

COUNCIL ACTION FORM

SUBJECT: **SUNSET RIDGE PRELIMINARY PLAT AND MASTER PLAN**

BACKGROUND:

This item deals with a proposal to revise the Preliminary Plat and Master Plan for Sunset Ridge Subdivision, originally approved by the City Council on June 8, 2004 and later amended on October 24, 2006. The submitted document suffices for both the Preliminary Plat and Master Plan.

Sunset Ridge Subdivision is a residential development of approximately 106 acres. It was configured to allow for single-family detached homes, and commercial development along the south border of the development abutting Lincoln Way. Concurrent with the Preliminary Plat amendment in 2006, the City Council also approved a reduction in the total area of CVCN Convenience Commercial zoned land and rezoned a portion of the property from RH to FS-RL Suburban Low-Density Residential for the property.

The land use and zoning will continue as it is currently designated, with CVCN Convenience Commercial Node along Lincoln Way and FS-RL Suburban Low Density Residential as intended for single-family detached homes.

Four plats have been finalized consistent with the approved preliminary plat, which includes a total of 103 single family detached residential lots, two lots for commercial development, 15 outlots designated for public utility, and storm sewer and surface water flowage easements. Based on the submitted revised Preliminary Plat and Master Plan, the development at completion will encompass a total of 235 residential units, two commercial lots, and 19.37 acres of open space.

Proposed Changes to the Approved Preliminary Plat. The Preliminary Plat and Master Plan amendments include the addition of four lots for the construction of single-family detached residential dwellings. The applicant is proposing to shift Westfield Road south to allow for a row of single family lots on the north side of Westfield, remove Glenwood Street and Bedford Avenue, extend Ellstone and Wilder Avenue to the north boundary of the subdivision, to end Allerton Drive at Wilder Avenue, and to extend Springbrook Drive across Westfield Road into a cul-de-sac at Springbrook Circle. (See Attachment B.)

Density Requirements. These changes are in conformance with the minimum density requirement of 3.75 dwelling units per net acre for the FS-RL zoned area as outlined in the City's Zoning Ordinance. The overall net density for the area zoned as "FS-RL" is 4.16 dwelling units per net acre.

Utilities, Easements, and Sidewalks. Public improvements are proposed to serve the subdivision and will be available to all lots. In accordance with City policies, it is

anticipated that most public infrastructure will be constructed and inspected prior to submitting a final plat for new lots.

Standard procedures in the subdivision code for sidewalks require installation of sidewalks prior to final plat approval unless the Council approves deferral of installation subject to the provision of financial security. Standard *practice* has been to defer sidewalk installation under the provisions of a development agreement that requires sidewalk installation prior to occupancy of each fronting lot. That allows for construction activity to occur between the lot and fronting street without damage to newly installed sidewalks. The City Council will need to determine, as part of its Preliminary Plat decision, if installation will be required prior to Final Plat approval, or if it should be deferred under either a financial guarantee or occupancy provision in the development agreement.

Storm Water Management. A storm water management plan has been prepared for the site. The site generally drains from the west to the east. The storm water will be detained in the proposed detention ponds and then conveyed through to Clear Creek located to the north and east of the subject site. The rate of storm water run-off will not be increased above the pre-development rate of run-off. The Public Works Department has reviewed and approved the submitted Storm Water Management Plan.

Street Tree Planting Plan. The developer has submitted a Street Tree Plan, as required by the Subdivision Ordinance for residential subdivisions. A combination of Norway, Sugar, or Black Maple, and American, American Sentry and Greenspire Linden trees are proposed within this development. These trees will be planted approximately 50 feet on center with adjustment for driveways and intersection sight distances. All of the proposed trees are on the list of recommended trees to be planted in the public right-of way. The revised Street Tree Plan includes the same tree species on the streets that were approved as part of the previously approved Street Tree Plan. The only difference between the approved Street Tree Plan and the proposed plan is the change in street layout.

Sunset Ridge Subdivision Development Agreement. A Development Agreement was part of the original approval of Sunset Ridge Subdivision, dated June 14, 2005. Most of the provisions of the Development Agreement remain in force. However, the following items should be noted as required amendments:

1. Section IV(A)(3), the provision regarding the number of street connections will need to be amended to address the newly proposed street layout for the revised Preliminary Plat.
2. Section IV(A)(9), the provision regarding when the City shall let a contract for bid for the Westfield Road and Wilder Avenue work, needs to be updated to conform to the current bidding law and to allow an option for the City contribution to the over sizing of Wilder Avenue and Westfield Road to be an equivalent project, upon mutual agreement of the owner and the City.

Applicable Law. Laws pertinent to the proposal are described on Attachments C and D. Pertinent for the City Council is Sections 23.302(5) as described in Attachment C.

FINDINGS OF FACT & CONCLUSIONS:

Based upon an analysis of the proposed development, laws pertinent to the proposed development, and conditions and improvements abutting and serving the plat, the staff finds as follows:

1. The proposed amended portion of Sunset Ridge Subdivision is entirely designated as “Village/Suburban Residential” on the Land Use Policy Plan Map and on the Zoning Map as “Suburban Residential Low Density”. Based on the lot layouts and proposed dimensions the single-family detached homes can meet the design requirements that are prescribed by the Zoning Ordinance. The minimum standard for lot frontage in the FS-RL district is 35 feet at the street line and 50 feet at the building line.
2. The developers are intending to continue to develop this 106.1-acre site with single-family detached housing as the sole type of residential dwelling, and with commercial in the “CVCN” zone adjacent to Lincoln Way and Wilder Avenue. The developers have submitted a revised Master Plan and Preliminary Plat that represent an efficient subdivision design that allows for larger and smaller lots for single-family detached residential units.
3. The developers have submitted a revised Storm Water Management Plan for the revised Preliminary Plat which is consistent with the previously approved Preliminary Plat for Sunset Ridge.
4. The developer is proposing a revision to the street layout for Sunset Ridge to shift Westfield Road south allowing a row of lots along the northern boundary of the property. In the proposed revision the developer is also proposing to eliminate three of the street extensions to the north that were previously approved under the Preliminary Plat and Development Agreement for Sunset Ridge.
5. The submitted plan indicates the installation of a shared use path to the north boundary of Outlot P along the west side of Wilder Avenue then continuing as a 4 foot sidewalk to the north boundary of the property. At the Planning and Zoning Commission level a discussion was not conducted regarding the extension of the shared use path to the full north boundary of Sunset ridge as it was unknown at the time the probability of a park north of Sunset Ridge.
6. The City Traffic Engineer has determined that the proposed addition of four residential lots and the revised street layout for the proposed Preliminary Plat and Master Plan is consistent with the previously approved plans. The proposed revisions will still be accommodated by the local street pattern and the over-sizing of Westfield and Wilder as collector streets as previously agreed upon and approved under the existing Development Agreement for Sunset Ridge Subdivision.

Based upon the above facts and analysis, staff makes the following conclusions:

1. The proposed preliminary plat is consistent with the Land Use Policy Plan and the associated Land Use Policy Plan Map designation of the site. Staff is not aware of any other inconsistencies with the Land Use Policy Plan. Therefore, staff concludes that Code of Iowa Chapter 354, Section 8 has been satisfied.
2. Staff further concludes that the proposed subdivision complies with all relevant and applicable design and improvement standards of the Subdivision Regulations, to other City ordinances and standards, and to the City's Land Use Policy Plan, subject to an amendment to the Development Agreement prior to approval of the Preliminary Plat and Master Plan to allow for a change in the street layout to reduce the number of street connections to the property to the north of the Sunset Ridge Subdivision.

RECOMMENDATION OF THE COMMISSION:

At its meeting of October 3, 2012, with a vote of 6-0, the Planning and Zoning Commission recommended approval of the Preliminary Plat and Master Plan for Sunset Ridge Subdivision with the following stipulations:

1. Placing a revised Development Agreement before the City Council prior to action on this revised Preliminary Plat and Master Plan to address the noted amendments required.
2. Prior to City Council approval of the Preliminary Plat, the plans be amended to include the total lot area in square feet for each of the lots on sheets 3 and 4 as required by the Assessor's Office.
3. Prior to City Council approval of the Preliminary Plat, Note #3 on sheets 3 & 4 for Outlot L be amended to address the shared use path as a use for Outlot L along with landscaping and signage as noted.
4. All easement documents will be reviewed prior to final plat approval.

Following the Planning and Zoning Commission, the applicant revised and resubmitted the Preliminary Plat and Master Plan to incorporate items 2) and 3) above. Staff has also completed an amendment to the Development Agreement to address item 1 above. Therefore, those conditions have been satisfied.

In addition, since the recommendation of the Planning and Zoning Commission, discussions have progressed with the Council regarding the possibility of a park north of Sunset Ridge. With the discussions progressing, a more imminent need for a shared use path with connection to the south side of the park has been identified by staff. If the Council concurs with that need, a condition of the Preliminary Plat and Master Plan approval could be imposed that would require extension of the 8 foot shared use path along the west side of Wilder Avenue to the north boundary of the Sunset Ridge Subdivision. The condition could apply if the park is approved. If the park is not approved, the path could continue north of Outlot P as a standard 4 foot sidewalk.

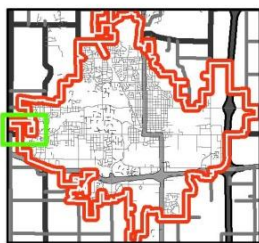
ALTERNATIVES:

1. Based upon the findings and conclusions stated herein, and subject to approval of a Supplemental Development Agreement, the City Council can approve the revised Preliminary Plat and Master Plan for Sunset Ridge Subdivision, subject to the following conditions:
 - a. All easement documents be submitted and reviewed prior to final plat approval for Sunset Ridge Subdivision.
 - b. The Preliminary Plat and Master Plan be revised to indicate the details for the installation of the 8 foot shared use path along the west side of Wilder Avenue to the north boundary of the Sunset Ridge Subdivision, making note on the plan that if the park is not approved, the path could continue north of Outlot P as a standard 4 foot sidewalk.
2. The City Council can deny the revised Preliminary Plat and Master Plan for Sunset Ridge Subdivision.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

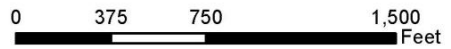
CITY MANAGER’S RECOMMENDED ACTION:

The revised Preliminary Plat and Master Plan is consistent with the Zoning Ordinance, Subdivision Ordinance standards, and the Land Use Policy Plan. Therefore, it is recommended that the Council act in accordance with Alternative #1 which is to approve the revised Preliminary Plat and Master Plan for Sunset Ridge Subdivision, with the condition that all easement documents be reviewed prior to final plat approval for Sunset Ridge and the Preliminary Plat and Master Plan be revised to indicate the details for the installation of the 8 foot shared use path along the west side of Wilder Avenue to the north boundary of the Sunset Ridge Subdivision, making note on the plan that if the park is not approved, the path could continue north of Outlot P as a standard 4 foot sidewalk.

ATTACHMENT A



Location Map Sunset Ridge Subdivision



ATTACHMENT B

See separate PDF attached document

(Sheet #2: Proposed Overall Subdivision Map)

ATTACHMENT C

Applicable Subdivision Law

The laws applicable to this revision to the Preliminary Plat for Sunset Ridge Subdivision include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Code of Iowa Chapter 354, Section 8 requires that the governing body shall determine whether the subdivision conforms to its Land Use Policy Plan.

Ames Municipal Code Chapter 23, Subdivisions, Division I, outlines the general provisions for subdivisions within the City limits and within two miles of the City limits of Ames.

Ames Municipal Code Section 23.302(5):

- (3) *City Council Review of Preliminary Plat: All proposed subdivision plats shall be submitted to the City Council for review and approval in accordance with these Regulations. The City Council shall examine the Preliminary Plat, any comments, recommendations or reports examined or made by the Planning and Zoning Commission, and such other information as it deems necessary and reasonable to consider.*

Ames Municipal Code Section 23.302(6):

- (4) *City Council Action on Preliminary Plat:*
- (a) *Based upon such examination, the City Council shall determine whether the Preliminary 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. In particular, the City Council shall determine whether the subdivision conforms to minimum levels of service standards set forth in the Land Use Policy Plan for public infrastructure and shall give due consideration to the possible burden of the proposed subdivision on public improvements in determining whether to require the installation of additional public improvements as a condition for approval.*
- (b) *Following such examination and within 30 days of the referral of the Preliminary Plat and report of recommendations to the City Council by the Planning and Zoning Commission, the City Council shall approve, approve subject to conditions, or disapprove the Preliminary Plat. The City Council shall set forth its reasons for disapproving any Preliminary Plat or for conditioning its approval of any Preliminary Plat in its official records and shall provide a written copy of such reasons to the developer.*

Ames Municipal Code Chapter 23, Subdivisions, Division III, provides the procedures for the subdivision of property; specifically Section 23.302 discusses Major

Subdivisions.

Ames Municipal Code Chapter 23, Subdivisions, Division IV, identifies design and improvement standards for subdivisions.

Ames Municipal Code Section 23.403(14) & (15) requires installation of sidewalks and walkways and bikeways in subdivisions.

Ames Municipal Code Chapter 29, Zoning, Section 29.1202, includes standards for the Suburban Residential zone.

Ames Municipal Code Chapter 29, Zoning, Table 29.1202(5)-2 includes Residential Medium Density (FS-RM) Supplemental Development Standards.

Ames Municipal Code Chapter 29, Zoning, Table 29.1202(6) includes Suburban Residential Floating Zone Suburban Regulations.

Ames Municipal Code Section 23.107 reads as follows:

In addition to the requirements of the Regulations, all plats of land must comply with all other applicable City, county, state and federal statutes or regulations. All references in the Regulations to other City, county, state or federal statutes or regulations are for informational purposes only, and do not constitute a complete list of such statutes or regulations. The Regulations are expressly designed to supplement and be compatible with, without limitation, the following City plans, regulations or ordinances:

- (1) Land Use Policy Plan*
- (2) Zoning Ordinance*
- (3) Historic Preservation Ordinance*
- (4) Flood Plain Ordinance*
- (5) Building, Sign and House Moving Code*
- (6) Rental Housing Code*
- (7) Transportation Plan*
- (8) Parks Master Plan*
- (9) Bicycle Route Master Plan*

Plats may be disapproved on the basis of the above, and other City Council approved plans and policies that may be adopted from time to time.

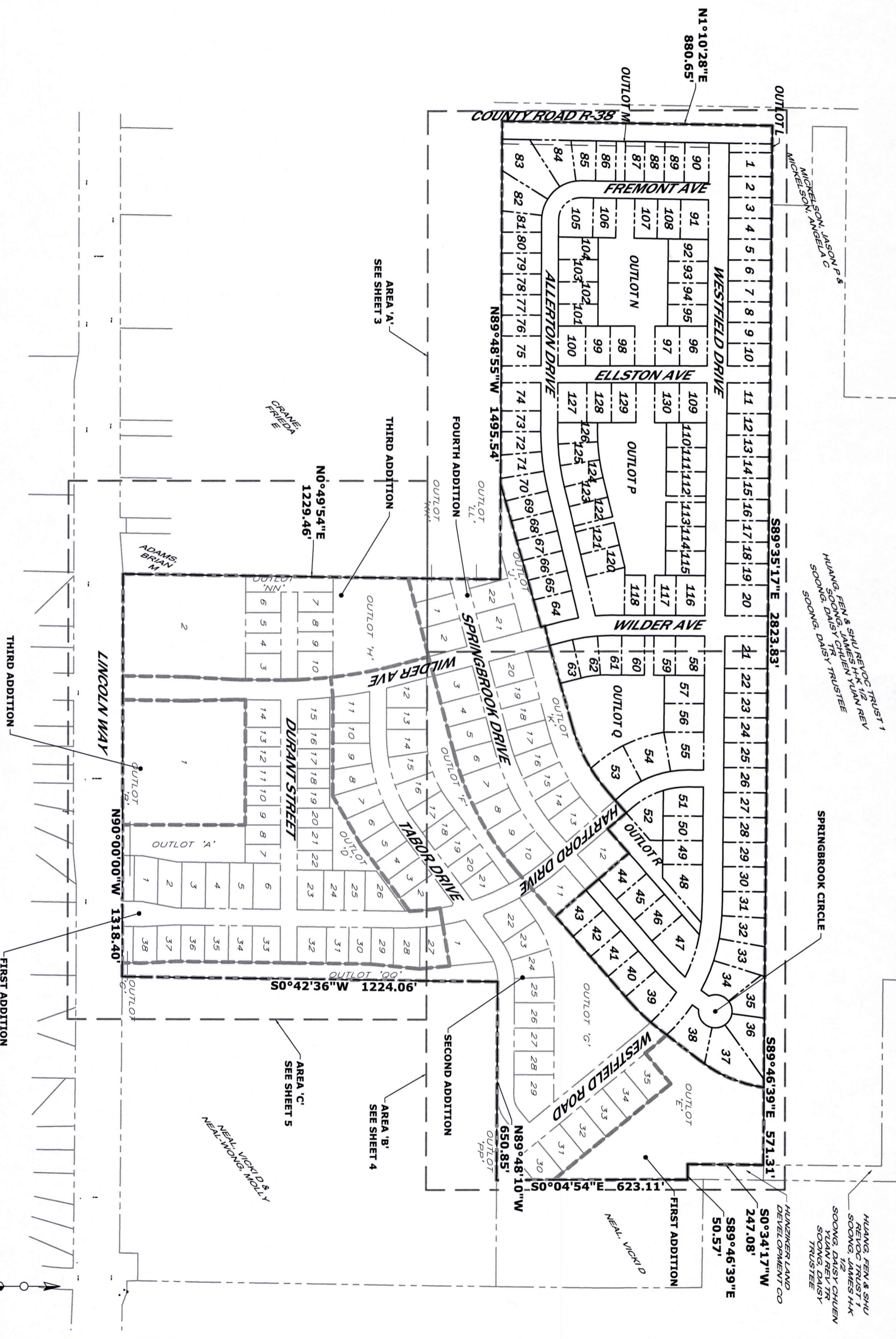
ATTACHMENT D

Applicable Master Plan Law

The laws applicable to this revision to the Master Plan for Sunset Ridge include, but are not limited to, the following: (verbatim language is shown in *italics*, other references are paraphrased):

Ames Municipal Code, Chapter 29, Section 29.1202, provides the zoning provisions for “Suburban Residential” development in the “FS-RL” and in the “FS-RM” zones. Suburban Residential development principles, permitted uses, supplemental development standards, and regulations for minimum required densities, requirements for lot and block design requirements, open space, landscape buffers and parking are provided.

Ames Municipal Code, Chapter 29, Section 29.1502(5), provides submittal requirements and procedures for processing a “Master Plan.”



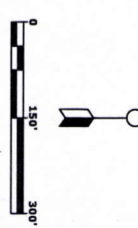
MICKELSON, ANGELA C
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HUANG, FEN & SHU REVOC TRUST 1
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SOONG, JAMES H.K 1/2
YUAN REV TR

HUNZIKER LAND DEVELOPMENT CO

NEAL, VICKI D & NEAL-WONG, MOLLY



OVERALL SUBDIVISION MAP
SUNSET RIDGE SUBDIVISION
PRELIMINARY PLAT / MASTER PLAN
AMES, IOWA



FOX Engineering Associates, Inc.
414 South 17th Street, Suite 107
Ames, Iowa 50010
Phone: (515) 233-0000
FAX: (515) 233-0103

DATE	REVISION	BY	DATE
09-11-12	REVISED PER DRC COMMENTS DATED 9-5-12	DESIGNED: SAW	09/12
		DRAWN: SES	09/12
		CHECKED:	
		LAST UPDATE:	09/11/12

COUNCIL ACTION FORM

**SUBJECT: REPORT OF BIDS FOR WATER POLLUTION CONTROL FACILITY
MOTOR CONTROL CENTER NO. 1 REPLACEMENT**

BACKGROUND:

The Water Pollution Control (WPC) Plant Motor Control Center No. 1 is an electrical panel that distributes power and provides overload protection to all of the equipment in the Raw Water Pump Station. Over the years, various corrosive gases present in the building have contributed to a deterioration of the electrical connections. In order to ensure continued power and proper protection for the motors, this unit must be replaced. This is part of the normal cycle of infrastructure replacement within a wastewater treatment plant.

On September 11, 2012, the City Council granted approval to issue a Notice to Bidders for this project. On October 16, the City received bids to provide all labor, equipment, materials, and other components necessary to complete this project according to the City's specifications. Bids were received as follows:

Bidder	Lump Sum Bid
Engineer's estimate	\$100,000.00
Baker Electric, Des Moines, IA	\$ 81,842.00
Biermann's University Electric Company, Des Moines, IA	\$ 96,940.00
The Waldinger Corporation	\$113,188.00

Funding for this repair in the amount of \$136,740 was approved by Council on September 11, 2012. This included \$88,741 found by delaying a project to replace the main plant transformer, and another \$48,000 found by delaying the replacement of a waste activated sludge pump. The engineering consultant's contract was awarded in the amount of \$12,500. The engineer's estimate to replace MCC#1 was \$100,000, plus a contingency of \$10,000.

All bids received appear to be responsive, and all three are less than the budgeted amount. However, staff recommends delaying the award of contract for three weeks for further evaluation.

ALTERNATIVES:

1. Receive the report of bids submitted for the WPC Facility Motor Control Center No. 1 (MCC#1) Replacement Project and delay award of contract.
2. Reject all bids.

MANAGER'S RECOMMENDED ACTION:

It is very important to proceed with this project in order to provide appropriate power distribution and overload protection to all of the equipment in the Raw Water Pump Station. Although responsive bids have been received within the budgeted amount, staff recommends delaying award of contract for further evaluation.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby receiving the report of bids for the WPC Facility Motor Control Center No. 1 Replacement Project but delaying award of contract for further evaluation.

COUNCIL ACTION FORM

SUBJECT: REPORT OF BIDS FOR THE AMES PUBLIC LIBRARY RENOVATION AND EXPANSION – ABATEMENT WORK

BACKGROUND:

On August 16, 2012, the Library Board of Trustees approved a contract with Terracon to design an abatement plan based on Terracon's environment site survey that was completed in the summer of 2012. The abatement plan was competitively bid separate of the general construction contract and includes monitoring and clearance testing to ensure that the remediation is done thoroughly.

On September 11, 2012, the City Council approved plans and specifications for the Ames Public Library Abatement Work. Bids were opened for this project on October 11, 2012. The Engineer's Estimate was \$120,000 for lead and asbestos abatement. Seven bids were received as follows:

Bidder	Base Bid Amount
Abatement Specialties LLC, Cedar Rapids, IA	\$49,659.00
ECCO Midwest, Inc., Cedar Rapids, IA	\$53,450.00
ESA, Inc., Omaha, NE	\$59,900.00
Seneca Companies, Inc., Denver, CO	\$89,913.00
Midwest Service Group, St. Peters, MO	\$98,450.00
Robinson Brothers Environmental, Inc., Waunakee, WI	\$102,455.00
Environmental Assurance Co., Inc., Indianapolis, IN	\$117,361.00

On October 18, 2012, the Library Board of Trustees received the bid tabulation and adopted a resolution recommending that the City Council award the contract to Abatement Specialties, LLC, of Cedar Rapids, IA.

The work described in the bid documents need only be undertaken if renovation or demolition activities take place at the Library which would disturb the asbestos-containing materials or create lead-based waste. Therefore, the Library Board's resolution of October 18 also states that award of the contract shall be contingent upon receipt, by the bid due date of November 15, 2012, of a responsive general construction bid from a responsible bidder not greater than the amount budgeted for the general construction contract within the Ames Public Library Renovation and Expansion Project budget. This stipulation was also noted in Solicitation for Bids No. 2013-041 prepared by the City's Purchasing Department.

On October 9, 2012, the City Council's approved a resolution for the plans and specifications for the construction of the project. The hearing and consideration of the construction bids will be held on November 27, 2012 at the City Council meeting. Therefore, the Library is requesting that the City Council accept the Ames Public Library Renovation and Expansion - Abatement Work report of bids and **delay the award** of the abatement contract until November 27, 2012.

ALTERNATIVES:

1. Accept the Ames Public Library Renovation and Expansion - Abatement Work report of bids with delay of contract award until the November 27, 2012 council meeting, contingent upon receipt of a responsive general construction bid from a responsible bidder not greater than the amount budgeted for the Library's Renovation and Expansion Project budget.
2. Do not proceed with the abatement project at this time.

MANAGER'S RECOMMENDED ACTION:

The Ames Public Library abatement work is necessary prior to the renovation and expansion project. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the Ames Public Library Renovation and Expansion - Abatement Work report of bids with delay of contract award until the November 27, 2012 council meeting, contingent upon receipt of a responsive general construction bid from a responsible bidder not greater than the amount budgeted for the Library's Renovation and Expansion Project budget.**

CITY OF AMES, IOWA			
Ph: 515-239-5125 * Fax: 515-239-5325 Mike Adair, Procurement Specialist II			Provide all labor, equipment, materials, and other components necessary to complete the Ames Public Library Renovation and Expansion - Abatement Work in accordance with the City of Ames specifications.
BID NO. 2013-041			
Ames Public Library Renovation & Expansion			
Abatement Work	Bid Bond	Addendum #1	
BIDDERS			
Abatement Specialties LLC	Yes	Yes	\$49,659.00
ECCO Midwest, Inc.	Yes	Yes	\$53,450.00
ESA, Inc.	Yes	Yes	\$59,900.00
Seneca Companies, Inc.	Yes	Yes	\$89,913.00
Midwest Service Group	Yes	Yes	\$98,450.00
Robinson Brothers Environmemntal, Inc.	Yes	Yes	\$102,455.00
Environmental Assurance Company Inc.	Yes	Yes	\$117,361.00

COUNCIL ACTION FORM

**SUBJECT: 2010/11 STORM WATER FACILITY REHABILITATION PROGRAM –
SPRING VALLEY SUBDIVISION (UTAH DRIVE/OKLAHOMA DRIVE)**

BACKGROUND:

In accordance with requirements in the Municipal Code, new developments within the community are required to provide storm water management quantity control. This involves regulating storm water runoff discharge to pre-developed conditions through extended detention and/or retention. Through the establishment of development agreements, the City has accepted responsibility for the long-term maintenance of many of these facilities. This is because these facilities handle storm water from a larger area, which is considered “public” water. As these facilities age, sediment accumulates, vegetation becomes more prevalent, and structures need to be improved. This annual Capital Improvements Plan (CIP) program addresses these maintenance concerns.

The 2010/11 Storm Water Facility Rehabilitation Program location identified in the CIP is the Spring Valley Subdivision (Utah Drive/Oklahoma Drive). The project consists of cleaning up overgrown vegetation, removal of excess silt from an overflow structure, improvements to the overflow structure, installation of new storm sewer piping, and planting new woodland plants. The project also has an optional alternate that includes bid items for a different style of permanent erosion control.

On October 17, 2012, bids on this project were received as follows:

Contractor	Base Bid	Alternate (Optional)	Total with Alternate
Engineer's Estimate	\$101,137	\$5,345	\$106,482
Construct, Inc.	\$139,361	\$42,660	\$182,021

The project is to be financed with a 2010/11 Storm Water Utility Fund appropriation of \$100,000 and a 2011/12 Storm Water Utility Fund appropriation of \$25,000, bringing total available funding to **\$125,000**.

As bid, this project is underfunded. Staff will investigate options to modify the bid package in order to construct the project. One alternative may be to combine the project with the Utah Drive and Trail Ridge Landslide projects that were a part of the Flood Response and Mitigation Projects. Should Council agree to reject this bid and delay the project, a revised bid package will be brought back to Council at a later date.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2010/11 Storm Water Facility Rehabilitation Program – Spring Valley Subdivision (Utah Drive/Oklahoma Drive).
- b. Reject the project.

2. Accept the report of bids for the 2010/11 Storm Water Facility Rehabilitation Program – Spring Valley Subdivision (Utah Drive/Oklahoma Drive).
- b. Approve the final plans and specifications for the 2010/11 Storm Water Facility Rehabilitation Program – Spring Valley Subdivision (Utah Drive/Oklahoma Drive).
- c. Award the 2010/11 Storm Water Facility Rehabilitation Program – Spring Valley Subdivision (Utah Drive/Oklahoma Drive) to Con-Struct, Inc. of Ames, Iowa, in the amount of \$182,021.

MANAGER'S RECOMMENDED ACTION:

By accepting the report of bids and rejecting the project, staff will be able to pursue other options that will allow the project to be done within available funding during the winter of 2012 or spring of 2013.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids and rejecting the project.

ITEM #: 37
DATE: 10-23-12

COUNCIL ACTION FORM

**SUBJECT: 2008/09 TRAFFIC SIGNAL PROGRAM
(LINCOLN WAY / SHELDON AVENUE)**

BACKGROUND:

The annual Traffic Signal Program involves the removal and replacement of existing traffic signal systems. Such replacements are needed to restore structural integrity and to improve safe and reliable operation. The targeted traffic signal location has reached and exceeded its practicable life cycle. Effects of storm damage along with general wear and tear have left this facility in a deteriorated state.

The 2008/09 program location will occur at the intersection of Lincoln Way and Sheldon Avenue. The project will include removal and salvage of existing traffic signal facilities, and the installation of new traffic signal poles, cabinet, radar based vehicle-bike detection, ADA vibrotactial pedestrian push-buttons, ADA compliant pedestrian ramps, and required pavement markings. This project will also bring the traffic signal system into compliance with existing Iowa Department of Transportation (Iowa DOT) safety requirements.

On Thursday, October 18, 2012, bids were received as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Base Bid + Alt's</u>
Engineer's Estimate	\$164,000.00	N/A
KWS, Inc.	\$185,983.50	\$209,633.50
Iowa Signal, Inc.	\$194,477.34	\$219,132.94
Dickinson Company, Inc.	\$198,838.92	\$227,914.92
Voltmer, Inc.	\$232,287.91	\$255,547.91

Bids came in over the engineer's estimate due to the increased cost for raw materials such as steel and copper. Because of this fact, staff is recommending that Council reject the bid alternates for spare equipment and accept the base bid of the low bidder.

Engineering and construction administration is estimated in the amount of \$23,000 for a total estimated project cost of \$208,984. This project is shown in the 2008/09 approved budget with financing in the amount of \$175,000 from the Road Use Tax fund. Additional funding includes a \$50,000 Transportation Safety Improvement Program (TSIP) Grant from the Iowa DOT for materials. This brings total project funding to the amount of \$225,000, which allows adequate funding for the project to be awarded.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2008/09 Traffic Signal Program (Lincoln Way / Sheldon Avenue) for base bids only.
 - b. Approve the final plans and specifications for the 2008/09 Traffic Signal Program (Lincoln Way / Sheldon Avenue).
 - c. Award the 2008/09 Traffic Signal Program (Lincoln Way / Sheldon Avenue) to KWS, Inc. of Cedar Falls, Iowa, in the amount of \$185,983.50.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This project will improve the ongoing safety of pedestrians and motorists who frequent this intersection. By awarding this contract, it will be possible for construction to be completed by the July 19, 2013 deadline.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids for base bids only, approving the final plans and specifications, and awarding the 2008/09 Traffic Signal Program (Lincoln Way / Sheldon Avenue) to KWS, Inc. of Cedar Falls, Iowa, in the amount of \$185,983.50.

COUNCIL ACTION FORM

**SUBJECT: 2009/10 TRAFFIC SIGNAL PROGRAM
(LINCOLN WAY / ASH AVENUE)**

BACKGROUND:

The annual Traffic Signal Program involves the removal and replacement of existing traffic signal systems. This replacement restores structural integrity and improves safe and reliable operation. Each targeted traffic signal location has reached and exceeded its practicable life cycle. Effects of storm damage along with general wear and tear have left this particular facility in a deteriorated state.

The 2009/10 program location will occur at the intersection of Lincoln Way and Ash Avenue. The project will include removal and salvage of existing traffic signal facilities, and the installation of new traffic signal poles, cabinet, radar based vehicle-bike detection, ADA vibrotactial pedestrian push-buttons, ADA compliant pedestrian ramps, and required pavement markings. This project will also bring the traffic signal system into compliance with existing Iowa Department of Transportation (Iowa DOT) safety requirements.

On Thursday, October 18, 2012, bids were received as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Base Bid + Alt's</u>
Engineer's Estimate	\$145,000.00	N/A
KWS, Inc.	\$160,919.23	\$179,569.23
Iowa Signal, Inc.	\$164,308.19	\$183,547.19
Dickinson Company, Inc.	\$177,327.20	\$206,403.20
Voltmer, Inc.	\$190,503.22	\$208,653.22

The bids came in over the engineer's estimate due to the increased cost for raw materials such as steel and copper. Therefore, staff is recommending that Council reject the bid alternates for spare equipment and accept the base bid of the low bidder.

Engineering and construction administration is estimated in the amount of \$15,000 for a total estimated project cost of \$175,920. This project is shown in the 2009/10 approved budget with financing in the amount of \$175,000 from the Road Use Tax fund. Additional funding includes a \$50,000 Transportation Safety Improvement Program (TSIP) Grant from the Iowa DOT for materials. This brings total project funding to the amount of \$225,000, which allows adequate funding for the project to be awarded.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2009/10 Traffic Signal Program (Lincoln Way / Ash Avenue) for base bids only.
 - b. Approve the final plans and specifications for the 2009/10 Traffic Signal Program (Lincoln Way / Ash Avenue).
 - c. Award the 2009/10 Traffic Signal Program (Lincoln Way / Ash Avenue) to KWS, Inc. of Cedar Falls, Iowa, in the amount of \$160,919.23.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

By accepting the report of bids, approving the final plans and specifications, and awarding the contract, it will be possible for construction to be completed by the July 19, 2013 deadline. This will improve the ongoing safety of pedestrians and motorists who frequent this intersection.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids for base bids only, approving the final plans and specifications, and awarding the 2009/10 Traffic Signal Program (Lincoln Way / Ash Avenue) to KWS, Inc. of Cedar Falls, Iowa, in the amount of \$160,919.23.

COUNCIL ACTION FORM

**SUBJECT: 2010/11 TRAFFIC SIGNAL PROGRAM
(GRAND AVENUE / 28TH STREET)**

BACKGROUND:

The Traffic Signal Program involves the removal and replacement of existing traffic signal systems. Replacement is needed to restore structural integrity and to improve safe and reliable operation. The signal at Grand Avenue and 28th Street has reached and exceeded its practicable life cycle. Effects of storm damage along with general wear and tear have left this facility in a deteriorated state.

The 2010/11 program location will occur at the intersection of Grand Avenue and 28th Street. The project will include removal and salvage of existing traffic signal facilities, and the installation of new traffic signal poles, cabinet, radar based vehicle-bike detection, ADA vibrotactial pedestrian push-buttons, ADA compliant pedestrian ramps, and required pavement markings. This project will also bring the traffic signal system into compliance with existing Iowa Department of Transportation (Iowa DOT) safety requirements.

On Thursday, October 18, 2012, bids were received as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Base Bid + Alt's</u>
Engineer's Estimate	\$155,000.00	N/A
Baker Electric, Inc.	\$160,872.83	\$196,918.83
KWS, Inc.	\$171,282.35	\$194,932.35
Iowa Signal, Inc.	\$175,419.16	\$200,074.76
Dickinson Company, Inc.	\$185,669.80	\$214,745.80
Voltmer, Inc.	\$227,124.35	\$250,384.35

The bids came in over the engineer's estimate due to the increased cost for raw materials such as steel and copper. Therefore, staff is recommending that City Council reject the bid alternates for spare equipment, and accept the base bid of the low bidder.

Engineering and construction administration is estimated in the amount of \$16,000 for a total estimated project cost of \$176,873. This project is shown in the 2010/11 approved budget with financing in the amount of \$40,000 from the Road Use Tax fund. Additional funding includes a \$155,000 Transportation Safety Improvement Program (TSIP) Grant from the Iowa DOT for materials. This brings total project funding to \$195,000, which means this project can be fully funded and is ready to award.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2010/11 Traffic Signal Program (Grand Avenue / Ash Avenue) for base bids only.
 - b. Approve the final plans and specifications for the 2010/11 Traffic Signal Program (Grand Avenue / Ash Avenue).
 - c. Award the 2010/11 Traffic Signal Program (Grand Avenue / 28th Street) to Baker Electric, Inc. of Des Moines, Iowa, in the amount of \$160,872.83.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This project will improve the ongoing safety of pedestrians and motorists who frequent this intersection. By proceeding with this award now, it will be possible for construction to be completed by the August 1, 2013 deadline.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids for base bids only, approving the final plans and specifications, and awarding the 2010/11 Traffic Signal Program (Grand Avenue / 28th Street) to Baker Electric, Inc. of Des Moines, Iowa, in the amount of \$160,872.83.

ITEM #: 40
DATE 10-23-12

COUNCIL ACTION FORM

**SUBJECT: 2010/11 TRAFFIC SIGNAL PROGRAM
(SOUTH DAYTON AVENUE / SOUTHEAST 16TH STREET)**

BACKGROUND:

The Traffic Signal Program involves the installation of new, or removal and replacement of existing traffic signal systems. This location is for the installation of a new traffic signal that was found to be warranted as determined by an engineering study. The study was performed after the realignment of South Dayton Avenue was open to traffic.

The 2010/11 program location will occur at the intersection of South Dayton Avenue and Southeast 16th Street. The project will include installation of new traffic signal facilities, including traffic signal poles, cabinet, radar based vehicle-bike detection, ADA vibrotactial pedestrian push-buttons, ADA compliant pedestrian ramps, and required pavement markings. This new project will also be in compliance with existing Iowa Department of Transportation (IDOT) safety requirements.

On Thursday, October 18, 2012, bids were received as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Base Bid + Alt's</u>
Engineer's Estimate	\$145,000.00	N/A
Baker Electric, Inc.	\$157,573.72	\$193,619.72
KWS, Inc.	\$159,948.30	\$183,238.30
Iowa Signal, Inc.	\$166,880.52	\$191,536.12
Dickinson Company, Inc.	\$178,778.28	\$207,854.28
Voltmer, Inc.	\$191,661.74	\$214,921.74

The bids came in over the engineer's estimate due to the increased cost for raw materials such as steel and copper. Therefore, staff is recommending that City Council reject the bid alternates for spare equipment, and accept the base bid of the low bidder.

Engineering and construction administration is estimated in the amount of \$15,000 for a total estimated project cost of \$172,574. This project is shown in the 2010/11 approved budget with financing in the amount of \$160,000 from the Road Use Tax fund. This leaves a budget shortfall of approximately \$12,574, which can be covered from savings from the other location, 28th Street / Grand Avenue, with in the same 2010/11 year of the Capital Improvements Plan. That location had savings in the amount of \$18,127.

ALTERNATIVES:

- 1a. Accept the report of bids for the 2010/11 Traffic Signal Program (South Dayton Avenue / Ash Avenue) for base bids only.
 - b. Approve the final plans and specifications for the 2010/11 Traffic Signal Program (South Dayton Avenue / Ash Avenue).
 - c. Award the 2010/11 Traffic Signal Program (South Dayton Avenue / Southeast 16th Street) to Baker Electric, Inc. of Des Moines, Iowa, in the amount of \$157,573.72.
2. Reject the project.

MANAGER'S RECOMMENDED ACTION:

This new signal will improve the ongoing safety of pedestrians and motorists who frequent this intersection. By awarding a contract at this time, it will be possible for construction to be completed by the August 1, 2013 deadline.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids for base bids only, approving the final plans and specifications, and awarding the 2010/11 Traffic Signal Program (South Dayton Avenue / Southeast 16th Street) to Baker Electric, Inc. of Des Moines, Iowa, in the amount of \$157,573.72.



Memo

Legal Department

TO: Mayor and City Council
FROM: Kristine Stone, Assistant City Attorney
RE: Public Urination ordinance amendment – Section 11.4
DATE: October 9, 2012

The Ames Municipal Code specifies that a public urination violation is punishable as a “misdemeanor”. *See* Sec. 11.4. However, Chapter 11, which is the Health and Sanitation chapter, contains a general penalty provision which states that any violation of the chapter may be charged as either a municipal infraction or as a simple misdemeanor. These two code sections are therefore in conflict with one another.

The police department has requested that Section 11.4 be amended to remove the misdemeanor requirement. This will allow officers to charge a public urination violation as either a municipal infraction or as a criminal charge, which will give the officers more flexibility when writing citations. This will also be more consistent with the other provisions contained within Chapter 11. The police department is therefore requesting that the attached ordinance be passed.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 11.4, AND ADOPTING A NEW SECTION 11.4 TO REMOVE THE REFERENCE TO MISDEMEANOR; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Police Department would like to have the flexibility of charging a public urination/defecation violation as either a municipal infraction or simple misdemeanor; and

WHEREAS, currently the Code requires that any such violations be charged as a misdemeanor.

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

Section One. The Municipal Code of the City of Ames, Iowa, shall be and the same is hereby amended by repealing Section 11.4, and adopting a new Section 11.4, to read as follows:

“Sec. 11.4. URINATION AND DEFECATION.

No person shall urinate or defecate onto any sidewalk, street, alley, or other public way or onto the floor, hallway, steps, stairway, doorway or window of any public or private building.”

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

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

Passed this _____ day of _____, 2012.

ATTEST:

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor