

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
AUGUST 28, 2012

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

CALL TO ORDER: 7:00 p.m.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of August 14, 2012
3. Motion approving certification of civil service applicants
4. Motion approving Report of Contract Change Orders for August 1 - 15, 2012
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class E Liquor, C Beer, & B Wine – Hy-Vee Drugstore, 500 Main Street
 - b. Class C Liquor & Outdoor Service – Indian Delights, 127 Dotson Drive
 - c. Class C Liquor – Mandarin Restaurant of Ames, 415 Lincoln Way
 - d. Special Class C Liquor & Outdoor Service – Noodles & Company, 414 South Duff Avenue
 - e. Class E Liquor, C Beer, & B Wine – Cyclone Liquors, 626 Lincoln Way
 - f. Class C Liquor – Corner Pocket/DG's Taphouse, 125 Main Street
6. Resolution approving revisions to Records Retention Schedule
7. Resolution designating First National Bank of Ames, Iowa, as depository bank for City of Ames through September 30, 2015, with three-year renewal option
8. Resolution approving preliminary plans and specifications for 2008/09 and 2009/10 Skunk River Trail Extension (Hunziker Youth Sports Complex to Southeast 16th Street); setting September 18, 2012, as bid due date and September 25, 2012, as date of public hearing
9. Resolution awarding contract for CyRide Facility Boiler Replacement to Mechanical Comfort of Des Moines, Iowa, in the amount of \$89,345.00
10. Resolution approving Change Order for Tree Trimming Contract with LawnPro, LLC, of Colo, Iowa, in an amount not to exceed \$12,000
11. Resolution approving Change Order No. 55 for Intermodal Facility Fire Extinguisher Cabinets
12. Resolution approving final completion of South 4th Street Water Main Repair Project
13. Resolution approving Plat of Survey for 224 and 236 South Bell Avenue
14. Resolution approving Minor Final Plat for Rasmussen Group Subdivision
15. Resolution approving Minor Final Plat for Fountainview Subdivision, 2nd Addition
16. Resolution approving Minor Final Plat for Fountainview Subdivision, 3rd Addition

PUBLIC FORUM: This is a time set aside for comments from the public on topics of City business

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

PERMITS, PETITIONS, AND COMMUNICATIONS:

17. Motion approving sign encroachment permit for Portobello Road, 122 Welch Avenue
18. Motion approving new Class C Beer Permit for Tienda Mexicana Rosita, 118 South Sherman Avenue #102
19. Motion approving 5-day licenses for Olde Main Brewing Company at ISU Alumni Center, 420 Beach Avenue:
 - a. Special Class C Liquor, August 29 - September 12
 - b. Class C Liquor, September 8 - 12
20. Motion approving/denying new 12-month Class C Liquor License & Outdoor Service for Club Element/Chasers/e, 2401 Chamberlain Street
21. Motion approving/denying new 6-month Class C Liquor License & Outdoor Service for Cy's Roost, 121 Welch Avenue
22. Ames High Homecoming Committee Requests for Homecoming Parade on Monday, September 10, 2012:
 - a. Resolution approving closure of Parking Lot MM and south half of Parking Lot M and portions of Main Street, Douglas Avenue, Fifth Street, Burnett Avenue, Kellogg Avenue, Clark Avenue, and Pearle Avenue from 5:30 p.m. to approximately 7:30 p.m.; waiver of parking meter fees in the Main Street Cultural District from 5:30 to 6:00 p.m.; waiver of parking meter fees for Parking Lot N from 5:00 to 6:00 p.m.; and waiver of fee for Fireworks Permit
 - b. Motion approving fireworks permit for display after football game (approximately 9:15 p.m.) on September 14, 2012

ADMINISTRATION:

23. ASSET:
 - a. Resolution approving amendment to ASSET Policies and Procedures
 - b. Resolution approving 2012/13 Human Services Contract with Heartland Senior Services
 - c. Resolution approving the application from the Heart of Iowa Regional Transit Agency to participate in the ASSET process

ELECTRIC:

24. Resolution approving back-billing adjustment for previously unmetered electric load at Green Hills Retirement Community

FINANCE:

25. Resolution approving sale of General Obligation Corporate Purpose Bonds, Series 2012, in a principal amount not to exceed \$13,215,000

WATER & POLLUTION CONTROL:

26. Resolution authorizing funding for unanticipated repairs at Water Pollution Control Facility
27. Resolution awarding contract for WPC Diesel Fuel Tank Replacement to Acterra Group, Inc., of Marion, Iowa, in the amount of \$188,000.00
28. Resolution approving preliminary plans and specifications for Rehabilitation of Methane

Generator Number 2 at WPC; setting September 25, 2012, as bid due date and October 9, 2012, as date of public hearing

29. Resolution approving Engineering Services Agreement with FOX Engineering for final design, bidding services, and construction services for new Water Treatment Plant in lump sum amount of

\$7,044,500.00, plus services billed on an hourly basis, plus expenses in an estimated amount not to exceed \$1,195,500.00

HEARINGS:

30. Hearing on proposal to enter into State Revolving Fund (SRF) Sewer Revenue Loan and Disbursement Agreement in a principal amount not to exceed \$3,121,000:
 - a. Resolution approving entering into SRF Sewer Revenue Loan and Disbursement Agreement
31. Hearing on 2011/12 Asphalt Pavement Improvement Program and 2011/12 Low Point Drainage Improvements (South Oak Avenue from South 4th Street to Lincoln Way):
 - a. Resolution approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$511,021.70
32. Hearing on 2012/13 CDBG Public Facilities Neighborhood Infrastructure Improvements Program (Beedle Drive and Aplin Road):
 - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$338,818.93
33. Hearing on 2011/12 Downtown Pavement Improvements (Douglas Avenue):
 - a. Resolution approving final plans and specifications and awarding contract to Con-Struct, Inc., of Ames, Iowa, in the amount of \$1,215,016.00
34. Hearing for Squaw Creek Pedestrian Bridge Project:
 - a. Resolution approving final plans and specifications and awarding contract to Iowa Bridge & Culvert, LC, of Washington, Iowa, in the amount of \$279,335.60
35. Hearing on Water Pollution Control Facility Raw Wastewater Pumping Station Pipe Supports and Check Valve Replacement Project:
 - a. Resolution approving final plans and specifications and awarding contract to Story Construction Company of Ames, Iowa, in the amount of \$135,300.00

ORDINANCES:

36. Third passage and adoption of ORDINANCE NO. 4121 pertaining to requirements for Master Plans

COUNCIL COMMENTS:

ADJOURNMENT:

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

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

AUGUST 14, 2012

The regular meeting of the Ames City Council was called to order by Mayor Ann Campbell at 7:00 p.m. on August 14, 2012, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Jeremy Davis, Matthew Goodman, Jami Larson, Peter Orazem, Victoria Szopinski, and Tom Wacha. *Ex officio* Member Sawyer Baker was also present.

CONSENT AGENDA: Moved by Davis, seconded by Wacha, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of July 24, 2012, and Special Meetings of July 30, 2012, and August 7, 2012
3. Motion approving Report of Change Orders for July 16-31, 2012
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class C Liquor – Es Tas Stanton, 216 Stanton Avenue
 - b. Class C Liquor – El Azteca, 1520 S. Dayton Avenue
 - c. Class C Liquor – Okoboji Grill, 118 S. Duff Avenue
 - d. Class C Liquor – Chicha Shack, 2418 Lincoln Way
 - e. Class B Beer – Little Taipei, 2514 Chamberlain
 - f. Class C Liquor – Deano's, 119 Main Street
 - g. Class B Beer – Flame-N-Skewer, 2801 Grand Avenue
 - h. Class C Beer & B Wine – Hy-Vee Gas #5013, 4018 Lincoln Way
 - i. Class C Liquor & Outdoor Service Privilege – SMG Food & Beverage, CY Stephens Auditorium
 - j. Class C Liquor & Outdoor Service Privilege – SMG Food & Beverage, Scheman Building
 - k. Special Class C Liquor – SMG Food & Beverage, Fisher Theater
 - l. Class C Beer & B Native Wine – Char's, 3100 South Duff Avenue
5. RESOLUTION NO. 12-413 approving acceptance of 2012 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Program
6. RESOLUTION NO. 12-414 approving revisions to Records Retention Schedule
7. RESOLUTION NO. 12-415 approving Neighborhood Improvement Project grant for Moore Park
8. RESOLUTION NO. 12-416 approving GIS software Enterprise License Agreement
9. RESOLUTION NO. 12-417 approving preliminary plans and specifications for Power Plant Unit No. 8 Steam Turbine Parts; setting September 26, 2012, as bid due date and October 9, 2012, as date of public hearing
10. RESOLUTION NO. 12-418 approving preliminary plans and specifications for Maintenance Facility Energy Efficiency Projects; setting September 12, 2012, as bid due date and September 25, 2012, as date of public hearing
11. RESOLUTION NO. 12-419 awarding contract for Protective Relay and Arc Flash Study for Power Plant to Utilities Plus Energy Services, Inc., of Eveleth, Minnesota, in an amount not to exceed \$48,440.00
12. RESOLUTION NO. 12-420 awarding contract for Emissions Testing for Steam Electric Plant and Combustion Turbine Peaker to Air Hygiene, Inc., of Broken Arrow, Oklahoma, in an amount not to exceed \$45,000.00
13. RESOLUTION NO. 12-421 awarding contract for Aluminum Cable for Electric Distribution to Wesco Distribution of Des Moines, Iowa, in the approximate amount of \$60,200 plus applicable sales taxes
14. RESOLUTION NO. 12-422 approving renewal of contract for Distribution Class Wood Utility Poles to Baldwin Pole of Bay Minette, Alabama, in accordance with a 3% increase
15. RESOLUTION NO. 12-423 approving contract and bond for 2011/12 Collector Street Paving Improvements Project (Ridgewood Avenue)

16. RESOLUTION NO. 12-424 approving contract and bond for 2012/13 Collector Street Paving Improvements Project (Meadowlane Avenue)
 17. RESOLUTION NO. 12-425 approving contract and bond for the Water Treatment Plant Five-Year Well Rehabilitation Project (Year 1)
 18. RESOLUTION NO. 12-426 approving contract and bond for 2011/12 Storm Sewer System Improvements (Country Club Boulevard)
 19. 2010/11 Downtown Street Pavement Improvements (Kellogg & Main):
 - a. RESOLUTION NO. 12-427 approving Change Order
 - b. RESOLUTION NO. 12-428 accepting completion
 20. RESOLUTION NO. 12-429 accepting completion of 2011/12 Power Plant Breaker and Relay Maintenance Project
 21. RESOLUTION NO. 21-430 accepting completion of Unit No. 8 Air Heater Baskets
- Roll Call Vote: 6-0. Resolutions declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

PUBLIC FORUM: No one spoke during this time.

RENEWAL OF CLASS C LIQUOR & OUTDOOR SERVICE FOR CY'S ROOST: Pertaining to the violations that had occurred at Cy's Roost over the past year, Police Commander Geoff Huff explained that the Police Department is mainly concerned about the over-occupancy and employees being involved in a fight on the premises. Commander Huff had been told that the owner of the premises, Andrew White, had immediately dismissed the two employees who had been involved in that fight. Because the case is pending, no further details could be explained to the City Council. Commander Huff also told the Council that being cited for over-occupancy four times in one year was a major concern to the Police Department. Due to the number and severity of the violations, the Police Department recommended that a Class C Liquor License & Outdoor Service be issued for six months for Cy's Roost. During that time, the Police Department will very carefully monitor the premises and work with the owner to prevent violations.

It was noted that no one was present representing Cy's Roost. Commander Huff told the Council that he had spoken with Andrew White and told him that it was important for him to be present at this meeting. He had also sent Mr. White the same information as had been provided to the City Council.

Council Member Davis noted that a similar situation with a large number of violations had happened with Cy's Roost a few years ago. Because of that, and given the fact that there was no one present at the meeting to represent Cy's Roost, Mr. Davis indicated his unwillingness to grant the establishment a license, even for six months.

Moved by Davis, seconded by Larson, to deny the 12-month Class C Liquor & Outdoor Service for Cy's Roost, 121 Welch Avenue.

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

REQUESTS OF MAIN STREET CULTURAL DISTRICT FOR MUSIC WALK ON SEPTEMBER 13, 2012: Moved by Davis, seconded by Szopinski, to approve the following requests from Main Street Cultural District:

- a. RESOLUTION NO. 12-431 approving waiver of fees for electricity usage in Tom Evans Plaza from 3:00 to 8:00 p.m., waiver of parking meter fees in the MSCD from 3:00 to 6:00

p.m., use of six parking spaces along Main Street for food vendors, and waiver of fee for Blanket Vending License

- b. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License for MSCD from 3:00 p.m. to 8:00 p.m.

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

REQUEST OF MAIN STREET CULTURAL DISTRICT FOR HOMECOMING BREAKFAST ON MAIN ON OCTOBER 28: Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 12-432 approving closure of eight parking spaces from 6:00 a.m. to 12:00 p.m.

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

REQUESTS OF MAIN STREET CULTURAL DISTRICT FOR HOLIDAY ACTIVITIES:

Moved by Davis, seconded by Szopinski, to adopt/approve the following:

- a. RESOLUTION NO. 12-433 approving waiver of fees for electricity for holiday activities from November 16 through December 31
- b. RESOLUTION NO. 12-434 approving closure of four parking spaces on the south side of Main Street and one parking space on the west side of Douglas Avenue on Friday, November 16 from 4:00 to 7:00 p.m. and Sunday, November 18 from 1:00 to 4:00 p.m.
- c. RESOLUTION NO. 12-435 approving closure of Burnett Avenue, from Main Street to Fifth Street, from 2:00 to 8:00 p.m. on November 16 for planned activities
- d. RESOLUTION NO. 12-436 approving suspension of parking enforcement for Central Business District on Saturdays beginning November 17 through December 29
- e. Motion approving blanket Temporary Obstruction Permit on November 16 and Blanket Vending License for November 16-18
- f. RESOLUTION NO. 12-437 approving waiver of fee for Vending License

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

REQUESTS FROM THE AMES CONVENTION AND VISITORS BUREAU FOR ALL-AMERICAN WEEKEND ON SEPTEMBER 1, 2012: Moved by Davis, seconded by Wacha, to adopt/approve the following:

- a. RESOLUTION NO. 12-438 approving closure of portions of Main Street and Kellogg Avenue from 7:00 a.m. to 4:00 p.m., waiver of fee for electricity costs, waiver of parking meter fees in the MSCD, and waiver of fee for Blanket Vending License
- b. Motion approving Blanket Temporary Obstruction Permit and Blanket Vending License

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

“WELCOME TO AMES” EVENT ON AUGUST 24, 2012: Moved by Davis, seconded by Szopinski, to adopt the following:

- a. RESOLUTION NO. 12-439 approving closure of street and metered parking spaces on Chamberlain Street between Welch and Stanton Avenues from Noon to 8:00 p.m.
- b. RESOLUTION NO. 12-440 approving closure of lot and parking spaces in Chamberlain Lot Y
- c. RESOLUTION NO. 12-441 approving waiver of fees for electricity usage

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

UNIT NO. 7 ROTARY AIR PREHEATER PARTIAL BASKET REPLACEMENT: Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 12-442 waiving bidding requirements and awarding a contract to Alstom Power Inc., of Wellsville, NY, for the purchase of material for Unit No. 7 Rotary Air Preheater Partial Basket Replacement for Electric Services in the amount of \$75,067.

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

GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2012: Moved by Davis, seconded by Szopinski, to adopt RESOLUTION NO. 12-443 approving the Official Statement for General Obligation Corporate Purpose Bonds, Series 2012, in a principal amount not to exceed \$13,215,000, and setting the date of sale for August 28, 2012.

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

HOSPITAL REVENUE BONDS: Mike Tretina, Mary Greeley Medical Center Chief Financial Officer, introduced John Henningsgard from Piper Jaffray. Mr. Henningsgard presented an overview of the reasons for the decision to refinance the Series 2003 Bonds. This will result in significant debt service savings as well as fund a small additional portion of the tower construction project (\$10 million) at a very low cost and preserve cash. There will be no negative impact on its "A2" debt rating from this financing. Upcoming key dates associated with the refinancing/financing were given by Mr. Henningsgard.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 12-444 setting the date of public hearing for September 11, 2012, on the proposal to issue Hospital Revenue Bonds in a principal amount not to exceed \$26,000,000 for the purpose of financing and refinancing improvement projects for Mary Greeley Medical Center.

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

EXTERIOR PARKING LOT LIGHTING REQUIREMENTS FOR AUTO AND MARINE USES:

Planning and Housing Director Steve Osguthorpe reminded the Council that it had directed staff to provide a brief report on the lighting issue after receiving a request from Dan Levi of Levi Architecture. Mr. Levi, representing the Deery Brothers, had requested in an email that the City reevaluate its lighting provisions in the recently adopted alternative landscape standards for auto dealers. Mr. Osguthorpe reviewed the three alternative standards contained in the recently adopted ordinance (that pertained to alternative landscaping standards) for auto and marine craft trade uses. He noted that the previous standards still apply; alternative standards had been adopted in addition to the standards already in existence.

According to Director Osguthorpe, the Deerys wish to use Alternative 3, but are concerned that the mitigating lighting standard of that alternative do not reasonably provide the lighting levels that auto dealers depend on for marketing purposes. Alternative 3 calls for the same lighting standards as are required in the Northeast Gateway Overlay District, except that they do not require the lights be dimmed after hours to security level lighting. Mr. Osguthorpe noted that the City Hall parking lot is similar to what would be allowed under Alternative 3. Typical lighting plans for auto dealers, as provided by the Deery Brothers' lighting consultant, would be: for the sales display area of their lots

- 15-foot candles; the “highlight” display area (borders along the street) - 150-foot candles at a point; and the “dazzle” display area - 300-foot candles at a point.

According to Mr. Osguthorpe, the only requirement under the alternative standards that the Deerys can comply with without affecting light levels is the requirement to shield the view of fixture lenses from public rights-of-way. Glare shields would have to be attached on the bottom side of the fixtures. Mr. Osguthorpe reported that the view angles shown on cross sections submitted by the lighting consultant provided compelling evidence that that requirement could be met. Staff believes that compliance with that standard will significantly mitigate one of the greater glare factors of outdoor lighting by shielding the visual “hot spots” of light around fixture lenses.

Director Osguthorpe presented four options for the Council’s consideration. He emphasized that the Council should consider the impacts that high intensity lighting associated with auto dealer parking lots might have on the visual effectiveness of the light columns planned for installation along Highway 30 just east of the proposed Deery Brothers site. Without some softening of the light, the visual effectiveness of the light columns might be significantly diminished. Staff recommended that the Council consider Option 2, which would not allow for the most intense light, but it would allow light commensurate with what auto dealers typically provide in their display sale areas while providing reasonable mitigation of lighting impacts on the community.

Fred Rose, representing Deery Brothers, explained that they were building a Deery Brothers dealership in Iowa City and went through the process to determine lighting levels there. He gave a summary of the research that had been done to determine the level of lighting in other commercial parking lots in Ames. Bob Brown, Senior Lighting Design Engineer with KJWW Engineering Consultants, provided information on what a typical commercial lighting plan might entail. Referencing the Illuminating Engineering Society (IES) Handbook, Mr. Brown advised that the Deery Brothers were asking for a “traceable exception path” and/or that the Model Lighting Ordinance be used. He noted that the Handbook incorporates the “Dark Sky” standards. According to Mr. Brown, the Deerys’ dealership lot would have less bright lighting than what currently exists in the George White dealership near Highway 30.

Assistant City Manager Bob Kindred explained that through this process, staff had learned that the low-level lighting that would be required of new auto dealerships was probably inadequate and that glare shields would have a positive effect on the Ames community. Council Member Szopinski noted that the City’s standards are over ten years old and probably outdated since new technology has developed, especially related to energy efficiency. Mr. Osguthorpe stated that if the Council were to adopt an option that required glare shields for all lights, it would have more of a positive impact at the pedestrian level than the City’s current ordinance.

Mr. Kindred said that if the Council directed staff to move forward in any way, staff would approach the Ames Area Amateur Astronomers immediately to let them know about this discussion and offer them an opportunity to be involved.

At the inquiry of Council Member Szopinski as to the impact that the auto dealership lighting would have on the Highway 30 Entryway features, Director Osguthorpe said he had been told by the lighting consultant Bob Brown that it would be possible to scientifically model that impact. Mr. Osguthorpe reiterated his strong opinion that the glare shields would make a significant difference in that visual impact.

Fred Bradner, 1111 Stafford Avenue, Ames, asked if the George White Chevrolet lot was in compliance with the City’s current lighting ordinance. He asked if the level of lighting had ever been an issue for the present car dealerships. Director Osguthorpe replied that it is unknown if George

White Chevrolet is in compliance with the current Ordinance, but it was in compliance with the Code when it was built.

Council Member Wacha explained that the Deerys did not initially request any changes in the Lighting Ordinance. Their initial request pertained to having an alternative to the landscaping requirements; however, the City Council added an additional requirement with that ordinance change that the lighting comply with the same levels as established for the Northeast Gateway Overlay District. He pointed out that if glare shields were required to be installed, it would result in less of a glare effect than what exists currently. Director Osguthorpe concurred that whatever would be done tonight would be an improvement over the City's current ordinance because glare shields would be required for all the lights.

Moved by Wacha, seconded by Orazem, to approve Option 2: to amend the standards to: allow typical sales display light levels (15-foot candles average) in all auto display areas (no dazzle or highlight levels); retain lower lighting levels of Code in all non-display parking areas; retain glare shield requirements for all lights; and require security lighting levels in all areas after 10:00 p.m. (2-foot candles average).

Council Member Goodman said that he had recently traveled through Minnesota and Colorado where a real passion for the aesthetics of community was apparent, e.g., landscaping requirements, lighting not nearly as offensive as "Ankeny lighting." Those communities write Code to create that impact. In Mr. Goodman's opinion, new Code has been written in Ames, not because the community is passionate about impact, but because "someone wants to build in the flood plain, wants fewer trees to sell more cars, and wants different lighting because they might not sell as many cars." He sees that as having a different philosophy than those communities who are passionate about aesthetics. Mr. Goodman believes that those persons would have a different perspective, could offer input to this discussion, could bring different expertise than someone who works in the commercial lighting industry and is hired by the developer, and should be part of this process. Council Member Wacha pointed out that the developer was not asking for fewer trees, just that they be distributed differently.

Vote on Motion: 5-1. Voting aye: Davis, Larson, Orazem, Szopinski, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Larson, seconded by Orazem, to direct staff to investigate the process for seeking public input pertaining to a new lighting ordinance and/or referencing a standard in the ordinance that could be applied to illumination design throughout the City.

Council Member Wacha asked if this would include LED signs. Mr. Osguthorpe replied that those would be covered as a separate topic because they have different technology.

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

MAJOR FINAL PLAT FOR RINGGENBERG PARK SUBDIVISION, 3RD ADDITION: According to Director Osguthorpe, the developer filed a request for final plat approval. At the time of that filing, the developer also submitted a request for a waiver of the subdivision standard that requires that applications for final plats be submitted at least 15 days prior to the next Council meeting. The Preliminary Plat had been reviewed. The public improvements pertaining to utilities for the 3rd and final addition have been completed; however, the grading and paving of Cedar Lane, surface paving of Coyote Drive and Red Fox Road, and pedestrian ramp facilities have not been completed. A Letter of Credit has been submitted in the amount of \$250,000 to secure completion of those improvements. In addition, there are some public improvements outside of the 3rd Addition that had been required by the Development Agreement for Ringgenberg Park that have not been completed.

Director Osguthorpe told the Council members that the first item to be addressed by them would be to decide on whether or not to approve the request for a waiver of the 15-day submittal deadline for the Final Plat. If the waiver is denied, the item will not move forward tonight. It was noted by Council Member Wacha that because the developer set a closing date without submitting the request for approval of the Final Plat should not be a reason to waive the submittal deadline requirement.

According to Mr. Osguthorpe, the Subdivision Code states that a waiver may be granted if there is extraordinary hardship on the applicant. A letter from the applicant had been received stating what they believed was an extraordinary hardship, and the Council needed to decide if it met the criteria for a waiver. If the waiver was denied, no further action would be taken on this item at this meeting. Assistant City Manager Kindred reported that staff was not able to complete the final report until 6:00 p.m. this evening. He noted that staff had basically taken the entire week to review and follow-up on questions about this item in an attempt to meet the customer's request for hearing it on this Agenda. Mr. Kindred further explained that the application for approval of the Final Plat for Ringgenberg Park Subdivision, 3rd Addition, was submitted to the Planning and Housing Department on August 7, 2012. The *Municipal Code* states that applications for Final Plat approval of a Major Subdivision must be submitted to the City at least 15 days prior to the Regular City Council meeting at which approval is sought. Staff subsequently received a letter from Brian Torresi, attorney representing the developer Kurt Friedrich, requesting that the time requirement be waived.

Mr. Osguthorpe reported that staff is required to send notice to internal departments and external parties (County Auditor and all utility providers). They are typically given seven days to respond to a Final Plat; however, in this case, they were given one day to respond. At the time of this meeting, staff had heard from the County Auditor, but had not received any comments back from any of the utility providers.

Mayor Campbell said that the 15-day deadline is well-known by the developer. She felt that Mr. Friedrich was asking very extraordinary things of City staff by requesting the waiver.

Council Member Wacha said his understanding of the letter requesting the waiver was that the extraordinary hardship in this case was because the closing date for the sale of the lots had been set for a date that was earlier than the date Council would meet to approve the Final Plat; thus, the 15-day requirement could not be met. He would like to know how those closing dates got set and by whom.

Developer Kurt Friedrich, 100 Sixth Street, Ames, told the Council that they were on a very aggressive schedule to bring 31 new residential lots to the market. There has been a lot of interest in the Subdivision, and over one-third of those lots have been pre-sold; the builders want to get started. A closing date must be included in an offer to purchase. When they were writing up the offers, they thought that August 20, 2012, would be a do-able and appropriate closing date. Mr. Friedrich added that this is definitely not their habit or future expectation to request a waiver of the 15-day review requirement. He noted that they had been developing in Ames for over 80 years, and this is not commonplace for them; they are trying to accommodate their builders and clients. Mr. Friedrich expressed his gratitude to City staff for making this a priority over the past week.

Council Member Goodman also asked what constituted the extraordinary hardship. He thought it was basically that they would have to reset the closing dates for the lots. Mr. Friedrich replied that the dates would have to be reset, and the builders and clients would have to adjust their dates accordingly.

Council Member Larson said that it was not his desire to reward Friedrich Realty for not meeting the submittal deadline, but wanted to support staff, who had worked long and hard to get the submittal reviewed and make a recommendation by this meeting. He believed that staff had basically “knocked themselves out over this, and they did that because of the Council’s previous direction to have a “can-do” attitude.

Moved by Larson, seconded by Davis, to grant the waiver of the submittal deadline requirement.

Council Member Wacha noted that he was very excited about this project and to see residential development in this part of Ames. He pointed out, however, that Mr. Friedrich has been in the real estate business for a long time and is quite aware of the 15-day submittal requirement. That requirement exists due to staff’s competing priorities. If the waiver is granted, the Council would be circumventing its own rule because a developer didn’t plan well. He said that he did not want to set a precedent by waiving the requirement.

Mayor Campbell noted that the City Council was extremely disappointed that the developer had put City staff in the predicament of having to put its other workload on hold to process this request when it was not submitted as required by the *Municipal Code*.

Vote on Motion: 5-1. Voting aye: Davis, Goodman, Larson, Orazem, Szopinski. Voting nay: Wacha. Motion declared carried.

Mr. Osguthorpe noted that there are public improvements that are outside of this Addition that were approved for the 1st Addition. Planner Jeff Benson advised that, when the Subdivision was first platted, there was a Developer’s Agreement that specified improvements that were the responsibility of the developer. Some have been completed, but a portion of the bicycle path has not. According to Mr. Benson, the bike path will be completed within the next year. Also, several sidewalks in front of lots have not been completed. The Developer’s Agreement stated that all sidewalks would be completed within two years, which had not occurred.

According to Planner Benson, this is the last section of lots to be platted, which gives the Council the opportunity to require financial security for all past public improvements that have not yet been constructed. This is the last chance that staff would have to do so. Staff had recommended that an Improvement Guarantee be secured in the amount of \$150,000 to cover the cost of completion of sidewalks and bike paths, which were required by the Development Agreement for Ringgenberg Park Subdivision approved on December 20, 2005.

Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 12-445 approving the Major Final Plat for Ringgenberg Park Subdivision, 3rd Addition, conditional upon receipt of an Improvement Guarantee in the amount of \$150,000 to cover the cost for completion of sidewalks and bike paths within the next two years.

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

REPORT ON YARD WASTE SERVICE: Gary Freel, Resource Recovery Plant Superintendent, introduced Bill Schmitt, the newly hired Resource Recovery Assistant Superintendent.

Mr. Freel gave the background of yard waste disposal in the City of Ames since 1991. He noted that under the City’s Solid Waste Permit, it is required to have a yard waste management plan. The City has contracted with a private business to handle the yard waste generated in its service area. Superintendent Freel gave highlights of the current contract. The current contract is due to expire on December 15, 2012, and has an annual cost of \$21,010. Mr. Freel noted that the staff would like to

complete the next solicitation process by October 2012 so that whoever is awarded the contract has adequate time to prepare for the next season, which begins on April 1, 2013.

Mr. Freel presented policy issues for City Council discussion: (1) who should operate the yard waste drop-off facility; (2) what is the appropriate length of the agreement, (3) what should be the minimum site hours; (4) how many free days should be sponsored; (5) who should be responsible for advertising the free days; (6) what site should be designated for storm-damaged tree debris; and (7) how should the City pay for free days. Staff's recommendation on each issue was relayed to the Council by Mr. Freel. He explained staff's preferred course of action, which was the first option listed in the Council Action Form under each of the policy issues. In summary, staff recommended:

1. Continue to contract with a private business to receive and handle yard waste for Story County residents
2. Change to a three-year contract with the option for two individual renewable years and a non-appropriation clause
3. Have the site be in operation from April 1 through December 15 each year; maintain a minimum of 19 hours/week of the site being open over a four-day period each week during the spring and summer and 23 hours/week during the fall
4. Continue with the same number of free days with one Saturday in April and the first Saturday in November for brush, grass, and leaves and the last three Saturdays in November for grass, leaves, and garden waste.
5. The City do all the advertising needed to inform the citizens of the free days rather than the contractor providing the advertising.
6. Regarding storm damage tree clean-up: have the contractor be the designated site to handle tree debris from Intermediate City Response (25% damage in at least one district) providing an area for free citizen drop-off. The City would maintain responsibility for Full Collection City-Wide (50% damage in four of the seven districts) and Full Collection Limited Area (50% damage in a limited area).
7. Continue to fund the activity through the Resource Recovery Fund.

Council Member Davis suggested that the free days need to be evaluated. Mr. Freel commented that in conversations with the current contractor, possibly moving the brush day event to the third weekend might relieve some of the congestion traditionally seen by having brush, grass, and leaves on the first weekend. Council Member Goodman asked staff if the days could be switched in the fall, so that only leaves and grass would be accepted for the first two Saturdays and last Saturday in November and brush, grass, and leaves would be accepted on the third Saturday in November. Mr. Freel said staff was agreeable to making that switch.

Council Member Goodman recommended that feedback on these discussion items be received from citizens. It was suggested that the Residential Satisfaction Survey be used as the tool to get that feedback.

The meeting recessed at 9:22 p.m. and reconvened at 9:28 p.m.

FUNDING SOURCES FOR AMES AIRPORT TERMINAL BUILDING: Traffic Engineer Damion Pregitzer explained that the Municipal Airport operates according to the Airport Master Plan. The Airport Terminal Project was included in the Airport's Master Plan as a \$1,045,000 project with \$993,000 identified from the FAA and \$52,580 from local funds. Mr. Pregitzer noted that, when preparing the Capital Improvements Plan (CIP) for 2012/13, the City Council decided to increase the overall investment in the project to \$2,000,000 with the same funding split being maintained (\$1,800,000 FAA Grant and \$200,000 Local Option Sales Tax Fund). The City has since learned that the funds anticipated from the FAA were from an earmark; unfortunately, earmarked funds are no longer available. Mr. Pregitzer explained that the Airport Master Plan and the City's CIP now includes a project that does not have funding sources.

According to Mr. Pregitzer, the Terminal Building was shown annually in the Airport Improvement Program (AIP) sheets with 95% funding from the FAA. Those sheets were approved by the Regional FAA staff in Kansas City. Even though the AIP sheets were approved annually, the FAA Planner in Kansas City who reviewed them told City staff that he did not pay any attention to how the project was programmed because it wasn't a "first year" project. The FAA never flagged the fact that the proposed funding was not feasible. The AIP sheets were also approved by the Iowa Department of Transportation (DOT) Office of Aviation without any issues being raised. The Terminal Building was also scored by the FAA for funding in the National Plan of Integrated Airport Systems that determines which projects compete for funding. The project was scored and ranked by the FAA for discretionary funding, even though staff has now found it is not eligible for that type of funding.

Mr. Pregitzer described possible funding sources: [1] Federal Non-Primary Entitlement Funds, [2] Federal Discretionary Funds (Ames Airport Terminal is not eligible), [3] State Funding Programs, [4] Local Funding from revenues generated from aviation-related services at the Airport, and [5] Non-Aeronautical Development. Municipal Engineer Tracy Warner told the Council that an RFP to conduct a Transportation Funding Study was issued; the Airport Terminal Building was included in the list of projects in that Study. That Study is designed to tell the City what external sources (grants) might be possible to tap into for funding.

The Council was told the difference between General Aviation and Reliever airport designations. The Ames Municipal Airport's main classification is General Aviation; however, it also has a role classification in the FAA NPIAS system as an "Enhanced Airport." To be eligible for the "Reliever" designation, the airport must be open to the public, have 100 or more based aircraft, or have 25,000 annual itinerant operations. Being designated as a Reliever would not provide a General Aviation Airport any more or different funding opportunities. It is important for the Ames Airport to continue its designation as an Enhanced Airport and to continue to offer the variety of services; it helps Ames score higher on FAA grant applications. In addition, Ames is the only self-supporting General Aviation airport in the state, which is looked on favorably by the FAA.

Mr. Pregitzer recommended that, before developing a funding strategy, City staff meet with the Airport users to identify space needs. From those discussions, a concept plan could be developed along with the estimated cost of the proposed facility. Currently, it is unknown if the amount included in the CIP is adequate to meet the needs of the community. Once the conceptual layout is determined, the anticipated costs for the facility could be calculated and

a funding strategy identified. Staff recommended holding several meetings with current and potential Airport users to gather information about their visions for an airport terminal building. The general users of the Airport currently include Iowa State University, private hangar owners, corporate jets, business charters, recreational, glider club members, frequent itinerant/visitor flights, and Ames Chamber and Ames Convention & Visitors Bureau. Mr. Pregitzer asked the Council members to inform the City Manager if they had any other individuals or groups that they wished to include to be notified of meetings to gather input.

STORM WATER FEE STRUCTURE: Corey Mellies, Civil Engineer II, recalled that, In 2009, the City Council had directed the Public Works Department to develop a more fair and equitable system for charging property owners for the City's management of storm water originating on their properties. In 2011, Council directed that staff explore an Estimated Residential Unit (ERU) approach in place of the current flat monthly fee. The ERU is based on the amount of hard surface or impervious area on the average residential lot. If implemented in January 2013, the new fee structure would be reflected in February bills. Assistant City Manager Kindred explained that the ERU approach was ultimately be revenue-neutral over the first five years; however, as the Comprehensive Flood Study results are known (by the end of 2012), storm water improvements might need to be made that should be funded from this source.

Council Member Orazem noted that the reason why establishments with large parking lots would see significant increases is because the road system was not incorporated into the baseline. He was of the opinion that everyone should have been responsible for impervious surfaces owned by the City; that exacerbates the burden. Mr. Mellies said that the percentages included everything inside parcels.

Mr. Mellies made the Council aware that there will be some City properties that will also be subjected to the proposed new ERU structure.

The public outreach plan undertaken by the Public Works Department and Public Relations Officer was described by Public Relations Officer Susan Gwiasda and Mr. Mellies. The feedback received pertaining to the proposed ordinance change was summarized. According to Mr. Mellies, feedback received so far had shown that the proposed change was causing confusion for customers as it relates to the new billing.

Assistant City Manager Kindred told the Council that if the new ordinance is to be effective in January 2013, it is important that the ordinance get drafted, community input be gathered, and the three readings on the ordinance be held. This process would need to start by September or early October.

Noting that staff had referenced a three- or four-tier system based on impervious surfaces, Council Member Larson said he would be interested in knowing what those tiers might consist of.

Moved by Larson, seconded by Davis, to direct staff to bring back to the City Council for its review a simplified tiered billing system for storm water fees.

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

WATER POLLUTION CONTROL FACILITY DISINFECTION PROJECT: Moved by Davis, seconded by Larson, to adopt RESOLUTION NO. 12-446 setting August 28, 2012, as the date

of public hearing on a proposal to enter into State Revolving Fund Sewer Revenue Loan and Disbursement Agreement in a principal amount not to exceed \$3,121,000.

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

HEARING ON WATER POLLUTION CONTROL FACILITY ULTRAVIOLET WASTEWATER DISINFECTION PROJECT: Mayor Campbell opened the public hearing.

No one came forward to speak, and the hearing was closed.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 12-447 approving final plans and specifications and awarding a contract to Garney Companies, Inc., of Kansas City, Missouri, in the amount of \$1,984,600.

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

HEARING ON WATER POLLUTION CONTROL FACILITY DIESEL TANK REPLACEMENT PROJECT: The public hearing was opened by the Mayor. She closed same after no one wished to speak.

Moved by Davis, seconded by Goodman, to receipt the report of bids, but take no action to award a contract at this time.

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

ORDINANCE PERTAINING TO REQUIREMENTS FOR MASTER PLANS: Moved by Goodman, seconded by Davis, to pass on second reading a Zoning Ordinance text amendment pertaining to requirements for Master Plans.

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

ADJOURNMENT: Moved by Davis, to adjourn the meeting at 10:20 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

AUGUST 23, 2012

The Ames Civil Service Commission met in regular session at 8:15 a.m. on August 23, 2012, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Adams, Crum, and Shaffer present. Also in attendance was Director of Human Resources Julie Huisman.

APPROVAL OF MINUTES: Moved by Shaffer, seconded by Crum, to approve the minutes of the June 28, 2012, Civil Service Commission meeting as written.

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

CERTIFICATION OF ENTRY-LEVEL APPLICANTS: Moved by Crum, seconded by Shaffer, to certify the following individuals to the Ames City Council as entry-level applicants:

Fire Chief:	Shawn Bayouth	89
	Terry Welker	83

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

REQUEST TO ABOLISH ELECTRIC LINeworker ENTRY-LEVEL CERTIFIED LIST:

Moved by Shaffer, seconded by Crum, to grant the request to abolish the Electric Lineworker entry-level certified list.

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

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for September 27, 2012, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:16 a.m.

Terry Adams, Chair

Jill Ripperger, Recording Secretary



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/>	1 st – 15 th
	<input type="checkbox"/>	16 th – end of month
Month and year:	August 2012	
For City Council date:	August 28, 2012	

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 Person/Buyer
Transit	Ames Intermodal Facility	45	\$7,115,000.00	The Weitz Company, LLC	\$564,028.29	\$-(1,870.00)	S. Kyras	MA
Transit	Ames Intermodal Facility	46	\$7,115,000.00	The Weitz Company, LLC	\$562,158.29	\$-(1,265.00)	S. Kyras	MA
Transit	Ames Intermodal Facility	47	\$7,115,000.00	The Weitz Company, LLC	\$560,893.29	\$6,603.00	S. Kyras	MA
Transit	Ames Intermodal Facility	48	\$7,115,000.00	The Weitz Company, LLC	\$567,496.29	\$-(8,926.13)	M. Mundt	MA
Transit	Ames Intermodal Facility	49	\$7,115,000.00	The Weitz Company, LLC	\$558,570.16	\$282.07	M. Mundt	MA
Transit	Ames Intermodal Facility	50	\$7,115,000.00	The Weitz Company, LLC	\$558,852.23	\$2,695.09	M. Mundt	MA

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	Purching Contact Person/Buyer
Transit	Ames Intermodal Facility	51	\$7,115,000.00	The Weitz Company, LLC	\$561,547.32	\$14,532.00	M. Mundt	MA
Public Works	2011/12 Tree Trimming Program	1	\$55,000.00	LawnPro LLC	\$0.00	\$11,000.00	J. Joiner	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		



Memo

Police Department

5a-f

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Commander Geoff Huff – Ames Police Department

DATE: August 8, 2012

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
August 28, 2012

The Council agenda for August 28, 2012, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, & B Wine – Hy-Vee Drugstore, 500 Main Street
- Class C Liquor & Outdoor Service – Indian Delights, 127 Dotson Drive
- Class C Liquor – Mandarin Restaurant of Ames, 415 Lincoln Way
- Special Class C Liquor & Outdoor Service – Noodles & Company, 414 South Duff
- Class E Liquor, C Beer, & B Wine – Cyclone Liquors, 626 Lincoln Way
- Class C Liquor – Corner Pocket/DG's Taphouse, 125 Main Street

A routine check of police records found no violations Hy-Vee Drug Store (wine tasting plan up to date), Indian Delights, Mandarin Restaurant of Ames, Noodles & Company, or Corner Pocket/DG's Taphouse.

The same check found one male was cited for Possession of Alcohol and Possession of a fake ID after purchasing from Cyclone Liquors. The individual showed the fake ID at the point of sale.

The police department would recommend renewal of all six liquor licenses.

COUNCIL ACTION FORM

SUBJECT: AMENDMENTS TO RECORDS RETENTION SCHEDULE

BACKGROUND:

The City's Records Retention Schedule, originally adopted in 1998, was revised in its entirety and adopted on July 12, 2011. The purpose of mandatory compliance with the Records Retention Schedule is to enable Records Stewards to provide requested documents to the public and internal customers in the most accurate and cost-efficient manner. Therefore, it is crucial that the Schedule be revised whenever records are added or deleted from a Department's/Division's inventory.

The attached table lists the additions, deletions, and/or revisions that are being presented to the City Council for approval at this time.

ALTERNATIVES:

1. Adopt a resolution approving the amendments, as listed on the attached table, to the City of Ames Records Retention Schedule.
2. Do not approve the amendments to the City of Ames Records Retention Schedule listed on the attached table.

MANAGER'S RECOMMENDED ACTION:

It is important to keep the City's Records Retention Schedule up to date in order to assure compliance with open records laws and to maintain the City's records in an efficient manner.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby adopting a resolution approving the amendments, as listed on the attached table, to the City of Ames Records Retention Schedule.

DEPARTMENT/DIVISION	ADDITION/DELETION/ REVISION	CATEGORY/RECORD TITLE	CHANGE
City Clerk	Addition	Property Maintenance Appeals Board	New Category
	Addition	Property Maintenance Appeals Board	Add Case Files from May 24, 2011
	Addition	Property Maintenance Appeals Board	Add Decisions & Orders from May 24, 2011
Electric	Addition	Administration/Environmental Reports - Fed	Add Toxic Substance Control Act (TSCA)
Fire	Addition	Fire Inspection	New Category
	Addition	Fire Inspection	Add Incident Reports
	Addition	Fire Inspection	Add Sprinkler Inspection Reports
	Addition	Fire Inspection	Add Sprinkler Plans
	Addition	Fire Inspection	Add Alarm Plans
	Addition	Fire Inspection	Add Alternative Suppression Plans
	Addition	Fire Inspection	Add Site Plans

COUNCIL ACTION FORM

SUBJECT: AWARD FOR BANKING SERVICES TO FIRST NATIONAL BANK

BACKGROUND:

It is the City's policy to periodically request proposals for banking services from local financial institutions. The current contract for banking services with First National Bank will expire September 30, 2012. The contract that Council is being asked to approve will expire September 30, 2015 with a three-year renewal option available.

Fees quoted by the financial institutions are based on a per item cost for historical or anticipated City transaction volume. These estimated costs could vary if volume changes significantly.

Four financial institutions responded to the Request for Proposal for Banking Services (RFP). A committee comprised of the Director of Finance, City Treasurer and Utility Customer Services Supervisor reviewed and rated the proposals. The rating criteria set forth in the RFP was based on the following:

Costs	25%
Availability and quality of service	35%
Community reinvestment	5%
Cost of conversion and implementation	10%
Bank stability (financial and organizational)	15%
Technology	10%

Based on the criteria above, the average score and calculated annual cost are shown below:

Financial Institution	Average Score	Calculated Annual Cost
First National Bank	8.8	\$ 8,142.00
Great Western Bank	7.0	\$16,800.00
Wells Fargo Bank	6.3	\$43,745.76
Bankers Trust	6.3	\$73,523.91

The committee members each separately evaluated the institutions. Based on the RFP criteria, the highest rated proposal was received from First National Bank at the lowest calculated annual cost of \$8,142. The calculated annual cost for the next highest rated proposal was approximately twice that amount.

ALTERNATIVES:

1. Adopt the Depository Resolution designating First National Bank of Ames, Iowa, as the depository bank for the City of Ames through September 30, 2015, with a three-year renewal option, at a calculated annual cost of \$8,142 for services requested.
2. Direct staff to further review proposals and make a recommendation to award services to another proposer.
3. Reject all proposals.

MANAGER'S RECOMMENDED ACTION:

The City is required to have banking services to conduct financial transactions. The First National Bank proposal provides the best value for the City for the services required.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Depository Resolution designating First National Bank of Ames, Iowa, as the depository bank for the City of Ames through September 30, 2015, with a three-year renewal option, at a calculated annual cost of \$8,142 for services requested.

COUNCIL ACTION FORM

Subject: **SHARED USE PATH SYSTEM EXPANSION (SKUNK RIVER TRAIL – HUNZIKER YOUTH SPORTS COMPLEX TO SOUTHEAST 16th STREET)**

BACKGROUND:

This project is for construction of a shared use path from the Hunziker Youth Sports Complex north to Southeast 16th Street. This project is shown in the Capital Improvements Plan in the 2011/12 program year.

This project is funded in an amount of \$86,000 from the Ames Area Metropolitan Planning Organization (AAMPO) Surface Transportation Program (STP) and \$350,000 from Local Option Sales Tax funds. Foth Infrastructure & Environment, LLC has completed plans and specifications with a construction estimate of \$292,990. This project will be let through the Iowa Department of Transportation (DOT) due to the use of MPO/STP funding.

ALTERNATIVES:

1. Approve the Shared Use Path System Expansion – Skunk River Trail (Hunziker Youth Sports Complex to Southeast 16th Street) by establishing September 18, 2012, as the date of letting by the Iowa DOT and September 25, 2012, as the date for report of bids.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This segment of the Skunk River Trail will serve as a vital connection between the existing trail network along Southeast 16th Street and the Hunziker Youth Sports Complex, thereby creating a much needed non-motorized access to that facility. This project also serves as the southern connection of the proposed Skunk River Trail expansion along the Skunk River north to South River Valley Park scheduled to begin in FY 2016/17.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative No. 1, thereby approving the Shared Use Path System Expansion – Skunk River Trail (Hunziker Youth Sports Complex to Southeast 16th Street) by establishing September 18, 2012, as the date of letting by the Iowa DOT and September 25, 2012, as the date for report of bids.

COUNCIL ACTION FORM

SUBJECT: CYRIDE FACILITY BOILER REPLACEMENT

BACKGROUND:

As part of CyRide's Capital Improvement Plan (CIP), staff develops building improvements and repairs to ensure safe and efficient operation of its facility. One building improvement included in this document for FY 2012/03 budget is replacement of CyRide's two boilers. These boilers are original to the building, are 29 years old, and are at the end of their useful life. Their replacement will improve the energy efficiency of CyRide's facility. Replacement of these boilers was included in the CIP at a cost of \$75,000.

A Request for Proposal was solicited in July 2011, and CyRide received the following three proposals:

Proposing Firm	Proposal Price
Capital City	\$143,689
Proctor	\$98,900
Mechanical Comfort	\$83,480

Mechanical Comfort, based in Des Moines, Iowa, was the lowest responsible proposer as well as received the highest overall rating based on six criteria: price, technical (energy efficiency, warranty, ongoing costs, connection with CyRide's maintenance software system), firm and personnel, training plan, installation schedule and completion of all federal forms. A summary of the ratings is as follows:

Proposing Firm	Rating
Capital City	22.42
Proctor	23.38
Mechanical Comfort	32.06

Additionally, Mechanical Comfort is the only proposer that could implement the bid option of interfacing the boiler units with CyRide's management software system (Solidyne) at a cost of \$5,865. This is extremely important, as CyRide's Assistant Director of Fleet and Facilities will be notified through this interface day or night when a problem occurs with the boiler system. **The total cost of the improvement with the optional interface is \$89,345.**

Since the lowest responsive proposal is over budget by \$14,345, the building improvement "Actuated Shutoffs" project for the fueling system, also budgeted in the 2012/13 capital plan at \$36,000, will be delayed one year.

The Transit Board of Trustees reviewed the bids and staff recommendation at their August 20, 2012 Board meeting and approved alternative #1 for award to Mechanical Comfort for \$89,345.

ALTERNATIVES:

1. Approve award of the boiler procurement, including proposal alternate #1 for the Solidyne interface, to Mechanical Comfort of Des Moines for a total of \$89,345.
2. Approve award of the boiler procurement without proposal alternate #1 to Mechanical Comfort of Des Moines for a total of \$83,480.
3. Do not award the proposal and direct staff to investigate other options.

MANAGER'S RECOMMENDED ACTION:

Replacement of CyRide's two boilers will increase critical building equipment reliability and potential building safety, as well as significantly increase the energy efficiency of CyRide's facility. This project is the top facility equipment improvement identified by CyRide staff for the 2012/13 budget year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding a contract to Mechanical Comfort for \$89,345, which includes the proposal alternate to interface the boilers with the maintenance management software program (Solidyne).

COUNCIL ACTION FORM

SUBJECT: RIGHT OF WAY TREE TRIMMING CONTRACT

BACKGROUND:

The City's Public Works Department entered into a contract with LawnPro for tree trimming in the amount of \$55,000. This contract is for the trimming of right-of-way trees and the runs annually from October to October. The current contract will end on October 31, 2012, and is renewable until October 31, 2013.

Due to the two windstorms, payments authorized under the current contract were increased administratively by \$11,000 to bring the total contract to \$66,000. This increase allowed for the storm damage work to be covered, but does not allow enough funding to cover the remaining work needed until the October 31 ending date. Staff estimates that an additional \$12,000 is needed to finish the current year's work. This would place the total contract at \$78,000. This activity is programmed in the Public Works Operations Grounds budget (Road Use Tax Fund), and will allow the remaining work to be completed this year.

ALTERNATIVES:

1. Approve the Change Order with LawnPro in an amount not to exceed \$12,000 for the tree trimming contract, for a total contract amount of \$78,000.
2. Direct staff to make other arrangements for the project.

MANAGER'S RECOMMENDED ACTION:

The two windstorms this year have caused an increase in the need for tree trimming to remove damaged trees and limbs. There is still tree trimming needed from the storm damage and regular maintenance to complete.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Change Order with LawnPro in an amount not to exceed \$12,000 for the tree trimming contract, for a total contract amount of \$78,000.

COUNCIL ACTION FORM

SUBJECT: CYRIDE INTERMODAL FACILITY CHANGE ORDER #55

BACKGROUND:

In accordance with City's purchasing policies, staff must seek City Council approval for "change orders increasing or decreasing the contract in an amount in excess of the lesser of \$50,000 or 20% of the original contract amount...." To date, add and deduct change orders on the Ames Intermodal Facility construction project total \$557,829 (including the addition of the Arboretum trail at \$304,906). With numerous change orders required to complete construction of the Intermodal Facility project, the attached history details these contract modifications.

The Weitz Company is requesting a \$1,899.92 **add** change order, #55, to include fire extinguisher cabinets in the parking ramp per City Code. City Council action on this Change Order is requested at this time. If approved, this change order would bring the total contract amount with Weitz Company to \$7,705,689.29.

The Transit Board of Trustees reviewed and approved this change order at its August 20, 2012 meeting.

ALTERNATIVES:

1. Approve Change Order #55 to Weitz Company for an additional amount of \$1,899.92 for fire extinguisher cabinets in the Intermodal Facility parking ramp.
2. Do not approve Change Order #55 for fire extinguisher cabinets.

MANAGER'S RECOMMENDED ACTION:

The inclusion of fire extinguisher cabinets is a life safety issue and is required by the City of Ames' adopted Building Code. Originally this equipment was to be purchased by the City/CyRide and installed by the Contractor. However, it was determined by the project team that it could be completed more expeditiously if the contractor **purchased and installed** the equipment.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Ames Intermodal Facility Change Order #55 with Weitz Company in the amount of \$1,899.92 for fire extinguisher cabinets.

Ames Intermodal Facility Change Order History

- **Change Orders #1- #9** – Approved by city staff administratively during the fall of 2011 totaling \$30,794.
- **Change Order #10** – Approved by the City Council on July 26, 2011 for \$42,289, change order was later reduced to \$41,385.
- **Change Order #11** – Approved by city staff administratively in October 2011 totaling \$7,467.
- **Change Order #12** – Approved by City Council on November 1, 2011 in the amount of \$52,103.
- **Change Orders 13, #14 and #16** – Approved by city staff administratively in January- February 2012 for a deduct amount totaling -\$15,708.
- **Change Order #15** – Approved by the City Council on February 28, 2012 in the deduct amount of -\$9,200.
- **Change Orders #17- #24** – Approved administratively by city staff in March 2012 in the amount of \$40,015.
- **Change Order #25** – Approved by City Council on March 27, 2012 in the amount of \$2,500.
- **Change Orders #26 - #36** – Approved by city staff administratively in March/April 2012 totaling \$23,420.
- **Change Order #37** – Approved by City Council on May 22, 2012 in the amount of \$53,000.
- **Change Orders #38 - #42** - Approved by city staff administratively in late May and June 2012 totaling \$28,982.
- **Change Order #44** - Approved by City Council on June 26, 2012 in the amount of \$304,906.
- **Change Orders #43 and 45 – 54** - Approved administratively by city staff in August 2012 in the amount of \$49,123.

COUNCIL ACTION FORM

SUBJECT: **SOUTH 4TH STREET WATER MAIN REPAIR**

BACKGROUND:

During the 2010 flood, a 12" water main was damaged under Squaw Creek just north of S. 4th Street. Since that time, staff has worked with Stanley Consultants in coordinating with the Federal Emergency Management Agency (FEMA) to determine the best option for repair to make sure a major failure would not reoccur. FEMA recommended that the water main be repaired under Squaw Creek; however, the City requested an alternate project that would allow for replacement of the water main and some minor stabilization.

FEMA ultimately approved the alternative project, which means they contribute 85% of the original scope of work, up to **\$140,411.50**. Any costs over that amount need to be paid 100% by the City. The matching funds for the City's 15% totaling **\$26,900** are included in the FY 2011/12 operating budget. Internal staff time for inspection and administration costs of the project are also be eligible for reimbursement.

On April 24, 2012, City Council awarded the project to Synergy Contracting LLC of Bondurant, Iowa, in the amount of \$126,255.00. Construction was completed in the amount of \$133,921.00. Engineering costs to Stanley Consultants was \$29,100 which included a study for the replacement and design costs. Construction inspection and administration costs were \$2,800 bringing overall project costs to \$165,821. To fund these costs **\$140,411.50 will come from FEMA and \$25,409.50 will come from monies budgeted for this project in the Water Utility Fund.**

ALTERNATIVES:

1. Accept the S. 4th Water Main Repair project as completed by Synergy Contracting LLC of Bondurant, Iowa, in the amount of \$133,921.00.
2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

It has taken a great deal of effort to persuade FEMA to approve a project that staff and our consulting engineers feel will adequately safeguard this river crossing. The project has now been completed in accordance with the approved plans and specifications.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 thereby accepting the S. 4th Water Main Repair project as completed by Synergy Contracting LLC of Bondurant, Iowa, in the amount of \$133,921.00.

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY PARCEL A AND PARCEL B, AMES COMMUNITY INDUSTRIAL PARK SECOND ADDITION

BACKGROUND:

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

- ☐ Conveyance parcel (per Section 23.307)
- ☒ Boundary line adjustment (per Section 23.309)
- ☐ Re-plat to correct error (per Section 23.310)
- ☐ Auditor's plat (per Code of Iowa Section 354.15)
- ☐ Allowance for a one-time split in existing subdivision (per Section 23.308)

The subject site is located at:

Street Address: 224 and 236 S. Bell Avenue (See attached location map.)

Assessor's Parcel #: 1007125060 and 1007125050

Legal Description: Lot 1 and Lot 2, Ames Community Industrial Park, Second Addition

Owner: Murphy Farms, Inc. and United Suppliers, Inc.

A copy of the proposed plat of survey is attached for Council consideration. **This Plat of Survey allows the transfer of the east 403.50 feet of the Murphy Farms land to United Suppliers. United Suppliers recently received approval for an expansion to double the size of their building.**

Pursuant to Section 23.308(4)(c), a preliminary decision of approval for the proposed plat or survey has been rendered by the Planning & Housing Department, without conditions.

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

- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.

- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Under Section 23.307(5), the Council shall render by resolution a final decision of approval if the Council agrees with the Planning & Housing Director's preliminary decision.

ALTERNATIVES:

1. The City Council can adopt the resolution approving the proposed plat of survey if the Council agrees with the Planning & Housing Director's preliminary decision.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.307 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

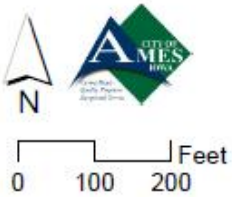
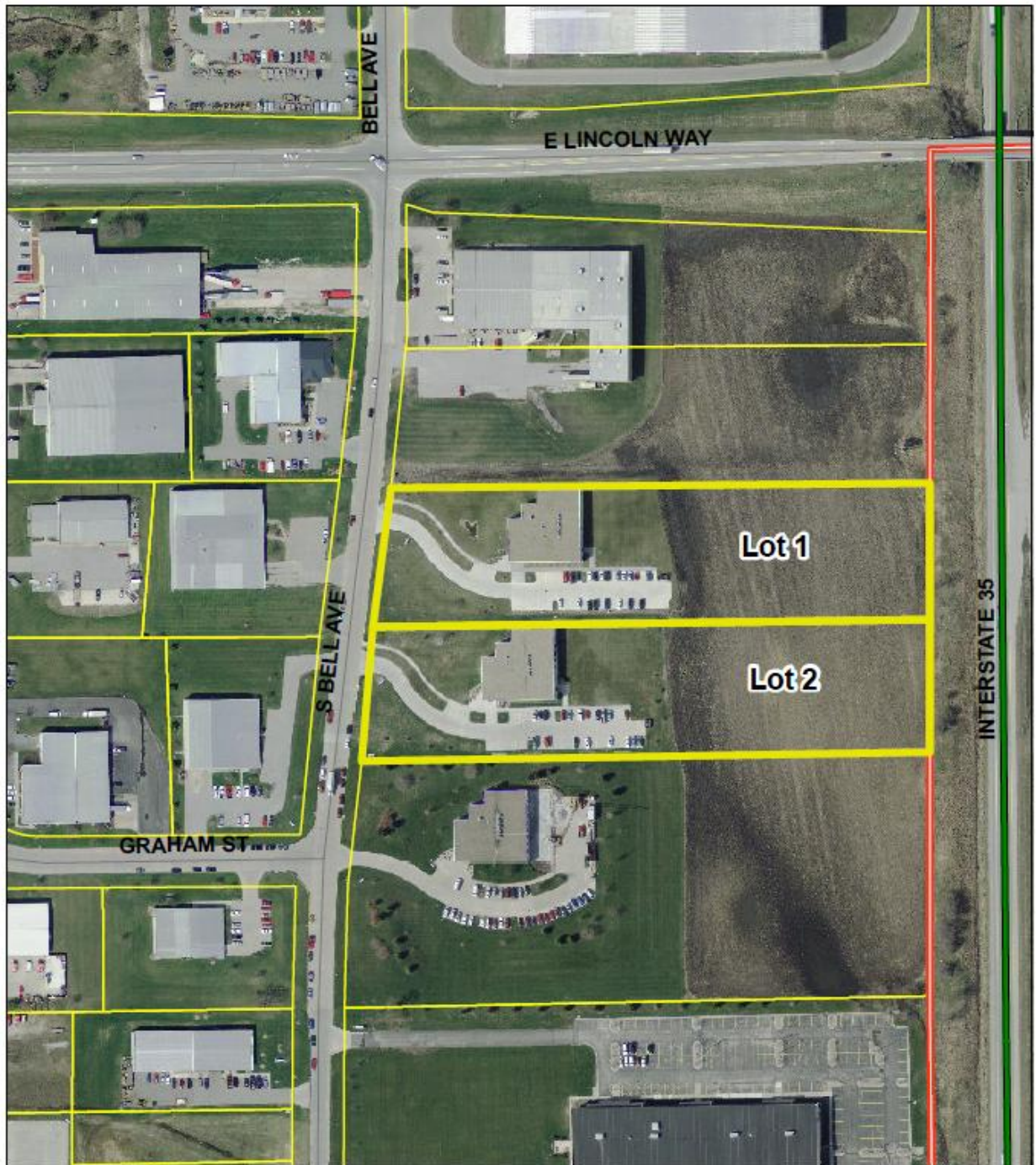
MANAGER'S RECOMMENDED ACTION:

The Planning & Housing Director has determined that the proposed plat of survey satisfies all code requirements, and has accordingly rendered a preliminary decision to approve the proposed plat of survey.

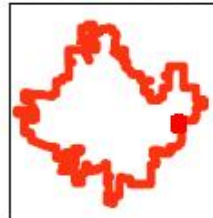
Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to adopt the resolution approving the proposed plat of survey. Approval of the resolution will allow the applicant to prepare the official plat of survey incorporating all conditions of approval specified in the resolution. It will further allow the prepared plat of survey to be reviewed and signed by the Planning & Housing Director confirming that it fully conforms to City Council approval. Once signed by the Planning & Housing Director, the prepared plat of survey may then be signed by the surveyor, making it the official plat of survey, which may then be recorded in the office of the County Recorder.

It should be noted that according to Section 23.307(10), the official plat of survey will not be recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office, and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

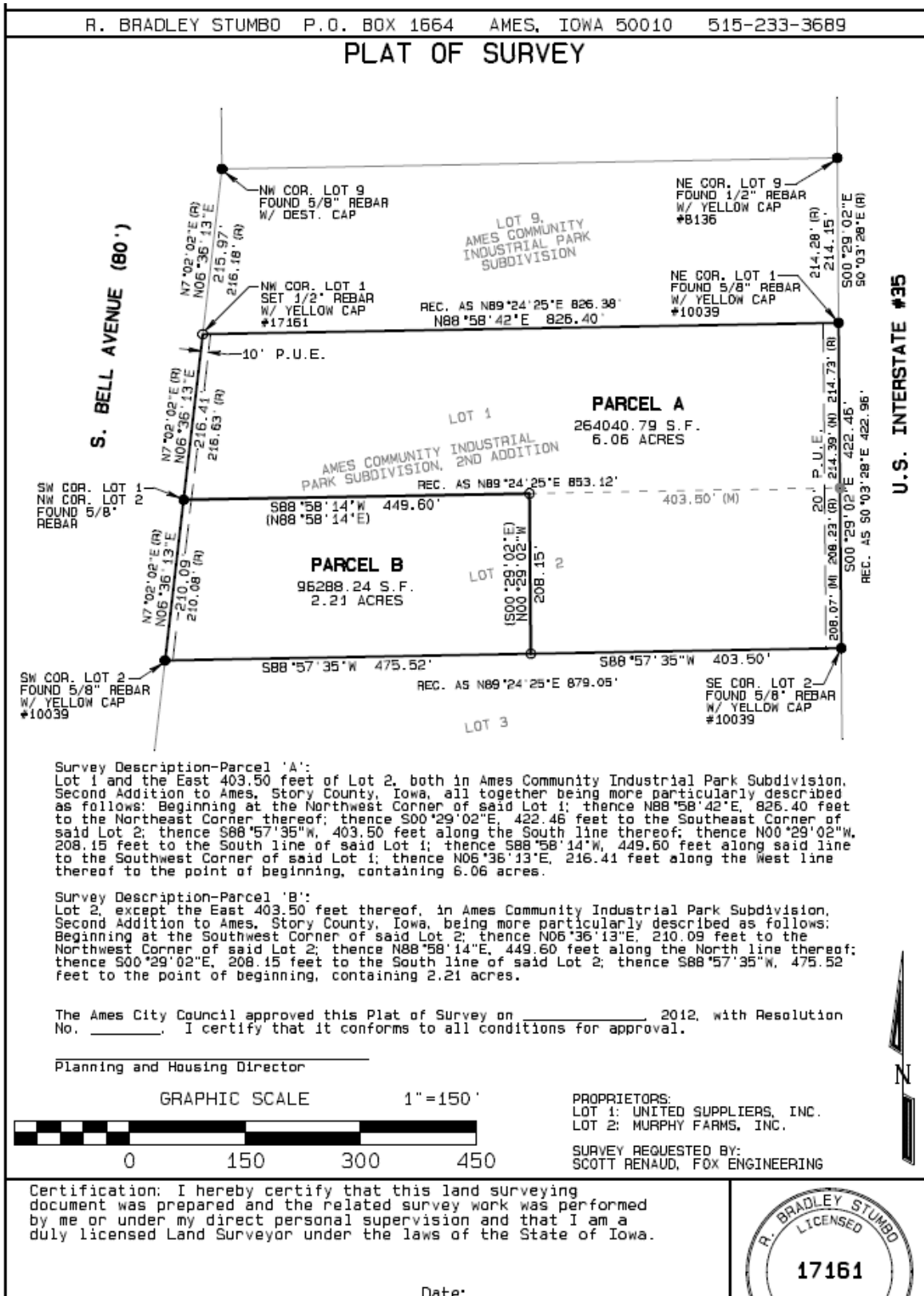
Attachment A



Location Map



Attachment B



COUNCIL ACTION FORM

SUBJECT: **MINOR FINAL PLAT FOR RASMUSSEN GROUP SUBDIVISION,
FIRST ADDITION**

BACKGROUND:

The Rasmussen Group is proposing to subdivide an industrial property in Boone County at the intersection of Lincoln Way (230th Street in Boone County) and X Avenue. A location map is included as Attachment A. The proposal is to create three lots, two of which are buildable and one of which is likely to be incorporated into an existing lot. The proposed plat is included as Attachment B.

On July 10, 2012, the City Council waived Division IV Design and Improvement Standards of the Ames Subdivision Regulations for this proposed subdivision. This waiver allowed the owner to prepare a minor subdivision plat for later approval by the Ames City Council prior to recording the plat and selling lots.

As noted in the report given to the City Council at the time of the waiver request, the Ames Urban Fringe Plan identifies the future land use for this area as Highway Oriented Commercial. Neither the Ames Urban Fringe Plan nor the Ames Land Use Policy Plan identifies this corridor as a community entry. In summary, the Plan anticipates that Highway Oriented Commercial land uses will develop outside of the City, preferably in clusters, and that public improvements may be required depending on the location, anticipated traffic, intensity, and type of use and other factors.

The development that has occurred in this area is mostly industrial, consistent with the Boone County zoning map. Boone County has already approved Limited Industrial Zoning for the Rasmussen property. Again as noted on the July report, Boone County property owners have been making plans for the use and development of their property based on the current zoning designation by Boone County and by past practices of the City for similarly situated land. Although Boone County is not a signatory to the 28E Implementation Agreement that Ames has with Gilbert and Story County, one aspect of that agreement is to give deference to the rural zoning already in place, even if it is not consistent with the Ames Urban Fringe Plan.

In considering this request, the City Council is asked to determine compliance with the applicable law found in Attachment C. Analysis of the proposed subdivision plat by City staff has found compliance with all applicable subdivision standards.

ALTERNATIVES:

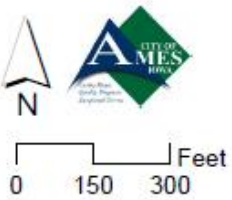
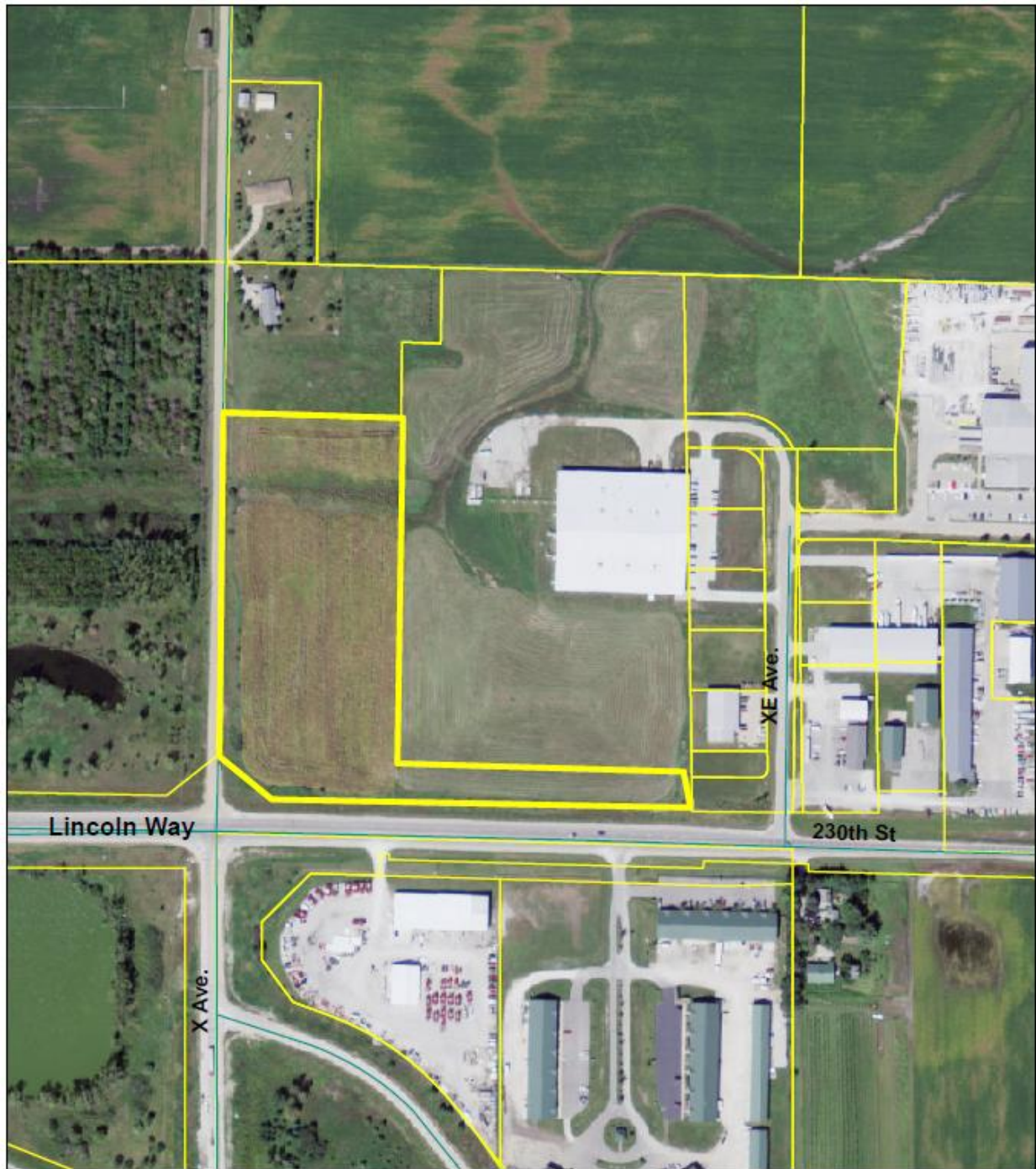
1. The City Council can approve the Minor Final Plat known as Rasmussen Group Subdivision, First Addition.
2. The City Council can deny the Minor Final Plat known as Rasmussen Group Subdivision, First Addition, if it determines that the proposed subdivision does not conform to adopted standards and regulations.
3. The City Council can refer this back to staff and/or the property owner for additional information.

MANAGER'S RECOMMENDED ACTION:

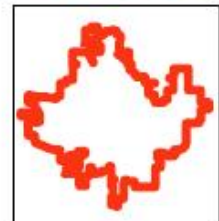
City staff has evaluated the proposed final subdivision plat and concluded that the proposal is consistent with the waiver granted by the City Council in July, allowing the owner to submit a minor final plat. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1.

Approval of the resolution will allow the Final Plat for Rasmussen Group Subdivision, First Addition and accompanying documents to be placed before the Boone County Supervisors for action and, if approved, to be recorded in the office of the Boone County Recorder.

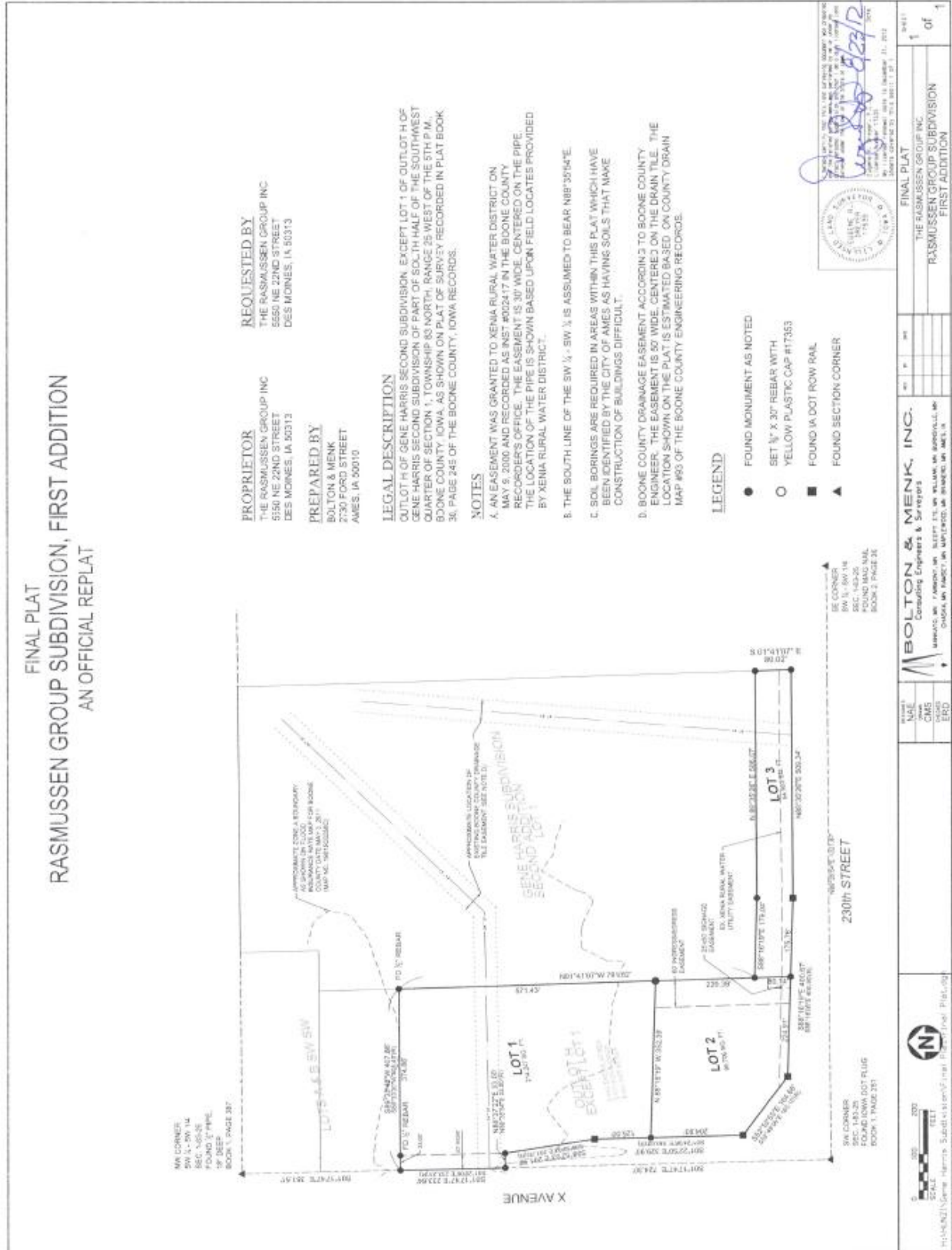
ATTACHMENT A



Location Map



ATTACHMENT B



ATTACHMENT C
Applicable Law

The laws applicable to this case file are as follows:

Code of Iowa Chapter 354.8 states in part:

“A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.”

Ames Municipal Code Section 23.303(3) states:

(3) City Council Action on Final Plat for Minor Subdivision:

- (a) “All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the *Iowa Code*, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.”
- (b) “Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities or services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.”

Ames *Municipal Code* Section 23.303(4) states:

- (4) “Effect of City Council Action on Minor Subdivision: Following such examination, and within 60 days of the applicant’s filing of the complete Application for Final Plat approval of a Minor Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat approval of a Minor Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.”

COUNCIL ACTION FORM

SUBJECT: **FOUNTAINVIEW SUBDIVISION, SECOND AND THIRD ADDITIONS
MINOR SUBDIVISION FINAL PLAT**

BACKGROUND:

Dickson Jensen of The Ridge at Fountainview, LLC is requesting approval of two final plats dividing existing parcels in the Fountainview Subdivision. The Final Plat for the Second Addition divides Parcel B into two lots. The Final Plat for the Third Addition divides Parcel C into three lots. Attachment 1 shows the subject site in its current configuration. The total area of both subdivisions is 9.8 acres. A copy of the plat is included as Attachment 2.

All of the property is zoned Residential High Density (RH). Site plans have been submitted for eight apartment buildings with a total of 204 units. The site is located in a larger area with similar zoning and uses and represents the only remaining undeveloped properties. A platted open space of 2.5 acres is east of these properties.

Full utilities exist to serve this site, so no public improvements are needed. These two plats provide an easement across the front of these lots for private utility service connections from the existing public utilities to the apartment buildings. The plats also provide storm water flowage easements to accommodate surface flow in swales to collection points, in addition to the existing storm water flowage easement on the west end of the property. Stormwater throughout the Fountainview Subdivision is collected and conveyed to a central detention area, a pond which is an amenity in the neighborhood.

The sidewalk and street trees along the south side of Maricopa that were approved with the Preliminary Plat will be completed with development of each lot in these Plats. The Agreement specifically ties completion of the sidewalk along existing Outlot E to the development of Lot 1 of the Second Addition. The proposed Final Plats comply with the approved Preliminary Plat and all conditions of approval of the Preliminary Plat have been met previously.

The City Council is asked to determine compliance with the applicable law found in Attachment 3. Analysis of the proposed subdivision plat demonstrates compliance with zoning and subdivision standards.

Based upon the analysis of City staff, the City Council may conclude that both Final Plats conform to relevant and applicable design and improvement standards of the Ames *Municipal Code* Chapter 23 (Subdivisions), to other City ordinances and standards, to the City's Land Use Policy Plan, and to the City's

other duly adopted plans.

ALTERNATIVES:

The City Council must act separately on each Final Plat.

1. The City Council can approve the Final Plat for Fountainview Second Addition and approve the Final Plat for Fountainview Third Addition.
2. The City Council can deny the Final Plat for Fountainview Second Addition and deny the Final Plat for Fountainview Third Addition..
3. The City Council can refer this request back to staff or the applicant for additional information to be returned not later than the City Council meeting of September 25, 2012.

MANAGER'S RECOMMENDED ACTION:

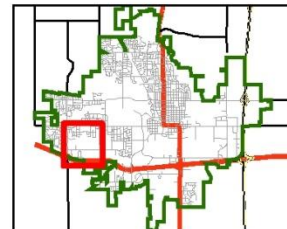
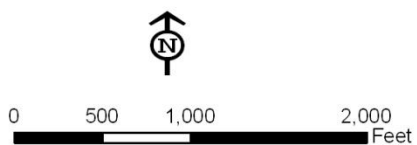
The proposed Minor Final Plats for Fountainview Second and Third Additions are consistent with the existing zoning, as well as the subdivision and zoning regulations. The proposed plats would allow the completion of the development of the Fountainview area according to the City Council's land use policies.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the Final Plat for Fountainview Second Addition and approving the Final Plat for Fountainview Third Addition.

ATTACHMENT 1: GENERAL LOCATION



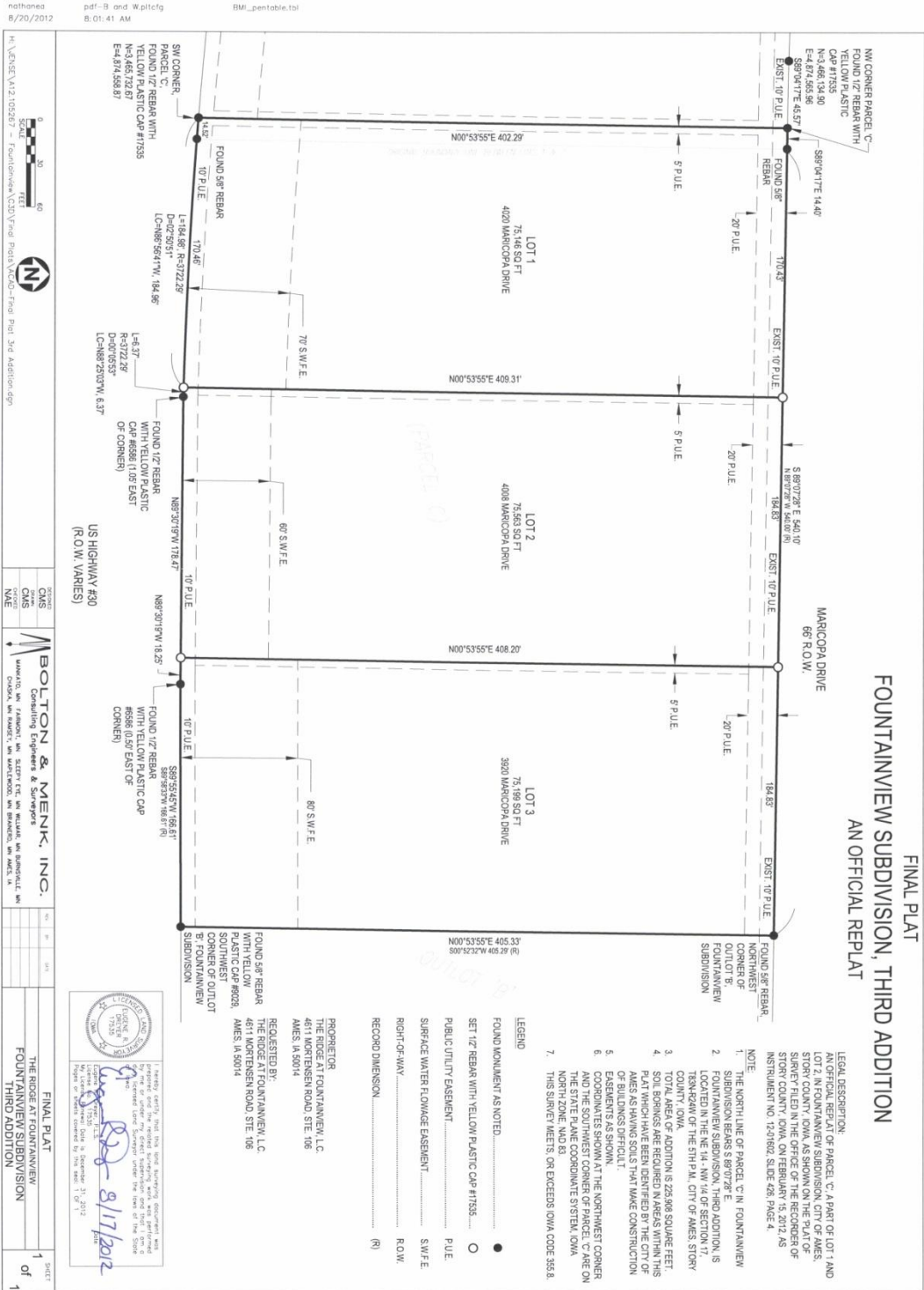
Location Map
Fountainview 2nd & 3rd Additions



4



ATTACHMENT 2: FINAL PLAT



ATTACHMENT 3: APPLICABLE LAW

The laws applicable to this case file are as follows:

Code of Iowa, Chapter 354.8 states in part:

A proposed subdivision plat lying within the jurisdiction of a governing body shall be submitted to that governing body for review and approval prior to recording. Governing bodies shall apply reasonable standards and conditions in accordance with applicable statutes and ordinances for the review and approval of subdivisions. The governing body, within sixty days of application for final approval of the subdivision plat, shall determine whether the subdivision conforms to its comprehensive plan and shall give consideration to the possible burden on public improvements and to a balance of interests between the proprietor, future purchasers, and the public interest in the subdivision when reviewing the proposed subdivision and when requiring the installation of public improvements in conjunction with approval of a subdivision. The governing body shall not issue final approval of a subdivision plat unless the subdivision plat conforms to sections 354.6, 354.11, and 355.8.

Ames Municipal Code Section 23.303(3) states as follows:

(3) City Council Action on Final Plat for Minor Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with Section 354.8 of the Iowa Code, as amended or superseded. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans. If the City Council determines that the proposed subdivision will require the installation or upgrade of any public improvements to provide adequate facilities and services to any lot in the proposed subdivision or to maintain adequate facilities and services to any other lot, parcel or tract, the City Council shall deny the Application for Final Plat Approval of a Minor Subdivision and require the Applicant to file a Preliminary Plat for Major Subdivision.

COUNCIL ACTION FORM

SUBJECT: ENCROACHMENT PERMIT FOR SIGN AT 122 WELCH AVENUE

BACKGROUND:

The business at 122 Welch Avenue, Portobello Road, has requested an encroachment permit to allow a sign to occupy City right-of-way.

The proposed sign totals 3.75 square feet, and should not impair the operation of the road way.

The requirements of Section 22.3 of the Municipal Code have been met with the submittal of a hold-harmless agreement signed by the property owner and the applicant, and a certificate of liability insurance coverage which protects the City in case of an accident. The fee for this permit was calculated at \$25, and the full amount has been received by the City Clerk's Office.

ALTERNATIVES:

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

MANAGER'S RECOMMENDED ACTION:

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

Applicant

Name of Applicant: ICCY LLC

Name of Business (DBA): Tienda Mexicana Rosita

Address of Premises: 118 S Sherman Av Suite 102

City: Ames County: Story Zip: 50010

Business Phone: (515) 233-5041

Mailing Address: 4615

City: Ames State: IA Zip: 50014

Contact Person

Name: Isabel C Izquierdo

Phone: (515) 291-5541 Email Address: aychabuca@hotmail.com

Classification: Class C Beer Permit (BC)

Term: 12 months

Effective Date: 09/01/2012

Expiration Date: 08/31/2013

Privileges:

Class C Beer Permit (BC)
Sunday Sales

Status of Business

BusinessType: Limited Liability Company

Corporate ID Number: 440688 Federal Employer ID # 460697333

Ownership

Isabel C Izquierdo

First Name: Isabel C

Last Name: Izquierdo

City: Ames

State: Iowa

Zip: 50014

Position President

% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

Insurance Company:

Policy Effective Date: Policy Expiration Date:

Bond Effective Continuously: Dram Cancel Date:

Outdoor Service Effective Date: Outdoor Service Expiration Date:

Temp Transfer Effective Date: Temp Transfer Expiration Date:

License Application ()

19a

Applicant

Name of Applicant: LJPS, Inc

Name of Business (DBA): Olde Main Brewing Co

Address of Premises: ISU Alumni Center, 420 Beach Ave, Second Floor

City: Ames

County: Story

Zip: 50010

Business Phone: (515) 232-0553

Mailing Address: 316 Main St

City: Ames

State: IA

Zip: 50010

Contact Person

Name: Jamie Courtney

Phone: (515) 291-8346

Email Address: jcourtney@oldemainbrewing.com

Classification: Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 08/29/2012

Expiration Date: 09/02/2012

Privileges:

Special Class C Liquor License (BW) (Beer/Wine)

Sunday Sales

Status of Business

BusinessType: Privately Held Corporation

Corporate ID Number: 286196

Federal Employer ID # 770613629

Ownership

Len Griffen**First Name:** Len**Last Name:** Griffen**City:** Potomac**State:** Maryland**Zip:** 24854**Position** Vice President**% of Ownership** 25.00 %**U.S. Citizen****Scott Griffen****First Name:** Scott**Last Name:** Griffen**City:** Ames**State:** Iowa**Zip:** 50010**Position** President**% of Ownership** 50.00 %**U.S. Citizen****Sue Griffen****First Name:** Sue**Last Name:** Griffen**City:** Potomac**State:** Maryland**Zip:** 24854**Position** Treasure**% of Ownership** 25.00 %**U.S. Citizen*****Insurance Company Information*****Insurance Company:** Founders Insurance Company**Policy Effective Date:****Policy Expiration Date:****Bond Effective Continuously:****Dram Cancel Date:****Outdoor Service Effective Date:****Outdoor Service Expiration Date:****Temp Transfer Effective Date:****Temp Transfer Expiration Date:**

Applicant

Name of Applicant: LJPS, Inc

Name of Business (DBA): Olde Main Brewing Co

Address of Premises: ISU Alumni Center, 420 Beach Ave. Second Floor

City: Ames County: Story Zip: 50010

Business Phone: (515) 232-0553

Mailing Address: 316 Main St

City: Ames State: IA Zip: 50010

Contact Person

Name: Jamie Courtney

Phone: (515) 291-8346 Email Address: jcourtney@oldemainbrewing.com

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

Term: 5 days

Effective Date: 09/08/2012

Expiration Date: 09/12/2012

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: Privately Held Corporation

Corporate ID Number: 286196 Federal Employer ID # 770613629

Ownership

Len Griffen**First Name:** Len**Last Name:** Griffen**City:** Potomac**State:** Maryland**Zip:** 24854**Position** Vice President**% of Ownership** 25.00 %**U.S. Citizen****Scott Griffen****First Name:** Scott**Last Name:** Griffen**City:** Ames**State:** Iowa**Zip:** 50010**Position** President**% of Ownership** 50.00 %**U.S. Citizen****Sue Griffen****First Name:** Sue**Last Name:** Griffen**City:** Potomac**State:** Maryland**Zip:** 24854**Position** Treasure**% of Ownership** 25.00 %**U.S. Citizen*****Insurance Company Information*****Insurance Company:** Founders Insurance Company**Policy Effective Date:****Policy Expiration Date:****Bond Effective Continuously:****Dram Cancel Date:****Outdoor Service Effective Date:****Outdoor Service Expiration Date:****Temp Transfer Effective Date:****Temp Transfer Expiration Date:**



Memo

Police Department

20

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Commander Geoff Huff – Ames Police Department

DATE: August 8, 2012

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
August 28, 2012

The Council agenda for August 28, 2012, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Club Element/Chasers/e, 2401 Chamberlain Street

As you are aware, Club Element was denied a liquor license renewal in October of 2011. They remained open on appeal. In the appeal, a settlement was reached where a six month license was granted with conditions in February 2012.

- (1) The Licensee agreed to suspension of its alcoholic beverage privileges under the license for a period of seven consecutive days, to commence at 6:00 a.m. on March 6th, 2012, and to continue until 6:00 a.m. on March 13, 2012.
- (2) That the Licensee agreed to maintain a level of compliance with all federal, state and local laws and ordinance that is acceptable to the Ames Police and which is consistent with the level of compliance that has been maintained from the period of mid-October 2011 to the present date; and
- (3) That Scott Davis shall pay all existing City of Ames parking fines and shall keep current on payment of any additional such fines.

To date, the suspension has taken place which satisfies condition (1). The suspension was served on dates specified by the City and voluntarily agreed to by the Licensee.

To date, there have been four minors cited for on premise on 1/22/2012, two on 4/22/2012 and 7/27/2012. I would consider this satisfying condition (2).

A check on 8/8/2012 found a total of \$115 in unpaid parking tickets owed the City of Ames, ranging from May through July. In order for Scott Davis to satisfy condition (3), he would need to pay those fines to “keep current on payment.”

The Police Department would recommend a 12 month license once condition (3) is satisfied. The Police Department will continue to monitor performance in this establishment.



Legal Department

515 Clark Avenue, P.O. Box 811
Ames, IA 50010
Phone: 515-239-5146
Fax: 515-239-5142

August 24, 2012

The Honorable Ann Campbell, Mayor,
and Members of the City Council
of the City of Ames, Iowa

Re: Application of Cy's Roost for a 6 Month Liquor Control License

Dear Mayor and Members of the City Council:

At the council meeting of August 14, you may recall that this establishment had applied for renewal of its liquor license. The staff recommended that a 6 month license be granted rather than a 12 month one, but you did not have an opportunity to address this with the owner directly when, through his misunderstanding of communications, he was not present at your meeting. You instead elected to deny any license.

In communications with the business owner since then, he is in agreement that a 6 month license should be issued and he has made application for that. However, it was also necessary to appeal the denial of the 12 month license because the business's current license is set to expire today (August 24). Filing the appeal stays the expiration and allows the business to operate until the new application is on a council agenda. If the newest application is granted, the appeal can be dropped as it will have served its purpose.

As to the issue before council at the present time, City staff is still recommending that a 6 month license be granted. I have attached Ames Police Commander Geoff Huff's report from the last meeting to refresh your recollection of the basis for the recommendation of a 6 month license, and it is my expectation that the owner will be present at the meeting to address you personally.

Sincerely,

Judy K. Parks
Assistant City Attorney

Attachment



Memo

Police Department

22

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Commander Geoff Huff – Ames Police Department

DATE: June 28, 2012

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
August 14, 2012

The Council agenda for August 14, 2012, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Cy's Roost, 121 Welch Avenue
(See Liquor License Criteria Form)

Case #	Date	Incident
12-012731	6/22/2012	2 males cited for on premise
12-011367	5/25/2012	female arrested On Premise, Possession Fake ID and Public Intoxication
12-007382	4/7/2012	female cited for on premise
12-007300	4/6/2012	Melvin Evans, Manager of Cys Roost arrested for Disorderly Conduct Christopher Ekuban, employee of Cys Roost arrested for Disorderly Conduct Both charged in July from the incident in April.
12-007299	4/6/2012	Over occupancy, 280-290, limit is 224
12-000866	1/13/2012	Over Occupancy, 287, limit is 224
11-024247	10/22/2011	Over Occupancy, at least 100 over limit, forward to fire inspector
11-023045	10/07/2011	female cited for on premise
11-022020	9/25/2011	female cited for on premise, had fake id in possession
11-021836	9/23/2011	female cited for on premise, had fake id in possession
11-021351	9/17/2011	female cited for on premise, had fake id in possession
11-020765	9/10/2011	male arrested for public intoxication and disorderly conduct after starting fight with bar staff
11-019942	9/2/2011	cited bar for serving intoxicated individual (compliance check, charges dropped)
11-019856	9/2/2011	Over occupancy, 322, limit 224

Based on the above information, the Police Department would recommend a 6 month license for Cy's Roost. See attached Liquor License Criteria Form for more information.

COUNCIL ACTION FORM

SUBJECT: AMES HIGH SCHOOL HOMECOMING REQUESTS

BACKGROUND:

Ames High School has requested to hold its Homecoming Parade on Monday, September 10, 2012. Parade entries will stage in Parking Lots MM and M and on Pearle and 5th Street. The parade will start on 5th Street and proceed east to Clark Avenue, south on Clark to Main, east on Main to Douglas Avenue, north on Douglas to 5th, and west on 5th back to City Hall. It will begin at 6:30 p.m. and last approximately 45 to 60 minutes. To help facilitate this event, the Homecoming Committee asks that the City Council approve of the following closures:

- Pearle Avenue, Main Street, Fifth Street, and portions of Douglas Avenue and Clark Avenue from 5:30 to approximately 7:30 p.m.
- City Parking Lot MM and the south half of Lot M at 5:30 p.m. for parade staging

City employees will be notified of the Lot M closure, and official vehicles still in the lot will be moved to the northern stalls. Barricades, staffed by adult volunteers, will be placed on streets along this route for traffic control purposes. Parade organizers are requesting a waiver of parking meter fees and enforcement along the parade route from 5:30 to 6:00 p.m. Lost revenue to the Parking Fund would equate to approximately \$50.

Permission to display fireworks during half time of the football game on September 14 (at approximately 9:15 p.m.) at Ames High Stadium and a waiver of the Fireworks Permit fee in the amount of \$25 have also been requested.

After the parade has concluded, a pep rally will be held at Bandshell Park. Parent volunteers will help to make sure that the participants cross Duff Avenue safely, but no police or signal alterations are being requested. The Main Street Cultural District has been informed of the parade and supports the activity again this year. A Noise Permit will be issued for the pep rally activities.

City staff is also requesting that the Council grant a waiver of parking meter fees and enforcement from 5:00 to 6:00 p.m. on September 10 in Lot N, east of City Hall. There are a number of heavily-attended classes in the Community Center on Monday evenings, and attendees normally park in Lot M or in metered spaces on 5th Street. Staff would like to provide free parking in Lot N for those who are displaced by parade closures. The estimated loss of revenue to the Parking Fund would likely be less than \$10.

ALTERNATIVES:

1. The City Council can approve the requests from the Ames High Homecoming Committee for 1) Lost revenue to the Parking Fund would equate to approximately \$50. parking lot and street closures and waiver of parking meter fees in connection with the parade to be held on September 10, 2012; 2) a fireworks display on September 14, 2012; 3) a waiver of the Fireworks Permit fee; and 4) a waiver of meter fees and enforcement in Lot N from 5:00 to 6:00 p.m. on September 10.
2. The City Council can deny any or all of the four requests listed above.

MANAGER'S RECOMMENDED ACTION:

The Ames High Homecoming Parade is a long-standing Ames tradition in the Main Street Cultural District and has the support of the Main Street Cultural District. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests from the Ames High Homecoming Committee as listed in Alternative #1.



August 24, 2012

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

Dear Mayor Campbell and City Council,

The Main Street Cultural District (MSCD) endorses and welcomes of the Ames High School Homecoming Parade on September 10, 2012. MSCD fully supports this event and recommends council approval be granted. Thank you for your continued support of downtown Ames.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Drenthe".

Tom Drenthe
Executive Director

Cc: Jeff Benson

COUNCIL ACTION FORM

SUBJECT: AMENDMENT TO ASSET POLICIES AND PROCEDURES FOR REPORTING FROM STORY COUNTY DECATEGORIZATION AND EARLY CHILDHOOD IOWA BOARDS

BACKGROUND:

The ASSET Board routinely meets with representatives of the Story County Decategorization Board (Decat) and Story County Empowerment Board. Decat and Empowerment provide planning and coordination of human services related to children up to age five. Historically, ASSET has received annual reports and plans, priorities, and other information from Decat and the Story County Empowerment Board. ASSET meetings have a standing agenda item to receive these updates.

On July 1, 2012, the Story Empowerment/Early Child Development board merged with the Boone Empowerment/Early Childhood Development board to form “BooSt Together for Children”. Since the ASSET Policies and Procedures outline the relationship between ASSET and Decat/Empowerment, this document must be amended to reflect the change. The Council should also note that Decat and Empowerment will now provide quarterly updates rather than updates at each ASSET meeting.

The ASSET volunteers met on August 16 and approved a motion recommending that the funders adopt this modification to the Policies and Procedures.

ALTERNATIVES:

1. Approve the revised Addendum A to the ASSET Policies and Procedures as shown below.
2. Do not approve the revision to the ASSET policies and Procedures.

MANAGER’S RECOMMENDED ACTION:

A majority of the ASSET funders must approve this change for it to take effect. The change reflects the new relationship between the Story and Boone Empowerment Boards.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the revised Addendum A to the ASSET Policies and Procedures.

ADDENDUM A
STORY COUNTY DECATEGORIZATION / EARLY CHILDHOOD IOWA AREA
BOARDS

The Story County Decategorization Board and the BooSt Together for Children (Boone and Story Counties) Early Childhood Iowa (ECI) Area Board will provide ASSET with quarterly reports to update funders and community stakeholders.

COUNCIL ACTION FORM

SUBJECT: 2012/13 ASSET CONTRACT FOR HEARTLAND SENIOR SERVICES

BACKGROUND:

Heartland Senior Services receives funds through the ASSET process. In 2012, Heartland began an extensive analysis of its costs to conduct programs. In previous years, the agency had asked for small percentage increases from ASSET, not realizing that these increases did not keep pace with actual costs. In addition, deficits in programs were zeroed out at the end of each year, causing the agency to believe that the ASSET allocations were sufficient for program costs, when in reality the programs were eroding Heartland's fund balances each year.

During the 2012/13 ASSET allocation process, Heartland attempted to correct for this, and its budget included large shifts in requests from funders in Adult Day Care and significant increases in costs for the Nutrition and Transportation programs. At the time, the figures provided by Heartland for its 2012/13 ASSET budget were inconsistent with the actual costs listed in its 2011/12 audit. Due to these concerns, the ASSET Funders set aside funds for the various programs operated by Heartland in amounts that the volunteers felt would be appropriate to conduct those activities, but did not support awarding those funds to Heartland until Heartland's true financial picture was defined.

In the time since ASSET allocations, ASSET staff has had several conversations with Heartland about the future of its operations. Heartland chose to return its transportation program to HIRTA. Heartland had been the local contract provider to the Heart of Iowa Regional Transit Agency (HIRTA), which holds the 28E Intergovernmental Agreement with the Iowa Department of Transportation's Region 11 to provide public transit services. This has allowed Heartland to focus on its core programs, such as Nutrition, and has reduced overhead costs to the agency. Heartland has conducted a comprehensive audit of its Nutrition program which has helped it more accurately quantify its costs. The agency has enrolled in the Iowa Food Bank, closed poorly-attended congregate meal sites, and received newer donated equipment to prepare meals. Heartland has also begun charging fees for several programs that were previously free.

In light of these changes, this summer ASSET staff requested that Heartland submit new 2012/13 budget forms. The revised budget indicated that Heartland would operate within the amounts set aside by each of the ASSET funders. However, it indicated a significant increase in self-generated revenues for several programs. In a meeting with ASSET staff, Heartland indicated that the self-generated revenue goals will be achievable, and ASSET staff will be updated on progress towards this at a mid-year review in January.

Staff is now prepared to bring a 2012/13 ASSET funding contract with Heartland to the City Council for approval. Council should note that this fiscal year is already underway. The contract has been written to allow Heartland to request reimbursement for expenses incurred back to the beginning of the fiscal year.

Service	Amount	Change from 11/12
Adult Day Care	\$45,452	+18.4%
Congregate Meals	\$22,266	+9.1%*
Service Coordinator Outreach	\$32,559	+13.2%
Service Coordination – Friendly Visitor	\$6,171	-3.5%
Activity and Resource Center	\$32,500	+3.0%
TOTAL	\$138,948	+10.3%

*2011/12 includes \$5,990.47 in supplemental funds awarded in June

Council may recall that Heartland received supplemental funds for the meals program in June to address a budget shortfall. Staff cautioned that it would not recommend awarding supplemental funding in the future. City staff, ASSET volunteers, and Heartland staff are in agreement that the funding amounts identified for 2012/13 should be sufficient to conduct Heartland's programs.

ALTERNATIVES:

1. Approve a human service agency funding contract with Heartland Senior Services for 2012/13 in an amount not to exceed \$138,948.
2. Do not approve the contract.

MANAGER'S RECOMMENDED ACTION:

Heartland has worked diligently over the past year to address the budget concerns raised by ASSET. Heartland has made difficult program cuts and raised revenues to keep its core programs going. Staff is more confident now that Heartland has an accurate accounting of the costs for its meals programs. Heartland also has developed contingency plans in the event that budget issues arise in the future.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a funding contract with Heartland Senior Services for 2012/13 in an amount not to exceed \$138,948.

CONTRACT FOR HUMAN SERVICES

THIS AGREEMENT, made and entered into the ___ day of _____, 2012, by and between the **CITY OF AMES, IOWA**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called "City") and **Heartland Senior Services** (a nonprofit corporation organized and existing pursuant to the laws of the State of Iowa and hereinafter called "Provider");

WITNESSETH THAT:

WHEREAS, the City of Ames has, by its City Council acting in open and regular session, determined that certain services and facilities to be provided to the City of Ames and its citizens by Provider, such services and facilities being hereinafter described and set out, should be purchased in accordance with the terms of a written agreement as hereinafter set out, in accordance with all applicable Federal, State, and Local laws or regulations;

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

I PURPOSE

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

II SCOPE OF SERVICES

Provider shall provide the services and facilities to the City of Ames and its citizens as set out in the Provider's 2012/2013 ASSET proposal, and service components provided in Attachment B. This description shall be made a part of this Agreement. The programs or services must conform to the standardized definitions used by the Analysis of Social Services Evaluation Team (ASSET), and unit costs must be consistent between all ASSET funders.

The City will be contracting for services, not to exceed the following amounts:

SERVICE	AMOUNT
Daycare – Adults	\$45,452
Congregate Meals	22,266
Service Coordinator Outreach	32,559

Service Coordination - Friendly Visitor	6,171
Activity & Resource Center	32,500

III METHOD OF PAYMENT

A. All payments to be made by the City of Ames pursuant to this Agreement shall be reimbursement for actual costs incurred by Provider in providing services required by Section II above.

B. The City will disburse payment monthly on requisition of Provider. The initial disbursement may, if Provider so requests, be an advance on projected and estimated costs for the month to follow. If disbursements are made as an advance on estimated and projected costs, no subsequent disbursements shall be made until the provider submits complete and accurate documentation of actual costs for the previous disbursement period.

C. Requisitions for disbursement shall be made in such form and in accordance with such procedures as the Director of Finance for the City shall prescribe. Said form shall include but not be limited to an itemization of the nature and amount of costs for which reimbursement is requested, and must be filled out completely.

D. The maximum total amount payable by the City of Ames under this agreement is **\$138,948** as detailed in the SCOPE OF SERVICES (Part II of this contract), and no greater amount shall be paid.

E. All unobligated amounts disbursed to the Provider shall be repaid to the City as of the effective date of termination of this agreement. The Provider shall repay to the City any disbursed funds for which documentation of actual expenses is not provided.

F. The Provider shall requisition for funds on a monthly basis. If Provider wishes to request disbursement of funds on other than a monthly basis, the Provider must request in writing that an alternate disbursement period be adopted and approved by the Director of Finance for the City. Failure to request reimbursement in a timely manner shall be grounds for termination of this agreement.

IV FINANCIAL ACCOUNTING AND ADMINISTRATION

A. All monies disbursed under this Agreement shall be accounted for by the accrual method of accounting.

B. Monies disbursed to Provider by the City will be deposited by Provider in an account under the Provider's name, with a bank located in Story County, Iowa. All checks drawn on the said account shall bear a memorandum line on which the drawer shall note the nature of the costs for which the check is drawn in payment, and the program(s) of service.

C. All costs for which reimbursement is claimed shall be supported by documentation evidencing in proper detail the nature and propriety of the charges. The City-provided reimbursement form shall be completed and include the service name, the unit cost claimed for each service, and the client code where required. A client code shall be required for any service in which the individual has entered the program through a third party referral, intake process, personal application, or

emergency response. Exceptions shall include one-time educational sessions, confidential telephone counseling, or where the identity and residency of a person cannot be reasonably determined. The Provider may assign whatever client code it deems appropriate, as long as it can be used to verify the client's Ames or Story County residency and participation in City-subsidized programs of service and/or sliding fee scale. The reimbursement form shall also contain any reimbursement being received from any other source for services rendered to an Ames resident for whom the City is also being charged.

All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

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

E. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the use made of monies disbursed hereunder.

F. At any time during normal business hours, and as often as the City may deem necessary, there shall be made available to the City for examination all records with respect to all matters covered by this Agreement and Provider will permit the City to audit, examine, and make excerpts or transcripts from such records.

G. Monies provided under this agreement shall not be used as matching funds for a grant to fund activities in any county other than Story County.

V DURATION

This Agreement shall be in full force and effect from and after July 1, 2012, until June 30, 2013. The City Council may terminate this Agreement by giving written notice to the Provider at least sixty (60) days before the effective date of such termination. From and after the effective date of termination, no further disbursement under this Agreement shall be made by the City. Any money disbursed to the Provider and unencumbered or unspent as of the effective date of termination, shall be repaid to the City.

VI HIPAA

The City and Provider are committed to complying with any applicable HIPAA Privacy Provisions. Providers operating under HIPAA guidelines will be required to have a Personal

Health Information (PHI) release for each client which authorizes release of such information to the City. A copy of such agreement shall be provided to the City on request. A business associate agreement will be executed between the City and the provider regarding how PHI information will be provided to and used by the City.

VII 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 the 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 _____
Ann Campbell, Mayor

Diane Voss, City Clerk

Heartland Senior Services

Organization Address (*please print*):

BY _____
Authorized Representative

Print Name:

Phone Number:

COUNCIL ACTION FORM

SUBJECT: DESIGNATION OF HEART OF IOWA REGIONAL TRANSIT AGENCY (HIRTA) AS AN ASSET AGENCY

BACKGROUND:

The Heart of Iowa Regional Transit Agency (HIRTA) is a seven-county organization that provides regional transportation coordination and service. Regional transportation coordination is required under *Iowa Code* and is overseen by the Iowa DOT. Until July 2012, HIRTA had contracted with Heartland Senior Services to provide regional transit services in Story County. These services include transportation in unincorporated Story County and in the City of Ames, as well as a route from Ames to the University Hospitals in Iowa City. Heartland had received ASSET funds to assist in covering costs for these services.

Heartland and HIRTA mutually agreed to return the service to HIRTA's control beginning July 1, 2012. HIRTA has expressed a desire to be considered for funds in the ASSET process.

The ASSET Policies and Procedures (attached) require that an agency participating in the ASSET process must be a 501(c)(3) non-profit organization. HIRTA is incorporated under a 28E intergovernmental agreement, which makes it ineligible for participation in ASSET under the Policies and Procedures. In order to allow HIRTA to participate in ASSET, a majority of the ASSET funders must approve an exception.

It should be noted that Homeward, which is operated by Mary Greeley Medical Center, a public hospital, has previously been granted an exception by the ASSET funders to participate in the ASSET process. It should also be noted that, by approving this request for HIRTA, the Council is merely approving eligibility to participate in the ASSET process. This designation does not guarantee that an agency will receive funding through the ASSET process.

The ASSET volunteers met on August 16, 2012 and recommended approving HIRTA as an ASSET agency.

ALTERNATIVES:

1. Approve the application from the Heart of Iowa Regional Transit Agency to participate in the ASSET process.
2. Do not approve HIRTA's application to participate in the ASSET process.

MANAGER'S RECOMMENDED ACTION:

The City has supported enhanced regional transportation programs for several years, and transportation is one of the City's five ASSET priorities. **Approving HIRTA as an ASSET agency does not commit the City to fund the agency's programs in the future.**

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the application from the Heart of Iowa Regional Transit Agency to participate in the ASSET process.

CRITERIA FOR FUNDING ELIGIBILITY

Financial support through ASSET is open to **not-for-profit 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 program-by-program 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.
- 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 program 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.

To request consideration as an ASSET service provider, send six sets of the request, including the documentation listed above, to: ASSET, P. O. Box 1881, Ames, IA 50010

Application for ASSET Agency Participation

A. Agency General Information

1. Legal name of organization _____
Address _____
Telephone _____
2. Executive director _____
3. Date of incorporation _____ State of incorporation _____
Please attach letter of determination of tax-exempt status from Internal Revenue Service.
4. Tax Identification Number _____ Your Fiscal Year _____
5. Is organization 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
Please attach a list of members of the governing body including names, professional affiliation, addresses, places of business.
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 the organization have a membership program? _____
If so: Membership categories and dues _____
Membership benefits _____

B. Agency Service Information

1. Geographic area served _____
2. Types of services _____
3. What population do you serve? _____
Do you offer a sliding fee scale for your services? _____
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 the organization accredited? _____ If so, by whom? _____

For what length of time? _____

Describe organization and staff licensing and certification requirements: _____

D. Financial/Legal Information

- Please attach 6 copies of current budget and budget for coming fiscal year, including all sources of income.
- Please attach statement of assets and liabilities and statement of income and expenses. List all sources of funds for this budget.

E. ASSET Information

1. Please attached a complete description of the service(s) that you provide that you will be asking for funding from ASSET. _____

2. Using the Enclosed Service Code List, please list tell us which service code your service fits into. _____

ASSET
Agency Program Outline

Agency Name: _____

Date: _____

Program Name: _____

Service Code: _____

(This completed form should be limited to one page, front and back.)

1. Need for Service.

- a. What community problem is the service addressing?

- b. How do you determine community need?

- c. Who is being served?

- d. Please explain the coordinating efforts you do with another agency offering a similar service.

- e. Why is it appropriate to use ASSET funds for this service?

2. Service Availability.

- a. How do you determine who needs this service?

- b. Considering the locale of the service, how are transportation and/or building accessibility addressed?

3. Program Emphasis.

a. How does this service prevent, eliminate or reduce the problem? OR How does this service educate, rehabilitate or maintain a client?

4. Responsiveness to Need and Planning.

a. How is the agency responsive to changing community needs, client needs and advances in the area of service?

b. How does this affect long-range plans?

5. Board of Directors Involvement.

a. What role does the agency Board of Directors play in the agency? Advisory Board capacity, decision-making capacity, and/or policy-setting capacity?

6. Agency Administration. Please include a copy of the agency's Table of Organization.

a. What is the staff turnover rate? How does this affect services and how is it addressed?

7. Fiscal Management.

a. Identify other sources of income (i.e., client fees, grants, etc.) and how it is allocated to the service.

b. What is the agency plan to address the economic conditions in our community?

COUNCIL ACTION FORM

**SUBJECT: BACK BILLING FOR PREVIOUSLY UNMETERED ELECTRIC USAGE
AT GREEN HILLS**

BACKGROUND:

During work related to their expansion project in late 2011, it was discovered that there was an unmetered electrical connection to the Green Hills Retirement Community medical facility. This situation resulted in Green Hills receiving unmetered and unbilled electricity for a portion of their facility for an undetermined amount of time.

After a check of history and a conversation with Green Hills Director of Facilities, Matt Gibbs, it was determined this situation had existed for at least fifteen years, and possibly more. Electric Services personnel met with Rod Copple, Executive Director, and Mr. Gibbs to discuss the issue. It was determined that a temporary meter would be installed on the feeder in an attempt to determine how much electricity was unaccounted for on a monthly basis. After four months of data, staff was able to develop an estimate of how much electricity was used. Using this analysis, staff calculated an appropriate billing adjustment for five years service. This time period is in accordance with City Code provisions dealing with underbillings.

Electric usage for the first two months was significantly lower than the usage for the last two months. Staff believes that the higher usage during the last two months was the result of the most recent expansion project. Because of these disparate use patterns during the temporary metering period, two billing adjustment options have been developed by staff based on the City Code. These options are as follows:

1. For kWh: Use the average use per day for the **first two months of the monitored usage** to calculate the amount to be added to the metered usage to determine total usage for the billing period. With this method we would add 396 kWh for each day in the billing period to the metered usage to determine the total usage for the billing period.

For kW: Use the average of the first two months of monitored demand. With this method we would add 28.5 kW to the metered demand to calculate the total kW demand for the billing period.

The resulting billing adjustment for this option is \$55,695.48.

2. For kWh: Use the average use per day for **all four months of monitored usage** to calculate the amount to be added to the metered usage to determine the total usage for a billing period. With this method we would add

681 kWh for each day in the billing period to the metered usage to determine the total usage for the billing period.

For kW: Use the average first four months of monitored demand. With this method we would add 50.4 kW to the metered demand to calculate the total kW demand for the billing period.

The resulting billing adjustment for this option is \$96,651.52.

ALTERNATIVES:

1. Adjust the Green Hills Retirement Community bill by \$55,695.48, and work with the customer on an acceptable payment plan not to exceed 12 months in duration.
2. Adjust the Green Hills Retirement Community bill by \$96,651.52, and work with the customer on an acceptable payment plan not to exceed 12 months in duration.
3. Select alternatives #1 or #2 but increase the payback period to something greater than 12 months.
4. Forgive the unmetered billing amount.
5. Based on City code, the Council may deviate from the method used by staff to determine an alternative billing amount. Council could thus return this underbilling situation to staff for further analysis.

MANAGER'S RECOMMENDED ACTION:

It is unclear when changes were made to the metering cabinet which resulted in the unmetered and unbilled electricity being consumed by Green Hills. Nor can it be determined if those changes were done by accident or intentionally. Once discovered, however, City staff and Green Hills executives worked together to determine accurate usage today. That amount was then used to extrapolate a bill for past usage.

It appears that the first two months are the most representative measure of past usage, since it does not include electric load from the construction project. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby adjusting the Green Hills Retirement Community bill by an additional \$55,695.48 over the next 12 months.

COUNCIL ACTION FORM

**SUBJECT: SALE AND ISSUANCE OF ESSENTIAL CORPORATE PURPOSE
GENERAL OBLIGATION BONDS SERIES 2012 ISSUE IN AN AMOUNT
NOT TO EXCEED \$13,215,000**

BACKGROUND:

The 2012/13 budget included a number of General Obligation Bond funded capital improvement projects. In preparation to issue these bonds, all projects were reviewed and issuance amounts adjusted based on the timing of projects and current price estimates.

Projects to be funded by this issue include the following:

2012/2013 CIP G.O. Bond Issue:

Woodview Drive Water & Sewer Project (Assessment Project*)	\$ 357,000
Extension of Utilities North (Abated by Water and Sewer)	1,401,000
Flood Response & Mitigation Projects	820,000
Collector Street Pavement Improvements	850,000
Asphalt Street Reconstruction Program	928,000
CyRide Route Pavement Improvements	1,420,000
Arterial Street Pavement Improvements	219,000
Concrete Pavement Improvements	600,000
Downtown Street Improvements	950,000
Asphalt/Seal Coat Street Rehabilitation	620,500
Squaw Creek Bridge	400,000
	<hr/>
Subtotal Debt Issue	\$ 8,565,500
Library Expansion/Renovation (Approved by Referendum)	4,500,000
	<hr/>
Subtotal	\$ 13,065,500
Issuance Cost/Allowance for Sale at Premium	149,500
	<hr/>
Total Debt Issue	\$ 13,215,000

On the morning of August 28, 2012, the City will accept bids for the bonds per the terms of our offering statement. The bids will be evaluated by our financial advisor, Public Financial Management, by the City's bond counsel, and by City staff to recommend award to the bidder with the lowest cost. A report of bids will be provided to Council at the August 28th meeting. Council may then adopt a resolution accepting bids and authorizing that the sale of bonds be awarded to the chosen bidder.

ALTERNATIVES:

1. The City Council can adopt a resolution accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$13,215,000.
2. The Council can reject the bond sale resolution and delay the capital projects.

MANAGER'S RECOMMENDED ACTION:

Issuance of these bonds is necessary in order to accomplish the City's approved capital improvements during this fiscal year.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative No. 1, thereby adopting a resolution accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$13,215,000.

The City Council will remember that the proposed bond issue includes \$357,000 to fund the Woodview Subdivision infrastructure projects that are planned to be paid back from special assessment payments from benefitted property owners. Unfortunately, as of this date the Public Works staff is still in the process of securing signatures from Woodview Drive residents for the assessment agreement to install water and sewer. Out of the 11 property owners, six have signed the assessment agreement.

Staff is hopeful that all the signatures will be collected soon, since the property owners are eager to get the project underway. However, a single mortgage lender that has an interest in several properties did not want to be second in line if the property owner defaulted on their mortgage. The City Attorney's Office has been working with the lenders to assure them that this is a value add to the property.

However, given this situation there is some risk to the City if for some reason the remaining residents do not enter into the assessment agreement; since even though the project will not proceed, the City will have already sold bonds to fund the project. This will mean that the City will be obligated to pay for the portion of debt service related to the Woodview Drive project, even though property taxes were not assessed to those properties for this project. The anticipated cost to the City during FY 2012/13 would be \$34,800 paid from the debt service fund balance. Should that happen, this \$357,000 in bond proceeds could be used for other purposes specified on the bond prospectus (e.g., street projects). The City would then be able to reduce the planned FY 2013/14 bond sale to offset the debt that was issued for the Woodview Drive project but was not used for that purpose.

COUNCIL ACTION FORM

SUBJECT: APPROVAL OF FUNDING FOR UNANTICIPATED REPAIRS AT WATER POLLUTION CONTROL FACILITY

BACKGROUND:

The last several months have brought a handful of unanticipated repairs for the Water Pollution Control (WPC) Facility. These repairs were either unbudgeted or were budgeted at a lower level and have materialized after the Sewer Fund balance was reviewed and rates were established by Council in February 2012. The following unanticipated expenses cannot be covered through existing appropriations in the 2012/13 adopted budget:

- Raw water pumps at the facility were scheduled for replacement in FY 2012/13. When bids were opened, they exceeded the authorized budget. **On March 27, 2012, Council approved an additional \$78,000 from the available Sewer Fund balance to allow this project to proceed.**
- Repairs to Methane Engine-Generator No. 2 were authorized by Council on April 24, 2012. The estimate for the repairs is \$129,000. Council authorized a transfer of \$53,449 from the unspent contingency on the WPC Clarifier Painting Project, **with the remaining \$75,551 coming from the available Sanitary Sewer Fund balance.** Council will be asked to issue a notice to bidders later in this evening's agenda.
- Check valves for four of the six raw water pumps do not completely close, reducing the pumping capacity and electrical efficiency of the pumps. Replacement was included as a bid alternate in the pipe support replacement project, but accepting the bids for the check valves would exceed the adopted budget. **Replacement of the four check valves would require an additional \$67,800 be added to the budget for the pipe support project.** This project is included on this evening's agenda for award of bid.
- The diesel fuel storage tank was found to have a leak and must be replaced. Replacement is included in the current year CIP at \$140,000. The single bid received exceeded the engineer's estimate. **Proceeding with replacement of the diesel storage tank would require an additional \$85,000 to be added to the budget for the project.** This project is also included on this evening's agenda for award of bid.
- Three blowers are used to supply air to the solids contact units, a critical biological treatment process. One of the blowers has failed and been out of

service for a number of years. The other two blowers are still operable but are showing signs of eminent failure. **Staff is recommending that \$65,000 be authorized to begin the immediate development of plans and specifications to replace all three blowers.** Having the design completed now will allow us to respond immediately should a failure occur before a replacement can be programmed into a future year CIP.

Because of the dry weather this summer and the fact that sewer billing is tied to water usage, the revenues to the Sanitary Sewer Fund for FY 2011/12 were larger than had been estimated in the rate projections by approximately \$371,000.

After reviewing the priority needs of the WPC Facility, staff is recommending that Council authorize the following budget amendments, with the additional funds coming from the Sanitary Sewer Fund balance. This dollar amount will keep the increase in expenses in line with the increase in revenues, mitigating the impact on the Sewer Fund.

<u>Project</u>	
Raw Water Pumps *	\$ 78,000
(Previously authorized by Council)	
Methane Engine-Generator No. 2 *	75,551
(Previously authorized by Council)	
Pipe Supports and Check Valves	67,800
Diesel Fuel Storage Tank	85,000
Design of Blower Replacements	65,000
Total Additions After Rates Were Established:	\$ 371,351

* Note that the first two items in the list above have already been authorized by Council (on 3-27-12 and 4-24-12). They are included here in order to provide Council with a full view of all additional expenses that were not included in the budget when rates were set for this fiscal year.

ALTERNATIVES:

1. Authorize funding for the additions to the FY 2012/13 Capital Improvements Plan for the Water Pollution Control Facility as described above.
2. Authorize some but not all of the requested additions to the FY 2012/13 Capital Improvements Plan for the Water Pollution Control Facility.
3. Do not authorize any revisions to the FY 2012/13 Capital Improvements Plan at this time.

MANAGER'S RECOMMENDED ACTION:

The Capital Improvements Plan and annual budget presented to Council seek to identify those needs which are necessary to provide the established level of service to the

community. The CIP and budget do not include any contingency for large repairs that were completely unforeseen. Fortunately, the increase in sewer revenues over the last fiscal year provides some ability to absorb unanticipated expenses without unduly drawing down the available Sewer Fund balance. Staff has developed a prioritized plan for these unforeseen expenses that addresses the most critical repairs immediately.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby authorizing the additions to the FY 2012/13 Capital Improvements Plan for the Water Pollution Control Facility as described above.

COUNCIL ACTION FORM

SUBJECT: WPC FACILITY DIESEL TANK REPLACEMENT

BACKGROUND:

The City's Water Pollution Control (WPC) Facility has a 4,000-gallon above-ground storage tank (AST) used for storage of diesel fuel. The AST supplies both a vehicle fueling station and a 1,750 KW Caterpillar diesel engine. The Caterpillar diesel engine is used to generate electricity for emergency power. **The current tank leaks and can no longer be used for fuel storage.**

The existing AST needs to be closed and removed, and a replacement AST installed in the existing concrete vault. The replacement will also have a 4,000-gallon capacity but will be dual-walled with interstitial monitoring for leak detection. Replacing it with a tank of equal fuel capacity will ensure that the WPC Facility continues to be prepared for periods of prolonged power generation when necessary. The dual-wall and interstitial monitoring capabilities will detect small leaks earlier, thereby prolonging the life of the tank as well as preventing spills of diesel fuel into the vault.

On July 10, 2012, the City Council approved a notice to bidders for this project. On August 1, bids were received to provide all labor, equipment, materials, insurance, and other components necessary to complete the project according to the City's plans and specifications. On August 14, the Ames City Council received the report of bids.

A single bid was received as follows:

	Lump Sum Bid
Acterra Group, Inc. - Marion, Iowa	\$ 188,000

The updated project budget following the bid opening is as follows:

Construction	\$ 188,000
Design, Inspections	21,500
<u>Contingency</u>	<u>15,500</u>
TOTAL	\$ 225,000

The engineer's construction estimate was \$145,000. **While the Acterra Group, Inc. bid was higher than the engineer's estimate, a post-bid review between the engineer, the bidder and department staff found that a lower bid was unlikely if the project was to be re-bid. Staff is recommending that the bid be accepted.**

The funding for the project, including the additional authorization requested in an earlier agenda item, is as follows:

Amended FY 2011/12 CIP	\$140,000
Additional funding requested earlier tonight	<u>85,000</u>
TOTAL	\$ 225,000

ALTERNATIVES:

1. Award a contract to Acterra Group, Inc. of Marion, Iowa for construction services related to the Water Pollution Control Facility Diesel Tank Replacement Project on a lump-sum basis, in an amount not to exceed \$188,000.
2. Reject the bid and direct staff to rebid the work.

MANAGER'S RECOMMENDED ACTION:

The storage of emergency diesel fuel is a vital component of the WPC Facility; and the current tank has failed and needs to be replaced. Water and Pollution Control Department staff members have worked closely with Snyder and Associates during the conceptual and design phases to design a replacement tank that will meet all of the needs of the WPC Facility, reduce environmental risks, meet appropriate regulatory requirements, and minimize costs.

After departmental review of the Acterra Group, Inc. bid, it was determined that while the bid was higher than the engineer's estimate, it is still in the City's best interest to accept this bid and begin construction.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving award of a contract to Acterra Group, Inc. for construction services related to the WPC Facility Diesel Tank Replacement Project on a lump-sum basis, in an amount not to exceed \$188,000.

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY METHANE ENGINE-GENERATOR SET NO. 2 REHABILITATION

BACKGROUND:

The City's Water Pollution Control (WPC) Facility has a Caterpillar engine that drives an electrical generator rated at 300 kW. This engine-generator set is currently not operational. It was installed in the mid 1980s and has approximately 47,028 hours of service. Rehabilitation of the engine is not a routine maintenance task, but is something that can be expected approximately every 30,000 hours.

The engine drives a generator that is connected to the plant's electrical grid via automatic switchgear. Hot water from the engine is used to heat the primary digesters in order to treat the sludge generated by the WPC Facility. This process, in turn, produces methane that powers the Caterpillar engine that drives the electrical generator. Thus, electrical energy is generated by using byproducts from the treatment process.

This project was authorized by Council on April 24, 2012, including the allocation of \$129,000 (\$53,449 in savings from another CIP project and \$75,551 from the available Sewer Fund balance). The engineering consultant's contract has already been awarded in the amount of \$2,000. The engineer's estimate for the general contractor, and any possible subcontractors, is \$120,000.

ALTERNATIVES:

1. Grant preliminary approval to the plans and specifications, issue a Notice to Bidders, and set September 25, 2012 as the bid due date and October 9, 2012 as the date for public hearing and award.
2. Do not approve plans and specifications at this time.

MANAGER'S RECOMMENDED ACTION:

Methane Engine-Generator Set No. 2 is the main workhorse of the digester heating and electrical energy production systems. Sludge stabilization is an integral and vital component of the treatment process at the WPC Facility. Production of electrical energy through the use of byproducts from the treatment process is an excellent example of "Green Energy." It is in the City's best interest to restore this unit to service as soon as possible.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the plans and specifications and issuing a Notice to Bidders for this project.

COUNCIL ACTION FORM

SUBJECT: ENGINEERING SERVICES AGREEMENT FOR WATER TREATMENT PLANT DESIGN, BIDDING, AND CONSTRUCTION

BACKGROUND:

On October 13, 2009, Council approved a professional services agreement with FOX Engineering of Ames, Iowa for work related to the new Water Treatment Plant. The contract consists of a "master agreement" that contains all of the legal terms and conditions, and a series of "task orders" that describe the specific scope of work and associated fees. The use of "task orders" allows the engineering work to be authorized in segments as the project progresses.

Task Order 1 included those pre-design activities that could be completed prior to commencing the site-specific design. Authorized on October 1, 2009, it included fees in an amount not to exceed \$358,500.

Task Order 2 expanded the scope of work covered by Task Order 1 to include an evaluation of various options for the plant's lime residuals handling facilities and authorized FOX to prepare an updated Opinion of Probable Construction Costs. Task Order 2 was authorized by Council on November 23, 2010 for an additional amount not to exceed \$68,500.

Task Order 3 was executed to add a topographic survey of the proposed plant site and the associated piping routes. This work had been intended to be included as part of the final design phase; but because of delays in securing the property, staff requested the design team to move forward with this activity. Task Order 3 was approved administratively by staff on October 26, 2011 in an additional amount not to exceed \$19,540.

Staff has now concluded a negotiation with FOX Engineering for the final, and most substantial, phase of the project; namely, construction of the improvements. It is envisioned that the project will be bid in three distinct and separate contracts. FOX has proposed three separate Task Orders, one for each bidding contract.

Task Order 4.1. This task order is for the design, bidding, and construction phases of the actual treatment facility. This includes development of the construction plans and specifications; assistance with distributing plans and specs, bidder questions, and addendums during the bidding process; construction administration such as reviewing shop drawing submittals, reviewing pay requests, and providing periodic on-site inspections by the various engineering disciplines; a Resident Project Representative to provide daily on-site construction management; plant

commissioning and start-up; and preparation of electronic operations and maintenance manuals.

Task Order 4.1	Compensation Method	Amount
Pre-Design	Hourly + Expenses	Estimated at \$ 60,000
Preliminary Design (40% complete)	Lump Sum	1,388,000
Design Development (80% complete) ¹	Lump Sum	1,663,000
Bidding Contract Documents (100% complete)	Lump Sum	1,155,000
Bidding Administration	Lump Sum	98,000
Bidding Documents ²	Hourly + Expenses	To be determined as needed
Construction Administration	Lump Sum	1,672,000
On-Site Discipline Services	Lump Sum	235,000
Start-up and Commissioning	Lump Sum	128,000
Post-Construction Services ³	Hourly + Expenses	Estimated at 130,000
Resident Project Representative ⁴	Hourly + Expenses	Estimated at 862,000
Electronic O&M Manuals	Lump Sum	218,500
Subtotal of Lump Sum Expenses		\$ 6,557,500
Subtotal of Hourly + Expenses Estimates		1,052,000
TOTAL		\$ 7,609,500

¹ Not included in this agreement would be any cost for the design engineers' involvement in a Value Engineering review. Should Value Engineering be desired, a change order could be executed to cover the design team's involvement.

² All costs associated with the reproduction and distribution of paper and electronic bidding documents will be paid by the Engineer and reimbursed by the City. The actual amount payable under this line item will likely range from \$50,000 to \$100,000, depending on the size of the final bidding documents and number of plan sets distributed.

³ Post-construction services would include any services provided after final completion, such as investigating deficiencies or warranty follow-up with the contractor.

⁴ The estimate assumes a 33-month construction period. The actual expenses could vary based on the actual construction time.

Task Order 4.2. This task order is for the design, bidding, and construction phases of the Lime Pond Improvements. City staff will administer a contract for the removal of lime from the existing pond, and FOX Engineering will prepare the plans and specifications for subdividing the pond into smaller, more functional cells.

Task Order 4.2	Compensation Method	Amount
Preliminary Design	Lump Sum	\$ 18,200
Final Design	Lump Sum	44,600
Bidding Administration	Lump Sum	10,800
Bidding Documents ¹	Hourly + Expenses	Estimated at \$3,750
Construction Administration	Lump Sum	47,700
Resident Project Representative ²	Hourly + Expenses	Estimated at 21,500

Record Drawings	Lump Sum	8,500
Post-Construction Services ³	Hourly + Expenses	Estimated at 3,000
Subtotal of Lump Sum Expenses		\$ 129,800
Subtotal of Hourly + Expenses Estimates		28,250
TOTAL		\$ 158,050

¹ All costs associated with the reproduction and distribution of paper and electronic bidding documents will be paid by the Engineer and reimbursed by the City for actual expenses.

² The estimate assumes 240 hours of part-time observation. To the extent that construction schedules align, observation of the lime pond modifications will be coordinated with observation of the treatment plant construction, reducing the observation expenses.

³ Post-construction services would include any services provided after final completion, such as deficiency or warranty follow-up with the contractor.

Task Order 4.3. This task order is for the portion of the project that includes the untreated well water piping, finished water piping, and lime residual piping to connect the new treatment plant with the existing lime ponds and high service pump station.

Task Order 4.3	Compensation Method	Amount
Preliminary Design	Lump Sum	\$ 69,000
Final Design	Lump Sum	135,200
Bidding Administration	Lump Sum	15,500
Bidding Documents ¹	Hourly + Expenses	Estimated at 3,750
Construction Administration	Lump Sum	110,900
Resident Project Representative ²	Hourly + Expenses	Estimated at 85,500
Construction Staking	Lump Sum	16,300
Record Drawings	Lump Sum	10,300
Post-Construction Services ³	Hourly + Expenses	Estimated at 3,000
Easement Acquisition and Wetland Mitigation Assistance ⁴	Hourly + Expenses	Estimated at 23,000
Subtotal of Lump Sum Expenses		\$ 357,200
Subtotal of Hourly + Expenses Estimates		115,250
TOTAL		\$ 472,450

¹ All costs associated with the reproduction and distribution of paper and electronic bidding documents will be paid by the Engineer and reimbursed by the City for actual expenses.

² The estimate assumes a construction period of 100 working days. This includes observations related to the Storm Water Pollution Prevention Plan. To the extent that construction schedules align, observation of the lime pond modifications will be coordinated with observation of the treatment plant construction.

³ Post-construction services would include any services provided after final completion, such as deficiency or warranty follow-up with the contractor.

⁴ It is not yet known if easement acquisition assistance or wetland mitigation assistance will be required. It has been included in the estimate but will only be expensed if the City requests the service from the Engineer.

The total of the three task orders is as shown below.

	Lump Sum	Hourly + Expenses	Total
4.1	6,557,500	1,052,000	7,609,500
4.2	129,800	28,250	158,050
4.3	357,200	115,250	472,450
Total	7,044,500	1,195,500	8,240,000

The cost estimate for the New Water Treatment Plant Project shown in the 2012-17 Capital Improvements Plan included \$6,540,000 for design, bidding, and construction activities and \$818,000 for the estimated resident project representative. Much of the increased expense for design services can be attributed to the addition of the Leadership in Energy and Environmental Design (LEED) certification and is offset by the Green Project Reserve forgivable loan (grant) of approximately \$5,880,000 for constructing to a LEED certification standard.

The anticipated construction schedule would have the interconnecting piping work and the lime pond improvements occurring during the summer of 2014. Construction of the treatment plant would begin during the summer of 2014, with the facility coming on-line in early 2017.

ALTERNATIVES:

1. Approve Task Orders 4.1, 4.2, and 4.3 to the Master Agreement with FOX Engineering for professional services related to the new Water Treatment Plant in a lump sum amount of \$7,044,500, plus an estimated amount not to exceed \$1,195,500 for services to be billed on an hourly basis.
2. Approve modified Task Orders that exclude work not desired by Council at this time.
3. Take no action on engineering services, and direct staff on the future of the project.

MANAGER'S RECOMMENDED ACTION:

Expansion of the treatment capacity of the City's Water Plant first appeared in the 2007-2012 Capital Improvements Plan. This is a project that is exceptionally important for the long-term vitality of the Ames community, both in terms of increasing the capability of the utility to meet growing demands as well as to improve the redundancy and reliability of the treatment process.

At the project outset, a competitive selection process was conducted to identify a consultant to partner with. A collaborative team consisting of FOX Engineering, HDR Engineers, and Barr Engineering was selected as the team that best met the needs of the project. Staff has been very pleased with the quality of services provided to date by the team. City staff has met with the design team to carefully review the scope of work

covered by these task orders and is comfortable that the scope of services includes only those tasks that are essential to the project and that the estimated hours are reasonable.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving Task Orders 4.1, 4.2, and 4.3 to the Master Agreement with FOX Engineering for professional services related to the new Water Treatment Plant in a lump sum amount of \$7,044,500, plus an estimated amount not to exceed \$1,195,500 for services to be billed on an hourly basis.

ITEM # 36
DATE: 08-14-12

COUNCIL ACTION FORM

SUBJECT: SETTING DATE OF PUBLIC HEARING TO ENTER INTO LOAN AGREEMENT WITH IOWA FINANCE AUTHORITY TO FUND CONSTRUCTION OF WATER POLLUTION CONTROL FACILITY DISINFECTION PROJECT

BACKGROUND:

On July 10, 2012, the City Council issued a notice to bidders for construction of a new ultraviolet light (UV) disinfection system for the Water Pollution Control Plant. Construction of the system is required under the terms of the discharge permit for the facility.

Staff has explored the most economical financing options and is recommending that the City utilize the Clean Water State Revolving Fund. The current terms for the SRF loan program include a 0.5% loan origination fee and an interest rate of 3% over a 20 year term. Repayment of the loan will come from the Sewer Fund, and has been accounted for in the current rates and fund balance projections.

The first step for a project to be eligible for the CWSRF loan is to have the project approved by the State and placed on the Intended Use Plan (IUP). This project has been included in the IUP since the first quarter of 2011 and is ready for financing. The WPC Disinfection Project is currently shown in the IUP with an anticipated cost of \$3,120,900. Based on the engineer's opinion of probable construction costs reported to Council on July 10, the projected cost of the project is as summarized below:

Engineering Cost	\$ 390,457
Construction Cost	2,010,000
Construction Contingency	210,000
Total Estimated Project Cost	\$ 2,601,457

A public hearing is required prior to the Council taking action to incur debt. Bids are due on the UV disinfection project on August 8, 2012. The bids will be reported to Council at the August 14, 2012 Council meeting. Once the contract amount has been determined, the final amount of the CWSRF loan can be determined.

Staff is now recommending that the City Council establish August 28, 2012 as the date for a public hearing on the loan agreement. The public notice will reflect the \$3,120,900 currently shown in the IUP, knowing that the actual loan amount will be adjusted following the bid opening and contract award.

It should be noted that the Iowa SRF program is recommending a reduction in interest rates. The matter will be considered by the Iowa Environmental Protection Commission at their September 18 meeting and, if adopted, will become effective for loans closed after October 1. Staff will take care to delay closing on this loan until after October 1 in order to benefit from any rate reduction adopted. Any construction costs incurred prior to closing on the loan will be minor and can be retroactively included in the SRF loan.

ALTERNATIVES:

1. Establish August 28, 2012, as the date to hold a public hearing for a loan agreement with the Iowa Finance Authority for construction of the Water Pollution Control Plant Ultraviolet Disinfection System in an estimated amount of \$3,120,900.
2. Do not hold a public hearing, and provide staff with direction on the desired financing method for the project.

MANAGER'S RECOMMENDED ACTION:

The Capital Improvements Plan and current sewer rate structure both anticipated the use of long-term financing for the new Water Pollution Control Plant Ultraviolet Disinfection System required by the facility's discharge permit. Moving forward utilizing a loan from the Clean Water State Revolving Fund is the most economical way to finance this project for our utility customers.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby establishing August 28, 2012, as the date to hold a public hearing for a loan agreement with the Iowa Finance Authority for construction of the Water Pollution Control Plant Ultraviolet Disinfection System in an estimated amount of \$3,120,900.

COUNCIL ACTION FORM

SUBJECT: 2011/12 ASPHALT PAVEMENT IMPROVEMENT PROGRAM & 2011/12 LOW POINT DRAINAGE IMPROVEMENTS (SOUTH OAK AVENUE)

BACKGROUND:

This Asphalt Pavement Improvement Program is an annual program for reconstruction of full-depth asphalt streets, typically located within residential neighborhoods. Many streets within residential subdivisions were installed using full-depth asphalt pavement since mid-1970's, and full-depth replacement of these streets has become necessary due to structural pavement failure. The Low Point Drainage Improvements program is an annual program for drainage improvements to mitigate localized flooding at low points, and supports the City Council's goal of strengthening our neighborhoods.

The 2011/12 program will consist of roadway pavement reconstruction, repair/replacement of damaged curb and gutter, and storm sewer intake replacement. The program is being packaged into four separate contracts in order to better coordinate with construction activities in the respective areas: South Oak Avenue (to be combined with 2011/12 Low Point Drainage Improvements); Ironwood Court (to be combined with 2010/11 Low Point Drainage Improvements); Indian Grass Court and Barr Drive, and Abraham Drive and Todd Circle.

The location for this project is South Oak Avenue (S. 4th Street – Lincoln Way). The proposed improvements include reconstruction of South Oak Avenue from S. 4th Street to Lincoln Way utilizing eight-inch concrete with curb and gutter, the addition of storm sewer intakes and pipe, the replacement of existing intakes, and associated sidewalk accessibility improvements.

On August 22, 2012, bids for this project were received as follows:

Engineer's Estimate	\$792,458.00
Con-Struct, Inc.	\$511,021.70
Concrete Technologies, Inc.	\$523,286.10
Carstensen Contracting, Inc.	\$610,609.65

The 2011/12 Asphalt Pavement Improvement Program and Low Point Drainage Programs include expenses as follows:

Barr Drive/Indian Grass Court (actual bid amount)	\$ 458,058
Abraham Drive/Todd Circle (actual bid amount)	\$ 210,232
Ironwood Court (estimated)	\$ 720,000
South Oak Avenue (this actual low bid amount)	\$ 511,022

Engineering/Administration (estimated)	\$ 355,000
Total	<u>\$2,254,312</u>

The 2011/12 Asphalt Pavement Improvement Program and Low Point Drainage Program include funding as follows:

2011/12 Asphalt Pavement Improvement Program	\$2,576,000
2011/12 Low Point Drainage Program	\$ 60,000
2010/11 Low Point Drainage Program	<u>\$ 125,000</u>
Total	<u>\$2,761,000</u>

Any remaining funds will be utilized for contingencies and additional projects.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2011/12 Asphalt Pavement Improvement Program & 2011/12 Low Point Drainage Improvements (S. Oak Avenue).
- b. Approve the final plans and specifications for the 2011/12 Asphalt Pavement Improvement Program & 2011/12 Low Point Drainage Improvements (S. Oak Avenue).
- c. Award the 2011/12 Asphalt Pavement Improvement Program & 2011/12 Low Point Drainage Improvements (S. Oak Avenue) to Con-Struct, Inc. of Ames, Iowa, in the amount of \$511,021.70.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

By approving final plans and specifications and awarding this contract, it will be possible to move forward with the reconstruction of this street during the 2012/13 construction season with a July 19, 2013 completion. Delay of approval could delay the project one construction season.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 approving the final plans and specifications and awarding the 2011/12 Asphalt Pavement Improvement Program & 2011/12 Low Point Drainage Improvements (S. Oak Avenue) to Con-Struct, Inc. of Ames, Iowa, in the amount of \$511,021.70.

COUNCIL ACTION FORM

SUBJECT: 2012/13 COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC FACILITIES
NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS (BEEDLE DRIVE AND
APLIN ROAD)

BACKGROUND:

The Neighborhood Infrastructure Improvements Program (curb, streets, sidewalks, etc.) is available for targeted low- and moderate-income census tracts. The objective is to replace and/or repair curbs, driveway approaches, sidewalks, and/or street resurfacing areas that have deteriorated and are causing premature pavement failure. The overall goal of the program is to preserve and enhance the viability and aesthetics of our core existing neighborhoods.

This program is part of the City's 2013/13 Community Development Block Grant (CDBG) Annual Action Plan project to replace the existing gravel streets on Beedle Drive (Aplin Road to approximately 200' south) and Aplin Road (Beedle Drive to Dotson Drive). Beedle Drive and Aplin Road are in a targeted census tract where at least 51 percent of the residents have income at or below 80 percent of the Story County median income limits.

On August 22, 2012, bids on this project were received as follows:

Engineer's Estimate	\$437,017.10
Manatt's, Inc.	\$338,818.93
Synergy Contracting	\$516,051.90

The project will be financed with \$440,000 from CDBG funds. Engineering and construction administration, estimated at \$66,000, are ineligible for CDBG funding and will be covered using unobligated G.O. Bond funds.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2012/13 Community Development Block Grant Public Facilities Neighborhood Infrastructure Improvements Program – Beedle Drive (Aplin Road to approximately 200' south) and Aplin Road (Beedle Drive to Dotson Drive).
 - b. Approve the final plans and specifications for the 2012/13 Community Development Block Grant Public Facilities Neighborhood Infrastructure Improvements Program – Beedle Drive (Aplin Road to approx 200' south) and Aplin Road (Beedle Drive to Dotson Drive).
 - c. Award the 2012/13 Community Development Block Grant Public Facilities Neighborhood Infrastructure Improvements Program – Beedle Drive (Aplin Road to approximately 200' south) and Aplin Road (Beedle Drive to Dotson Drive) to Manatt's, Inc., of Ames, Iowa, in the amount of \$338,818.93.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This project will directly address a community concern to hard-surface gravel streets within the City. The use of CDBG funding in a targeted census tract allows this project to be accomplished without the use of special assessments.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications, and awarding the 2012/13 Community Development Block Grant Public Facilities Neighborhood Infrastructure Improvements Program – Beedle Drive (Aplin Road to approximately 200' south) and Aplin Road (Beedle Drive to Dotson Drive) to Manatt's, Inc., of Ames, Iowa, in the amount of \$338,818.93.

COUNCIL ACTION FORM

**SUBJECT: 2011/12 DOWNTOWN STREET PAVEMENT IMPROVEMENTS
(DOUGLAS AVENUE – MAIN STREET TO 7TH STREET)**

BACKGROUND:

The annual Downtown Street Pavement Improvements program is for rehabilitation and/or reconstruction of streets within the downtown area. The 2011/12 program location is Douglas Avenue (from Main Street to 7th Street). The project includes removal and replacement of the existing pavement; storm and sanitary sewer improvements; new water main from Main Street to 7th Street; new angled parking at the Public Library, which increases the capacity from eight spaces to 13 spaces and includes two dedicated handicap parking stalls; and a ribbon of colored sidewalk concrete to match the previously constructed areas of downtown. This project includes bulb-out areas and colored concrete at the intersections to provide a similar feel to the other sections of downtown, as well as updated street lighting.

City staff held project information meetings, which included area businesses, the Main Street Cultural District (MSCD), Library staff, and the architect and engineer for the library expansion, as well as downtown residents to discuss the construction staging. The project has been staged to maintain access to all businesses during construction and is scheduled to complete the 500 block of Douglas during the fall of 2012, ahead of the projected Library expansion project (as requested by the Library). Staff has also worked closely with the MSCD to coordinate project scheduling with the many events that occur in the area during the construction season. The 400 block will be constructed after the Octagon Festival, but completed prior to the July 4th parade in 2013.

On August 22, 2012, bids on this project were received as follows:

Engineer's Estimate	\$1,262,349.50
Con-Struct	\$1,215,016.00
Carstensen Contracting	\$1,280,521.55
Manatts	\$1,320,539.80
Raccoon Valley Contractors	\$1,372,000.00

A fifth bid proposal was received, but due to the omission of one price bid item, it has been determined to be non-responsive.

To date, the costs associated with this project include the following:

Engineering and Construction Administration (estimated)	\$ 92,000.00
Civil Design Advantage (engineering services)	\$ 78,200.00
Construction (low bid)	<u>\$1,215,016.00</u>
Total Base Costs	\$1,385,216.00

The project funding is summarized below:

11/12 General Obligation Bonds	\$ 750,000.00
2009 General Obligation Bonds (unobligated)	\$ 240,000.00
Sanitary Sewer Fund	\$ 258,000.00
Water Fund	\$ 110,200.00
Electric (Street Lighting)	<u>\$ 75,000.00</u>
Total Funding	\$1,433,200.00

ALTERNATIVES:

- 1a. Accept the report of bids for the 2011/12 Downtown Street Pavement Improvements (Douglas Avenue from Main Street to 7th Street).
- b. Approve the final plans and specifications for the 2011/12 Downtown Street Pavement Improvements (Douglas Avenue from Main Street to 7th Street).
- c. Award the 2011/12 Downtown Street Pavement Improvements (Douglas Avenue from Main Street to 7th Street) to Con-Struct of Ames, Iowa, in the amount of \$1,215,016.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

By accepting the report of bids, approving the final plans and specifications, and awarding the project, it will be possible to move forward with reconstruction of the 500 block of Douglas Avenue during the 2012/13 construction season, ahead of the Library expansion project as planned with the Library architectural team. Delay of approval and award could delay the reconstruction by at least one year and potentially hamper coordination with the Library project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications and awarding the 2011/12 Downtown Street Pavement Improvements (Douglas Avenue from Main Street to 7th Street) to Con-Struct of Ames, Iowa, in the amount of \$1,215,016.

COUNCIL ACTION FORM

SUBJECT: **SQUAW CREEK PEDESTRIAN BRIDGE**

BACKGROUND:

The Squaw Creek Pedestrian Bridge was heavily damaged in the floods of 2010, and since that time has been out of service. **After working through the FEMA public assistance process following the 2010 flood, it was determined that federal funding would not initially be available for a replacement of the bridge. This project is for replacement of the existing bridge with a pre-engineered steel truss bridge as used throughout the trail system. This bridge can be reused at a different location in the trail system when the bridge is removed to facilitate the Grand Avenue Extension.**

A longer than originally anticipated bridge span was required in order to prevent water from backing up on private property upstream from the bridge, meeting the Iowa Department of Natural Resources requirements to eliminate backwater. The project also now includes armoring of the stream banks in the work area. This was not originally planned but is now important due to the uncertain timing of the Grand Avenue Extension project.

On August 22, 2012, bids for this project were received as follows:

<i>Engineer's Estimate</i>	<i>\$429,000.00</i>
Iowa Bridge & Culvert, LC	\$279,335.60
Peterson Contractors, Inc.	\$294,751.85
Jenco Construction, Inc.	\$341,526.50
Godbersen-Smith Construction Co.	\$355,733.00
Jensen Construction Co.	\$357,996.00
Herberger Construction Co., Inc.	\$397,333.00

Engineering is estimated to be \$55,000, bringing total project costs to **\$334,336**. Funding is shown in the Capital Improvements Plan in the amount of **\$400,000** from the 2012/13 General Obligation Bond Issue.

In addition, staff also submitted an improved project request to FEMA several months ago that would provide \$54,700 in additional funding, if approved. Staff was originally told that should construction begin before FEMA approval, the City would not be eligible for reimbursement. However, recent communication from Iowa Homeland Security indicated that the City may still be eligible if construction begins prior to a determination.

ALTERNATIVES:

- 1a. Accept the report of bids for the Squaw Creek Pedestrian Bridge Project
- b. Approve the final plans and specifications for the Squaw Creek Pedestrian Bridge Project
- c. Award the Squaw Creek Pedestrian Bridge Project to Iowa Bridge & Culvert, LC, in the amount of \$279,335.60
- 2a. Accept the report of bids for the Squaw Creek Pedestrian Bridge Project
- b. Approve the final plans and specifications for the Squaw Creek Pedestrian Bridge Project
- c. Delay award of contract
3. Reject the project

MANAGER'S RECOMMENDED ACTION:

Award of contract could be delayed up to 30 days to see if a determination on the grant request is received from FEMA. If the award was to be delayed any longer, the bidders could withdraw their bids and construction would likely not occur until spring of 2013.

If Council moves to award the project at this point, the time needed to execute the contract documents, hold a preconstruction conference, and mobilize materials and equipment would mean that construction likely would not start until October 1, 2012. Iowa Homeland Security has told staff that they will advocate for the City in pressing FEMA to expedite their decision before October 1st. However, Staff was also recently informed by Iowa Homeland Security that award of the grant could still be possible if construction were to commence. The total anticipated project cost of approximately \$335,000 is well below the \$400,000 of GO Bonds budgeted for this project.

This important link in the City's north-south trail system has been unavailable to the public for two years. During that time staff has worked extensively with Iowa Homeland Security and FEMA to maximize outside funding for this bridge replacement. Very competitive bids have been received, and it is possible that this work can commence yet this fall.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 accepting the report of bids, approving the final plans and specifications, and awarding the Squaw Creek Pedestrian Bridge Project to Iowa Bridge & Culvert, LC, in the amount of \$279,335.60.

COUNCIL ACTION FORM

SUBJECT: WPC FACILITY RAW WASTEWATER PUMPING STATION PIPE SUPPORTS FOR CHECK VALVE REPLACEMENT

BACKGROUND:

The City's Water Pollution Control (WPC) Facility was constructed in 1989. The existing pipe supports and pump check valves in place at the Raw Wastewater Pumping Station (RWPS) are original to the 1989 construction. Due to the environment present in the pumping station, the pipe supports have become severely corroded and are in need of replacement.

The check valves on the RWPS's four process pumps have reached the end of their useful lives and are beginning to fail. These check valves are needed to ensure that process flows are conveyed to the next step of the treatment process without short-circuiting through pumps that are not running.

On July 24, 2012, Council approved specifications and issued a Notice to Bidders to replace the pipe supports and check valves in the RWPS. Bids were opened for the project on August 15. The pipe supports were identified as the base bid, and check valve replacement was an alternate add item. Two bids were received and are summarized below:

Bidders	Pipe Support Base Bid	Check Valve Add Alternate	Total Project Bid Price
Story Construction Company	\$76,400	\$58,900	\$135,300
Garney Companies, Inc.	\$89,501	\$58,604	\$148,105

The updated project budget following the bid opening is as follows:

Pipe Supports	\$ 76,400
Additional Repairs	2,700
<u>Contingency</u>	<u>12,900</u>
Subtotal	\$ 92,000
 Check Vales	 \$ 58,900
<u>Contingency</u>	<u>8,900</u>
Subtotal	\$ 67,800
 TOTAL	 \$ 159,800

The FY 2011/12 WPC Facility CIP included \$92,000 for pipe support replacement. The check valves are an unanticipated repair. The work was bid together because the projects are in the same building and could be performed by the same contractor. The funding for the project, including the additional authorization requested in an earlier agenda item, is as follows:

FY 2011/12 CIP	\$ 92,000
Additional funding requested earlier tonight	<u>67,800</u>
TOTAL	\$ 159,800

ALTERNATIVES:

1. Award the pipe support and check valve replacement contract to Story Construction Company of Ames, Iowa in the amount of \$135,300.
2. Award only the pipe support replacement contract to Story Construction Company of Ames, Iowa in the amount of \$76,400.
3. Do not award a contract at this time.

MANAGER'S RECOMMENDED ACTION:

The WPC Facility's Raw Water Pump Station pipe supports and pump check valves are critical to the operation of the WPC Facility. Failing to address these issues now may result in significant failures in the future that could result in environmental harm.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving issuing award of a pipe support and check valve replacement contract to Story Construction Company of Ames, Iowa in the amount of \$135,300.