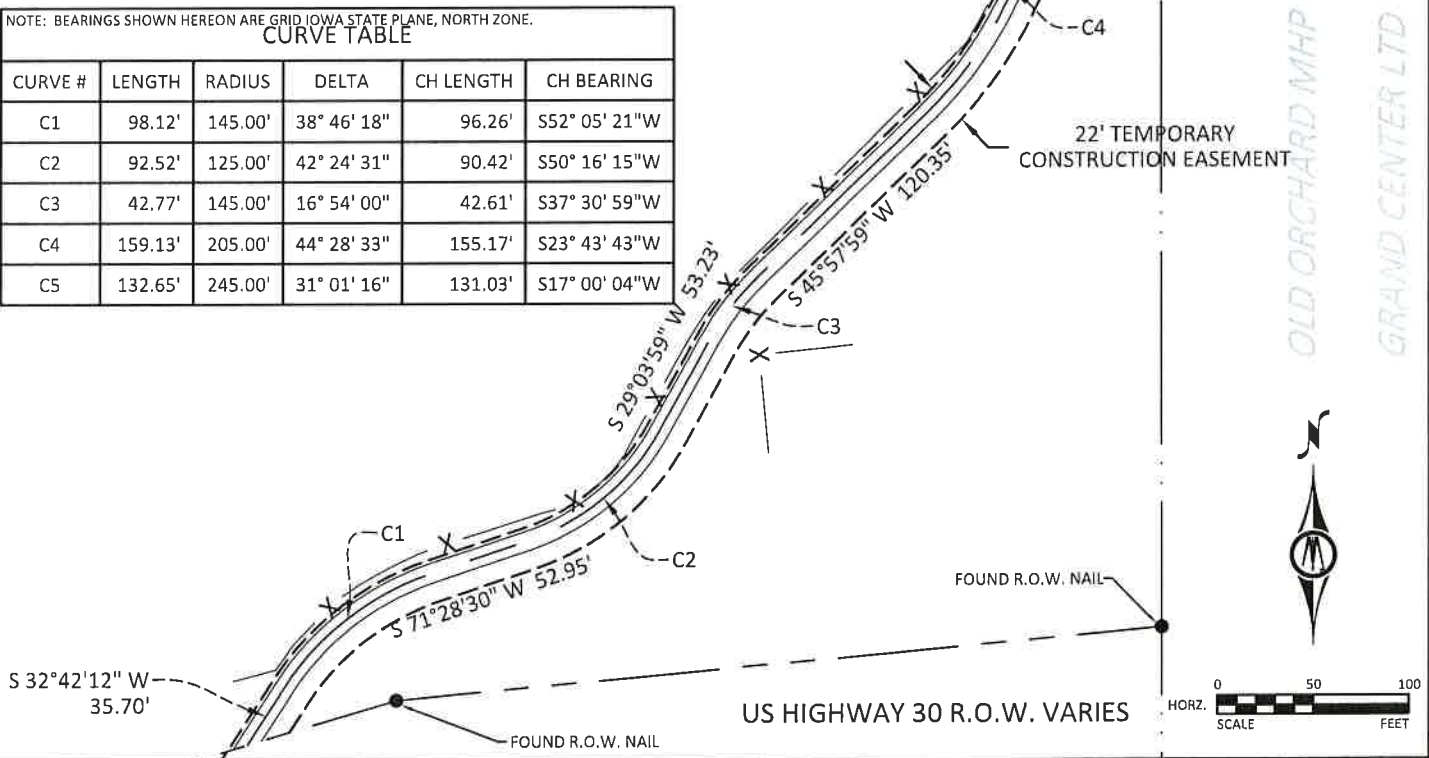
- FOUND MONUMENT AS NOTED
- ▲ FOUND SECTION CORNER AS NOTED
- EASEMENT LINE

TWENTY-TWO FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT
DESCRIPTION:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 15-83-24, WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;
A TWENTY-TWO FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT, FIFTEEN FEET ON THE EAST SIDE, AND 7 FEET ON THE WEST SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OF THE PATH AS CONSTRUCTED, COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15; THENCE S 00°05'16" E, 870.87 FEET ALONG THE EAST LINE OF THE SAID EAST HALF OF THE NORTHWEST QUARTER TO THE POINT OF BEGINNING AT THE CENTERLINE OF THE PATH; THENCE S 32°30'42" W, 34.03 FEET TO THE BEGINNING OF A 245 FOOT RADIUS CURVE, CONCAVE EAST; THENCE 132.65 FEET ALONG SAID CURVE, WITH A DELTA OF 31°01'16", AND THE LONG CHORD BEARS S 17°00'04" W, 131.03 FEET; THENCE S 01°29'26" W, 115.51 FEET TO THE BEGINNING OF A 205 FOOT RADIUS CURVE, CONCAVE WESTERLY, THENCE 159.13 FEET ALONG SAID CURVE, WITH A DELTA OF 44°28'33", AND THE LONG CHORD BEARS S 23°43'43" W, 155.17 FEET; THENCE S 45°57'59" W, 120.35 FEET TO THE BEGINNING OF A 145 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 42.77 FEET ALONG SAID CURVE, WITH A DELTA OF 16°54'00", AND THE LONG CHORD BEARS S 37°30'59" W, 42.61 FEET; THENCE S 29°03'59" W, 53.23 FEET TO THE BEGINNING OF A 125 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 92.52 FEET ALONG SAID CURVE, WITH A DELTA OF 42°24'31", AND THE LONG CHORD BEARS S 50°16'15" W, 90.42 FEET; THENCE S 71°28'30" W, 52.95 FEET TO THE BEGINNING OF A 145 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 98.12 FEET ALONG SAID CURVE, WITH A DELTA OF 38°46'18", AND THE LONG CHORD BEARS S 52°05'21" W, 96.26 FEET; THENCE S 32°42'12" W, 35.70 FEET TO THE NORTH RIGHT-OF-WAY LINE OF HIGHWAY #30, WITH SIDELINES AT EACH END OF THE EASEMENT BEING EXTENDED OR SUBTENDED TO TERMINATE AT THE PROPERTY LINES.

NOTE: BEARINGS SHOWN HEREON ARE GRID IOWA STATE PLANE, NORTH ZONE.

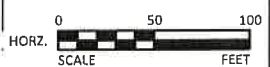
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	98.12'	145.00'	38° 46' 18"	96.26'	S52° 05' 21"W
C2	92.52'	125.00'	42° 24' 31"	90.42'	S50° 16' 15"W
C3	42.77'	145.00'	16° 54' 00"	42.61'	S37° 30' 59"W
C4	159.13'	205.00'	44° 28' 33"	155.17'	S23° 43' 43"W
C5	132.65'	245.00'	31° 01' 16"	131.03'	S17° 00' 04"W



PROPERTY OF THE
CITY OF AMES

PROPERTY OF THE
STATE OF IOWA

OLD ORCHARD MHP
GRAND CENTER LTD



I hereby certify that this land surveying document was prepared by me and the related field work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa

Eugene Dreyer
EUGENE DREYER
17535

First Lic't L.S.
REG. NO. 17535 DATE: 6/11/2020
MY LICENSE RENEWAL DATE IS 12/20/2020
PAGES OR SHEETS COVERED BY THIS SEAL:
THIS SHEET

MAP OF TEMPORARY CONSTRUCTION EASEMENT
E 1/2 OF THE NW 1/4 OF SECTION 15-83-24

BOLTON & MENK
1519 BALTIMORE DRIVE
AMES, IOWA 50010
(515) 233-6100

SHEET
1 OF 1

COUNCIL ACTION FORM

SUBJECT: 2019/20 ARTERIAL STREET PAVEMENT IMPROVEMENTS - 13TH STREET (WILSON AVE - DUFF AVE)

BACKGROUND:

This program is for repair and reconstruction of arterial streets. The 2019/20 program location is 13th Street between Wilson Avenue and Duff Avenue.

This project includes reconstruction of the street pavement with 8 inches of new concrete pavement, storm sewer improvements, sanitary sewer manhole replacements, water main improvements, and ADA sidewalk ramp improvements. Also incorporated into this project are sidewalk and conduit associated with enhanced intersection crossing improvements at Clark Ave. (2017/18 Multi-Modal Roadway Improvements), storm sewer pipe upsizing between Wilson Ave. and Clark Ave. (2016/17 Low Point Drainage Improvements), and new 8" water main to replace an existing 6" main from Wilson Ave to Duff Ave (2019/20 Water System Improvements).

On June 17, 2020, bids for this project were received as follows:

<i>Bidder</i>	<i>Bid Amount</i>
<i>Engineer's estimate</i>	\$ 2,588,306.50
Con-Struct Inc.	\$ 2,350,344.20
Keller Excavating	\$ 2,699,233.50
Absolute Concrete	\$ 2,699,690.70

Engineering and administration costs are estimated to be \$360,000, bringing the **total estimated project cost to \$2,710,344.20.**

Available revenues sources associated with this project are:

G.O. Bonds	\$ 1,600,000
2019/20 Water System Improvements	\$ 1,000,000
2019/20 Sanitary Sewer Rehabilitation	\$ 115,000
2017/18 Multi-Modal Roadway Improvements	\$ 35,000
2016/17 Low Point Drainage Improvements	\$ 200,000
Total Available Revenue:	\$ 2,950,000

ALTERNATIVES:

1. a. Accept the report of bids for the 2019/20 Arterial Street Pavement Improvements – 13th Street (Wilson Ave – Duff Ave).
 - b. Approve the final plans and specifications for this project.
 - c. Award the 2019/20 Arterial Street Pavement Improvements – 13th Street (Wilson Ave – Duff Ave) to Con-Struct Inc. of Ames, Iowa in the amount of \$2,350,344.20.
2. Do not proceed with the project at this time.

CITY MANAGER'S RECOMMENDED ACTION:

By awarding this project, it will be possible to move forward with these utility and pavement improvements. The reconstruction of this roadway will restore the structural integrity and serviceability of this important arterial street and the new water main will ensure adequate fire protection and service for residents and businesses.

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

ITEM#: 38
DATE: 06-23-20

COUNCIL ACTION FORM

SUBJECT: CYRIDE 2020 INTERIOR IMPROVEMENT PROJECT REPORT OF BIDS

BACKGROUND:

Plans and specifications for the CyRide 2020 Interior Improvement Project were approved by Council at the May 26, 2020 meeting. The budget amount for the CyRide 2020 Interior Improvement Project (Bid No. 2020-152) is \$129,767, and the project was released on May 27, 2020. Plans and specifications called for updating aging heating, ventilation and air conditioning (HVAC) equipment, altering interior spaces to correct workspace HVAC deficiencies and create a workspace for the newly required Chief Safety Officer position. The project was bid with three alternates.

On June 17, 2020, bids for this project were received as follows:

Bidder	Base Bid	Alternate #1	Alternate #2	Alternate #3
Story Construction Co.	\$97,975.00	\$3,400	\$15,445.00	\$1,245.00
Trinity Construction	\$112,500.00	\$2,400.00	\$12,750.00	\$1,650.00
Bergstrom Construction Inc.	\$117,000.00	\$2,000.00	\$12,000.00	\$2,000.00
Lang Construction Group, Inc.	\$119,760.00	\$1,820.00	\$15,980.00	\$1,740.00

Due for the need for Transit Board approval this action form is only for the report of bids. The decision to approve the project or reject all bids will be brought back to Council at a later date, after the next planned Transit Board meeting.

ALTERNATIVES:

1. Accept the report of bids for the CyRide 2020 Interior Improvement Project and delay award to allow for Transit Board approval.
2. Direct staff to make changes to this project.

CITY MANAGER'S RECOMMENDED ACTION:

The reporting of bids and delaying action will allow the project to receive Transit Board guidance at their next meeting. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

COUNCIL ACTION FORM

SUBJECT: VACATION AND CONVEYANCE OF RIGHT-OF-WAY ADJACENT 2400 AND 2500 SE 16TH STREET

BACKGROUND:

City staff has received a request from James Bergkamp Jr., representing Van Wall Equipment Inc., owner of 2400 and 2500 SE 16th Street, to vacate and purchase City right-of-way (ROW) adjacent those properties (see Attachment A). The reason for this request is to acquire additional land area to help facilitate the future development of these lots.

The requested ROW vacation area is 13,926.5 square feet (SF) in size and is adjacent to the south edge of 2400 SE 16th St (see Attachment B for a map). Apart from Van Wall, there are no other property owners abutting this ROW.

As stated in the request, Van Wall has agreed to purchase the ROW, if vacated, at the valuation determined by the City's standard formula. That valuation is \$28,410.06, which is based on 2020 land values for comparable vacant properties in the vicinity minus 10% for processing this as a Quit Claim Deed and 15% for retainage of the area as easements (see Attachment C).

If vacated, **this area would require a permanent easement for access and maintenance of the existing entryway lighting enhancements along US Highway 30.** In addition, local utilities were contacted and **Ames Electric indicated that an electric easement would also be needed over this area.** All other utilities responded that they do not have, nor plan to have, any of their infrastructure within this proposed ROW vacation area.

The City's Legal staff will be preparing easement documents. Ideally, the executed easement will be received from Van Wall prior to the third reading of vacation and public hearing approving conveyance on July 28, 2020. However, if the easement has not been received at that time, the vacation and conveyance hearing may still proceed because the City Clerk will withhold processing the conveyance until the executed easement is received from Van Wall.

ALTERNATIVES:

1. a. Set the date of public hearing as June 23, 2020 for the first reading to approve the vacation of the ROW area adjacent 2400 and 2500 SE 16th Street.
- b. Set the date of public hearing as July 28, 2020 to approve the conveyance of the vacated ROW to the owners of 2400 and 2500 SE 16th Street (Van Wall Equipment Inc.) for \$28,410.06 as determined by the adopted City Council policy.
2. Retain this land and deny the request to vacate the ROW area adjacent 2400 and 2500 SE 16th Street.

MANAGER'S RECOMMENDED ACTION:

Vacation and sale of this ROW area will facilitate the future development of the properties at 2400 and 2500 SE 16th Street. Furthermore, the ROW area is not large enough to be developed individually and provides access to only Van Wall's properties. Access to City lighting and electric facilities will be maintained with establishment of the new easement.

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

S P A C E A B O V E R E S E R V E D F O R O F F I C I A L U S E

Return document to: City Clerk, 515 Clark Avenue, Ames IA 50010

Document prepared by: Victoria A. Feilmeyer, City of Ames Legal Department, 515 Clark Ave., Ames, IA 50010 – 515-239-5146

ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE RIGHT OF WAY LOCATED FROM AND ALONG 2400 AND 2500 SOUTHEAST 16TH STREET IN THE CITY OF AMES, IOWA.

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF AMES, IOWA:

Section 1. Findings. The City Council has authority, as described in Article III, Section 38A of the Constitution of the State of Iowa and in Iowa Code § 306.10 to vacate public rights of way. The Council has previously given notice of and conducted a public hearing as required by sections 306.11 and 306.12 of the Iowa Code, respectively. The City Council deems this ordinance appropriate, and necessary to protect, preserve and improve the rights, privileges, property, peace, safety, health, welfare, comfort and convenience of the City of Ames and its citizens, all as provided for in and permitted by § 364.1 of the Code of Iowa.

Section 2. Vacation. The portion of right of way (located generally on the southern boundary of and adjacent to 2400 and 2500 SE 16th Street) is hereby vacated where legally described as follows: [See attached Exhibit ‘A’].

Section 3. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, 2020.

Diane R. Voss, City Clerk

John A. Haila, Mayor

Exhibit 'A' – Legal Description (Vacated Right of Way)

The City of Ames public street right-of-way described and recorded in the Deed of Dedication, Instrument Number 3091, Book 121, Pages 651 – 653, dated May 22, 1973, except that portion conveyed to the State of Iowa and described in the Quit Claim Deed, Instrument Number 2016-00010429, dated October 19, 2016, all in Story County, Iowa.

Council Referral 6-09-2020

To: Mayor and City Council
Cc: Steve Schainker, City Manager
John Joiner, Public Works Director

From: Damion Pregitzer, Traffic Engineer

Date: Friday, June 5, 2020

Subject: Request to remove parking on the south side of Westbrook Drive

City Council referred to staff a request to remove the No Parking restriction on the south side of Westbrook Drive. Currently, the Municipal Code Section 18.31(296) reads as follows:

(296) **WESTBROOK DRIVE.** Parking is prohibited at all times on the south side from the west end of Westbrook Drive to a point 15 feet east of the driveway to 4212 Westbrook Drive (1 total of 744'); and for 70 feet at the intersection with Trail Ridge Road Extended; and for 50 feet west of the intersection with Hickory Drive. Parking is also prohibited on the north side from a point 235 feet east of Westbrook Lane to the west line of Hickory Drive.

(Ord. No. 3233, Sec. 1, 8-10-93)

Currently, Westbrook Drive is a 31-foot-wide road (from the back of curb), which means that the road is not wide enough to allow parking on both sides of the road and maintain minimum access for emergency vehicles.

Therefore, staff would recommend that parking regulations be altered to prohibit parking on the north side only, which would require the Municipal Code to be amended to read as follows:

(296) **WESTBROOK DRIVE.** *Parking is prohibited at all times on the north side of Westbrook drive from the west end of Westbrook Drive to its intersection with Hickory Drive.*

This language would also help to simplify the code section by removing redundant parking regulations. Municipal Code Section 18.17 (1 to 18) already provides for restriction of parking in intersections and by private drives. The following map shows the current regulations as solid lines and the proposed new No Parking regulations as a dashed line.

The red X's indicate the portions of existing No Parking that would be removed, and parking would be allowed:



STAFF COMMENTS:

Should the City Council concur with the staff's recommendation, which is consistent with the citizen request, a motion should be made to direct the City Attorney to draft an ordinance prohibiting parking at all times on the north side of Westbrook Drive.

It should be noted that until the ordinance goes into effect, staff will be able to issue temporary parking waivers per Section 18.24 for any special events that may occur until that time. Staff will reach out to the citizen to allow parking on the south side for his planned event on June 12th.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 28.31(296) AND ENACTING A NEW SECTION 28.31(296) THEREOF, FOR THE PURPOSE OF AMENDING THE PARKING REGULATIONS ON WESTBROOK DRIVE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 18.31(296) as follows:

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

...

(296) **WESTBROOK DRIVE.** Parking is prohibited at all times on the north side of Westbrook Drive from its intersection with Hickory Drive to the west end of Westbrook Drive.”

...

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor